

APPLICATION NO: 14/01270/CONDIT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 15th July 2014		DATE OF EXPIRY: 9th September 2014	
WARD: Leckhampton		PARISH: None	
APPLICANT:	Mr Umesh Korant		
AGENT:	None		
LOCATION:	Unit 3, Maida Vale Business Centre, Maida Vale Road		
PROPOSAL:	Variation of condition 2 (hours of business) and condition 3 (hours of loading/unloading) on planning permission ref. 02/00813/CONDIT granted 25th July 2002 to allow the premises to be used between the hours of 7.00am and 7.00pm Monday to Friday, and 7.00am and 3.00pm on Saturday, Sunday and Bank Holidays		

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. Further to the previous update, discussions have taken place with the Enforcement team in respect of the conditions previously imposed on this unit.
- 1.2. In particular, the wording of condition 2 (refer to main report) is considered too ambiguous and as such does not meet the six required tests in that it was not enforceable, precise or reasonable; this has therefore lead to inaction previously.
- 1.3. It is therefore proposed that the wording of suggested condition 2 be amended to read:

Machinery associated with the laundry operations on the premises shall be used only between the hours of 7.00am and 7.00pm on Mondays to Fridays inclusive; 7.00am and 3.00pm on Saturdays; and 9.00am and 3.00pm on Sundays and Bank Holidays. No machinery shall be used outside these hours.

Reason: To safeguard the amenities of the occupiers of residential properties in the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 1.4. Such a condition would ultimately enable the Authority to better control the use and allow the applicant to reasonably be on site outside of these hours to carry out other activities such as attending to paperwork or preparing the linen for processing the following day. The amended condition is fully endorsed by the Environmental Health Officer.
- 1.5. The following comments have also been received from the applicant since the last update:

...I would like to confirm that only a maximum of 2 staff will ever be expected on site on Sundays and only 3 on Bank Holidays.

There would be 2 delivery/collection runs on Sundays using 1 light vehicle and 3 on Bank Holidays using 2 light vehicles.

On Sundays and Bank holidays access to the unit would only be through the office door not the roller shutter.

The application is purely to have the flexibility should we need to cover exceptionally busy periods and not for permanent extension to operational times.

- 1.6. In spite of the above comments, the hours suggested by the Environmental Health Officer are based on a worst case scenario i.e. all machines running at full capacity.

2. RECOMMENDATION

- 2.1. The recommendation remains to permit the application subject to the following amended conditions:

3. CONDITIONS

- 1 The variation in hours of operations and deliveries hereby permitted shall be carried on only by Cotswold Linen Care Ltd.
Reason: The development is only acceptable because of the special circumstances of the business (as noted in the letter from the applicant accompanying the application) and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use or user due to the close proximity of residential properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 2 Machinery associated with the laundry operations on the premises shall be used only between the hours of 7.00am and 7.00pm on Mondays to Fridays inclusive; 7.00am and 3.00pm on Saturdays; and 9.00am and 3.00pm on Sundays and Bank Holidays. No machinery shall be used outside these hours.
Reason: To safeguard the amenities of the occupiers of residential properties in the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 3 No vehicles may be loaded or unloaded at the site outside the hours of 7.00am and 7.00pm on Mondays to Fridays inclusive; 7.00am and 3.00pm on Saturdays; and 9.00am and 3.00pm on Sundays and Bank Holidays.
Reason: To safeguard the amenities of the occupiers of residential properties in the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.