

**Correction to Proposed Hours of Working**

The applicant has e-mailed this afternoon to confirm that the proposal to work on Sundays / Bank Holidays was an error in their completion of the application form (extract below) and that permission is not sought to work on Sundays / Bank Holidays.

**19. Hours of Opening**

If known, please state the hours of opening (e.g. 15:30) for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Unknown
B8 - Storage or distribution	Start Time: 08:00 End Time: 17:00	Start Time: 08:00 End Time: 13:00	<del>Start Time: 08:00 End Time: 13:00</del>	

**Further Representations**

Further allegations of working outside the hours proposed in the application, i.e deliveries being made as early as 6:30am have been received.

**Officer Comments**

The applicant’s error in completing the application form, means that any potential adverse impact upon amenity on Sundays or Bank Holidays could be controlled by reasonably imposing a condition prohibiting working on those days in the event that Members were minded to grant planning permission. However, the removal of Sunday/Bank Holiday working from the proposal does not change officer’s substantive view that the application should be refused.

Notwithstanding the pattern of activity (referred to by local residents in their representations) the proposal cannot be solely assessed and determined on the basis of the current business operation, because it is presently unrestricted by any permission / enforceable conditions. However, your officers consider that the proposed use could not be made acceptable by imposing conditions mindful of the close proximity of the use to neighbouring residential properties.

**Recommendation**

That planning permission be Refused

Amended reason (omitting reference to working on Sundays and Bank Holidays)

1. Notwithstanding the proposed mitigation measures, including revised start times the proposed B8 use would; by reason of its operational parameters, the proximity of its service yard, cold store, and associated access, to neighbouring dwellings and their associated private gardens in Richmond Road and Barrington Road; constitute an incompatible use and have a demonstrably adverse impact upon the residential amenity enjoyed by the occupiers of those properties in terms of external noise and fumes arising from vehicles and refrigeration units and associated disturbance from loading and unloading. Accordingly, the proposal is contrary to Policies BDP1, BDP14 and BDP19 of the Bromsgrove District Plan.