

Our reference: SEB/269  
Your reference:

29 January 2016

Ms Kate Phillips  
Regeneration and Planning  
Culture and Environment  
London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG



By E-mail

Dear Kate

**RE: 16 TAVISTOCK PLACE – YOUR REF 2015/6809/P**

I refer to the above planning application and note from your planning portal that a number of observations have been made.

In consultation with our client and the dental practice we would like to make a number of observations.

**Observations Received 14 January 2016**

1. Loss of Residential Use

We are not aware that the existing basement has residential use, it is clear from inspection that if that were the case it has not been used for that purpose for many many years and is currently in a dilapidated state used for storage only. The use as a dental practice is, we believe, established for over 55 years.

With regard to adjacent dental surgeries we are advised that one of those in Marchmont Street does not offer any NHS treatment whereas Tavistock Surgery do.

2. Heritage Design & Associated External Works

- a) It is not intended to replace the existing main access stair from the pavement down to the basement, it will receive a light refurbishment comprising, subject to detail design, redecoration, non-slip treads, and some new lighting at basement level.

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- b) The roof infill to the rear is not intended to bear on the party boundary wall, as it will be a freestanding structure adjacent to the wall and supported on the existing building at 16 Tavistock. The only connection with the party wall itself will be provision of a weathering detail, most probably a flashing, for which there is a right under the Party Wall Etc. Act 1996 to insert.
- c) The roof design can be considered having regard to the possible support of the scaffolding in the future.

### 3. Alienation

Whilst the access is entirely separate as identified on the plans, there is a fundamental requirement for the services to the surgery to be connected. In any case this matter can be dealt with on a conditional planning approval.

### 4. Access between Dentist Floors

- a) Obstructions and anaesthetised patients – Tavistock Surgery advise that they clearly have a duty of care to their patients which they take very seriously. They would not endanger the safety of any use of the practice being staff, visitors or patients. A Recovery and Consultation room is included in the design so patients are not discharged prematurely.
- b) The exposed stair will be treated with suitable non-slip surfaces on the nosings and treads.
- c) Conservation Area Status – view from the street – other than redecoration and the possibility of additional improved lighting there will be no change of the appearance of the building from the street.
- d) Suitability as a business premises – Tavistock Surgery are confident that they can run the business satisfactorily, see also Item 3 above.
- e) Risk of anti-social behaviour - a gate can be retained at the bottom of the stairs. Day to day working practices and management of the practice would ensure that this is closed when the surgery is closed. The practice propose to install CCTV.

### 5. Amenity/Health & Safety

The provision of basement level bike storage as suggested is not particularly practicable. Aside from the health and safety issues of carrying bicycles down the steps which would bring into play all of the other items noted above regarding the safety of the use of the steps, the logistical aspect of

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managing and locking the gate each time a bike is used would probably result in the gates being left open and increasing risk of the anti-social behaviour mentioned above.

The dental practice advise that virtually all of their patients attend by public transport, on foot, a very small minority use taxis.

### **Observations received 9 January 2016**

#### 1. Structural damage to Tamar House

We do not understand this query. There is no intention to excavate a deeper basement nor undermine any foundations. The rotten timber flooring in the basement will need to be replaced and it is proposed to, most probably, provide a solid floor structure.

#### 2. Noise & Vibration

This is not a planning issue. Construction works will be carried out to the local authority's requirements.

Existing noise transmission issues between other floors in Tavistock Place and Tamar House are not relevant to this application.

With regard to the flat in 14A Tamar House which is at the same level, it is unfortunately possible that some construction noise will be heard and again this will be limited to the local authority's standards. The party wall itself will be separated from the dental practice by the existing communal staircase which remains in position, and a small caretaker's store facility which will be retained in the space between the party wall and the dental practice recovery room. The Recovery room itself, by its very nature, will be a quiet space.

#### 3. Air Conditioning Noise

There is no intention to install full air conditioning. A heat recovery system will be used to provide heating and cooling, the condensers for which will be located in the lightwell area along Herbrand Street as indicated on the application drawings. These will be attenuated units and will obviously be provided with controls such that they are not in 24 hour use which would clearly be uneconomic and environmentally unacceptable if nothing else.

#### 4. Future Use

Please refer to Alienation item above. This can be dealt with by conditional approval.

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5. Health & Safety

Means of escape has been considered in the design and will be the subject of a building control application in the usual way.

**Observation received 12 January 2016 from Tamar House RTM Company**

1. Noise Pollution from the new Facility

Medical compressed air will of course be provided as it is currently. Tavistock Surgery do not want any of the equipment impacting on their patients or staff who will be much closer in proximity than the neighbours. The position of any compressor equipment will be considered but this is small, as existing, and can be accommodated in sound insulating enclosures if necessary.

2. Planned "Air Conditioning"

Please refer to Item 3 above.

3. Working Hours

Please note the surgery advise that they have never received any complaints or issues regarding their operating hours.

4. Noise Pollution during Building Works

Construction works will be carried out in accordance with the London Borough of Camden's noise requirements. In the event of particularly noisy activities we can ask the contractor to include for resident liaison services to provide reasonable prior notice, particularly in relation to residents at 14A Tavistock Place.

The other observations are not a planning issue as far as we can see.

5. Structural Damage

Please refer to earlier comments. If appropriate Schedules of Condition can be prepared on relevant adjacent parts of Tamar House, again under the Party Wall Etc. Act 1996 should it apply, to record existing condition prior to commencement.

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6. Future Use

Please refer to previous items on the same point above.

The Surgery have advised that many local residents use their Practice so with a refurbished basement and improved practice this will provide a better service to local residents including the occupiers of Tamar House should they wish.

**Observations dated 19 January 2016 from Jeremy Clayton**

1. Health & Safety

The issue of sedated patients has been answered above.

2. Basement Use

Please refer to similar items above.

3. Opening Hours & Loss of Parking

Loss of parking is not a planning matter related to this application.

With regard to opening hours the Surgery advised that their patients live close by so walk, or use public transport, or they work nearby and commute in. Commuters in particular obviously have a preference to visit the surgery on work days and therefore would not take weekend appointments. As Mr Clayton states there is no space for people to park anyway.

4. Conflict of Interest

Camden own the freehold of Tavistock Place, this is not a secret and Council have completed a Council Own Development form as part of the application. This is entirely open book and we do not understand how there can be a conflict of interest.

To conclude it would appear that the vast majority of these matters do not relate directly to planning legislation and are more about the logistics and impact of the building works and ongoing use of the Surgery. Clearly there is, with appropriate approvals, a right to carry out construction works. Indeed works are currently being undertaken on Tamar House which arguably have an impact on Tavistock Place. Reasonable steps can be taken to promote good working practices and liaison with adjoining owners where appropriate to minimise what will be a relatively short term construction project.

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I would be happy to discuss any of these points further with you.

Yours sincerely,



Steven Brewer BSc MRICS

*Director*

