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Date: **24/04/2024**  
Your ref: **3340242 and 3340566**  
Our ref: **2023/2242/P and EN22/0801**  
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**Comments on the Appellant's Statement of Case**  
**Site: 40 Hillway, London, N6 6HH.**  
**PINS REF: APP/X5210/C/24/3340242**

The council make the following comments in respect to the Appellant's Statement of Case

### **Ground (C)**

The council would state that the air-handling units are clearly visible from the windows and rear gardens of the neighbouring property.

The council would add that the installation of air-handling units would be an engineering operation requiring specialist engineers to install and commission them.

Permitted development rights exist for units that provide only heating under class g.2 of the order, which clearly demonstrates that, the installation of such units or similar would be development.

*The Town and Country Planning (General Permitted Development) (England) Order 2015,  
Class G – installation or alteration etc of air source heat pumps on domestic premises*

#### *Permitted Development*

*G. The installation, alteration or replacement of a microgeneration air source heat pump—*

- (a) on a dwellinghouse or a block of flats; or*
- (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage.*

The appellant assumes that the units would be covered by Schedule 2, Class A of the Order, this is not the case.

The air-handling units are not enlargements, improvements or other alterations of the dwelling house. They are pieces of mechanical equipment that function to provide a heating and cooling operation which are affixed to the dwelling house.

Notwithstanding, the units would increase the height of the enlargement to exceed 3m which would mean the development would breach the terms and limitations as set out by the order.

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*The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Class A.*

(i)the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

#### Ground G

The appellant provides no evidence to justify the time period requested. The council would contend that one month is reasonable and sufficient enough to comply with the requirements set out in the notice.