



Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**NOTICE OF DECISION ON PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990**

VARIATION OR REMOVAL OF CONDITION

Name and Address of Applicant

Steve Jelfs
Green Acres
Aston Lane
Aston Flamville
Leicestershire
LE10 3AA

Name and Address of Agent

Part -1 Particulars of Application

Date of Application 6 June 2022

Application No. **22/0105/VAR**

Particulars and Location of Development

Variation of condition 3 (total number of nursery children at any one time) approved as part thereof planning permission 18/1521/FUL

Green Acres Aston Lane Aston Flamville Leicestershire

Part -2 Particulars of Decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS** permission for a variation of condition in the following terms:

Subject to the following conditions -


CONDITIONS

- 1 The development hereby approved relates to the following approved drawings:

Proposed Floor Plan, Scale 1:100, Dwg No Jelfs-010 Rev C
Proposed Parking and Landscaping Layout, Scale 1:200, Dwg no Jelfs-004
Received by the District Planning Authority on the 06 June 2022

Site & Parking Plan, Scale 1:500
Received by the District Planning Authority on the 19 July 2022

Date: 19 August 2022
22/0105/VAR


Proper Officer of the Council

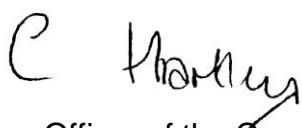


- 2 This permission conveys approval of the mixed use of the site as residential and a day nursery catering for a maximum of 42 children only at any one time and for no other uses falling within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 and Use Class E of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or any subsequent re-enactment).
- 3 The nursery hereby permitted shall only be open between the hours of 0730 and 1800 from Monday to Friday and shall be closed on Saturdays, Sundays and Bank Holidays. Any outdoor play activities by children attending the nursery shall only be permitted between the hours of 0900 and 1800 and at no other time while the nursery is open.
- 4 No walls, planting or fences shall be erected or allowed to grow on the highway boundary exceeding 0.9 metres in height above the level of the adjacent carriageway.
- 5 Notwithstanding the submitted drawing, within 3 months of the date of this decision, a revised landscape plan (showing location of individual species) shall be submitted to and agreed in writing by the District Planning Authority and thereafter provided on site within 6 months of the date of this decision. Any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
- 6 No garden/play equipment exceeding one metre in height shall be erected in the garden unless otherwise agreed with the District Planning Authority.

REASONS

- 1 For the avoidance of doubt.
- 2 The District Planning Authority would wish to review the situation in the light of any increase in the number of children to be cared for or a change in the use of the premises.
- 3 In the interests of the amenities of nearby residents.
- 4 To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
- 5 To ensure that the District Planning Authority can exercise proper control over the

Date: 19 August 2022
22/0105/VAR


Proper Officer of the Council



visual appearance of the area and in the interests of visual amenity

- 6 In the interests of the amenities of nearby residents.

NOTES TO APPLICANT

1. The development hereby permitted must be carried out in complete accordance with the approved plans. If changes are made to the approved scheme, whether INTERNALLY or EXTERNALLY, the development will not be in accordance with this grant of planning permission, it therefore would not benefit from planning permission and may result in enforcement action.

SUMMARY OF REASON FOR RECOMMENDATION AND RELEVANT DEVELOPMENT PLAN POLICIES

- 1 The District Planning Authority has reached its decision taking into account the advice contained within paragraph 38 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.

Steve Jelfs

Date: 19 August 2022
My Ref: Development Monitoring
Contact: Planning Enforcement Team
Tel No: 0116 272 7521
Email: planning.enforcement@blaby.gov.uk

Dear Sir/Madam

Development Monitoring

The enclosed planning permission has been granted and is subject to all the planning conditions attached to and forming part of the planning permission. Failure to comply with these conditions will be a breach of planning control which may result in your development being unauthorised and subject to enforcement and/or legal action.

Therefore you should ensure that you notify the Planning Enforcement Section at least 4 weeks prior to commencement of the development to ensure that all pre-commencement conditions have been discharged and complied with. Please contact me using the details at the top of this communication.

It should also be noted that the site will be monitored to ensure:-

- (a) compliance with all conditions attached to the planning permission and;
- (b) the development is carried out in accordance with the approved plans.

I look forward to your co-operation with this matter however, if you require any further information or assistance please do not hesitate to contact me.

Yours faithfully

Planning Enforcement Team