



## Permission secured for Private Residential Amalgamation contrary to local policy.

The Royal Borough of Kensington and Chelsea (RBKC) has a strict amalgamation policy that only allows for the amalgamation of 2 dwellings if the resultant floorspace is under 170 sqm. This means that in most cases, the amalgamation of residential dwellings is near on impossible.

Our client contacted us in 2022 asking for our assistance on this very special case. Very sadly, our client's mother is being cared for by her father in their house down the road. She requires around the clock care as her condition worsens.

The family wishes to amalgamate their house in RBKC (of some 300 sqm) with the neighbouring lower ground floor flat next door for the family to live together in her mother's final days of life. The resultant floorspace would be near on 400 sqm and therefore contrary to RBKC'S amalgamation policy. The application also proposes an infill extension to the flat and amalgamation of the rear garden areas.

Through a well-constructed case including both hospital and doctor's letters, we managed to convince the Council that whilst this case presents a departure from policy, special circumstances exist that are a material consideration of sufficient weight to justify an exception to housing policies of the development plan.

We advised our clients to contact their local ward councillors and they also gained support on this basis. There were no objections to the proposals, and our client's local ward councillor also supported the proposals.

Whilst we suggested a temporary permission of 10 years, RBKC approved the application on a personal basis subject to the deconversion of the property once it is no longer used by the applicants.

This is a very special and emotional case that we were extremely proud to assist on and gain planning permission for.

## Summary of achievements

- Provision of strategic advice from the outset in respect of the property and proposal that is contrary to policy.
- Preparation and submission of planning application request, including supporting Planning Statement.
- Communications advice.
- Successful monitoring and overall management of the project culminating in determination under delegated authority with no neighbouring objections.

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