

Proposed variation of condition 3 of Planning permission R/221/12 to allow emergency procedures to take place out of normal working hours;

5 Churchill Parade, The Street, Rustington, BN16 3DJ.

1. On 14.02.2013. planning permission was granted for the change of use of this former chemist's shop to a dental surgery (D1 in the Use Classes Order) ref. no R/221/12.
2. Condition 3 of the permission states:
*"The proposed development shall only be open for business between the following hours:
09:00 – 18:00 Monday to Friday
09:00 – 12:30 Saturday

No business is permitted on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of surrounding residential properties."*
3. The applicant wishes to keep the hours allowed in condition 3 as the practice's normal working hours within which patients will be able to book appointments. However it has been pointed out by a solicitor that the dentist's professional obligations include the provision of emergency dental treatment as and when required outside the times prescribed by condition 3. This can include early morning, evening and weekend treatments including Bank and public holidays.
4. Emergency treatment is exceptional rather than a regular occurrence. However it is by definition irregular and the demand may arise for more than one appointment over a single weekend .
5. The reason that the hours limitation was imposed is *"to protect the amenity of surrounding residential properties"*. In this case the nearest residential properties are the maisonette directly above the application site and those either side of it.
6. The proposed surgeries will be individually soundproofed to ensure that no noise travels between surgeries or between surgeries and the waiting room or to the flats above. This is important for the comfort and wellbeing of patients and staff as well as residents of the surrounding dwellings.
7. A scheme of soundproofing will be designed and implemented before the proposed development is brought into use.
8. The extended hours sought to facilitate the provision of emergency procedures are required to allow the successful operation of the dental practice in compliance with paragraph 17 of

the National Planning Policy Framework , Policy Area 19 of the Arun District Local Plan 2003 and the emerging replacement plan.

SUSAN ORGAN BA (Hons), Dip TP, MSc, MRTPI.