

**CEMc/CD/DP3439**

20 December 2013

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**FAO: Mr Gavin Sexton**

**BY COURIER**

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
APPLICATION FOR PLANNING PERMISSION  
APARTMENTS 2 AND 5, 11 NETHERHALL GARDENS, LONDON, NW3 5RN**

On behalf of our clients, Tomi Musto and Akiko Kikuchi, we hereby submit this full planning application for the amalgamation of 2 no three bedroom apartments to create 1 no five bedroom duplex apartment in relation to the above site.

**Application Submission**

Please find enclosed four paper copies and one electronic copy of the following documents and drawings as part of the application submission:

- Application Forms and Certificates, duly signed and completed;
- CIL Liability Form;
- Site Location Plan – Drawing No: PL-001;
- Apartment 2 Existing Floor Plan – Drawing No: PL-002;
- Apartment 5 Existing Floor Plan – Drawing No: PL-003;
- Apartment 2 and 5 – Ground Floor Plan Through Lift – Drawing No: PL-004; and
- Apartment 2 and 5 – Ground Floor Plan Through Lift – Drawing No: PL-005.

A cheque for the requisite application fee of £339 is also enclosed.

**The Site**

The site is situated on the western side of Netherhall Gardens between Finchley Road and Fitzjohn's Avenue, comprising a four storey detached property. The building is not listed however the site falls within the Fitzjohns/Netherhall Conservation Area.

The property is located within a predominantly residential area, typified by large late Victorian houses and mansion blocks, set in mature gardens. To the north lies number 13 Netherhall Gardens, comprising a three storey residential building set back from the site by a large open



garden, with the main entrance to Nutley Terrace to the east. The adjacent property to the south of the site comprises of a part two/three storey single dwelling, with an established woodland area beyond.

The site is well connected to the public transport network being a short walking distance from Finchley Road underground station to the south and Finchley Road & Frognal railway station to the north. There are also many bus routes on Finchley Road to the west, and the local roads are conducive to cycling.

## **Planning History**

Planning permission was previously granted on 27 March 2012 (LPA Reference: 2011/3471/P) for the demolition and subsequent redevelopment of a four storey property, comprising a lower basement, ground and three upper floors to provide 1 no one bedroom, 3 no two bedroom and 5 no three bedroom self-contained flats.

A subsequent revision to the property was approved on 20 July 2012 (LPA Reference: 2011/5653/P) including alterations to the rear in association with replacement of the leisure suite and swimming pool with additional habitable accommodation, and enlargement of the basement along the front and northern elevations. This permission has subsequently been implemented and built out.

## **Proposal**

Planning permission is sought for the amalgamation of apartment 2 on the ground floor and apartment 5 on the first floor, to create one 'duplex' style five bedroom unit. The conversion would be achieved by knocking through a hallway and bedroom wall and installing a lift shaft/stairwell to link the two flats, thereby improving the overall level of accessibility within the apartment.

Due to the restricted mobility of our client, the proposed alterations are considered necessary having recently required the use of a wheelchair. On balance, the existing layouts of the two apartments are not considered suitable in meeting the daily functional needs of either our client or his family. As a result of the internal alterations, there will be no physical changes to the external fabric or appearance of the building.

## **Planning Policy Considerations**

### ***Loss of Residential Housing***

The key consideration in this planning application is the overall loss of one residential unit created by the proposal. As the development will only result in the net loss of one residential unit through the amalgamation of apartment numbers 2 and 5, this will be supported in policy terms.

Policy DP2 in the Development Management DPD only seeks to resist developments that would involve the net loss of two or more homes, thus preventing a succession of developments that involve combining small homes to create larger dwellings within the borough. In support of the proposal, the justification behind the policy stance is clear:



*"The Council does not seek to resist schemes combining dwellings that involve the loss of a single home"* (see paragraph 2.32 within the Development Management DPD)

Moreover, Camden's Housing Planning Guidance (CPG2) acknowledges the wider benefits of amalgamating existing residential dwellings where only one unit is lost. Paragraph 6.4 states such proposals create additional scope for growing families to expand into an adjoining property, whilst supporting the Council's aspiration to optimise the range and type of housing supply within the borough.

### ***Wheelchair Use***

As mentioned above, it is considered that the provision of an internal lift shaft and stairwell will greatly improve the overall disabled access at both ground and first floor level. Part I of Policy CS6 in the Core Strategy encourages developments which aim to create mixed and inclusive housing provision suitable for different tenure groups, in particular those with restrictive mobility difficulties.

Development Management Policy D6 also acknowledges that wheelchair housing should be tailored to the specific needs of an individual user and their household, providing people with mobility constraints access to a range of housing types.

### **Design and Access**

The Netherhall Gardens layout meets the applicant's requirements as it has been purposely designed to be wheelchair compliant from the external approach and the internal apartment layout meets the spatial requirements for overall ease of access and movement.

The proposed amalgamation of apartment numbers 2 and 5 provides the additional space needed for the applicant's family to accommodate further medical needs and assistance. The proposal to install an ambulant compliant staircase and the provision of a 'through' floor type wheelchair accessible lift to connect the lower and upper floors will be relatively modest in nature.

### **Conclusion**

The proposal to amalgamate both apartments into one duplex style unit is supported in policy terms, resulting in only minor internal changes where the external appearance of the building remains unaffected and is therefore considered acceptable. The works will have no adverse effect on the character of the conservation area or its wider setting, and will have no detrimental impact on the amenity enjoyed by the occupiers of the neighbouring properties.

We trust that the above is satisfactory to enable the validation of the application. Should you require any additional information, please do not hesitate to contact Caroline McIntyre at this office.

Yours faithfully

**DP9**  
Encl.