

Application for Removal or Variation of a Condition following Grant of Planning Permission or
Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation
Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	HUB Fitness
Address Line 1	Unit 1-4
Address Line 2	Glovers Court
Address Line 3	23-25 Bury Mead Road
Town/city	Hitchin, Hertfordshire
Postcode	SG5 1RP

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
518831	230341

Description

PLEASE NOTE:

Units 1-4 are located at Easting: 518820 & Northing: 230324, which are slightly different to the coordinates above.

Applicant Details

Name/Company

Title

Mr

First name

Fenton

Surname

Hancock

Company Name

HUB Fitness

Address

Address line 1

HUB Fitness Unit 1-4

Address line 2

Glovers Court

Address line 3

Town/City

Hitchin, Hertfordshire

County

23-25 Bury Mead Road

Country

UK

Postcode

SG5 1RP

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Applicant Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mrs

First name

Kerry

Surname

Dames

Company Name

Dames A+P

Address

Address line 1

The Studio

Address line 2

Keyingham House

Address line 3

Abbey Road

Town/City

Medstead

County

Hampshire

Country

GB

Postcode

GU34 5PB

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Erection of a single storey building for 6 workshop units and parking spaces.

Reference number

1/1900/87 or (87/01900/1)

Date of decision (date must be pre-application submission)

04/02/1988

Please state the condition number(s) to which this application relates

Condition number(s)

3

Has the development already started?

☒ Yes

☐ No

If Yes, please state when the development was started (date must be pre-application submission)

01/01/1989

Has the development been completed?

☒ Yes

☐ No

If Yes, please state when the development was completed (date must be pre-application submission)

01/12/1989

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Please refer to covering letter prepared by Dames A+P dated 28 April 2026

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Please refer to the covering letter prepared by Dames A+P dated 28 April 2026:

Proposed Revised Condition 3:

“Units 1–4 of the workshop development hereby permitted shall be used only for purposes falling within Class E(d) (Indoor sport, recreation or fitness) and Class B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order.

Units 5 and 6 of the workshop development hereby permitted shall be used only for purposes falling within Class E(g) and Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order.

Reason: To safeguard the amenities of nearby residential occupiers.”

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
- ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
- ☐ The applicant
- ☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
- ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Emails dated 26 March 2026 and 14 April 2026

Date (must be pre-application submission)

14/04/2026

Details of the pre-application advice received

Please find the relevant emails copied below:

On 26 Mar 2026, at 15:08, Anne McDonald wrote:

Hi Fenton

Thank you for your email.

I am sorry but I cannot explain why Andrew did not mention the limitation of the condition imposed on the 1987 planning permission, and because that condition exists, there is a limitation on the use of the building. Your options in my view are to either submit a S73 application to remove the B1 limitation from the original permission and rely on the Use Classes Order for the gym use, or to submit a full application for the retention of the use.

Many thanks

Anne McDonald MRTPI
Development Management Team Leader

From: Anne McDonald
Date: Tue, 14 Apr 2026 at 18:38

Hi Fenton

Thank you for your email.

I have no objection to the S73 application being submitted as your agent has suggested. In my view there is little difference in the approaches. If a new full application were submitted and approved and then implemented, this would override the planning history and the old condition in effect would fall away. Both routes, if approved, would achieve the same outcome.

Many thanks

Anne McDonald MRTPI
Development Management Team Leader

01462 474634

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

☐ Yes

☒ No

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

☒ Yes

☐ No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

- ☒ I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or
- ☐ The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Number:

Suffix:

Address line 1:

Units 5-6

Address Line 2:

Virgin Media/O2, Arlington Business Centre, Millshaw Park Lane

Town/City:

Leeds

Postcode:

LS11 0NE

Date notice served (DD/MM/YYYY):

28/04/2026

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Virgin Media Ltd

Number:

Suffix:

Address line 1:

500 Brook Drive

Address Line 2:

Green Park

Town/City:

Reading, Berkshire

Postcode:

RG26UU

Date notice served (DD/MM/YYYY):

28/04/2026

Person Family Name:

Person Role

☒ The Applicant

☐ The Agent

Title

Mr

First Name

Fenton

Surname

Hancock

Declaration Date

28/04/2026

☒ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Kerry Dames

Date

28/04/2026