

Miss Fionnuala Bennett
Pars Dental
Unit 6 Gateway Business Centre
Tom Cribb Road
London
SE28 0EZ

Application Ref: **2015/4156/P**
Please ask for: **Patrick Marfleet**
Telephone: 020 7974 **1222**

1 October 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
116 Heath Street
London
NW3 1DR

Proposal:
Change of use of ground and lower ground floor from restaurant (A3) to dental surgery (D1).
Drawing Nos: 0215_Existing floor plans, 0215_Proposed floor plans, Design & Access Statement.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 0215_Existing floor plans, 0215_Proposed floor plans, Design & Access Statement.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used for any purposes other than as a health centre/dental surgery.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure etc, in accordance with policies CS5 (Managing the impact of growth and development), CS10 (Supporting community facilities and services) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP15 (Community and leisure uses), DP19 (Managing the impact of parking) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

The application proposes the change of use of a ground/lower ground floor unit, located on a secondary town centre shopping frontage, from a restaurant (A3) to a dental practice (D1). CPG5 - Town Centres, Retail & Employment states that the Council will generally resist proposals that would result in less than 50% of ground floor premises located along a secondary shopping frontage being in retail use.

At 33% the number of A1 units located along the designated frontage is already below the minimum requirement stated in CPG5. However, the proposed change of use is considered to be acceptable in this instance given that it would result in the loss of an existing A3 unit and would not damage the retail function of the area. Furthermore, the proposed dental practice would occupy a vacant unit, making a positive contribution to the character, function, vitality and viability of the town centre.

The proposed works are not considered to have a harmful impact on the amenity of any adjoining occupiers.

No objections were received following statutory consultation. The sites planning history has been taken into account when coming to this decision. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5, CS7 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP12, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework.

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson

Director of Culture & Environment