

Application ref: 2021/0456/P
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Date: 10 November 2021

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Solindan Limited
20 New Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused and Warning of Enforcement Action to be Taken

Address:

**Lower Ground Floor Flat
152 A Agar Grove
London
NW1 9TY**

Proposal:

Installation of 4no air conditioning units, 2no to front garden and 2no rear garden, in timber housings; and installation of canopy to the front entrance door (retrospective)

Drawing Nos: G-001; G-003 Revision B; Cooling Hierarchy Statement commissioned by Solindan Architects Limited dated 02nd March 2021 and Noise Impact Assessment commissioned by Sound Licencing Limited dated 18th January 2021.

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

Reason(s) for Refusal

- 1 The 2 x air conditioning units and timber enclosure within the front garden, by reason of their location, size, design and visibility have a detrimental impact on the character and appearance of the host building, wider terrace and the Camden Square Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
- 2 The canopy by reason of its location, form and design, is an incongruous addition

which is harmful to the character and appearance of the host building, wider terrace and the Camden Square Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of London Borough of Camden Local Plan 2017.

- 3 The air conditioning units, by reason of the resulting noise levels fail to safeguard the amenities of the adjoining premises at 154 and 152B Agar Grove contrary to policies A1 (Amenity) and A4 (Noise) of the London Borough of Camden Local Plan 2017.
- 4 In the absence of dynamic thermal modelling to demonstrate the need for the 4 x air conditioning units, the Council cannot be satisfied that the proposed works are necessary and that appropriate climate adaptation measures to reduce the impact of urban and dwelling overheating, could not be achieved by other preferred measures as set out in the cooling hierarchy. The proposal is therefore contrary to Policy CC2 (Climate change adaptation measures) of the Camden Local Plan 2017.

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) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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:

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

Yours faithfully



Daniel Pope
Chief Planning Officer