

## **SWORN STATEMENT BY**

### **MR. HUGO HAGEN CONCERNING THE USE OF 21 HIGHGATE HIGH STREET, N6 5JT AS A DENTAL PRACTICE**

I, Hugo Hagen of [REDACTED] do solemnly, sincerely, and truly declare that I make this Statutory Declaration based on the facts, and that the following facts and matters are accurate and true to the best of my knowledge.

All the comments I make in this Sworn Statement are in relation to the property at 21 Highgate High Street, London N6 5JT, as outlined in red on the plans marked 'Exhibit A' and hereon called 'the Property'.

I confirm the following floor layout of the Property:

- **Basement with 2 dental surgeries, landing and storage rooms**
- **Ground floor receptionist office, back office and waiting room**
- **First Floor - 2 dental surgeries and landing**
- **Second floor staff bathroom, staff kitchen, landing, oral hygiene room, cleaning area and OPG x-ray unit.**
- **Top Floor - two small rooms for storage and also staff changing area**

The 2<sup>nd</sup> floor and top floor was previously used for accommodation although access was through the practice downstairs. Thus, there is no separate access and the only access to the top floors is through the dental practice front door and going through the dental practice and using the dental practice staircase.

I confirm the brief history of the Property as follows:

#### **EARLY HISTORY**

Established around 1914 as dental practice

Succession of dentists and I am not sure how many

I am not sure how many dentists operated from this building but the previous owner gave me some insight into the history

#### **Pre 1960's**

The Property was mainly used as dental practice and from what I was told a housekeeper/receptionist lived in the building. I am not sure which part of the building she occupied

The owner that I know of around that period was Dr Atkins.

#### **1960's**

The owner at this time (the previous owner of the practice before me) lived in the building with his family in the upper two floors for a few years before moving to a house. I believe some minor alterations were done to separate the top two floors from the lower floors to create a flatted dwelling and he may have added the glass internal door. He told me this was to keep his children from wandering downstairs to the practice. At this time the 1st floor front room (in the present practice part) was used as a private sitting room. This room was converted to a dental surgery when they moved away, in addition to the other surgery on this floor.

Thus, although the top two floors were used as a flat in the 1960's, after that part of the flat was re used as part of the dental practice for stock storage and there were old dental units in the main room. More dental surgeries would have been added between between the 1960's and 1990's in the practice. The top floors were disused and filled with all sorts of old dental and household bits. In

the basement there is a small surgery at the back and a large surgery at the front of the practice. The main surgery is currently used for dentistry and the rear surgery is used for dental hygiene. On the ground floor we have the main hallway, a receptionist office and also the waiting room for the practice. On the first floor there are two surgeries. The only access to the upper floors is through the main hallway of the dental practice.

#### January 1997-August 2000

I joined the practice as an associate at the beginning of 1997, 26 years ago now.

When I joined the practice in 1997 the **top floor** was in a derelict and unused state. It was clear no maintenance had been done for many years. Both rooms were filled with old furniture, old dental equipment, very old dental stock, dental nursing chairs, old mattresses and old dental patient plaster cast tooth models. The rooms had not been maintained or updated for decades and there was no floor covering. Part of the next floor down was being used as part of the dental practice. An old OPG x-ray unit had been installed and used to take panoramic x-rays of patients which were developed downstairs in the front dental surgery where the Velopex developer for the whole practice was installed. This room also contained old(antique) dental surgery cabinetry positioned along the walls, old chairs and a mobile dental suction unit and an old drill. At this time the main purpose of this floor was dental stock storage( there was a partition of shelves for stock) and taking x-rays. There was some floor covering in this room with old linoleum.

What is now the kitchen was used to store dental stock like disposable PPE and other dental materials. We also used this area to purify water for the practice. Through this room there was an old bathroom for the use of the dental practice staff.

Although there was mixed use of the building before 1997, from that time on the upper floors were used for dental purposes. There was no formal use of the flat for accommodation due to the access as well as the indistinct separation

#### 2000

I took over the practice from the previous owner in August 2000, three years after I first started working there. The building in general needed a lot of updating for modern dentistry. In fact for decades only the most minimum lease-required maintenance had been done. Interior decorating was done every five years and exterior decorating every three years. I was met with an extensive list of maintenance issues with a list of projects needed to upgrade and secure the building.

Each dental surgery over time was completely stripped back and replaced with modern dental units and equipment. Each time it was a major project as the plumbing and drainage had become blocked with amalgam dental filling waste over the years. Amalgam filters were not available in the early years and as result when we refurbished the rooms, it entailed lifting the floors and redoing the drainage and plumbing to unblock the drainage. Each time it involved plumbers, builders, carpenters and electricians. We now have fitted amalgam filters to protect the drainage system and secure it for the future

The wiring was completely dated with a fusebox still filled with whalefat for insulation from the 1940's. The entire building has been rewired

Apart from major refurbishment and updating of the lower floors I also updated the top two floors. As mentioned the first floor of the flat the main room had a partition with shelves for storage and as I mentioned the old OPG x-ray unit. Patients were taken here for panoramic x-rays. We continued to use this area for dental stock storage and we also used it as a dental management office.

The old bathroom was upgraded for staff use and also occasionally for patient use. A kitchen was installed with new units and a hob. This kitchen now has a separate clinical fridge for any dental

stock that needs cooling. The kitchen is been used as the staff kitchen and the bathroom as the staff and patient bathroom since I upgraded the rooms  
The top floor has been updated and there is equipment and stock storage, an office room/changing area for the staff where they leave their coats.

#### **2003/2004**

I acquired a Cerec 3d system and the and the milling unit was placed in the second floor room (first floor flat)for the purpose of making single visit crowns and inlays for the patients. The patients were scanned and the manufacturing of the inlays and the crowns were made from the milling unit in this room. The rest of the area was still being used for storage and also for the taking patient x-rays.

#### **2011/2012**

The Care Quality Commission (CQC) extended its mantle to include the regulation of dentistry in 2011. So we were faced with a range of new guidelines and regulations .We had to register by the 1<sup>st</sup> of April 2011 and we now had to comply with hospital level regulations and guidelines. This turned into a complete nightmare for most older dental practices or dental practices in older buildings. The new regulations included the HTM 0105 guidelines on decontamination and dental practices were required to install separate decontamination rooms for instrument disinfection. Without these decontamination rooms we would not be able to meet the regulations and could quite possibly fail our inspections, risk our registration with the distinct possibility of closing down. Due to the difficult layout of the building and the fact that dental services and drainage was already present on this side of the building I decided to convert the area where we previously had the Cerec unit into a decontamination room .

In the room on the second floor where the original old dental wall cabinets were, we created a dental hygiene room. This was the first floor of the flat.This area was updated with new walls upgrading the partition, new floors and ceilings. We also fitted a new a new OPG x-ray unit to replace the original unit opposite the instrument cleaning (decontamination area). A new Sirona OPG x-ray unit was fitted by Henry Schein dental and is connected to the practice IT network. They also instructed on the lead lining of the walls which was arranged . Incidentally there are lead panels on some of the walls in the downstairs surgeries covering the existing panelled walls. These lead panels would have been fitted by the previous owner.

The main room on the second floor was fitted with new cabinets (Modwood). The old freestanding dental wall units had been removed by this stage. A new dental chair from a company called Dental Dynamix was installed. As mentioned there were existing dental services on this side of the building for the other dental surgeries on this side of the building and the dental equipment from this room was connected to this downpipe. This part of the building (first floor) has therefor been in constant use as part of the dental practice in some form and is now even more integrated since the 2012 upgrade where we created a hygienist room and decontamination room. The only separation from the lower floors is an internal glass door which does not close and a couple of thin plywood panels fitted in the 60's to the top part of the original staircase to create some form of separation.

Apart from the dental surgery upgrades to all floors the central heating system was upgraded, the entire building rewired, electronic fire alarm installed and even the sewer under the building had to be re-bored as it had clogged up with scale and possibly dental amalgam.

#### **A COMMENT ON THE USAGE TIMELINE**

The majority of the property has been in dental use since 1997 and since then there was a creeping intensification. I can confirm that earlier till the mid 1960's the building was in a state of mixed use, with a dental practice mainly on the lower floors and accommodation on the top floors. There was always some overlap till the top floors were abandoned for residential use when the previous owner

moved to a house with his family. The top floors were then slowly moved over in stages to dental use, with the intensification being completed by 2012. From this date onwards there was a full and continuous dental practice use of the majority of the building exclusively for staff and dental patients, which was further strengthened as more medical equipment was moved in. The refurbishment in 2012 modernised it into its current dental medical state with clinical use, dental storage and dental staff usage, it had already been used as part of the practice before.

**Services:**

**Water supply:** There is no separate supply to the practice and the flat but only a single water meter to the whole building. Water use from the flat comes directly from the practice water supply. The top floors have never had a separate water supply or water meter

**Gas supply/Boiler:** There is only one gas meter/gas supply supplying the dental practice boiler in the basement. The central heating is only present in the practice. There is no separate gas supply to the top floors. The flat does not have its own boiler and has always received its hot water from the practice boiler in the basement.

**Electricity:**

The flat does not have its own electricity supply and it is supplied from the practice connected to the practice electricity supply.

The practice utilities therefore serve the top floors as one single building

**DOCUMENT LIST:**

The documents listed below are those submitted as a Lawful Development application, in parallel with this Sworn Statement. They are mainly related to the second floor upgrade. Where the room at the front was used for the purpose of dental OPG x-rays as well as making porcelain Cerec crowns for patients, using a Cerec 3D milling unit.

Some Documents demonstrate that we have also done upgrades in other parts of the building as required by the CQC. These documents refer to the first floor. The aim of the documents list is to ascertain which floors they refer to, which are as follows:

DOC1 – I confirm that this is an estimate for the upgrade of the **second floor front room**. This room was previously used for OPG Xrays (X-ray unit was in the one corner) and a Cerec dental unit was positioned in this room. This room was used for the storage of dental stock and in this area there were very old (antique) dental wall units. Not sure if these were there before or moved from elsewhere in the building. There was an old dental drill and other equipment in this room

DOC2- I confirm that this is a floorplan for new worktops in a **first floor** surgery front room facing the road. This is to upgrade and modernise an existing dental surgery

DOC3 (April 2012) – I confirm that this is the floor plan for the new decontamination area on the **second floor front room**. This room was upgraded to comply with CQC HTM0105 requirements. This room was previously used for OPG Xrays and also Cerec dental procedure. The Cerec unit was positioned by the window in this area.

DOC4 (April 2012) - I confirm that this is the floor plan for the final surgery layout on the **second floor front room**

DOC5 - I confirm that this is the surgery layout for new wall units for a **first floor** surgery. This was done to upgrade and modernise the existing dental surgery.

DOC6 (March 2012) – I confirm that this is the order confirmation for new wall units and dental equipment for the **second floor** surgery

DOC7 (April 2010) - I confirm that this the floor plan for the **first floor surgery upgrade** for the large surgery in the front of the building

DOC8 (Dec 2011) – I confirm that this is the quotation for the **second floor** cabinetry upgrade for the front room surgery. This was part of the upgrade for the second floor as described in DOC1

DOC9 (April 2012) – I confirm that this is the estimate for dental equipment for the **second floor surgery**. This would have included dental chairs, a suction pump and other equipment

DOC10 (2010) - I confirm that this the estimate for surgery units and services for the **first floor surgery in the front**

DOC11 (Jan 2012) - I confirm that this the quote for the **second floor surgery** dental equipment

DOC12 (April 2012) – I confirm that this is the layout for the **second floor surgery services quote**

DOC 13 – I confirm that this is the layout for the upgrade for the **1<sup>st</sup> floor surgery** for new cabinetry for the front surgery

DOC14- I confirm that this is the estimate for the **second floor refurbishment**

DOC15- I confirm that this the estimate for the final equipment estimate for the **second floor surgery**

DOC16 – I confirm that this the builders estimate for the **small guest cloakroom** on the ground floor. This job included a complete rebuild of the old WC and required complete stripping back of the old walls and removal of old services.

DOC17 – I confirm this is the quotation for the upgrade of **the second floor**

DOC18- I confirm that this is to demonstrate that even a small project like a new patient toilet requires a team of plumbers builders and electrician and this document shows the scope needed

DOC19 – I confirm that this is an estimate for the **second floor upgrade**. In this document the contractor refers to the upgrade of the existing stud wall which I have referred to. They added lead panelling to the stud wall

DOC20 I confirm that this is the finance agreement for the new replacement OPG x-ray unit for the **second floor**. The new OPG unit replaced the old unit which I mentioned previously

DOC 21 – I confirm that this the confirmation of finance for the **second floor upgrade**

DOC22 (March 2012) – I confirm that this the payment confirmation for the **second floor upgrade**

DOC 23 (Feb 2012) - I confirm that this is the quote for the upgrade for the **second floor refurbishment**

#### **A LAWFUL USE**

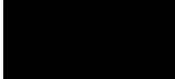
I herewith confirm as true and accurate that the majority of the property has been in full use for dental activities since 2012,. From 1997 onwards the top floor was disused except for storage with some use of the other floor for dental activities. From 2000 onwards it has been used and is used only by dental patients and dental practice staff for dental practice related activities. This use has been continuous and uninterrupted. During the 26 years the upper floors were used for dental

storage and dental staff activities and some clinical activities with more formal structured dental activities since 2012 on the first floor of the flat. The top floor is mainly for stock and equipment storage and for a staff changing area. I can confirm that as the dental practice is over 10 years old it is lawful in planning terms.

*RKW* I exhibit to this my statutory declaration marked "H11" a bundle of plans

I make this solemn declaration consciously believing the same to be true and by virtue of the Statutory Declaration Act 1835.

SIGNED BY:



HUGO HAGEN



DATED before me as Witness..... *22nd March 2023* .....(date)

SIGNED BY WITNESS

*RKW* on view  
*ROGER KENNETH WILLIAM BOUSTARD*  
*Solicitor*

Streathers Solicitors  
18 Highgate High Street  
Highgate  
London N6 5JG

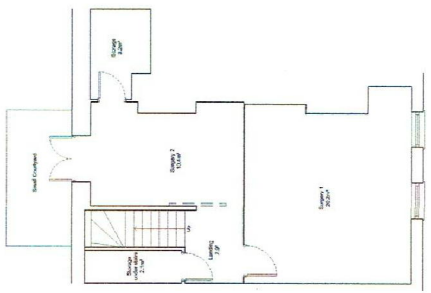
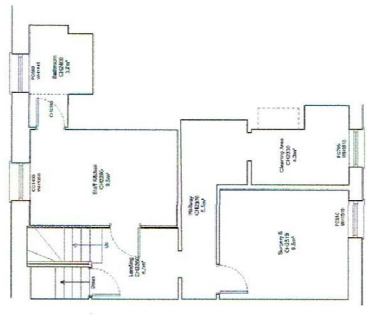
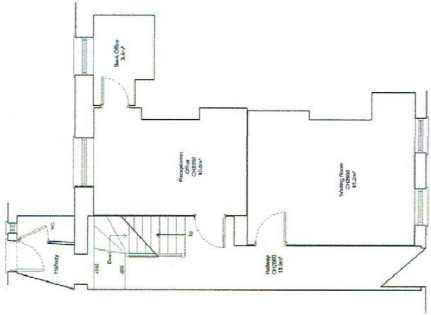
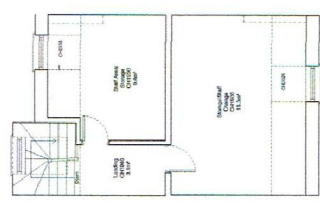
This is the exhibit marked "HH1" referred to in the statutory declaration of Hugo Hagen declared

this 22<sup>nd</sup> day of March 2023 before me Roger Kenneth William Boustred

Roger Kenneth William Boustred

Solicitor

**Streathers Solicitors**  
18 Highgate High Street  
Highgate  
London N6 5JG



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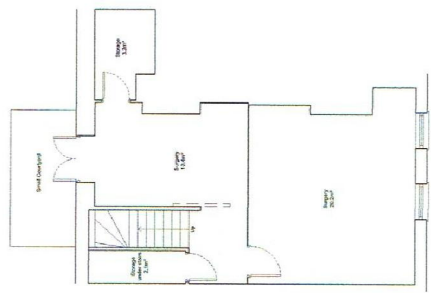
NOTES:  
 1. All dimensions are in meters unless otherwise stated.  
 2. All dimensions are to the centerline of walls unless otherwise stated.  
 3. All dimensions are to the finished floor level unless otherwise stated.  
 4. All dimensions are to the finished floor level unless otherwise stated.  
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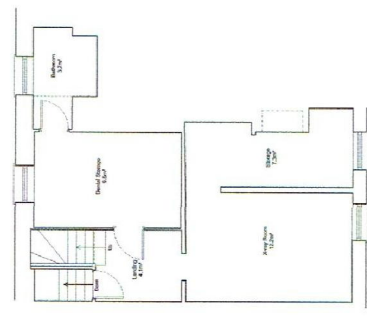
Pre-casting 1987  
 Total Floor Area 252.3m<sup>2</sup>



Ground Floor Plan  
 As Pre-casting 1987 1:50



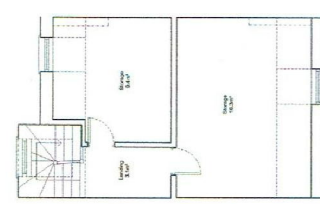
Basement  
 As Pre-casting 1987 1:50



Second Floor Plan  
 As Pre-casting 1987 1:50



First Floor Plan  
 As Pre-casting 1987 1:50



Staircase  
 As Pre-casting 1987 1:50



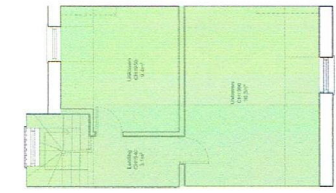
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 REGISTERED CONSULTANT  
 REGISTERED PROJECT MANAGER  
 REGISTERED PROJECT CONTROLLER  
 REGISTERED PROJECT SUPERVISOR  
 REGISTERED PROJECT ASSISTANT  
 REGISTERED PROJECT COORDINATOR  
 REGISTERED PROJECT ADMINISTRATOR  
 REGISTERED PROJECT CLERK  
 REGISTERED PROJECT SUPPORT STAFF

RB

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Presidencia 1977  
 Área: 2002.90m<sup>2</sup>  
 Interior Área: 98.00m<sup>2</sup>  
 Residencial  
 Interior Área: 101.50m<sup>2</sup>



1st Floor Plan  
 52.60m<sup>2</sup>  
 As Pre-Coding: 1900h, 1:50

2nd Floor Plan  
 41.80m<sup>2</sup>  
 As Pre-Coding: 1900h, 1:50

3rd Floor Plan  
 43.10m<sup>2</sup>  
 As Pre-Coding: 1900h, 1:50



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