

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00090/LDCE	Siting of shipping container positioned in excess of 10 years, for storage of rugby training equipment for Royston Rugby Club.	Royston Rugby Club Heath Sports Club Baldock Road Royston Hertfordshire SG8 5BG

Submitted Plan Nos

Location plan Floor plan and elevations

1.0 Policies

2.0 Site History

2.1 None.

3.0 Representations

3.1 None.

4.0 Planning Considerations

4.1 **Site and Surroundings**

- 4.1 The application site is the associated buildings and car parking area at Therfield Heath, Royston. The site is used by several sports clubs, including Royston Rugby Club who play on the adjacent pitch.

4.2 **Proposal**

- 4.2.1 A certificate of lawfulness (existing) is sought for the siting of shipping container positioned in excess of 10 years, for storage of rugby training equipment for Royston Rugby Club.

4.3 **Key Issues**

- 4.3.1 In line with the above, Section 171b of the Town and Country Planning Act 1990 (Amended) states that no enforcement action can be taken on a breach of planning control if a period of 10 years, beginning from the date of the breach, has surpassed.
- 4.3.2 The supporting information alongside this application makes the argument that the shipping container has been positioned on the site and used accordingly since July 2013, which is a period of 12 years.
- 4.3.3 As such, the applicant has submitted evidence to demonstrate that the shipping container has been positioned in situ for at least 10 years. This evidence includes:
- Aerial photograph of the site from 2013 to present day.
 - Dated photographs of the shipping container on the site.
 - Several statutory declarations from interested parties
- 4.3.4 The submitted aerial photographs, google maps photographs, and other supporting photographs of the site show that the shipping container in question has been present on the site since at least January 2014, with further images showing the container in situ in January 2017 and 2025. Google Earth aerial images show the presence of built form in this very location, albeit the quality of the imagery isn't too clear from 2017 until the present day.
- 4.3.5 Moreover, several statutory declarations have been provided by operators and users of the site who state that the shipping container has been present on site since 2013 and used for the storage of rugby equipment, with many sharing their photographs of the container throughout its life on the site for 12 years. These declarations are consistent with the aerial and supporting photographs submitted with this application.

Conclusion

- 4.3.6 In conclusion, the evidence submitted with this application in the form of aerial photographs, dated photographs and other supporting photographs, several signed statutory declarations by users and operators of the site, as well as the Councils own findings, are strong primary evidence in support of the argument that the shipping container has been on site since at least January 2014. As such, it is considered that the evidence submitted, on the balance of probabilities, shows that the shipping container has been in situ for a continuous and uninterrupted period of at least 10 years. Therefore, in my considered view, a certificate of lawfulness can be issued for the shipping container, in accordance with Section 171B of the Town and Country Planning Act 1990 (Amended).

5.0 **Recommendation**

5.1 That a certificate of lawfulness be **GRANTED** for the following reason:

1. The evidence submitted with this application supports the view that the shipping container has been present on site since at least January 2014. As such, it is considered that the evidence submitted, on the balance of probabilities, shows that the shipping container has been in situ on site for a continuous and uninterrupted period of at least 10 years. Therefore, in accordance with Section 171B of the Town and Country Planning Act 1990, no enforcement action can be taken upon a breach of planning control if a period of 10 years has surpassed from the date of the original breach. As such, a certificate of lawfulness can be issued

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 26 February 2026	