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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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|-------------------------|--|--------------------|-------------|
| <b>Applicant</b>        | Ms Nicole Bennett<br>Nicki Day Nursery Ltd | <b>Reg. Number</b> | 14/AP/4259  |
| <b>Application Type</b> | S.73 Vary/remove conds/minor alterations   | <b>Case Number</b> | TP/2229-186 |
| <b>Recommendation</b>   | Grant permission                           |                    |             |

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Variation of Condition 3 of planning permission 08-AP-1376 granted on appeal dated 17/11/2009 for 'Change of use of existing first floor residential into nursery, in connection with the existing ground floor nursery' to extend the hours of use from 08:00 to 18:00 on Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays to allow opening: 07:00 to 19:00 on Monday to Friday and not at all on Saturday, Sundays and Bank Holidays.

**At:** 190 SOUTHAMPTON WAY, LONDON, SE5 7EU

**In accordance with application received on** 12/11/2014 08:00:52

**and Applicant's Drawing Nos.** Ordnance Survey Map showing the location of the site.

**Subject to the following three conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

Ordnance Survey Map showing the location of the site.

Reason:

For the avoidance of doubt and in the interests of proper planning.

**Commencement of works above grade** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 2 Within one month of the date of this permission, details of refuse storage arrangements shall be provided and approved in writing by the planning authority. The arrangements shall be implemented within two months of the date of approval of details. The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 'High Environmental Standards' of the Core Strategy (2011) and saved Policies 3.2 'Protection of Amenity' and 3.7 'Waste Management' of the Southwark Plan 2007.

- 3 The day nursery use hereby permitted shall not be carried on outside of the hours 7am - 7pm Mondays -Fridays and not at all on Saturdays, Sundays and Bank Holidays.

Reason

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of amenity of the Southwark Plan (2007).

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.