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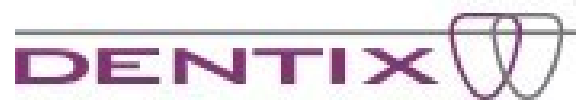
**Proposed Change of Use of premises from  
A1 (Retail) to D1 (Non-residential institution (Dental Surgery)) and alterations to  
shopfront**

**122-126 Kilburn High Road NW6**

**On behalf of DENTIX UK LTD**

**Planning / Design and Access Statement**

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## 1. Introduction

### 1.1 Purpose of this report

1.1.1 This planning report has been prepared by arc planning in support of a planning application for the proposed change of use basement and ground floor of the premises comprising 122-126 Kilburn High Road. The application also includes alterations to the shop front to include adaptation of the glazed frames and reconfiguration of the primary entrance and secondary escape

1.1.2 The application is supported by the following reports / plans;

- Planning Application Forms
- Planning Statement (arc planning)
- Transport Assessment (JMP)
- Environmental Noise Survey Report (Noico)
- Plans (MWAI)
  - 086 DEN KIL EX 02 Site Block Plan
  - 086 DEN KIL Existing plans and elevations
  - 086 DEN KIL OS 01 Location Plan
  - 086 DEN KIL Proposed plans and elevations
- CIL Form
- Application Fee (£385.00)

### 1.2 Pre-Application Consultation

1.2.1 This application follows a pre-application consultation submission to LB Camden (Case officer Obote Hope ref: 2016/5180/PRE) on 22nd September 2016.

1.2.2 The case officers views and comments can be summarised as follows;

- Core Strategy Policy CS16 states that 'The Council will support the provision of additional health care facilities and will work with NHS Camden and other service providers to make sure the borough has a necessary supply and distribution of premises to meet Camden's health care needs'. Therefore there is no in principle objection to a D1 use in this location
- Given the size of the premises, single access, and lack of parking, the intensity of use on site would require further justification
- The proposed loss of the A1 use would be offset by the planning policy CS7, DP10 and DP12 in terms of the value in the community use in contributing to the viability and vitality of the Kilburn Area

- The changes proposed to the fascia and fenestration detail would require further consideration following the submission of planning and advertisement application
- A statement would be required as part of the application to with anticipated delivery and servicing trips

### 1.3 Site and Surroundings

1.3.1 The current premises are used as a retail unit at ground floor (196.4sq.m) and a basement (135.6 sq. m) used for purposes ancillary to the retail unit. The ground floor and basement is currently occupied by Blue Inc. a clothing/fashion retailer. The ground floor provides the main retail space with a staff area to the rear and large stockroom within the basement.

1.3.2 Works to create residential units on the first, second and third floors of the property are nearing completion.

1.3.3 The unit is approximately 13.7 wide by 20.7m deep. The main frontage along Kilburn High Road is West facing. The property also faces Quex Road to the north with a street frontage of 11m that incorporates a means of escape. The unit has fire escape access to a small enclosed rear yard that is linked to Quex Mews to the east of the property. Other commercial premises enclose the southern boundary.

1.3.4 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent) and is easily accessible by public transport; Kilburn High Road Overground located approx. 300m away(South), and a variety of bus stops serving numerous different routes located 0m-300m away on Kilburn High Road and Kilburn High Road Underground Station(North) is located 800m away



Figure 1 - View from Kilburn High Road

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## 1.4 Proposed Development

### *Change of Use*

1.4.1 The proposal is to change the use of the ground floor and basement to a dentist surgery (Class D1 use). It is proposed that the permission will be specific to a dental clinic. In this instance it will be occupied by Dentix who operate international dental clinics across Europe.

1.4.2 The unit will provide the following rooms:

- Reception & waiting room: 1
- Surgeries: 6
- Offices - Option 1: 4
- X-ray room: 1
- Sterilisation room: 2
- Public accessible toilet: 1
- Public toilet: 1
- Staff room: 1
- Accessible staff toilet: 1
- Plant room
- Archive room
- A/V room
- Bin store

1.4.3 The proposal splits the surgeries between the basement and ground floors with the existing lift enclosure re-used to limit structural alterations. The scheme provides three surgeries at ground floor along with x-ray, sterilisation, archive and toilets.

1.4.4 To counter the existing level changes within the basement the floor will need to be raised throughout to match the existing higher level. This will require the replacement of the existing stair.

1.4.5 The basement provides three surgeries and two offices. There is an allowance for an additional sterilisation room to counter the split between the two floors. The basement also contains the staff area, changing room, plant and an accessible staff w.c. The means of escape is retained.

1.4.6 Upon vacating the premises, it is proposed that the use of the unit reverts to retail unit (Class A1), i.e. its current lawful use.

### *Alterations to Shopfront*

1.4.7 Alongside the change of use this application also includes alterations to the shop front to include adaptation of the glazed frames and reconfiguration of the primary entrance and secondary escape.

1.4.8 Plans, elevations and photographs are provided within the accompanying drawings and illustrations from MWAI architecture which sets out these proposals in more detail.

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1.4.9 A separate application for advertisement consent for change to existing signage (fascia and hanging sign) will be required at a future stage, although illustrations of typical signage are shown on the above drawings and illustrations.

## **1.5 Dentix Dental Clinics**

1.5.1 Dentix is a group of companies founded in 2002. It operates through a network of directly-owned dental clinics offering implants, orthodontic treatment, periodontic treatment, root canal treatment, cosmetic dentistry and prostheses.

1.5.2 Although the Company was founded in 2002 in Spain, Dentix is implementing a broad domestic and international expansion plan. At year-end 2015, the Company has a total of 197 clinics operating in Spain (160), Italy (11), Colombia (18) and Mexico (8). It expects to open 660 new clinics from 2015 to 2019 in countries in which the group currently has operations.

1.5.3 As part of this broad expansion plan Dentix has decided to enter the UK market and has defined an ambitious plan that foresees the opening of a number of clinics in 2016 and 2017. The group strategy for the UK market will focus on London in the initial phase (2016-2017) and will then expand to other large urban areas throughout England, Scotland and Wales in the subsequent years. They are therefore seeking to liaise closely with Local Planning Authorities to find suitable sites which benefit the Boroughs High Streets.

### **Hours of opening**

1.5.4 The standard opening times of Dentix's clinics in London will be 9am to 9pm, Monday to Saturday.

1.5.5 The clinics will adjust its trading hours to national and local restrictions defined by law and shop opening times in the different retail areas and streets and according to each Local Authority. The clinics will operate all-year round.

### **Number of staff likely to be employed from the premises**

1.5.6 Dentix also invests in training and development for their medical and professional staff which represents the core of the business and the image of the company with end-customers.

1.5.7 Each dental care clinic will employ between 12 and 20 people, which is higher than a standard shop of similar size which would typically employ 7 people at most. The breakdown of the staff in a typical clinic comprises:

- 2 receptionists
- 1 manager
- 1 deputy manager
- 6 dentists
- 6 nurses
- 2 assistants

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1.5.8 The staff employed will vary depending on the size of the premises and the number of dental chairs in each clinic. In this case it is likely that a minimum of 12 people will be employed at the site at any one time.

**Number of clients likely to be visiting the premises each day**

1.5.9 Dentix's target customers include both the local residential community as well as workers that commute and visit the area every day. The business model described above allows Dentix to target most customer segments and therefore maximise the number of potential patients / visitors to the clinics and footfall for the surrounding area.

1.5.10 The clinics also generate a lot of returning visitors / pedestrian traffic. It is in fact recommended to go twice a year to the dentist for oral health reviews and deep cleaning; moreover most treatments provided are medium-term and require an average of six appointments across four months.

1.5.11 Dentix estimates an average of 300 people entering the premises every day for their London's clinics (based on an estimate of 240 visits / day).

1.5.12 The total number of visitors will be skewed towards particular days of the week, in particular between Monday and Thursday

**Estimated visitors breakdown**

1.5.13 The estimated average number of daily visitors can be broken down in the following segments:

- 80% - Appointments based
- 20% - Casual visitors

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## 2. Planning Policy

2.1.1 This section provides a brief summary of the key planning policies of relevance to this site and proposal. In this instance the Planning Policy Framework consists of;

- **Core Strategy** – sets out the key elements of our vision for the borough, including when it was adopted and how it was prepared.

### **CS7. Promoting Camden’s centres and shops**

2.1.2 Policy CS7 establishes the hierarchy of centres within the borough. The role and function of Camden’s centres varies greatly, reflecting the varied nature of the borough itself. Kilburn High Road is identified as one of the Boroughs Town Centres.

2.1.3 The policy states that;

*The Council will promote successful and vibrant centres throughout the borough to serve the needs of residents, workers and visitors by (inter alia);*

*...f) providing for, and maintaining, a range of shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice;*

2.1.4 Para 7.14 states that;

*Community and cultural uses add to the vitality and vibrancy of Camden’s centres by adding to the diversity of uses in an area, and the variety of activities that take place at different times of the day. Camden’s approach to these uses is set out in Core Strategy policy CS10 and Development Policy DP15.*

2.1.5 Centre specific planning objectives for Kilburn High Road are listed and include;

*...to make the High Road a diverse and vibrant centre that takes advantage of its strengths. We will place an emphasis on three ‘zones’: a shopping core to the centre; a mixed use, cultural zone to the north; and a mixed use zone to the south of Kilburn High Road station. We will focus shopping provision in the core of the centre and allow a wider range of other uses elsewhere*

### **CS10 – Supporting community facilities and services**

2.1.6 The Council will work with its partners to ensure that community facilities and services are provided for Camden’s communities and people who work in and visit the borough by;

*...d) providing a range of other community facilities to support Camden’s growing population.*

- **Development Policies** - detailed planning criteria used to determine applications for planning permission in the borough.

### **DP12. Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses**

2.1.7 This policy states that;



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*The Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. We will consider:*

- a. the effect of non-retail development on shopping provision and the character of the centre in which it is located;*

**DP15 – Community and leisure uses**

*New community and leisure uses must be:*

- g) close or accessible to the community they serve;*  
*h) accessible by a range of transport modes, in particular walking, cycling and public transport;*  
*i) located in the Central London Area or in the Town Centres of Camden Town, Swiss Cottage/Finchley Road, Kilburn, West Hampstead or Kentish Town if they are expected to attract larger numbers of visitors.*

*New community facilities must be provided in buildings which are flexible and sited to maximise the shared use of premises*

- **Camden Planning Guidance** - provide advice and information on how we apply our planning policies.

- 2.1.8 Camden Planning Guidance CPG5 Town Centres, Retail and Employment (Sept 2013) is directly relevant to this proposal.

*In order to protect the retail function of Kilburn High Road, we have designated Core and Secondary Frontages (see map on page 26 for the frontage locations). The Council will generally resist proposals that would result in:*

- *less than 75% of the premises in Core Frontages being in retail use; or*
- *less than 50% of the premises in Secondary Frontages being in retail use.*

*This guidance will be applied having regard to the existing character of Kilburn High Road and individual frontages.*

*In accordance with policy DP12 of Camden Development Policies, we will seek to prevent concentrations of uses that would harm a centre's attractiveness to shoppers or its residential amenity. The Council will therefore generally resist proposals that would result in:*

- *more than 2 consecutive premises within the Core Frontages being in non-retail use;*
- *more than 3 consecutive premises in non-retail use within Secondary Frontages.*

*In addition to the minimum and maximum percentage figures for retail and food, drink and entertainment, we will seek a range of other suitable uses within the town centre as a whole, and in individual frontages.*

- 2.1.9 Appendix 3 provides a methodology for the calculation of the percentages of uses for frontages

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### 3. Planning Considerations

3.1.1 Dentix are seeking to open dental clinics in town centre and High Street locations and are keen to work with Local Planning Authorities in identifying suitable, available sites readily accessible to the local community and where there is already a high footfall. In considering the site at 122-126 Kilburn High Road, Dentix have examined the key planning considerations and consider the use would be complementary to the existing retail frontage and have significant benefit to the area. The sections below highlight how the proposal responds to existing planning policy.

#### 3.2 Change of use to dentist surgery

3.2.1 The proposed planning application will be for a change of use from the current A1 – Retail Use to the proposed D1 – Dental clinic. The table below indicates that the unit is currently one of 7 A1 uses within the block of 9 units between Quex Road and Birchington Road.

3.2.2 This proposed change of use would reduce the percentage of non-A1 uses within this part of the frontage to 66.66%.

Site Address	Occupier	Use Class
102 Kilburn High Road	Lloyds Bank	A2
104 Kilburn High Road	GNC (health food)	A1
106 Kilburn High Road	Northwest Trading	A1
108 Kilburn High Road	Palace Amusements	Sui Generis
110-114 Kilburn High Road	Poundland	A1
116 Kilburn High Road	Spec Savers	A1
118 Kilburn High Road	Foot Locker	A1
120 Kilburn High Road	Shoe Zone	A1
122-126 Kilburn High Road	Proposed DENTIX	D1
<b>Total A1 Uses</b>		<b>6</b>
<b>Total Non-A1 uses</b>		<b>3</b>
<b>% A1 uses</b>		<b>66.66%</b>

3.2.3 It is recognized that this reduction in retail uses in the frontage does not meet the Councils Planning Guidance (CPG5) which states that the Council will generally resist proposals that would result in less than 75% of the premises in Core Frontages being in retail use.

3.2.4 The proposal would not conflict however with the second part of this guidance which seeks to limit the concentrations of uses that would harm a centre's attractiveness to shoppers or its residential amenity. It would not result in more than 2 consecutive premises within the Core Frontages being in non-retail use.

3.2.5 In this respect we would submit that the proposal should be considered in light of the following matters.

- a) **it will not detrimentally undermine the retail character, function or effectiveness of that part of the Core frontage**

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3.2.6 CPG 5 states that in addition to the minimum and maximum percentage figures for retail and food, drink and entertainment, the Council will seek a range of other suitable uses within the town centre as a whole, and in individual frontages. Dental surgeries form an appropriate town centre use.

3.2.7 Estimated numbers of persons visiting the premises are around 300 per day and would also bring people into the area, advantageous to the local area because it would introduce a new use adding to the variety of services currently offered in the area and making a positive contribution to the continued commercial vitality and viability of other retail uses within the Town Centre.

3.2.8 It should be noted that the use as a dental surgery by Dentix is closely related to other similar A1 uses such as opticians and a hearing aid shops. In these types of use an element of sales is provided within the front of the unit, a shop frontage is retained to the street and treatment areas are provided to the rear. It is considered that this forms one justification for a condition restricting the use to the dental surgery and for it to revert to retail (A1) use if this use ceased.

3.2.9 As the pre-application response noted;

*Whilst CPG 5 hopes to retain no less than 75% of the premises in Core Frontages being in retail use, the proposed loss of the A1 use would be offset by the planning policy CS7, DP10 and DP12 in terms of the value in the community use in contributing to the viability and vitality of the Kilburn Area.*

**b) employment generation**

3.2.10 As identified the use would result in significant employment from the site when compared to a standard retail unit. Each dental care clinic will employ between 16 and 20 people, which is higher than a standard shop of similar size which would typically employ 7 people at most..

3.2.11 The proposal also accords with the National Planning Policy Framework's aim to create an appropriate mix of uses while guarding against the unnecessary loss of valued facilities and services.

3.2.12 The pre-application response considered that;

*"...the loss of a retail use would not have an adverse impact on the retail function of the surrounding neighbourhood as the proposal would generate more employment than the typical retail unit which is estimated to be between 16 to 20 employees. Hence a change of use from retail is possible given that the proposal would be in accord with LDF policies as listed below"*

**c) Introduction of a Community Use**

3.2.13 Dental surgeries are a social community use and Dentix will provide an important service to the local community through the introduction of dental services at the site.

*Policy DP15 recognises that new community and leisure uses must be:*

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*g) close or accessible to the community they serve;*  
*h) accessible by a range of transport modes, in particular walking, cycling and public transport;*

3.2.14 The property has retained a shop front and is accessible directly from the street. It provides a community use which is considered complements other uses in this parade and is accessible to the local community. It would therefore comply with policy CS7 in adding to the vitality and vibrancy of this centre by adding to the diversity of uses in an area, and the variety of activities that take place. The later opening hours would also facilitate ease of access for the public.

3.2.15 The proposal would be consistent with paragraph 70 of the National Planning Policy Framework, which advises that planning decisions should;

*“plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”*

3.2.16 The pre-application response provided confirmed that;

*Core Strategy Policy CS16 states that ‘The Council will support the provision of additional health care facilities and will work with NHS Camden and other service providers to make sure the borough has a necessary supply and distribution of premises to meet Camden’s health care needs’ and that*

*Therefore there is no in principle objection to a D1 use in this location.*

**d) Conditions / Mitigations**

3.2.17 In addition to this, we do recognise that the existing policy seeks to protect retail (Class A1) uses within prime frontage areas of town centres. As a measure to ensure this, a future planning application would propose a condition that the unit will become retail (Class A1) use once the use of the unit as a dental clinic ceases. This will ensure the long term vitality and viability of the town centre. A suggested condition is as follows:

*“The unit should be used solely as a dental clinic and for no other purposes within the D1 use class. Upon this use ceasing, the unit will have planning permission for retail (Class A1) use.”*

**Residential amenity**

3.2.18 The proposed use would result in none of the problems associated with a concentration of A3 type uses and be more akin to the existing retail uses within the locality.

3.2.19 Nevertheless the pre-application response suggested that further information would be required in relation to the protection of the amenities of the residential units at upper ground floor level.

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- 3.2.20 Noico were instructed to carry out a noise assessment on the proposed new mechanical plant installations in order to establish whether the planning noise requirements will be met and specify suitable noise mitigation measures if they are not.
- 3.2.21 The nearest noise affected windows are considered to be at 1st floor level to the rear of the residential property facing Quex Mews. The distance from the plant room opening to the windows is approximately 10 metres.
- 3.2.22 The report considers that the proposed plant-room and equipment will require the following 'typical' treatment in order to ensure noise from plant does not exceed the requirements of the local authority.
- Air Intake: The plant-room will require all wall and ceiling surfaces to be clad with 75-100mm thick wall lining system
  - Exhaust Air: The exhaust air from each item of plant will need attenuating in the form of proprietary duct attenuators
- 3.2.23 The above recommendations are typical only and are subject to further comment/review following more detailed acoustic design/analysis in conjunction with the nominated mechanical design engineers and we would suggest are best dealt with via planning condition.

#### **Highway and traffic considerations**

- 3.2.24 The site is in a highly accessible location within the Town Centre close to existing bus and train services and accessible by cycle and pedestrians.
- 3.2.25 This level of trip generation is anticipated to be lower than the existing trips associated with the current use of the Site as a clothes/fashion retailer.
- 3.2.26 The use of the Site as a dental surgery, instead of a retail unit, will mean that all arrivals and departures associated with both patients and staff can be monitored and controlled, with most trips made via prior appointment. Furthermore, patients and staff will be provided with information on public transport, cycling and walking routes. As such, use of the Site as a dental surgery will provide a greater level of control over the number of arrivals and departures to be generated than would be possible if the Site was to continue operating as a retail unit.
- 3.2.27 All delivery and servicing activity associated with the Proposed Development will take place on-street, as per the previous situation for the existing retail unit. Due to the constrained nature of the Site, there are no dedicated loading bays that serve the unit. There is however sufficient room for a panel van to stop adjacent to the Site on Quex Road, without impeding traffic,
- 3.2.28 It is anticipated that the dental surgery will generate a relatively low level of delivery and servicing trips, and will represent a similar level in servicing trips when compared to servicing activity generated by the current lawful use as a retail unit.

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3.2.29 Where possible, servicing movements would be restricted to avoid arriving and departing from the Site during the standard network morning and afternoon peak hours of 08:00 to 09:00 and 17:00 to 18:00. This will both ensure deliveries are able to arrive on-time and will have minimal impact on the traffic flow of the local road network.

3.2.30 All deliveries to the dental surgery would be controlled by a delivery booking system to ensure that deliveries are equally distributed across the week and across delivery hours, avoiding an adverse impact of the Proposed Development. Given the medical nature of the Proposed Development, all deliveries would be known in advance and the same suppliers would be used.

### **3.3 Shop front alterations**

3.3.1 The proposed layout is designed to have internal display boards with sales area within the main concourse from the entrance which would consist of a reception and waiting area, to the side along the Quex Road elevation.

3.3.2 The design proposals will replace the central stacking door which is of no merit.

3.3.3 There are no changes proposed to the means of escape to the flank and rear elevations. The changes proposed to the fenestration include;

- new shopfront frames which are faceted shopfront glazing with powder coated aluminium framing.
- aluminium framed sliding entrance doors to front
- powder coated aluminium ventilation louvers and powder coated aluminum louvered doors (RAL 9006) to rear courtyard elevation

3.3.4 The proposed change of use would still retain an open, active and inviting frontage. It is considered that these alterations to the main shopfront would relate well to the newly altered upper floors of the building and surrounding properties including the general characteristics of shopfronts in the area in accordance with Policy DP30 – Shopfronts of the Camden Development Policies.

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## 4. Summary

4.1.1 The NPPF seeks to support economic development and Paragraph 19 of the NPPF states:

"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

4.1.2 Each dental care clinic will employ between 12 and 20 people, which is higher than a standard shop of similar size which would typically employ 7 people at most.

4.1.3 The provision of the dental care clinic would also add to the mix of uses and vibrancy of this retail frontage, bringing in around 300 visitors per day.

4.1.4 The property has retained a shop front and is accessible directly from the street enhancing the appearance of this building and the street frontage as a whole.

4.1.5 It would make good use of the premises to provide an important service to the community complementary to the other retail uses in the area.

4.1.6 The proposal would be for sustainable development, adding to the vitality of the town without affecting significantly the local availability of shops which helps improve the balance of town centre uses by introducing a range of complementary uses. The proposal also accords with the National Planning Policy Framework's aim to create an appropriate mix of uses while guarding against the unnecessary loss of valued facilities and services.

4.1.7 The proposed loss of the A1 use would be offset by the planning policy CS7, DP10 and DP12 in terms of the value in the community use in contributing to the viability and vitality of the Kilburn Area.



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