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Planning Statement

**Change of Use from
Betting Office (Sui Generis)
to Dental Surgery (Class E)**

**235-237 Finchley Rd
London
NW3 6LS**

October 2021

CONTENTS

- 1.0 Introduction
- 2.0 Site Description and Surroundings
- 3.0 The Application Proposal
- 4.0 Planning Assessment
- 5.0 Summary & Conclusion

1.0 INTRODUCTION

- 1.1 This Statement has been prepared on behalf of our client, Dr Sundeep Patel, to support a Change of Use Planning Application from Betting Office (Sui Generis) to Dental Surgery (Class E) at a property at 235-237 Finchley Road, London NW3 6LS.
- 1.2 The purpose of the application is to enable Dr Sundeep Patel to open a dental surgery at the location as an expansion of an existing business.
- 1.3 This application is supported by the following documents:
 - Duly completed forms and Ownership Certificates
 - Site Location Plan
 - Existing Floor Plan (Description: Basement and Ground Floor Entrance Lease Plan, Drawing No. PP6078-01a)
 - Proposed Floor Plan (Drawing Name/No. Decon Layout Proposal Elevation 02)
 - Planning Statement (*this document*)

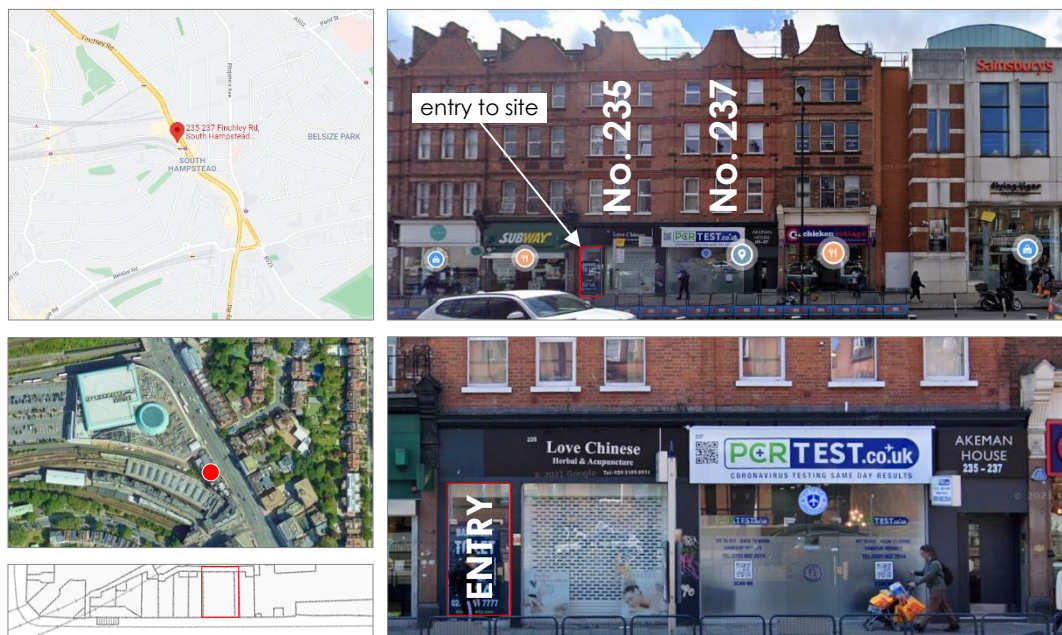
Format of Statement

- 1.4 The opening sections of this Statement outline the reason and nature of the proposal, provide context for the site and its surroundings and assess the application against the relevant planning policies.

2.0 SITE DESCRIPTION AND SURROUNDINGS

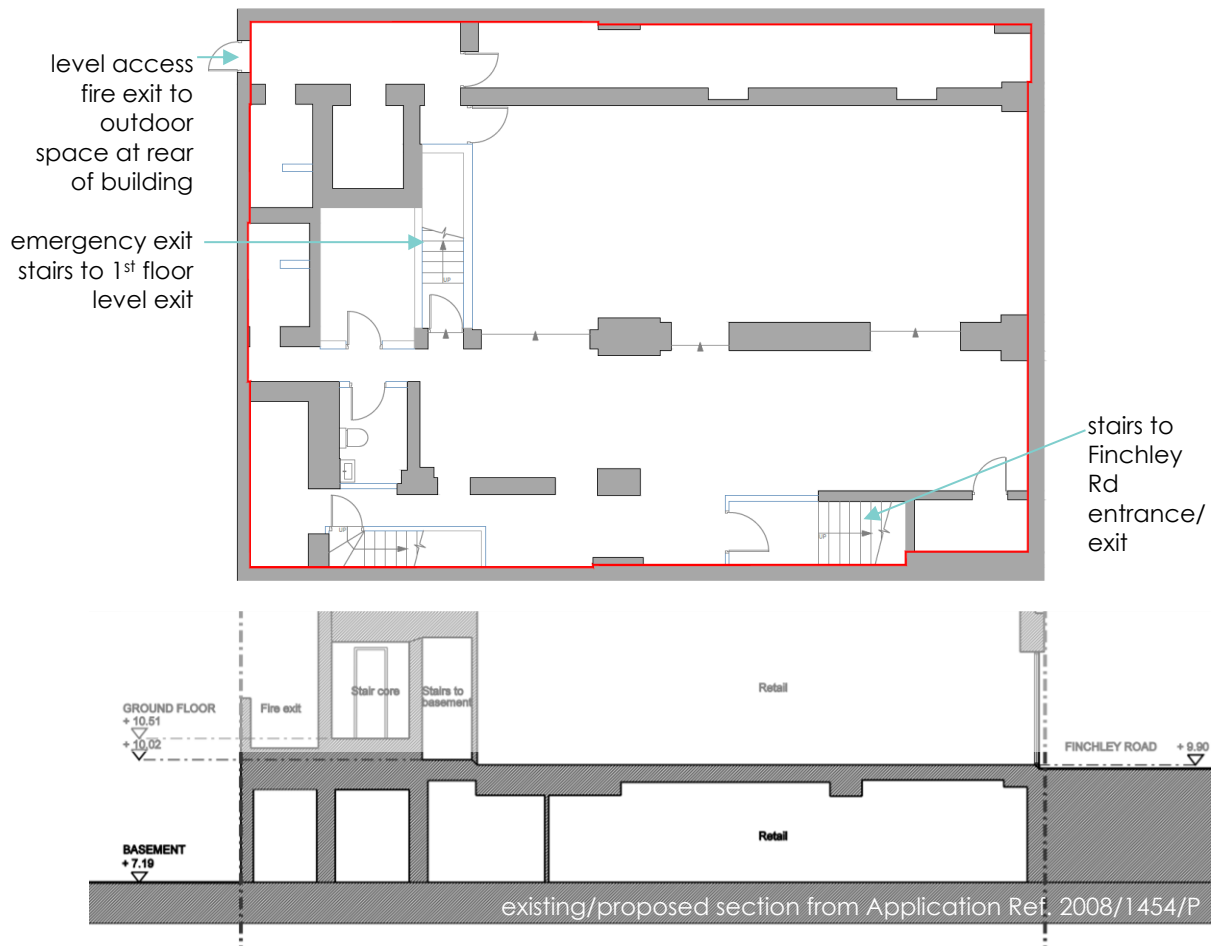
- 2.1 The application site is located within the Finchley Road/Swiss Cottage town centre which supports a large quantity and range of shops and services.
- 2.2 The site comprises the basement level of the property at 235-237 Finchley Road which has an internal area of 127.3 sqm. Its entrance is located to the south of the ground floor unit at No. 235, as seen below in figure 1. The ground floor units are both commercial/retail properties, whilst the upper floors are residential.
- 2.3 The site is accessible via public transportation and is given the highest possible PTAL rating of 6b. It is approximately 70 metres from the London Underground station of Finchley Road and is served by a bus stop with both multiple city buses and intercity buses stopping just outside the unit's entrance.

Figure 1: Site



- 2.4 The premises are currently vacant, but was last occupied by a betting shop, Ladbrokes, which left in 2015 after a large fire, started in an adjacent ground floor unit, damaged the property. Using historic Google street views it appears that the unit, the two ground floor units, and residences above were boarded/covered up by June 2017 presumably to allow for refurbishment after the fire. After the upper levels were uncovered, the ground floor unit and door to basement unit were closed a while longer. The periodic street view images show the ground floor units then found new tenants (which are seen in place by January 2021), but the basement unit has remained empty until the present day.
- 2.5 Stairs run from the Finchley Road entrance down to the unit. The existing unit has a fire exit to the rear as well as stairs which provide alternate means of egress. The unit provides a main open area, storage rooms, staff/private areas, and toilet.

Figure 1: Existing Interior



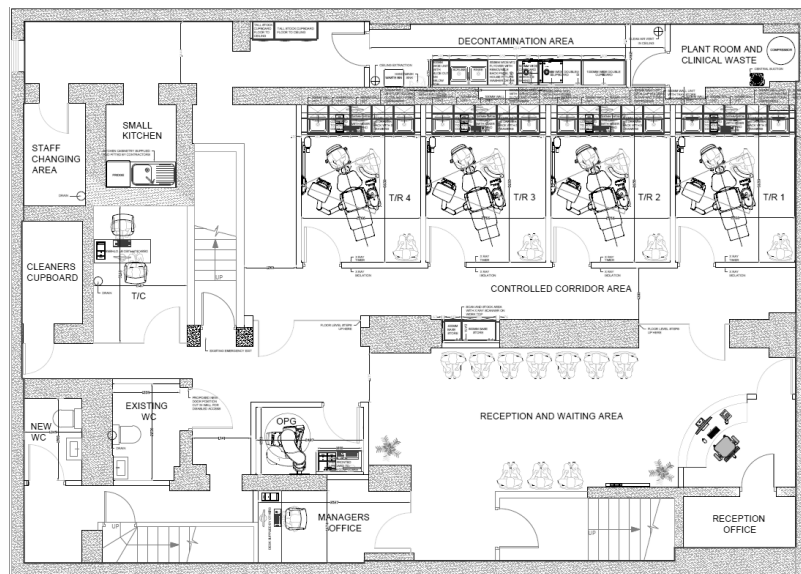
Planning History

- 2.6 According to the Council's online records, planning permission (Application Ref. 8804155) was granted on 21st September 1988 for "Change of use of basement floor from storage ancillary to retail to a betting office including the formation of a new access to the basement from Finchley Road as shown on drawing No.2089".
- 2.7 There are no other subsequent planning records relating to the basement use.

3.0 THE APPLICATION PROPOSAL

- 3.1 This application proposes a change of use from the basement unit at the property without any external changes to the property. The interior will be set up and improved to allow for the operation of a dental surgery.
- 3.2 The proposed interior will include the installation of partition walls to form four treatment rooms. A staff kitchen, additional WC, and decontamination area will also be plumbed in and installed. The other existing spaces would be used for a secure storage area for plant and clinical waste, offices, staff changing room, storage cupboard, and patient reception/waiting area.

Figure 1: Proposed Interior



Accessibility

- 3.3 Access to the premises requires use of an existing staircase (from ground floor to basement). To ensure the premises is fully accessible the applicant would be prepared to introduce a stairlift for disabled patients. The reception and treatment rooms would be accessible and level, and the existing WC would be improved, with doorway moved, to allow for disabled access.

Operation

- 3.4 The dental practice would be a private practice offering a range of dental services. It would be open weekdays and weekends 7am-11pm, with the shorter hours of 9am-5pm on bank holidays. The dental practice is anticipating between 20-30 patients daily.

Clinical Waste

- 3.5 Clinical waste will be stored and locked in a dedicated area in the plant room for safety. A private company (PHS Group Inc) will collect and appropriately dispose of the waste weekly.
- 3.6 Liquid clinical waste will be disposed of using the existing drainage after being filtered by a professionally installed filtering system which is disinfected daily.

3.7 No hazardous chemicals/gases will be stored on the premises.

Parking/Deliveries

3.8 There are no parking spaces associated with the unit. Staff and customers are expected to arrive mainly via public transport, walking, or biking. There are bike racks outside the Waitrose at the intersection of Finchley Road and Canfield Gardens and outside the O2 Shopping Centre, both approximately 85 metres from the site.

3.9 If travelling by car, there is parking available a short distance away at the O2 centre.

3.10 Deliveries will be minimal and done by small vehicle.

4.0 PLANNING ASSESSMENT

4.1 This section assesses the proposal against relevant planning policies. These include the NPPF (2021) and the local development plan which comprises the Camden Local Plan 2017 (2016), proposals map, supplementary planning guidance and documents.

Principle of Development

4.2 The application is for a change of use to Dental Surgery (Class E) within an existing building and unit with no external changes proposed. The change and proposed use are appropriate in principle as:

- The site is within primary frontage of the Finchley Road/Swiss Cottage Town Centre (as updated by Camden Local Plan Policies Map Alterations (June 2017)) and the proposed use is within the defined main town centre uses defined in the NPPF glossary as it fits within 'health and fitness centres' or within the defined 'other town centre uses' (Para. 9.32 of the local plan). In addition, the proposed use, as a town centre use, is supported within existing town centres under **Policy TC1** (Quantity and Location of Retail Development).
- The proposal is in line with the Council's support of healthier communities. **Policy C1** (Health and Wellbeing) supports the provision of new or improved health facilities.
- Healthcare, and therefore the proposed use, is defined within the term 'community facilities' (Para. 4.21) and the Council acknowledges that community facilities "*form a vital part of town centres and neighbourhoods and address the local community's needs.*"
- The proposal is submitted in order to allow a small business to expand and strengthen, and as such it is in line with the NPPF's economic objective of sustainable development and NPPF Paragraph 81 which states, "*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.*" Local **Policy E1** (Economic Development) also supports businesses of all sizes as well as the development of Camden's health sector.

Community Facilities

4.3 A dental surgery is considered a 'community facility' under the category of 'healthcare' within the Local Plan. The proposal is compliant with the relevant criteria of **Policy C2** (Community Facilities) as the facilities provide access to a service on foot and by sustainable modes of travel.

Town Centre

4.4 Dental Surgery use (Class E) is compliant with **Policy TC2** (Camden's Centres and Other Shopping Area) which seeks to strengthen the borough's town centres. As part of this, the Council encourages "*a range of shops...and other suitable uses to provide variety, vibrancy and choice*".

4.5 **Policy TC4** (Town Centre Uses) ensures that 'shopping, services, food, drink,

entertainment and other town centre uses' do not harm the centre. The proposal is compliant as the development would:

- enrich the centre, increasing the variety of services available.
- meet individual planning objectives for the centre as set out in Camden Planning Guidance SPD.
- The health impacts and amenity impacts on neighbouring properties would be positive as there are no adverse impacts on neighbouring properties as a result of the proposed use, the provision of a health service to the area is a benefit, and a proliferation of betting shops are considered to lead to harmful health impacts (Planning for Health and Wellbeing SPG (2021)) to which the existing lawful use of the property could have contributed.
- The proposed use will have minimal noise impact which will be mitigated by its location in the basement.
- The proposed use will not affect the ease of movement on the footpath, there will not be waiting or unit paraphernalia on the footpath and deliveries will be minimal with a weekly clinical waste collection and general waste collection.
- Extraction of fumes is not necessary for the proposed use.
- This use would not encourage crime or anti-social behaviour.

Amenity and Impact

4.6 **Policy A1** (Managing the Impact of Development) protects the amenity of neighbours and neighbouring properties. In this regard:

- there will be no detrimental traffic impacts, as the site has no parking, there will be few deliveries, with weekly waste collection of clinical waste and general waste.
- any noise impacts would be minimal and will be fully mitigated by the use's location in a basement unit below commercial uses, also making the proposal compliant to **Policy A4** (Noise and Vibration).
- there will be no odour, fumes, or dust produced.
- there will be no excess demand placed upon the water and wastewater infrastructure and so will not increase the risk of flooding and is therefore also compliant with **Policy CC3** (Water and flooding).

Access

4.7 The applicant is prepared to make the basement use more accessible through the introduction of a stairlift (for disabled users). However, the internal space will be kept as accessible as possible with a disabled access toilet to be provided. The proposal is therefore compliant with **Policy C6** (Access for all).

Waste

4.8 The proposed development includes the appropriate facilities for the storage and collection of waste and recycling and as such is compliant with the relevant section of **Policy CC2** (Adapting Climate Change).

5.0 SUMMARY & CONCLUSION

- 6.1 This application seeks a change of use from Betting Office (Sui Generis) to Dental Surgery (Class E).
- 6.2 This change is sought to allow for the expansion of a small business.
- 6.3 The proposed development has been tested against national and local policies. It has been demonstrated that the proposal:
 - is in line with national and local support for economic development;
 - is appropriate for its location within the Finchley Road/Swiss Cottage town centre and its primary shopping frontage as it is a defined town centre use and would not result in the loss of a retail use (since the former use was non-retail);
 - results in no amenity impact concerns; and
 - is in a highly sustainable location.
- 6.4 In summary, it has been demonstrated that the proposed development accords with national and local planning policies and there are no adverse impacts which would significantly and demonstrably outweigh its benefits. As such, and in line with the NPPF advice (Para 11), the Council should approve the planning application for the change of use to Dental Surgery (Class E).