

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.

Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 22/0105/VAR

Highway Reference Number: 2022/0105/01/H/R1

Application Address: Green Acres Aston Lane Aston Flamville Leicestershire LE10 3AA

Application Type: Variation of Condition (s73)

Description of Application:

Re-consultation. Variation of condition 3 (total number of nursery children at any one time from 37 to 42) approved as part thereof planning permission 18/1521/FUL

GENERAL DETAILS

Planning Case Officer: Tom White

Applicant: Steve Jelfs

County Councillor: Cllr Maggie Wright

Parish: Aston Flamville

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

No objection

No objection to Variation of Condition 2

Background

The Local Highway Authority (LHA) has been consulted on this application for the variation of condition 3 attached to 18/1521/FUL.

There have been a number of applications at the site relating to the provision of childcare at the site since the original application under 14/0278/1/PY was granted. 14/0278/1/PY afforded the Applicant permission to cater for 22 children at the site.

Since then, numerous applications have been submitted taking the current intake to 37 children on-site at any one time, approved under 20/1295/VAR. The latest variation of condition application seeks to increase the intake to 42 children on-site at any one time.

Advice to Local Planning Authority

Condition 3

This permission conveys approval of the mixed use of the site as residential and a day nursery catering for a maximum of 37 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).

Highways Comments:

As previously alluded to the Applicant has submitted various applications to increase the number of children catered for at the site.

It should be noted that application 18/0949/VAR sought to increase the numbers from 22 to 44. Whilst this was subsequently withdrawn by the Applicant, the LHA advised approval on 7 August 2018, citing it would be difficult for the LHA to demonstrate that the proposals would have a severe impact on the highway contrary to the National Planning Policy Framework (NPPF). It was also noted that the condition was not requested by the LHA.

Given the above, the LHA would not seek to object to the variation of condition 3 attached to 20/1295/VAR.

Date Received
8 July 2022

Case Officer
Neal Chantrill

Reviewer
VV

Date issued
10 August 2022