Development Management
Application No F/14/75326
Your ref APP/W1715/W/14/3001299
Please ask for Development Management
Direct dial 023 8068 8350
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Mr Neale Oliver
The Planning Inspectorate
Room 3/05
Temple Quay House
2 The Square
Bristol
BS1 6PN

04 February 2015

Dear Sir,

PLANNING APPEAL

Address of site to which the appeal relates: Dental Surgery, 5 Satchell Lane, Hamble-Le-Rice, Southampton, SO31 4HF.
Proposed development: Single storey rear extension, change of use from part residential (C3) and part Dental practice (D1) to Dental practice (D1) and reconfiguration of rear parking area
Appellant's name: Dr B White
Planning Inspectorate appeal reference: APP/W1715/W/14/3001299
EBC appeal reference number: F/14/75326
Appeal starting date: 31/12/2014

Whilst the Local Planning Authority does not wish to submit a further full statement in respect of this appeal and is satisfied that the Planning Officer's delegated report (included within the previously submitted appeal questionnaire) sufficiently covers the issues raised, we would like to draw the Planning Inspector's attention to the following matters to which reference is made within the Appellant's Statement of Case.

Existing and proposed operating hours of the dental surgery:

Planning permission was granted under reference Z/34012/002 on 18/06/2003 to allow for the permanent use of part of the dwelling as a dental surgery. Condition 3 of this permission restricted the hours of use of the surgery to between 0730 and 1900 hours (except in the case of an emergency) and to no more than a total of 26 hours per week. The submitted information with particular reference to Appendix 2 of the Appellant's statement is based on the actual opening hours of the dental surgery in November 2014 which varied between 29.5 and 41.5, above and beyond the 26 hours permitted. This also shows Tuesday opening until 8pm and it is assumed includes the use of rooms (based on the existing floor plans submitted as part of the planning application) within the building for this purpose which again do not benefit from planning permission for surgery use. The calculations used within the aforementioned Appendix are also based upon a 37.5 hour week and not the permitted 26 hours.

In addition, the proposed hours applied for as stated within the application form are 0830 until 2000 Monday to Friday, which would allow for operating hours of up to a maximum of 57.5 hours per week across the whole building as extended. The application has been determined based upon the hours for which permission has been sought. Accordingly, attention is drawn

to the significant difference between the current authorised operating hours of the dental surgery and those for which permission has been applied for which would be notably greater than that shown within Appendix 2 of the Appellant's Statement. In the view of the Local Planning Authority, this serves to further demonstrate the resulting intensification of the use at the premises referred to in Reason 1 of the planning application decision notice which would be to the detriment of neighbouring amenity.

Copies of the following planning permissions and associated drawings referred to in the Case Officer's delegated report are appended to this document:

- **Appendix 1i:** Z/34012/001/00 – Decision notice dated 06/04/2001.
- **Appendix 1ii:** Z/34012/001/00 – Block plan drawing and floor plans and elevations drawing dated 06/04/2001.
- **Appendix 2i:** Z/34012/002/00 – Decision notice dated 18/06/2003.
- **Appendix 2ii:** Z/34012/002/00 – Elevations, floor plan and site plan drawing dated November 2002.
- **Appendix 3i:** X/06/58070 – Decision Notice dated 02/11/2006.
- **Appendix 3ii:** X/06/58070 – Site plan and floor plan drawing dated 10/10/2006.

Planning obligations:

The Local Planning Authority wish to highlight an inaccuracy in the Case Officer's delegated report. Under the section 'Planning Obligation/Considerations' it is stated in respect of the required planning obligations that 'the applicant has secured the contributions through an appropriate up-front payment'. For clarity, no such payment was received as part of the application process and therefore the planning obligations towards Sustainable Transport remain unsecured as per Reason 2 of the planning application decision notice.

Justification for the Local Planning Authority's requirement of this planning obligation which also highlights examples of appropriate transport schemes related to the development which it would be used to offset the impact of the development upon, are set out in the enclosed statement within Appendix 4.

Suggested conditions:

Whilst the Local Planning Authority (LPA) respectfully request that the Inspector uphold the reasons for refusal and dismiss the appeal, should the Inspector be minded to grant planning permission the LPA would wish that the conditions as set out in Appendix 5 be included as part of any planning approval.

Yours faithfully

L O'Driscoll

Louise O'Driscoll
Head of Development Management