

PLANNING AND ENVIRONMENT COMMITTEE – 11 MAY 2011
REPORT OF THE HENDON AREA PLANNING SUB-COMMITTEE

4 APRIL 2011

SUB-COMMITTEE:

*Councillor Maureen Braun (Chairman)
*Hugh Rayner (Vice Chairman)

Councillors:

* Claire Farrier	* Agnes Slocombe SRN, RM
* Gill Sargeant	* Darrel Yawitch
* Brian Schama	

*denotes Member present

1. 5/7 HERIOT ROAD, LONDON, NW4 2EG - H/00627/11 (HENDON WARD) (Report of the Assistant Director of Planning and Development Management – Agenda Item 6)

The sub-Committee considered the attached report and Addendum to the Report of the Assistant Director of Planning and Development Management. They heard oral representations from Mr Malcolm Linchis speaking in support of the application, Ms Hanneman objecting to the application and the applicant's response.

The Chairman referred the sub-Committee's recommendation to the Planning and Environment Committee in accordance with Part 3, Responsibility for Functions Paragraph 5.1 of the Council's Constitution.

RECOMMENDATION –

1. To request the Planning and Environment Committee's instructions, and;
2. That the report to the Planning and Environment Committee should include the following information:
 - How high the original building was and
 - The difference between the side elevation of the approved scheme and the proposed scheme as seen from Sydney Grove.

LOCATION: 5/7 Heriot Road, London, NW4 2EG

REFERENCE: H/00627/11

Received: 14 February 2011

Accepted: 14 February 2011

WARD(S): Hendon

Expiry: 11 April 2011

Final Revisions:

APPLICANT: Mr & Mrs R Lord

PROPOSAL: Retention of new build house as built (as an amendment of planning permission W07739D/04).

RECOMMENDATION: Approve Subject to Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and access statement, 'as built plans', 'heriot road elevation' and 'elevations'.

Reason:

For the avoidance of doubt and in the interests of proper planning.

2 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority within 6 months of the date of this decision.

Reason:

To ensure a satisfactory appearance to the development.

3 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development.

4 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development.

5 Before development hereby permitted is occupied, turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

6 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Heriot Road from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

7 Before the building hereby permitted is occupied the proposed window(s) in the

flank elevations facing 3 and 9 Heriot Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 8 Before the development hereby permitted commences, details of the materials to be used for the hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D or E of Part 1 to Schedule 2 of that Order shall be carried out within the area of the curtilage of the dwelling known as 5/7 Heriot Road hereby approved without the prior written permission of the local planning authority.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).
In particular the following policies are relevant:
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GParking, M11, M12, M13, M14, ENV12, D1, D2, D3, D5, D9, D10, D11, H16, H17, H18 and H27.
 - ii) The proposal is acceptable for the following reason(s): - The house as built has an acceptable impact on the character and appearance of the street scene and the amenities of the neighbouring occupiers. It complies with all relevant council policy and design guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Guidance note 13: Transport

Planning Policy Guidance note 24: Planning and Noise

The Mayor's London Plan (consolidated with alterations since 2004):

1.1, 1.2, 2A.1, 2A.2, 2A.9, 3A.3, 3A.4, 4A.1, 4A.3, 4B.1, 4B.2, 4B.8.

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GParking, M11, M12, M13, M14, ENV12, D1, D2, D3, D5, D9, D10, D11, H16, H17, H18 and H27.

Supplementary Planning Document - Sustainable Design and Construction

Relevant Planning History:

Application: Planning
Validated: 07/09/2010
Status: WDN
Summary: WIT
Description: Retention of new build house as built (as an amendment of planning permission W07739D/04).

Number: H/03253/10
Type: APF
Date: **02/11/2010**
Case Officer: Sally Fraser

Application: Planning
Validated: 14/02/2011
Status: Approved
Summary: DEL
Description: Submission of details for parking, visibility, levels, materials, means of enclosure and landscaping relating to application W07739D.

Number: W07739E/04
Type: CON
Date: **25/10/2005**
Case Officer: Andre Booyens

Application: Planning
Validated: 06/01/04
Status: Approved
Summary: DEL
Description: Erection of a new 3 storey detached dwelling house.

Number: W07739D/04
Type: APF
Date: **2/3/2004**
Case Officer: Andre Booyens

Consultations and Views Expressed:

Neighbours Consulted: 62 Replies: 3 (including 1 in support)
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- size of property out of keeping with surrounding houses
- loss of light
- further pressure on parking

At the time of writing the report, the consultation period had not yet expired. Any further objections will be reported within the addendum to the report.

Internal /Other Consultations:

- Traffic & Development - no objection

Date of Site Notice: 03 March 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site comprises a recently constructed 3 storey single family dwelling house with a gable ended roof.

To the east of the site lies an access road known as Prestige Way and to the east of this, the properties at 1-3 Heriot Road. To the west lies a detached house at 9 Heriot Road.

Planning History

An application for a new 3 storey house was approved in 2003 (ref W07739D/03). An application to discharge conditions attached to that permission was also approved in 2004 (ref W07739E).

The plans submitted to discharge conditions showed a different elevational treatment to the front elevation, than the approved plan. Although the overall dimensions of the building were the same, 2 additional windows were shown at second floor level.

Work commenced on site in March 2008 but the house has not been built in accordance with the approved plans.

Proposal:

The applicant requests permission for the retention of the house as built.

The house is different to the approved scheme in 2 main ways:

- the building is 2.4m less deep than approved. The depth to the rear has been reduced, so that the siting of the front building line of the house remains as approved.
- despite the decrease in depth, the angle of the roof pitch remains the same. This has meant that the eaves of the house have been built approximately 1.2m higher than approved.

All other aspects of the scheme, including the overall height of the house, the width and number of floors remain as approved.

- the width of the house is 7m, as approved
- the maximum depth is 17.4m (the approved is 19.8m).
- the height to ridge is 12m, as approved.

The house as built has a different appearance to the one approved however. Although the house is 2.4m less deep than approved, the roof pitch and ridge height are the same. As a consequence the eaves have been built higher than approved, on both front and rear elevations.

- at the front, the lower eaves height is 0.8m higher than approved and the upper eaves height is 1.2m higher.
- at the rear the difference is 0.5m to both eaves.

Planning Considerations:

Character and appearance

The increase in eaves height has the effect of making the building appear taller, given the additional height of brickwork and the height of the eaves relative to the adjoining building. The house relates less well to no. 9 as a result.

The reduction in depth of the house however makes the building appear less bulky in some views, particularly the flank elevation to Prestige Way which is highly visible from Heriot Road and the decrease in depth is beneficial to this aspect.

The house has a somewhat discordant appearance however in relation to the adjoining house at 9 Heriot Road, due to the difference in eaves level between the 2 properties.

Overall however the house is smaller (in depth) than approved and its appearance remains similar to the approved scheme. The impact of the development on the street scene and on

the visual amenities of the neighbouring occupiers is not significantly greater than the approved scheme and, as such, the house as built is considered acceptable in appearance terms.

Neighbouring occupiers

The reduction in the depth of the house at the rear reduces the impact of this part of the development on the neighbouring occupiers at number 9 compared to the approved scheme. This reduces the bulk of the development and is of benefit to the adjoining occupiers.

At the front the additional eaves height of the front wall is sited close to number 9. The distance from the development to that house remains the same however, as does its overall height. The increase in eaves height alone does not cause any additional undue loss of outlook or light to the front windows of the house.

The house is considered to have an acceptable impact on the residential amenities of the neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly addressed above. Parking was assessed with the approved scheme and considered acceptable.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

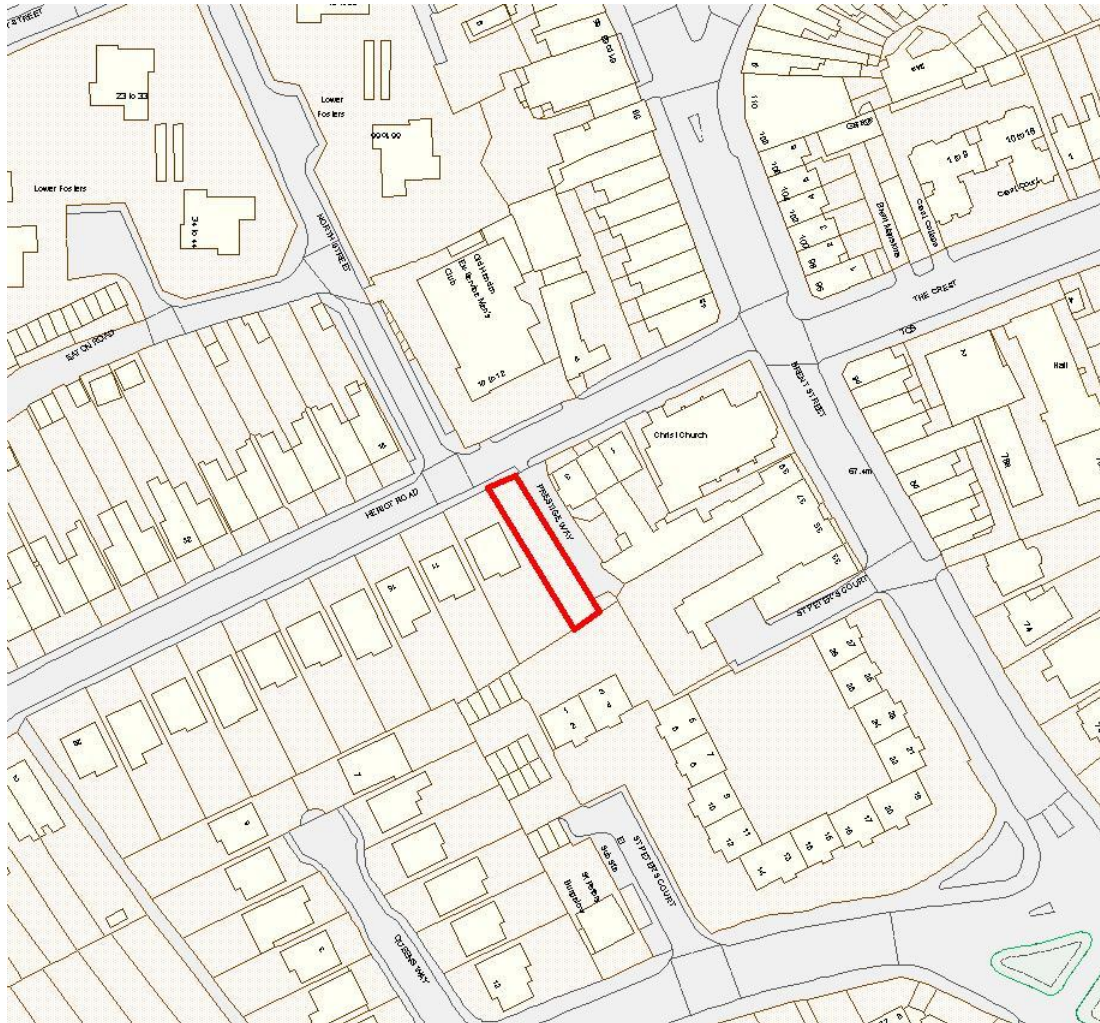
5. CONCLUSION

The development complies with council policy and design guidance.

APPROVAL is recommended.

SITE LOCATION PLAN: 5/7 Heriot Road, London, NW4 2EG

REFERENCE: H/00627/11



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HENDON AREA PLANNING SUB-COMMITTEE
4 April 2011

Assistant Director of Planning and Development Management

ADDENDUM TO REPORT

Agenda Item - 5/7 Heriot Road, NW4

7 further responses from neighbours have been received. 1 had no objection and 6 objected to the scheme. The objections raised can be summarised as follows:

- Scale and appearance of the property
- Concern it may be converted into flats
- Lack of parking

The objections have been addressed within the main report.