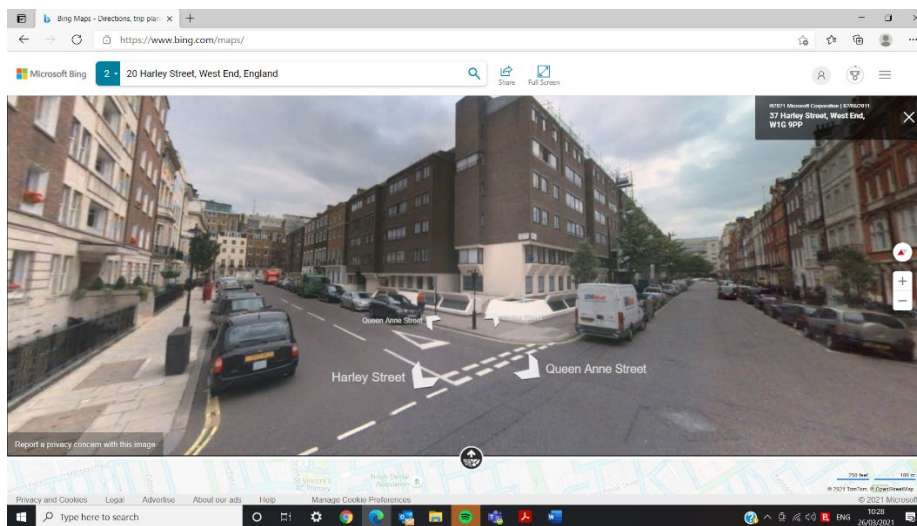


PLANNING STATEMENT IN SUPPORT OF PLANNING APPLICATION FOR USE OF FLAT AS MIXED RESIDENTIAL (CLASS C3) AND PRIVATE DENTAL PRACTICE (CLASS E) AT FLAT 26, HARMONT HOUSE, HARLEY STREET, LONDON, W1G 9PH

THE SITE AND SURROUNDING AREA

The application site lies within the Harley Street Conservation Area. Harmont House is not a Listed Building and situated on the east side of Harley Street. (see screenshot below)



It is a mixed-use building, accommodating, residential and medical units. The Harley Street frontage of Harmont House rises to 6 floors above ground; the ground and first floor are in white stone with the floors built in red/brown brick.

The Harley Street Area has over the years established a worldwide reputation for medical excellence and established itself an International Centre of Renown for Private Medical Practice.

THE APPLICANT'S BACKGROUND

The Applicant Dr Asif Chatoo is an experienced, well-qualified and leading Practitioner in the field of Orthodontics for many years and has worked in the UK and abroad since completing his studies in 2001.

We attach as Appendix 1 to this statement a copy of his CV which provides full details of his qualifications, experience, and achievements in the field of Orthodontics.



RELEVANT PLANNING POLICY

Westminster City Plan (2016)

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Policy S1 “Mixed Use in the Central Activities Zone” encourages development which promotes Westminster’s World City functions, manages its Heritage and Environment, and supports living and visiting populations. Within the CAZ, a mix of uses consistent with supporting its vitality, function and character will be promoted.

Policy “Special Policy Areas” S2 advocates protection of Specialist Areas and their functions. These areas are recognised for their special local distinctiveness and Land Uses. Protection of such Uses supports specific industries’ long-term success and enhances London’s global reputation.

Policy CM2.1 “Harley Street Special Policy Area” highlights the importance of protecting Harley Street’s medical facilities. All development in the Harley Street Special Policy Area will support and enhance its role as an international centre of medical excellence, supplemented by residential use. New medical and complementary facilities will be encouraged.

Policy S6 “Core Central Activities Zone” shows that most of the commercial activity in Westminster is located within its Core Central Activities Zones (CAZs). CAZ areas are internationally important locations for institutes, activities and functions with global status and importance. These areas are important clusters that need to support the already present uses to enable growth and evolution of places to ensure that they retain their globally important function as a business location.

Policy S14 “Optimising Housing Delivery” confirms the importance of optimising housing delivery. The policy has been formed to make sure the Council achieves its housing targets set out in the London Plan. Residential use is a priority, except where it has been specifically stated otherwise, such as special policy areas.

Policy S25 “Heritage” is a policy designed to protect and recognise Westminster’s wider historic environment, its extensive heritage assets which need to be conserved, including conservation areas.

Policy S27 “Buildings and Uses of International and National Importance” seeks to safeguard buildings which functions are of international, national and regional importance. These buildings will be protected throughout Westminster and new international and national important uses encouraged in Central Activities Zones.

Policy S28 refers to “Sustainable and Inclusive Design”. It sets out how design is important due to Westminster’s unique built heritage demands particular attention to be given to the quality of design. Spaces must be inclusive and accessible to all.

Policy S42 “Servicing and Deliveries” details information about servicing and deliveries. This policy asks for developments to demonstrate that servicing and deliveries required will be managed to minimise adverse impacts.

Policy S47 is a cross cutting policy and highlights the need for a “Presumption In Favour of Sustainable Development”.

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2019).

The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Harley Street Conservation Area SPD

The Harley Street Conservation Area (HSCA) SPD was published in June 2008 and describes its character, inter alia, as follows:

“The architectural character of the Harley Street Conservation Area is dominated by terraced houses of different periods and different levels of social status. In general, the main roads contain large houses, with smaller houses in the side streets.....Fundamental to the area’s character is the distinctive pattern of the land use. The area retains its original residential character with concentrations of medical facilities of international renown in and around Harley Street, institutional uses in Portland Place, professional uses in the vicinity of Queen Anne Street and workshops and showrooms in Great Portland Street. Marylebone High Street is a main shopping thoroughfare, servicing the surrounding offices and residential properties.”

RELEVANT PLANNING HISTORY

Over the past 30+ years there have been several Planning Permissions and Lawful Use Certificates granted for Medical Use or Mixed Residential and Medical Use both at Harmont House and other Harley Street properties.

As regards Harmont House we estimate there are approximately 12 “Flats” in Medical Use or Mixed Residential and Medical Use.

The permissions detailed above illustrate that applications for change of use are not uncommon within the local vicinity. Proposals involving change of use to medical facilities have been supported.

PLANNING ASSESSMENT

Principle of Development

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Westminster City Plan Policy CM2.1: Harley Street Special Policy Area is of particular importance in the assessment of the present proposal. It states:

Policy CM2.1: Harley Street Special Policy Area

- 1. All development in the Harley Street Special Policy Area will support and enhance its role as an international centre of medical excellence, complemented primarily by residential use.**
- 2. New medical and complementary facilities will be encouraged.**
3. Existing medical facilities, including consultation rooms and related professional and support services, will be protected and their loss of will only be allowed in exceptional circumstances where:
 - a. the council is satisfied that the premises have been vacant and actively marketed for medical use for at least 12 months at a reasonable market value and attempts to find an occupier have been unsuccessful;
 - b. the character and function of the area as a centre of medical excellence would not be affected;
 - c. the change of use is to other priority uses for the Special Policy Area including medical and supporting services, or residential.
4. The council will consider land use swaps within the Special Policy Area where it can be demonstrated that:
 - a. there will be no net loss of medical and associated floorspace; and
 - b. the accommodation offered provides higher quality medical space.
5. The council will support the provision of accommodation for patients using medical facilities in the Harley Street Special Policy Area and/or their families, both within the SPA and the surrounding area.

The text highlighted in bold above is of relevance to the present proposal.

This policy ensures that Harley Street's medical facilities are protected and that all development in the Harley Street Special Policy Area will support and enhance its role as an international centre of medical



excellence. The partial use of the flat as a private dental practice is therefore supported by policy CM2.1, as the use enhances Harley Street's role as an international centre of medical excellence.

Residential Use

Page | 5 Policy S14, titled, "Optimising Housing Delivery" seeks to achieve its housing target set out in the London Plan. The policy goes on to state that residential use is a priority across Westminster, except where specifically stated.

In our submission the proposal is in line with policy S14 as it will not entail the loss of a residential unit rather the reconfiguration of the existing space to accommodate a dental practice while at the same time retaining the existing residential function.

Internal Layout and Modus Operandi

The proposed layout indicates the provision of two surgeries and a small storage area. The existing bathroom and kitchen will be retained as will the living space and a single bedroom will be provided. In our submission these arrangements will result in the creation of a live work unit.

The proposed hours of use would be:

Monday 9.00 am- 8.00pm, Tuesday - Thursday 8.00am - 6.00pm, Friday 8.00 am- 5.00pm

The services offered comprise orthodontic and general dental treatment. Mr Chatoo will occupy the residential part and in his Practice will be assisted by a Nurse, and part time Hygienist; it is estimated on average there would be 16 appointments per day.

CONCLUSIONS

In summary, planning permission is sought for the use of the flat as a mixed residential (Class C3) and private dental practice (Class E). The proposal seeks to retain its residential function whilst also enabling a Dental Practice to operate from the property.

The proposal is in line with the Chapter 6 of the NPPF, which notes the importance of building a strong and competitive economy. Specifically, paragraph 81, in Chapter 6, confirms that planning policies should "allow for new and flexible working practices (such as live- work accommodation)".

Accordingly, we consider the proposal merits Officer support and the grant of conditional permission.

SJP/30/03/21