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Dear Sir/Madam

**Application for Minor Material Amendments  
Linton House, 39-51 Highgate Road, NW5 1RT**

On behalf of the applicant, Linton Property Developments Ltd, we seek your approval in respect of alterations proposed at the above property which differ from those shown on approved drawings.

Planning permission was allowed on appeal (PINS Ref: APP/X5210/A/13/2207697) on 3 March 2014 (Your Ref: 2013/3494/P) for:

*The erection of an additional floor at roof level to provide seven residential units (two x one-bed, four x two-bed, one x three-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*

The applicant now seeks to make a small number of amendments that are considered to be Minor Material Amendments to the scheme as previously approved. The proposed alterations are set out below.

**Proposed Minor Material Amendments**

It is proposed to complete the following amendments:

- 1) Expansion of approved roof level extension to increase internal floorspace for seven approved residential units;**
- 2) Omission of separate entrance and cycle store at ground floor level and use of entrance and cores from Highgate Road; and**
- 3) Related alterations to the approved roof-level terrace areas.**

In accordance with the Planning Practice Guidance section '*Flexible options for planning permissions*' the recommended route for dealing with minor material amendments after permission has been granted is through a S.73 application, which allows changes to conditions.

The guidance advises that an application for minor material amendments can be made through a S.73 application to change a condition listing approved plans. The guidance advises that local authorities should impose a condition listing approved plans on permissions as it would facilitate the use of S.73 to make minor material amendments.

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As such, in addition to this covering statement please find enclosed the following;

- A copy of the appropriate application forms with necessary certificates;
- A copy of the decision notice for planning permission reference: 2013/3494/P (PINS Ref: APP/X5210/A/13/2207697), to which these amendments relate;
- Copies of relevant approved drawings from application reference: 2013/3494/P (PINS Ref: APP/X5210/A/13/2207697);
- Copies of relevant replacement drawings which demonstrate the proposed amendments;
- An updated Design and Access Statement, prepared by Clive Sall Architecture; and
- An updated Energy Statement and Code for Sustainable Homes Assessment, prepared by Synergy.

An application fee cheque of £195 made payable to 'London Borough of Camden' will be sent separately.

#### **Background to this Submission**

The property, Linton House, is a five storey building located on the west side of Highgate Road just west of the junction with Fortress Road (A400).

The building presents to Highgate Road as a five storey building with a basement storey below. Due to changes in the ground level from the front to the rear of the building and from the north to the south, this basement level is presented as an additional ground level storey on the south and west (rear) elevations.

The site is not within a conservation area, although it is adjacent to the southernmost tip of the Dartmouth Park Conservation Area. The building is not listed, nor are any of the immediately adjacent buildings.

At the time when planning permission was granted for a roof level extension to provide seven self-contained Class C3 units in March 2014, the existing building was still being maintained for predominantly Class B1(a) office use. As such, the development was designed in such a way as to ensure that the approved residential use at roof level and the retained commercial use within the existing building were entirely separate in terms of points of access and circulation within the building.

Subsequently, under a number of separate decisions (Refs: 2014/4616/P, 2014/4618/P, 2014/4619/P and 2014/4620/P, dated 8 September 2014) prior approval has been given to allow for the change of use of the first, second, third and fourth floor levels of Linton House to Class C3 residential use in accordance with Class J of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Furthermore, planning permission for a revised residential entrance to the upper floors from the Highgate Road elevation of the building was also granted planning permission as part of a wider redevelopment of the use of the ground and lower ground floor levels of the building and alterations to the building's elevations (Ref: 2014/6628/P, dated 25 February 2015).

Based upon the further subsequent changes to the existing building's structure and use that have been approved since this permission was granted, it is now possible to rationalise and enhance the provision of the additional units at roof level. This application addresses these alterations.



### **Proposed Alterations**

Condition 2 of approved planning permission reference: 2013/3494/P (PINS Ref: APP/X5210/A/13/2207697) states that:

*The development hereby permitted shall be carried out in accordance with the following approved plans: location plan (unnumbered); 152 005 P1, 010 P1, 011 P1, 031 P1, 032 P1, 033 P1, 110 P1, 111 P3, 112 P3, 200 P3, 311 P3, 312 P3, 313 P3, 320 P3.*

As such, it is **proposed to amend Condition 2** in order to replace those drawings that reflect the changes that have been proposed to the approved scheme.

These are minor alterations that will not alter the principle of the approved development. The overall design and appearance of the approved scheme will remain with the approved penthouse level extended to provide additional floorspace. The development will still provide seven residential units as per the approved scheme.

#### **1) Expansion of approved roof level extension to increase internal floorspace for seven approved residential units**

The previously approved extension at roof level will be expanded in terms of both length and depth to allow for increased internal floorspace to each of the seven residential units that have previously been approved. The extension does not result in any additional units being created. A full schedule of areas of the revised units is provided within the updated Design and Access Statement prepared by CSA that forms part of this submission.

This proposal does not alter the key design principles of the scheme. It also maintains the positive relationship between the appearance of the existing building and the additional accommodation at roof level. Indeed, by developing the roof level extension in the way now proposed it will appear more centrally placed atop Linton House which will enhance the relationship between the traditional and contemporary parts of the building.

A full assessment of the proposed design, both in terms of that which has been previously approved and the positive impacts of the proposed alterations, are set out within the updated Design and Access Statement prepared by CSA that forms part of this submission.

#### **2) Omission of separate entrance and cycle store at ground floor level and use of existing entrance and core from Highgate Road**

As noted above, since permission was granted in March 2014 a series of prior approvals have been given to confirm the change of use of the first, second, third and fourth floors of Linton House from office to residential use as permitted development in accordance with Class J of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Given these subsequent approvals and permissions, any potential tension that may arise from the provision of both commercial and residential uses within the building has been removed. The need to keep these two uses separate in terms of access and circulation within the building will no longer exist given the approval to now use the majority of the existing building as residential.

As such, it is now considered to be a more efficient solution to access the approved roof level extension via the existing stair cores within the main body of Linton House and via the newly enhanced approved Highgate Road residential entrance. As such, the separate point of access from Greenwood Place is no longer required and is proposed to be omitted. This also has implications for the layouts of the flats that are achievable within the roof level extension which is reflected within this submission.

It should also be noted that there is sufficient capacity for the storage of cycles relevant to the approved units at roof level within the storage areas approved under the application reference: 2014/6628/P, dated 25



February 2015. These areas have been designed to provide sufficient capacity for all residential units within the building, including those at roof level. Appropriate capacity is therefore provided in place of the dedicated cycle store within the previously proposed entrance from Greenwood Place that is now being omitted.

### **3) Related alterations to the approved roof-level terrace areas.**

At the time of the previous planning permission, due to the height of the building's parapet an additional balustrade was required to allow for the safe use of the roof area as residential terracing. Based upon officers' views with regard to the potential visual effect of this additional balustrade, this was set well back from the edge of the roof.

Since then improvements to the parapet of the existing building, specifically an increase in its height, were recently approved under application ref: 2014/6628/P. This increase in the parapet's height means that the entire roof area can be used for residential terracing without need for an additional balustrade to be added at the roof's edge. This means that there will be no visual impact or manifestation in allowing safe usage of the entire roof for residential terrace purposes.

Allowing the expansion of the usable terrace areas at the existing roof level to the main parapet edge also ensures that the total area is not impacted by the expansion of the area of the roof level extension itself to enhance the layouts of the approved residential units.

### **Other Matters**

For the sake of completeness, an updated assessment of the sustainability and energy efficiency of the proposals has been undertaken by Synergy to reflect the revised layout, including a minor re-positioning of the photovoltaic panels on the roof of the extensions. This assessment has confirmed that the proposed development will continue to achieve the required levels in terms of energy efficiency and reaching Level 4 of the Code for Sustainable Homes.

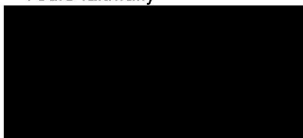
### **Summary**

This is a minor amendment of the previously approved scheme that maintains the key design features of the existing proposal. The overall design and appearance of the development is maintained, as is the number of residential units previously approved. Even with the slight expansion in the width and length of the penthouse, each unit maintains substantial private terrace areas at two levels.

These minor amendments will further enhance the quality of the residential units that have been approved, as well as the terraced amenity areas to each property. By utilising the main cores of the building and the revised residential access from Highgate Road that has also been previously approved, this will also enhance the efficiency of use and access within the building.

In light of the above considerations, it is considered that these form appropriate and acceptable minor amendments. I trust that all is in order and would be grateful for a response at your earliest convenience.

Yours faithfully



Nigel Dexter  
Senior Planner