

APPLICATION NO: 13/01216/COU	OFFICER: Miss Chloe Smart
DATE REGISTERED: 31st July 2013	DATE OF EXPIRY: 25th September 2013
WARD: Charlton Park	PARISH: None
APPLICANT:	Mr Samuel Hashimzai
AGENT:	No agent used
LOCATION:	1A Everest Road, Cheltenham
PROPOSAL:	Change of use from residential (C3) to a nursery (D1)

Update to Officer Report

1. CONDITIONS/INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 1216:01 and 1216:03 received 18th July 2013; and in accordance with the supporting information submitted by the applicant on 28th August 2013.
Reason: To ensure the development is carried out in strict accordance with the approved drawings and with the details provided by the applicant.
- 3 This permission shall be exercised only by Mr Samuel Hashimzai (the applicant) and the site shall revert back to C3 use if the applicant ceases the use hereby approved.
Reason: The development is only acceptable because of special circumstances and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use hereby permitted.
- 4 The use hereby permitted shall not be operate outside the hours of 08:45 to 14:15 Monday to Friday, and shall not operate at any time on weekends and bank holidays.
Reason: To safeguard the amenities of adjoining properties and the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 5 No change of use shall occur until details of the proposed parking, manoeuvring and access facilities have been submitted to and agreed in writing by the Local Planning Authority. Those facilities shall be provided in accordance with the approved details prior to the change of use occurring and shall be maintained as such at all times thereafter.
Reason: To reduce potential highway impact by ensuring that adequate parking, manoeuvring and access facilities are available within the site.
- 6 The applicant shall ensure the provision of secure and covered cycle storage facilities for a minimum of 2 bicycles is provided within the curtilage of the site and such provision permanently retained at all times thereafter.
Reason: To ensure that adequate cycle storage facilities are provided in line with the Governments declared aims towards sustainable modes of travel.

- 7 In accordance with the Supporting Information submitted by the applicant on 28th August 2013, outdoor teaching is permitted for a maximum of 6 children at any one time and for a maximum combined period of 1.5 hours in any day. In addition to this, the use of the outdoor space for play is permitted for a maximum of 6 children at any one time and for no longer than a combined period of 1.5 hours a day. The outdoor space shall at no point be used for both play and teaching at the same time.
Reason: To safeguard the amenities of adjoining properties and the locality in accordance with Local Plan Policy CP4.
- 8 All windows and doors will be kept closed during any period where music is played or musical instruments are being played by either adults or children.
Reason: To safeguard the amenities of adjoining properties and the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The proposed development will require the provision of a footway/verge crossing and the Applicant is required to obtain the permission of the County Council before commencing any works on the highway.