

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02284/PNR	Change of use of existing grain store from agricultural to flexible commercial use under use class E.	Priory Farm Priory Lane Little Wymondley Hitchin Hertfordshire SG4 7HD

Submitted Plan Nos

C2817 A58410g

1.0 **Site History**

1.1 None.

2.0 **Policies**

2.1 Class R, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

3.0 **Representations**

3.1 **Environmental Health** – No objections.

3.3 **Highways Officer** – No objections. Recommends advisory notes.

3.4 **Site Notice** – No responses received

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The agricultural building subject of this proposal is located at Priory Farm, Little Wymondley, Hitchin, Hertfordshire SG4 7HD, and forms part of an Established Agricultural Unit. The Established Agricultural Unit extends to 198.24 hectares (489.86 acres), or thereabouts and has been farmed by the applicant's farming business for a number of generations. Agricultural practices include rotational cereal cropping typical of the local area. Due to restructuring of the farm business and the availability of alternative grain storage, the building at Priory Farm is no longer required to be used as an agricultural building.

4.2 **Proposal**

4.2.1 Prior Approval is sought under Part 3 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of a building from agricultural use to a flexible commercial use falling within Class E of the schedule to the Use Classes Order.

4.3 Key Issues

4.3.1 The key issues are firstly whether the proposed works are permitted development as defined by The Town and Country Planning (General Development Order) 2015 as amended, Schedule 2, Part 3, Class 'R' and meets the limitations and conditions set out in R.1 and R.2 of the Order. Secondly, whether the prior approval of the LPA is required in relation to the conditions listed in paragraph R.3 of the same.

4.3.2 *R. Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use-*

(a) falling within one of the following provisions of the Use Classes Order—

(i) Class B2 (general industrial) of Schedule 1;

(ii) Class B8 (storage or distribution) of Schedule 1;

(iii) Class C1 (hotels) of Schedule 1;

(iv) Class E (commercial, business or service) of Schedule 2; or

(v) Class F.2(c) (outdoor sport or recreation) of Schedule 2; or

(b) for the provision of agricultural training.

The application proposes the change of use of the building. As above, Class R relates to the change of use of a building and any land within its curtilage. The existing building is considered to be in agricultural use, and the proposal relates to the whole building.

4.3.3 Qualification as permitted development (Paragraph R.1)

R.1 Development is not permitted by Class R if—

(a) the building was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 3rd July 2012;

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;

The statement provided alongside the application confirms that the building has been solely used for agricultural purposes in association with an established agricultural unit since before 3rd July 2012. The proposal complies with this criterion.

(b) the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1000 square metres;

The floor space would be under 1000 sqm (443 sqm). The proposal would comply with the above criterion.

(c) the site is, or forms part of, a military explosives storage area;

The site does not form part of a military explosives storage area and is therefore compliant with the above condition.

(d)the site is, or forms part of, a safety hazard area; or

The site is, and does not, form part of a safety hazard area. The proposal complies with the above criteria.

(e)the building is a listed building or a scheduled monument.

The building is not a listed building and is not a scheduled monument. The proposal complies with the above criterion.

4.3.3 Conditions (Paragraph R.2)

The change of use is permitted subject to the conditions in paragraph R.2. It should be noted that once changed the new 'flexible' use will be regarded a '*sui generis*' meaning planning permission would be required to move away from the flexible use to any other use which amounts to development. A further application for prior approval will also be required to change to another of the flexible uses within Class R, should prior approval be given and the change of use implemented.

4.3.4 Prior approval (Paragraph R.3)

This section falls into two parts:

- (a) A building or buildings with a floor space under 150 square metres;
- (b) A building or buildings with a floor space that exceeds 150 square metres;

The building has a floor space of that exceeds 150sqm and as such, R3 (1b) is activated and therefore prior approval is required with relation to:

- (i) Transport and highways impacts of the development;
- (ii) Noise impacts of the development;
- (iii) Contamination risks on the site; and
- (iv) Flooding risks on the site.

4.3.5 Transport and Highways Impacts

HCC Highways have been consulted and raise no objections

The submitted Transport statement and advises that visibility is sufficient and that vehicle movements generated by the proposal will not have a detrimental impact on the operation of the local highway network.

4.3.6 Noise Impacts of the Development

No objection has been raised by Environmental Health (Noise). Overall it's not considered that noise impacts would be harmful.

4.3.7 Contamination risks on the site

No objections have been received from Environmental Health in relation to the contamination risks of the site. The supporting statement submitted alongside the application does not suggest any contamination risks. The site does not fall within any landfill or pollution zones.

4.3.8 Flood Risks

The site is situated wholly in Flood Zone 1, where there is less than 0.1% annual probability of river or sea flooding. In addition, the site has a very low risk of surface water flooding. As such, it is considered that there will be no unacceptable flood risks of the proposed change of use.

4.4 **Conclusion**

4.4.1 The proposed development would comply with the criterion set out in Class R of the General Permitted Development Order. The prior approval of the local planning authority is therefore granted. The proposal is permitted development under Class R of the Order.

4.5 **Alternative Options**

4.5.1 None applicable

5.0 **Recommendation**

5.1 That prior approval is **GRANTED**

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 3 November 2025	

