

Application ref: 2023/2242/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Email: [Obote.Hope@camden.gov.uk](mailto:Obote.Hope@camden.gov.uk)  
Date: 20 December 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Savills  
33 Margaret Street  
London  
W1G 0JD

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Refused and Warning of Enforcement Action to be Taken

Address:  
**40 Hillway**  
**London**  
**N6 6HH**

Proposal: Installation of 3x air-conditioning units with acoustic enclosure to the rear roof of the single-storey ground floor extension (part retrospective).

Drawing Nos: E001 REVA; E002 REVA; E010 REVA; E011 REVA; E013 REVA; E031 REVA; E032 REVA; E033 REVA; E040 REVA; 002A; 010 REVA; 011 REVA; 013 REVA; 031 REVA; 032 REVA; 033 REVA; 040 REVA; Energy and Overheating Assessment; 3 Way Multi Outdoors; Wired Remote Controller; Fujitsu Design and Technical manual; Clement Acoustics Noise Impact Assessment; Supporting letter from Savills date 1st June 2023.

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

#### Reason(s) for Refusal

- 1 The proposal has failed to justify the need for active cooling by reducing and mitigating the impact of dwelling overheating through the application of the cooling hierarchy, thereby failing to minimise carbon dioxide emissions, contrary to policies CC1 (Climate change mitigation) CC2 (Climate change adaptation measures) of the Camden Local Plan 2017.

- 2 The proposed external condenser unit and acoustic enclosure, by virtue of their size, design and location would add visual clutter to the detriment of the character and appearance of the host building and the wider Holly Lodge Conservation, contrary to Policy D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017 and Policy DH1 and DH2 of the Highgate Neighbourhood Plan 2018.

Informative(s):

- 1 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.
- 2 **ENFORCEMENT ACTION TO BE TAKEN**

The Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

## **ENFORCEMENT ACTION TO BE TAKEN**

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope  
Chief Planning Officer