FAREHAM
BOROUGH COUNCIL

For The Warsash Dental Practice

Ref No : P/13/0023/VC

Mr Carl Patrick
29 Ruby Road
Bitterne
Southampton
Hampshire
SO19 7NB

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

37 WARSASH ROAD - DENTAL SURGERY WARSASH SOUTHAMPTON HANTS

VARIATION OF CONDITIONS 3 & 4 OF P/07/1217/FP TO ENABLE USE OF EXISTING DENTAL PRACTICE BY FOUR DENTAL PRACTITIONERS FROM FOUR SURGERY ROOMS AND REVISIONS TO EXISTING PARKING LAYOUT TO PROVIDE THREE STAFF PARKING SPACES TO REAR

Application Received : 22nd January 2013

In pursuance of their powers under the above mentioned Act the Council, as the Local Planning Authority, hereby PERMIT the variation described above, in accordance with your application.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
   REASON: To comply with the procedures set out in the Town and Country Planning (General Development Procedures) Order 1995 and Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the drawings stamped approved, subject to such minor amendments to the detailed design of the development as may be approved in writing under this condition by the local planning authority.
   REASON: In order to secure a satisfactory form of development.

3. No vehicles shall be parked within the site other than as shown on the approved car parking layout.
   REASON: In order to protect the amenities of occupiers of nearby residential properties; in accordance with Policy CS5 of the Fareham Borough Core Strategy..

4. No more than four dental surgery rooms shall operate from the dental practice that this decision notice relates to.
   REASON: In the interests of highway safety; in accordance with Policy CS5 of the Fareham Borough Core Strategy.

Lee Smith

5. The additional dentist's chair shall not be brought into use until the vehicular access, manoeuvring areas and 9 parking spaces have been laid out within the site in accordance with the approved plans. These areas for the parking and turning of vehicles shall thereafter be retained and kept available at all times.
REASON: In the interests of highway safety; in accordance with Policies CS5 and CS17 of the Adopted Fareham Borough Core Strategy.

6. The additional dentist's chair shall not be brought into use until space has been made available within the site for four bicycles to be parked. These spaces shall thereafter be retained at all times.
REASON: In the interests of highway safety; in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.

7. The additional dentist's chair shall not be brought into use until visibility splays have been provided at the new access for a distance of 43m in an easterly direction from a 2.0 metre set back and 43 metres in a westerly direction from a 2.4 metre set back, with all measurements taken to the near edge of the public highway carriageway from a central point within the new access. No structure or erection exceeding 0.6 metres in height shall be placed within the sight lines so defined.
REASON: In the interests of highway safety; in accordance with Policies CS5 and CS17 of the Fareham Borough Core Strategy.

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NOTIFICATION to Applicants of:

1 Your right of Appeal **3 Other ways to complain**
2 Your right to serve a Purchase Notice **4 Other Consents you may need**

1. Your right of appeal

You may be entitled to appeal against this decision to the Secretary of State for the Department of Communities and Local Government (DCLG).

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see **www.planningportal.gov.uk/pcs**. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you may request paper copies from the following addresses:

Write to and obtain forms from:
The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay. Bristol, BS1 6PN. Telephone 0117 372 6372

Please note that in each case the forms must be completed and returned to the above address with a copy to ***Planning and Environment (Development Management and Trees), Fareham Borough Council, The Civic Offices, Civic Way, Fareham, PO16 7AZ.***

You can also appeal if a decision has not been issued within the period shown below:

for these Applications Types	**Time from receipt**
Planning Permission, Listed Building or Conservation Area Consent	8 weeks
Certificates of Lawful Use or Development	8 weeks
Advertisement Consent	8 weeks
Fell or lop trees subject of a Tree Preservation Order	8 weeks
Non-material minor amendment to a planning permission	28 days

IMPORTANT - If the development is the subject of planning enforcement action this may reduce the time period for submission of an appeal - Please contact the Planning Office for further advice.

Please ensure that the correct form is used for each of the application types listed above.

Lee Smith

Your Entitlement to Appeal:

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or consent or at the imposition of conditions then, subject to the following provisions, you may appeal to the DCLG. The ways you can do so are set out above.

Please note that only the applicant possesses the right to appeal. There is no third party right of appeal for neighbours and other objectors.

Restrictions on Your Right to Appeal:

There is a time limit for lodging your appeal, although the Secretary of State may override this. The applicant has the following time in which to lodge an appeal for these classes:

* Planning applications (but see below for Householder Applications)(appeal under Section 78 of the Town and Country Planning Act 1990 (TCPA)),
* Listed building consent applications (appeal under Sections 20 or 21 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA)) and
* Applications for Certificates of lawful use or development (appeals under Section 195 of the TCPA).

Should be lodged within 6 months of the date of the decision notice, or within 6 months of the expiry of the period of 8 weeks from the date the application was received or such extended period as agreed between the appellant and the Planning Inspectorate.

*** Householder Applications - If you want to appeal against a decision to refuse planning permission for a householder application then notice of appeal should be lodged within 12 weeks of the date of the decision notice.**

* Advertisement applications (appeal under Regulation 15 of the Town and Country Planning (Control of Advertisement) Regulations 1989) should be lodged within 8 weeks of the date of the decision notice.
* Application for consent to carry out works to a tree(s) the subject of a Tree Preservation Order (appeals under Sections (78)I of the TCPA) should be lodged within 28 days of the date on the decision notice, and
* Applications for a Certificate of Appropriate Alternative Development (appeals under Section 17 of the Land Compensation Act 1961) should be lodged within 1 month of the date of the certificate or notice of refusal to issue a certificate.

The Secretary of State may decide he will not consider an appeal. This might happen if the proposed development has been subject of an appeal which has been dismissed within the last two years, or where the Local Planning Authority could not have granted permission (or not without the conditions imposed) having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under the Order.

Lee Smith

2. Your Right to Serve a Purchase Notice
If the Local Planning Authority or the DCLG refuses planning permission to develop land or grant listed building consent for works, or grants permission or consent subject to conditions, the owner may serve a notice on the Council in whose area the land is situated, requiring the Council to purchase his interest in the land. The owner will need to establish that he can neither put the land to a beneficial use by the carrying out of any works or development which would have been or would be permitted (see Part VI, Chapter 1 of the TCPA for the former class of applications and Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990 for the latter class of applications.

3. Other ways to complain
If you are aggrieved at the way the Council has dealt with your application the Planning Officer who has been dealing with it will be pleased to explain the reasons for the Council's decision and endeavour to resolve the matter for you. If you are not satisfied, you may wish to put your complaint in writing or e-mail **customerservices@fareham.gov.uk.** Details of the complaints procedure can be obtained from the Customer Services Manager at the Civic Offices (telephone 01329.236100) or from our website **www.fareham.gov.uk**.

4. Other Consents You May Need
This decision relates solely to the town planning requirements under the Acts and Orders mentioned at the head of the decision notice. It does not grant any other consent or permission. In particular, the following may require consent:

i. Works requiring Building Regulations consent - If you have not already done so, you should contact the Council's Building Control Partnership at the Civic Offices, Telephone: 01329 236100 Ext 2441.

ii. Works or structures in the vicinity of a public sewer - If in doubt you should contact The Development Control Manager, Southern Water Services Ltd, Southern House, Sparrowgrove, Otterbourne, Winchester, Hampshire SO21 2SW Tel 0845 278 0845. You may inspect the Public Sewer Map held in the Council's Building Control Business Unit to find out if a public sewer crosses the site of the proposed development. (Buildings are not normally allowed within 3.0metres of a public sewer, although this may vary, depending upon the size, depth, strategic importance, available access and ground conditions appertaining to the sewer in question).

iii. Works affecting neighbours - (e.g.: work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near neighbouring buildings). The Party Wall Act 1996 requires certain measures to be taken and leaflets explaining the specific requirements are available at the Council Offices.



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IMPORTANT WARNING

Please read the content of this warning notice on receipt of your planning permission decision notice.

The Council is pleased to enclose your conditional planning permission decision notice.

FEES FOR DISCHARGING PLANNING CONDITIONS

There is a fee payable to the Council when you submit details pursuant to planning conditions. The fee is £97 per request to discharge conditions (or £28 if the discharge of condition relates to a planning permission for extending or altering a dwellinghouse or other development in the curtilage of a dwelling). By way of clarification if details are submitted to discharge a number of conditions at the same time then just one fee of either £97 or £28 would be payable. If details to discharge conditions are submitted on a number of separate occasions then a fee of either £97 or £28 would be payable on each occasion. The fee must be paid when the request is made.

All requests for discharging planning conditions should be made in writing and ideally on the national application form designed for this purpose (which can be downloaded from the following site www.fareham.gov.uk/pdf/developmentc/appformlist.pdf (No. 27 on the list of forms), or otherwise please contact our Customer Service Centre, Planning Reception on 01329 236100 for a paper copy.

If you choose to send a covering letter rather than fill in the national application form you must ensure that all the relevant information requested in the application form is contained within your covering letter.

PRE-DEVELOPMENT CONDITIONS

Please note that there maybe conditions attached to this planning permission which are required to be discharged **before** development commences.

There have been several occurrences recently where developments have commenced before planning conditions have been discharged.

I must advise you that should you commence the development prior to all of the pre-development conditions being discharged the development will be treated as unauthorised development.

Should development commence before the pre-development conditions are discharged planning enforcement and or injunctive action to secure the cessation of the development will be considered.

Lee Smith

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DEVELOPMENT NOT IN ACCORDANCE WITH APPROVED PLANS

There have been many instances recently where development has not been undertaken strictly in accordance with the approved plans.

If there is any variation from the approved plans for whatever reason, unless it is so insignificant that it can be considered de minimis (of no consequence), it is likely that it will require the submission of a new planning application. This will involve significant work and additional cost to both the developer and the Local Planning Authority.

A protocol for dealing with variations to planning permissions was agreed by the Planning Development Control Committee 16 March 2005 and copies are available from the Civic Offices or on the Council's web site www.fareham.gov.uk

Please ensure that the development you undertake is the development for which you have been granted planning permission. If your working drawings do not match the stamped approved planning drawings a new planning application will be required unless the variation is **very** small.

The ultimate decision on whether or not any change will require planning permission rests with the Local Planning Authority.

Development which is not in accordance with the approved plans is unauthorised development and likely to attract Planning Enforcement Action.

THIS WARNING IS DESIGNED TO ASSIST AND PREVENT LATER DIFFICULTIES PLEASE HEED THE ADVICE IN THE PROTOCOL.

Lee Smith