

PLANNING STATEMENT

Section 73 Application to Vary Condition 3 8 Bucklersbury, Hitchin, SG5 1BB

1. Introduction

This Planning Statement has been prepared in support of an application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 3 attached to planning permission **22/02910/FP**.

The application seeks to amend the approved opening hours by permitting the premises to open from **07:00** each day whilst retaining the existing approved closing times.

No other changes to the approved development are proposed.

2. Site and Planning History

The application relates to the ground floor commercial premises at **8 Bucklersbury, Hitchin**, located within Hitchin Town Centre and the Hitchin Conservation Area.

Planning permission **22/02910/FP** was granted on **13 March 2023** for:

Change of use from Class E to Class E/Sui Generis of ground floor to tasting room and off-licence.

The permission has been implemented and the premises operate in accordance with that approval. Condition 3 currently restricts opening hours to commence at **12:00** each day.

3. The Proposal

This application seeks only to vary Condition 3 by allowing the premises to open from **07:00** each day. The existing approved closing hours would remain unchanged.

No physical alterations are proposed. The application does not seek to change the approved planning use, increase the scale of development or alter the character or appearance of the building.

4. Planning Assessment

The principle of the approved use has already been established through planning permission **22/02910/FP**. This application concerns only the variation of an operational condition relating to opening hours.

The proposal would allow the approved business to operate throughout the day by extending its trading hours. The variation would provide greater flexibility in the operation of an established town centre business, enabling more effective use of an existing commercial premises throughout the day. It would enable the premises to be used more effectively whilst maintaining the established character of the business.

The site occupies an established commercial unit within Hitchin Town Centre where commercial activity throughout the day is characteristic of the area. As no physical alterations are proposed, the development would have no effect on the appearance of the building or the character of the Conservation Area.

The application does not seek any extension to the approved evening opening hours. Having

regard to the town centre location and the limited nature of the proposal, the variation is not considered likely to give rise to unacceptable impacts on neighbouring occupiers.

The proposal would support the continued occupation and effective use of an existing commercial premises and contribute positively to the vitality and viability of Hitchin Town Centre. It is therefore consistent with the objectives of the North Hertfordshire Local Plan and the National Planning Policy Framework in supporting sustainable town centre development whilst safeguarding residential amenity.

5. Conclusion

This application seeks only to vary Condition 3 of planning permission **22/02910/FP** by permitting the premises to open from **07:00** whilst retaining the existing approved closing hours.

The proposal retains the approved planning use, involves no physical alterations, preserves the character and appearance of the building and surrounding area, would not result in unacceptable impacts on neighbouring amenity, and would make more effective use of an existing town centre commercial premises.

The proposed variation represents a modest operational amendment to an established and implemented planning permission. It is therefore respectfully submitted that the application accords with the Development Plan and the National Planning Policy Framework and that planning permission should be granted.