

Mr Nigel Dexter  
Savills  
33 Margaret Street  
London  
W1G 0JD

Application Ref: **2015/3555/P**  
Please ask for: **Tania Skelli-Yaoz**  
Telephone: 020 7974 **6829**

23 September 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**Linton House**  
**39 -51 Highgate Road**  
**London**  
**NW5 1RT**

#### **Proposal:**

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.

Drawing Nos: Superseded Drawings: 152-120 P2

Drawings for Approval: 152-120 P3

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

#### **Condition(s) and Reason(s):**

- 1 Condition 3 of planning permission granted on 25.2.2015 under reference number 2014/6628/P shall be replaced by the following condition:



### REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: 152-001 P1, 152-009 P2; 152-120 P3; 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.

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

#### Informative(s):

##### 1 Reasons for granting permission:

The proposed amendment to the ground floor land use layout is acceptable as it does not affect the overall provision of the previously approved land uses, such as office (class use B1), residential (class use C3) and gym (Class use D2). The proposal seeks to swap the location of the approved D2 and B1 uses and reduce some of the C3 use (reduction in size of foyer only; -44 sqm)) as well as allow for a separate access points to the two D2 uses, with the new entrance from Carker's Lane. The Changes in land use are marginally increasing B1 (+25sqm) and D2 (+19sqm). This is acceptable and not considered to affect the function of this building and floor. The proposal will not cause any harm to the amenities of existing residential neighbours or prejudice the continued use of the offices on the lower floors of the building or the use of neighbouring properties for commercial or light industrial purposes.

Whilst the new gym will be accessed via doors that open onto the highway; these are within the owner's land and are an existing feature. The proposal does not raise any transport issues.

One objection have been received and duly taken into account. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS1, CS8 and CS10 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP13, DP15, DP24, and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 4.1 and 4.3 of the London Plan March 2015 (consolidated with alterations since 2011); and paragraphs 14, 17, and 56 - 66 of the National Planning Policy Framework.

##### 2 This approval under Section 73 of the 1990 Act effectively varying the relevant

condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', with a stylized flourish at the end.

Ed Watson  
Director of Culture & Environment