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Ref: MM/528/18

**DESIGN & ACCESS STATEMENT INCORPORATING ALSO
PLANNING STATEMENT**

PROPOSAL

**COMBINE FLAT 3 AND FLAT 4 AT FIRST FLOOR LEVEL TO
FORM ONE SINGLE (FOUR BEDROOM) FLAT
(RETROSPECTIVE).**

**FLAT 3 & FLAT 4, OTTO SCHIFF HOUSE, 12 NUTLEY
TERRACE, LONDON NW3 5TQ**

9th May 2018

1.0 Introduction

- 1.1 This statement forms part of the planning application submission in respect of Flat 3 and Flat 4 at first floor level at Otto Schiff House, 12 Nutley Terrace NW3 5TQ. The development proposed is for;

Combine Flat 3 at and Flat 4 at first floor level to form one single (four bedroom flat (Retrospective)

- 1.2 As indicated in the description of development this is a retrospective application as some works have been carried out. Other works have yet to be carried out and this is reflected in the application.

2.0 Site Location & Description

- 2.1 The site is a converted mansion on the south west corner of Netherhall Gardens and Nutley Terrace. It formerly was addressed as 14 Netherhall Gardens but this changed following the redevelopment and split of the site in 2017. The building, the subject of this application, was given a new address, Otto Schiff House, 12 Nutley Terrace, while a former annexe building attached to it was redeveloped and retained the address of 14 Netherhall Gardens. The updated layout can be seen on the 1:1250 location plan submitted with this application.

- 2.3 The area is predominantly residential in character.

3.0 Amount

- 3.1 The proposal involves the creation of one, four bedroom, owner occupied flat at first floor level from two the two former, two bedroom flats (Flat 3 and Flat 4) that were built on this floor. There are no other flats on this floor and no other flat in the mansion block is affected by this proposal.

4.0 Layout

- 4.1 In general, the internal layout will broadly be similar to the existing internal layouts of the two existing flats. The physical change comprises of two elements, one that has already been carried out and one that is proposed.
- 4.2 The alteration that has already been carried out is an internal single doorway opening between the Living/Dining/Kitchen area of formerly Flat 3 and the passageway adjacent to former Bedroom 2 of Flat 4. The plans accompanying this application show what existed previously, what exists now and what is proposed. These are;

DwngNo. A01 First Floor Layout Prior to Amalgamation of Flats 3 and 4 – This shows how the flats were originally laid out in June 2017.

DwngNo. A02 First Floor Layout As Existing Showing Amalgamation of Flats 3 and 4 to Provide One (Four Bedroom) Flat – This shows how the newly combined single flat created with by a new internal single doorway opening between the Living/Dining/Kitchen area of formerly Flat 3 and the passageway adjacent to former Bedroom 2 of Flat 4.

DwngNo. A03 Proposed First Floor Layout Showing Amalgamation of Flats 3 and 4 to Provide One (Four Bedroom) Flat – This shows the final alteration that is proposed. This is a minor alteration to the existing lobby area that currently provides independent access to the former Flat 3 on one side and the former Flat 4 on the other. The lobby area is to be enclosed with the installation of one door and the doors that lead off the lobby to the former Flats 3 and 4 are to be removed.

- 4.3 In summary the amalgamation of the two flats involve two internal changes, one that has already been carried out (the door opening) and one that is yet to be carried out (reorganising the shared lobby area). No other internal alterations are proposed.

5.0 Appearance

- 5.1 No external alterations are proposed.
- 5.2 The complete amalgamation of Flats 3 and 4 will not affect in any way the external appearance of the building within which these are located.

6.0 Heritage Assessment

- 6.1 The mansion block, named as Otto Schiff House, is located in the Fitzjohns/Netherhall Conservation Area. The proposal will not result in any change to the external appearance of the building and therefore there will be no impact on the prevailing character and appearance of the Fitzjohns/Netherhall Conservation Area.

7.0 Planning Policy

The Principle of Amalgamation of the Two Flats

- 7.1 The key planning policy that governs the amalgamation of flats is Policy H3 [Protecting existing homes] of the adopted Camden Local Plan 2017. Under this policy there is an allowance given under H3(c) for the combining of no more than two residential units. Paragraph 3.73 provides more detail with regard to any proposal to combine two units to form one larger one. In essence, there is no objection to the combining of two residential units where such a proposal is to provide a larger family dwelling. This is the case here. It is also to be noted that there has been no other amalgamation of flats in this mansion

block. Therefore, no concerns would arise regarding the incremental loss of flats as a result of this proposal.

Relevant Planning History

- 7.2 Flat 3 and Flat 4, these two were created under cover of planning permission 2015/1476/P granted on 8th March 2016. The development proposal was;

Variation of condition 2 (approved plans) of planning application 2013/2213/P & 2013/2216/C (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) for the erection of a 3-storey building and conversion to create 14 self-contained flats, namely removal of 2 x trees, rearrangement of internal flats and alteration to the treatment of the front lightwell.

- 7.3 A copy of the permission is attached as Appendix 1 with this statement.
- 7.4 The two flats were in existence in June 2017 at the time when the flats were purchased by the applicant.

8.0 Access

- 8.1 There no access implications with regard to this development.

9.0 Conclusion

- 9.1 This application is a retrospective application seeking permission for the amalgamation of Flats 3 and 4 located at the first floor of 14 Netherhall Gardens. There are no other flats on this floor.
- 9.2 Only internal alterations are involved. The exterior of the building remains therefore unchanged.

- 9.3 The proposal to combine the two flats into one is consistent with the policy objectives of Policy H3 of the adopted Camden Local Plan (2017) which allows the combining of no more than two flats or houses.
- 9.4 Overall therefore the proposal is considered to be acceptable in line with all of the Council's relevant planning policies and guidelines.



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www.camden.gov.uk/planning

Mr G Wise
Netherhall Gardens Ltd
Hillview House
1 Hallswelle Parade
London
NW11 0DL

Application Ref: **2015/1476/P**
Please ask for: **Seonaid Carr**
Telephone: 020 7974 **2766**

8 March 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
14 Netherhall Gardens
London
NW3 5TQ

Proposal:

Variation of condition 2 (approved plans) of planning application 2013/2213/P & 2013/2216/C (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) for the erection of a 3-storey building and conversion to create 14 self-contained flats, namely removal of 2 x trees, rearrangement of internal flats and alteration to the treatment of the front lightwell.

Drawing Nos: Superseded Plans: E_05_G200_001, P_01_G200_001 A, P_02_G200_001, P_03_G200_001, P_B1_G200_001 E and P_00_G200_001 E.

Revised Plans: E_05_G200_001 Rev D, P_01_G200_001 Rev C, P_02_G200_001 Rev D and P_03_G200_001 Rev C, P_B1_G200_001 F and P_00_G200_001 F

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):



- 1 For the purposes of this decision, condition no.2 of planning permission 2013/2213/P & 2013/2216/C (granted 15/04/2014 by appeal (ref APP/X5210/A/13/2205355 and APP/X5210/E/13/2205358)) shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: E_01_G200_001; E_02-03_G200_001; E_04_G200_001; E_05_G200_001 Rev D; E_06_G200_001; E_07_G200_001. P_B1_G200_001 F; P_00_G200_001 F; P_01_G200_001 C; P_02_G200_001 Rev D, P_03_G200_001 Rev C; P_RF_G200_001 D; S_AA_G200_001 A; S_AA_G200_001 A.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission:

In terms of design, it is proposed to amend the treatment of the lightwell from covered in glass to open and surrounded by railings. Such lightwells have been approved in other locations around the site. This is considered to be an acceptable change which would be well integrated into the design of the building. There would also be some amendments to the internal layout of the building, however the number of units and mix would remain as approved.

There would be some harm caused by the loss of an additional two trees. To ensure the Council is satisfied with the replacement trees a condition is recommended which attains details of the type, height and species of tree that will be planted to replace the two trees to be removed.

One objection has been received and taken into account in the determination of this application. The site's planning history has also been taken into account in coming to this decision. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 (CA's) of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed details are in general accordance with policies CS5, CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.21 of the The London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66, 109-125 and 126-141 of the National Planning Policy Framework.

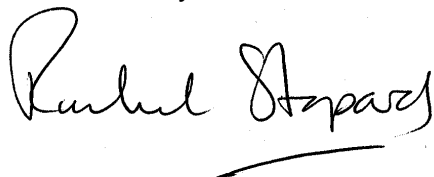
- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment