

28 March 2025



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Dear Sir/ Madam,

LINTON HOUSE, 39-51 HIGHGATE ROAD, LONDON, NW5 1RT
LAWFUL DEVELOPMENT CERTIFICATE

I write in support of an application on behalf of Linton Family (Holdings) Ltd for the submission of a Lawful Development Certificate: Existing Use, to certify the use of the premises as unfettered Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987, amended under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 as of the 1st September 2020.

For the avoidance of doubt, this application is made under Section 191 of the Town and Country Planning Act 1990 (as amended).

The purpose of this application is to confirm:

The current existing lawful use of the Ground and Basement Levels at Linton House, 39-51 Highgate Road, NW5 1RT, as Class E.

The statutory planning application fee will be paid directly by the applicant via the Planning Portal.

Site

Linton House is located at 39-51 Highgate Road in the Kentish Town Ward of the London Borough of Camden. This application concerns the office units (identified as leaseholders units on the plans) the existing building, located on parts of the Ground Floor and Basement Levels.



Existing Use

The existing offices in Ground Floor and Basements lawful use fell under previous Use Class B1a (As an office other than a use with A2)(financial and professional services) before amendments were made to the Use Classes on 01 September 2020. The upper floors comprise a Class C3 (Residential) use.

Designations

In terms of planning designations, Linton House falls within:

- Kentish Town Industrial Area;
- Protected Vistas LVMF 2010; and
- Kentish Town Neighbourhood Plan.

The site has a Public Transport Accessibility Level (PTAL) of 6a which is very good, with 6b representing the highest level achievable.

Planning History

The following planning history is relevant to the site, with applications relating to the ground and basement floors highlighted in yellow. There are no conditions attached to any of the outlined planning permissions restricting the occupying use class at Ground and Basement Levels:

App Number	Proposal	Decision	Date
2016/5905/P	Increase the height of the approved plant enclosures by 300mm and provide a lightning conductor rod granted under reference 2015/6513/P dated 03/02/16 for variation of condition 2 (development in accordance with approved plans) of planning permission 2013/3494/P (granted on appeal under APP/X5210/A/13/2207697) dated 03/03/2014 (for an additional floor at roof level to provide 7 residential flats and a ground floor extension to provide an entrance, cycle and refuse storage), to allow the following- expansion of approved roof level extensions and raising the existing parapet of the building, amended mix of residential units to provide 1x1 bed, 3x2 bed and 3x3 bed units, external alterations at ground floor level, alterations to the roof level terraces, sedum roof and plant equipment, and the introduction of winter garden structures at roof level.	Granted	04 Nov 2016
2016/3717/P	Change of use of part of ground floor from existing office use (B1) to cycle and refuse storage ancillary to Class C3 residential use (temporary for two years) and associated alterations to stepped access at rear elevation	Granted	25 Jul 2016
2015/0920/P	Change to colour of proposed replacement windows on all elevations from white to grey granted under planning permission 2014/4533/P, dated 01/09/14	Granted	04 Mar 2015
2015/3555/P	Variation of Condition 3 of planning permission ref. 2014/6628/P for the part change of use of the basement and ground floors from business/office space (Class B1) and dance studio (Class D2) to gym (Class D2) and residential foyer facilities (Class C3); replacement of the existing ground floor windows and doors to match the upper floors and replacement existing parapet, namely the reconfiguration of uses on ground floor to provide direct access from street to D2 use plus amended B1 office and C3 residential space.	Granted	23 Sep 2015
2014/6628/P	Part change of use of the basement and ground floors from business/office space (Class B1) and dance studio (Class D2) to gym (Class D2) and residential foyer facilities (Class C3); replacement of the existing ground floor windows and doors match the upper floors and replacement existing parapet.	Granted	11 Nov 2015
2014/4533/P	Replacement of windows on all elevation.	Granted	25 Jul 2014
2014/4620/P	Change of use from offices (Class B1a) to residential use (Class C3) at 2nd floor level to provide 13 units (5 x 1, 7 x 2, 1 x 3 bed units).	Granted Prior approval subject to Section 106 Legal agreement	23 Jul 2014
2014/4619/P	Change of use from offices (Class B1a) to residential use (Class C3) at 4th floor level to provide 12 units (4 x 1, 6 x 2, 2 x 3 bed units).	Granted Prior approval subject to Section 106 Legal agreement	23 Jul 2014
2014/4618/P	Change of use from offices (Class B1a) to residential use (Class C3) at 1st floor level to provide 13 units (5 x 1, 7 x 2, 1 x 3 bed units)	Granted Prior approval subject to Section 106 Legal agreement	23 Jul 2014

2014/4616/P	Change of use from offices (Class B1a) to residential use (Class C3) at 3rd floor level to provide 12 units (4 x 1, 6 x 2, 2 x 3 bed units)	Granted Prior approval subject to Section 106 Legal agreement	23 Jul 2014
2014/2367/P	Change of use from office (Class B1a) to residential (Class C3) from 1st to 4th floor level to provide 44 units (16 x 1-bed units, 24 x 2-bed units and 4 x 3 bed units).	Granted Prior Approval	14 Apr 2014
2013/7270/P	Change of use from office use (Class B1a) at 3rd and 4th floor levels to residential use (Class C3) to provide 18 units (4 x 1-bed units, 14 x 2-bed units)	Refused Prior Approval	22 Nov 2013
2013/3494/P	The erection of an additional floor at roof level to provide 7 residential units (2 x 1 bed, 4 x 2 bed, 1 x 3 bed), and a ground floor rear extension to accommodate a new entrance, cycle and refuse storage and installation of condenser units and enclosures at roof level.	Refused, Allowed at appeal	3 Mar 2014
2006/4457/P	Change of use from restaurant (Class A3) to dance school/studio use (Class D1) at (part) basement level as an extension to existing dance studios at ground floor level.	Granted	12 Oct 2006
2006/2385/P	Change of use of basement units (Class B1/B8) to dance studio use (Class D2) as an extension for existing dance studios at ground floor level, with installation of two air external conditioning units to rear at ground floor level.	Refused	01 Jun 2006
9400534	Change of use of part of basement to restaurant use from warehouse including alterations. as shown on drawing numbers 01/404 03A/404 05/404 as revised on 23.05.94 and 01.07.94.	Granted	20 Apr 1994
8802653	To construct radio base station on rooftop as shown on drawing no.M7205(9)3:11:99	Granted	14 Nov 1988
25706	Alterations to provide new entrance, steps and ramp.	Granted	09 Dec 2977
14987	Erection of an external lift shaft at 39-51, Highgate Road, NW5	Conditional	01 Nov 1972
10895	Alterations to a front entrance at 39-51 Highgate Road, N.W.5. and raising height of lift motor room.	Conditional	07 Apr 1971
TP10352/13248	The erection and retention for a limited period of a single storey temporary out-building for use as an enquiries office at Nos. 39-51 Highgate Road, St. Pancras.	Conditional	19 Mar 1964
TP10352/NE	To use the third, fourth and fifth floors of premises at the rear of Nos. 39-51 Highgate Road, St. Pancras, for the manufacture of clothing with ancillary storage, offices and welfare.	Conditional	30 Jan 1954
TP10352/26231	The carrying out of alterations and the erection of a new brick enclosed staircase at Nos. 39-51, Highgate Road, St. Pancras.	Conditional	23 Mar 1955

Proposal

This application is for the submission of a Lawful Development Certificate: Existing use, relevant to the office space at Ground Floor and Basement Level at Linton House, to certify that the units would fall within unfettered Class E (Commercial, business and service) of the Town and Country Planning (Use Classes) Order 1987, amended under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 as of the 1st September 2020.

Statutory Framework

Use Classes

On the 20th of July 2020, an amendment was made under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force on the 1st September 2020.

Section 7 States:

For the purposes of the Use Classes Order, if a building or other land is situated in England, and is being used for the purpose of one of the following classes which were specified in Part A or B of the Schedule to that Order on 31st August 2020, as—

- (a) Class A1 (Shops),*
- (b) Class A2 (Financial and professional services),*
- (c) Class A3 (Restaurants and cafes), or*
- (d) Class B1 (Business),*

that building or other land is to be treated, on or after 1st September 2020, as if it is being used for a purpose specified within Class E (Commercial, business and service) in Schedule 2 to that Order.

Planning Assessment

The leaseholder units within the existing building that this application concerns lawfully fell within the previous Use Class B1a (Office) which no longer exists. As of the 1st of September 2020 the identified units now form part of Use Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and therefore can be changed flexibly to any of the uses set out in Use Class E. There are no conditions that restrict the space from moving to a use outside of the former B1a. This Lawful Development Certificate seeks confirmation that the property is in unfettered Class E use.

I hope the above is clear and I look forward to hearing from you in due course. Please do not hesitate to contact me on the details set out at the head of this letter should you require any further information.

Yours faithfully

A handwritten signature in dark ink, appearing to read "Savills", written over a light grey rectangular background.

Simon Wallis