

Reference: PP-14721759

DD:

E:

Date: 6 Feb 2026

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Submitted Via the Planning Portal

To Development Management,

CHANGE OF USE OF 467SQM (UNIT 2) FOR A FLEXIBLE USE TO INCLUDE CLASS E (G(III) AND D), B2 AND B8 WITH ANCILLARY TRADE COUNTER (AMENDMENT TO PLANNING PERMISSION 22/00863/S73)

UNIT 2, ROYSTON GATEWAY TRADE PARK, ROYSTON, HERTFORDSHIRE, SG8 5FP

On behalf of the Applicant, Kimberley Developments Ltd, I am pleased to submit this change of use application for unit 2 to update the former class B1c consented space to allow Class E(d) (indoor sport and recreation) as an alternative, to facilitate a new occupier interest.

Planning History:

The whole site benefits from planning permission for a flexible use class within the former B1c, B2 and B8 uses with ancillary trade counter. The unit has been constructed and is available for occupation/internal fit out. The existing lawful use as granted by the planning permission 18/02892/FP is within Use Class B1c, B2 and B8.

The principle of the use:

The applicant has advanced interest in Unit 2 for 467sqm of Class E(d) floorspace to suit the intended occupier's operational requirements which is in the sports and leisure industry. Class E was brought about by the Town and Country Planning (Use Classes)(Amendment) (England) Regulations 2020 (The 2020 Regulations). These amend the Town and Country Planning (Use Classes) Order 1987 (the Use Classes Order).

The updated Use Classes Order specifies classes for the purpose of section 55(2)(f) of the 1990 Act. Section 55(2) provides that a change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the specific use class.

Amongst other things, the 2020 Regulations revoked Parts A and D of the Schedule to the Use Classes Order and inserted a new Schedule 2 providing for new classes including Class E (Commercial, business and service). This is a much broader use class incorporating a range of uses which are deemed to have similar impacts. Class E absorbs Class B1 into the new Class E along with other previous use classes including D2 (indoor sports and leisure).

The 2019 planning permission for the unit (18.02892.FP as updated by 22.00863.s73 on 17 June 2022) permitted uses that now automatically fall into Class E, namely the B1c use set out in the description of development. There were no restrictions imposed by condition in respect of the B1c use on the planning permissions.

The occupier interest for Unit 2 falls within Class E(d) as an indoor sport and leisure operator. We seek a change to the permitted uses for unit 2 to facilitate an alternative use to the permitted Class E g(iii) to also include Class E(d).

Local Plan Policy ETC1 is relevant here. It supports the lawful use of unit 2 but also allows other uses as an exception provided, they are ancillary and would bring comparable benefits and would make use of vacant buildings. The proposed Class E(d) use would comply.

Whilst the Class E is intended to allow a variety of uses which have similar impacts, the proposed indoor leisure use of 467sqm of floorspace would usually be considered a town centre use. However, it falls significantly below the NPPF threshold of 2,500sqm for an Impact Assessment and below the locally derived threshold of 500sqm for Royston as defined in Local Plan Policy ETC3. In terms of its location, the unit is wholly accessible by the employment workforce within the immediate area – i.e. from the other units within Royston Business Park and would also serve the surrounding employment areas within Greenfield and York Way. All can reasonably be expected to access the unit on foot and it is a wholly appropriate addition to the employment area, even taking account of sequential considerations. In terms of the sequential test, there are no other vacant buildings of this type and scale available within the town centre to accommodate the use sought.

While this proposed use falls outside the traditional employment/B-use classes, Policy ETC1 does not strictly prohibit other uses where they support wider economic or employment objectives. In this case, the use of a vacant, modern building for a sports and leisure use that generates ongoing employment, encourages public activity, health and wellbeing and enhances the local service offer within an employment area is considered consistent with the aims of the policy.

Health and Safety Executive:

Unit 2 is also located within the Middle Zone of the HSE Consultation Zone. The nature of the proposed use is classified as DT2.4: Indoor Uses by the Public. The unit is above the 250sqm threshold at 467sqm of total occupied floorspace but below the 5,000sqm threshold and is classed as Sensitivity Level 2. Applying this to the Decision Matrix in the HSE's Land Use Planning Methodology, a Level 2 proposal in the Middle Zone is concluded to be DAA – Do Not Advise Against Development.

Compatibility with neighbouring uses:

The site is located within a commercial and light-industrial estate characterised by modern industrial, retail and warehouse buildings. There are no residential properties nearby, and the adjacent land uses include similar format commercial buildings and ancillary parking. The proposed indoor leisure use would operate entirely within the existing building envelope, with no external activity aside from car parking. The proposal would therefore be compatible with surrounding business uses and would not prejudice ongoing employment activity on adjoining plots.

Design and appearance:

The design and appearance of the development will remain the same as the existing unit. No external changes are required to accommodate the use and there would be no change to the character of the area. As internal works do not amount to development requiring planning permission, consent is sought for the change of use only.

Access and Parking:

The site benefits from an existing vehicular access onto Darlington Road and an on-site parking area serving the trade park unit including other shared spaces, disabled bays and dedicated cycle parking and footpath access. There are 5 dedicated spaces in front of the unit and access to 23 communal visitor/shared spaces including disabled bays and communal cycle parking.

Access arrangements remain unchanged and are of a suitable design and capacity to accommodate the proposed alternative use. Pedestrian and cycle links are available along Durham Way, connecting to the wider road and path network, providing opportunities for sustainable travel for employees and visitors.

Biodiversity Net Gain:

As no new floorspace is created, and this application seeks an alternative use only, this application is exempt from BNG Legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

I do hope the enclosed changes meet with your approval. Alternatively, should you wish to discuss any aspect of the above, please do not hesitate to contact me.

Yours sincerely,

Stacey Rawlings MRTPI
Director