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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, Norman Linton (Holdings) 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 given on 25 February 2015 (Ref. 2014/6628/P) for:

*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*

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:

***Reconfiguration of uses on ground floor to provide direct access from street to D2 use plus amended B1 office space.***

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.

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: 2014/6628/P, to which these amendments relate;
- A copy of the relevant approved ground floor plan from application reference: 2014/6628/P;
- A copy of a replacement ground floor plan which demonstrate the proposed amendments; and
- An area schedule for the amended proposal.

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.

Linton House had previously been maintained for predominantly Class B1(a) office use. Planning permission was granted on appeal on 3 March 2014 (Ref. 2013/3494/P PINS Ref: APP/X5210/A/13/2207697) for a roof level extension and provision of seven self-contained Class C3 units. This application maintained commercial use on the lower floors of the property and ensured the residential units were kept separate within the property.

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).

The relevant planning permission to this application was granted on 25 February 2015 and allowed for a revised residential entrance to the upper floors from the Highgate Road elevation of the building in addition to the wider redevelopment of the use of the ground and lower ground floor levels of the building and alterations to the building's elevations.

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 B1 and D2 use space on the ground floor which this application seeks to address.

### **Proposed Alterations**

Condition 3 of approved planning permission reference: 2014/6628/P states that:

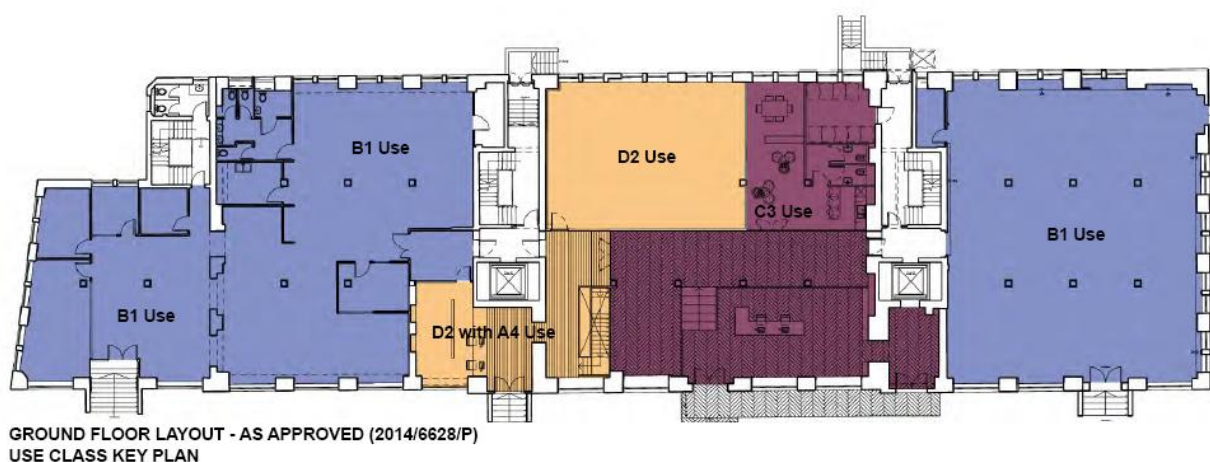
*152-009 P2; 152-120 P2; 152-119 P2; 152-421 P1 dated February 2015, 152-322 P1; 152-332 P1; 152-333 P1; 152-323 P1; 152-331 P1 dated September 14; 152-033 P1; 152-032 P1; 152-031 P1; 152-001 P1 dated August 2014*

As such, it is **proposed to amend Condition 3** 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 and the approved development will still provide access to residential units on the upper floor levels, Class B1 offices and a Class D2 space as per the approved scheme.

This development will not result in any additional floorspace relative to the existing approval. It will merely alter the mix between the uses that has been approved as part of the rationalisation of the uses.

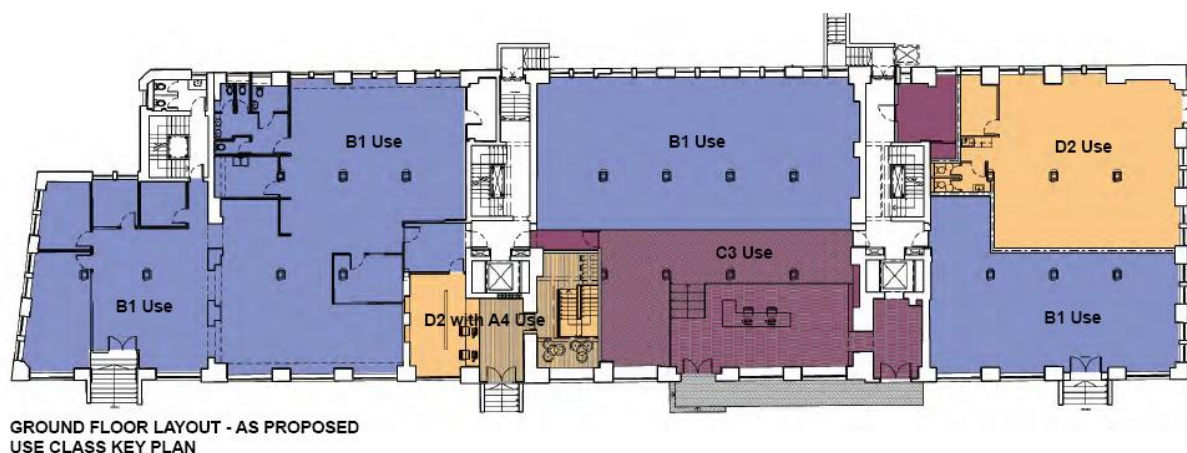
The previously approved application configured the Class D2 use space predominantly to the rear of the property, as seen in the following use class plan:



***Above: Ground Floor Layout as Approved***

The proposals seek to generate a more accessible Class D2 unit with frontage directly onto Carkers Lane to provide a direct pedestrian entrance into this unit. This would allow the Class D2 unit to function more efficiently and prevent the need to pass through the main building to reach the unit. It is considered that this will offer more flexibility in the use of this space and also aid access for disabled and limited mobility visitors.

The proposed layout would therefore be altered as reflected in the following plan:



***Above: Ground Floor Layout as Proposed***



The proposals will marginally alter the approved floor spaces at ground floor level to the following:

	Approved (sq.m)	Proposed (sq.m)	Change (sq.m)
Class B1	609	634	+25
Class C3	197	153	-44
Class D2	169	188	+19
Total	975	975	0

Consequently, the proposed amendments would result in a minor increase in Class B1 floorspace being retained than that of the approved proposals. This proposal is not materially different from the current approved application and reflects a more efficient use of space.

**Summary**

This is a minor amendment of the previously approved scheme that maintains the key features of the existing proposal. The overall design and appearance of the development is maintained, as is the mix of uses previously approved. The application simply seeks to reconfigure the ground floor areas to provide a more accessible Class D2 unit and amended Class B1 office space.

These minor amendments will provide a Class D2 unit with direct access for pedestrians from the street. As a result, the ground floor of the property becomes a more efficient and usable space.

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