

Your Ref: PP-13510669
Our Ref: 6811-01/PSS/101

Camden Council
Camden Town Hall
London
WC1H 8ND



24 October 2024

Dear Sir / Madam,

SECTION 73 APPLICATION: VARIATION OF CONDITION 3 (APPLICATION REFERENCE 2020/5975/P)
SITE AT 31 BELSIZE PARK GARDENS, LONDON, NW3 4JH

This Section 73 application has been prepared by Apex Planning Consultants following instruction from Ms. Gina Germano (*'the Applicant'*). Its purpose is to secure an amendment to the wording of Condition 3 of planning permission reference 2020/5975/P, which specifies the approved drawings for the installation of a side roof dormer window, replacement of side rooflight, addition and alterations of windows on the side elevation, infill of rear lightwell at basement level, the installation of a new walk-on skylight to rear and minor alterations to the basement, as well as the enlargement of a rear door, replacement of the rear balcony and balustrade and front window with door (*'the Proposal'*). The application site is 31 Belsize Park gardens, NW3 4JH (*'the Site'*).

This application follows a previous S.73 application (ref: 2024/0724/P), where Camden Council (*'the Council'*) approved minor amendments to the original planning permission in respect of window and door details. This latest S.73 application follows constructive discussions with Miles Peterson - Planning Officer (Enforcement). He has investigated alleged breaches of planning control related to the approved drawing detail and the ongoing development at the Site. The discussions with him have resolved that previously stated concerns relating to windows in the side elevation at ground floor level and above are not substantiated, because the subject windows are obscure glazed. Nevertheless, it remains that a window at lower ground floor level in the rear elevation does not accord with the approved drawings, therefore, it is contrary to Condition 3 of the original and subsequent S.73 applications.

The subject rear elevation window is metal framed, and the approved drawing says it should be timber framed to match the existing windows. Unfortunately, the previously approved drawings contained an error, because the existing windows are also metal framed, critical windows. Accordingly, the subject window is constructed with the same material. However, it is acknowledged that the subject window is also green coloured, and the Applicant wishes for it to be retained, hence this new S.73 application.

The subject window is not publicly visible because it is inserted into the rear elevation. Moreover, where it is at lower ground floor level, there is no unobstructed private views from

surrounding dwelling houses. Accordingly, even though the other existing windows are not green coloured the subject window does not offend the character and appearance of the vicinity or the wider Conservation Area. There is no material harm caused to the heritage asset.

The Council is therefore respectfully requested to amend the wording of Condition 3 to allow the development to be completed in accordance with previously agreed and other new drawings, which themselves allow for the insertion of windows and doors in the side and rear elevations that differ slightly from those previously approved.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Paul Smith', with a stylized flourish at the end.

Paul Smith
Director

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