
From: Farrah Mauladad KC <[REDACTED]>
Sent: 10 September 2023 21:02
To: Planning Planning
Cc: Daniel Pope; Bethany Cullen; Elizabeth Beaumont; Alex Bushell; David Fowler; Gary Bakall; Angela Ryan; Tom Little; Geri Gohin; Linda Chung (Cllr); tulip.siddiq.mp@parliament.uk; Andrew Parkinson (Cllr); Gio Spinella (Cllr)
Subject: Planning Portal Reference: PP-12328682 (gymnasium)
Follow Up Flag: Follow up
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Dear Sirs,

I write in relation to the above application.

By way of general comment, I note that the applicant states that he and his family are from Ukraine. It is unclear why this ought to influence the applications he makes. If anything, it is submitted, when one considers the current conditions in Ukraine, the applicant's need for a swimming pool, art studio, gymnasium etc fall into the category of an 'unrestrained whim'.

The applicant provides the history as follows:

Planning History Planning permission for the demolition of a summerhouse in the rear garden and associated changes to the landscaping was granted in August 2021 (LPA ref: 2021/0984/P). This involved the removal of a former swimming pool. A detailed landscaping proposal was approved by Camden Council via discharge of condition application (LPA ref: 2921/5768/P) in December 2021.

When the applicant provided his initial planning application, he stated:

"We are proposing to demolish the existing summer house in the rear of the garden at 14 Greenaway Gardens, **this is to allow for the rewilding of this part of the garden as it has significant mature trees in this area. We are also seeking to decommission the swimming pool and remove the south west wall and bank of ground that was supporting it. This will convert the existing swimming pool structure into a courtyard facing toward the existing house.** As part of this application, we also seek to remove a birch tree and replace this with a mature tree in the area that the existing summer house occupies."

The applicant submitted plans for sunken terraces in the garden which were in keeping with the character of this conservation area. No objection was therefore lodged with respect to this. When he justified the need for the terraces, he said that it was Ukrainian custom to have sunken terraces with a fire pit in the middle. This has clearly changed.

A certificate of lawfulness application for five single storey outbuildings in the rear garden was then applied for in February 2023 and was refused on the 12th June 2023 (ref: 2022/5583/P). The refusal was entirely justified. Camden was correct to conclude that the outbuildings were not 'required for a purpose incidental to the enjoyment of the dwellinghouse as such'.

The applicant now applies for four individual Certificates of Lawfulness. The present certificate relates to the **gymnasium** which includes "an area for weight training and gym equipment such as cardio machines (such as cross trainer and treadmill). An area for ballet is provided comprising a mirror wall and ballet bar, specifically for the client's daughter to enable supervised, safe practice area. Additionally, a taekwondo space is provided to accommodate Mrs Knysh's main form of exercise. Some storage space is provided to store associated gym equipment".

If exercise is the main purpose for this gymnasium, why can it not be part of the main house? Why does it need to be in a separate outbuilding? Why can the applicant, his wife and children not make use of all the facilities in Hampstead and surrounding areas if they wish their exercise facilities to be outside of their main dwelling? The suggestion that a separate structure outside the house in the garden of a conservation area is reasonable required so the applicant can exercise, his wife can do taekwondo and his daughter ballet, is absurd. This gymnasium in a separate outbuilding is NOT reasonably required. On the contrary it falls squarely into the category of an unrestrained whim. I urge Camden to stick to their original refusal which was entirely justifiable. The result of the outbuilding will undoubtedly affect the biodiversity and nature of the area. Greenaway Gardens, a conservation area, is NOT suitable for such outbuildings.

It is apparent from the way in which matters have progressed that it has always been the applicant's intention to construct 5 outbuildings. The way in which he was gone about it has not been transparent. He hosted an event at his home inviting those who lived in the vicinity and never once alluded to these outbuildings. The application for lawful permitted development came as a surprise to everyone. His evidence, whether in the statutory declaration, or otherwise, must be treated with caution unless supported by independent corroborative evidence.

Please do not hesitate to contact me if I can be of any further assistance.

Kind regards,

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