

Mr. Jitendra Panchal  
Mr. Paul Godfrey  
Heath Drive Ltd  
Hillview House  
1 Hallswelle Parade  
London  
NW11 0DL

Application Ref: **2015/2729/P**  
Please ask for: **Olivier Nelson**  
Telephone: 020 7974 **5142**

29 July 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Grant of Non Material Amendments to planning permission**

Address:  
**38 Heath Drive  
London  
NW3 7SD**

Proposal: Amendments to planning application 2013/7355/P granted at appeal (reference APP/X5210/A/14/122158857) dated 4 November 2014; namely internal reconfiguration of flats and external alterations including erection of railings around roof terrace at 4th floor level.

Drawing Nos: (Prefix 2979-) 100-A,101-A,102-A, 103-A, 104-A, 105-A, 106-A, 350-A, 351-A, 352-A, 353-A, 354-A, 355-A, 513

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

Condition(s) and Reason(s):

- 1 Replacement condition 2

For the purposes of this decision, condition no.2 of planning permission 2013/7355/P shall be replaced with the following condition:



The development hereby permitted shall be carried out in accordance with the following approved plans: 1768-1; TPP/38HDL/010-A; (Prefix 2979-) 001, 002, 010, 020, 021, 100-A, 101-A, 102-A, 103-A, 104-A, 105-A, 106-A, 350-A, 351-A, 352-A, 353-A, 354-A, 355-A, 513.

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

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

Informative(s):

1 Reasons for granting permission.

The proposal would see changes to external appearance of the buildings including changes to the size of chimney stacks, change to window styles, change to fenestration and addition of lightwells. The applicant is proposing to erect 1.1m high black metal balustrade railings around a roof terrace (approved under 2015/0176/P) which would be set 22m away from the nearest neighbouring properties. The proposed metal balustrading around the terrace would be acceptable and would facilitate the safe use of the terrace. The railings would not be readily visible from ground level due to the terrace being set back from the front building line.

Other amendments include insertion of white vertical sliding sash windows. The changes to the windows are considered to be in keeping with windows at neighbouring properties on both Heath Drive and Finchley Road. The front elevation on Heath Drive would have brickwork quoin detailing which is in keeping with other corner properties on Heath Drive and Finchley Road. The proposal would also seek the provision of more detailed chimneys stacks on the various side elevations. Chimney stacks are considered to have significant importance within the Redington/Froggnal Conservation Area and the building has been designed to replicate the style of buildings in the locality which were designed by Quennell. The amendments to the approved facades are not considered to dramatically alter the character and appearance of the approved building and as such the design is considered to be in keeping with the Heath Drive and Finchley Road properties. It is considered that the alterations would not materially impact on the appearance of the building or amenity of nearby residential occupiers.

At lower ground floor level the footprint would remain the same. The mix of units would also remain the same the difference being the configuration. There would be changes to the layout of units; units 1-3 would be at lower ground floor level, units 4-8 at ground floor level, units 9 -13 at first floor level and units 14-18 at second floor level. The upper floor of unit 17 and nos. 19 & 20 are found at third floor level. Unit 21 occupies the 4th floor. The proposed units would all comply with the minimum space standards for new dwellings as set out in Table 3.3 of policy 3.5 of the London Plan 2015. The proposal would still provide 21 residential units and the proposed amendments would not be detrimental to the proposed living conditions.

The full impact of the proposed development has already been assessed by virtue of the previous approval granted at appeal on 04/11/2014 under reference number 2013/7355/P and a further non material amendment to the approved scheme (2015/0176/P). In the context of the permitted scheme, it is not considered that the amendments would have any material effect on the approved development, or impact for nearby occupiers.

The proposed amendments are considered to be minor in the context of the original scheme and do not raise any new issues or alter the substance of the approved scheme. The proposal can therefore be treated as non-material.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and shall only be read in the context of the substantive permission granted on 04/11/2014 granted under reference number 2013/7355/P and is bound by all the conditions and obligations attached to that permission.

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.

Yours faithfully



Ed Watson  
Director of Culture & Environment

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