



Appeal Decision

Site visit made on 4 March 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 2 April 2025

Appeal Ref: APP/N5660/D/24/3356717

28 Glanville Road, Lambeth, London SW2 5DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Jerome Healy against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/02036/FUL.
 - The development proposed is installation of air source heat pump.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposed development on:
 - the character and appearance of the site and the surrounding area; and
 - the living conditions of occupiers of neighbouring properties, with reference to noise.

Reasons

Character and Appearance

3. 28 Glanville Road is a two-storey terrace property within a residential estate accessed by pedestrian footways. The lack of vehicular access to the estate contributes to a tranquil character. The footways provide access to modest private garden spaces to each property. The gardens are bounded by a variety of fences, hedges and walls. The appeal property has a low post-and-rail fence to the footway boundary and a brick boundary wall dividing it from the neighbouring property, 37 Glanville Road, to one side. The other boundary to the appeal property is formed by the external, windowless wall of adjacent two-storey flats, 26 and 27 Glanville Road. The garden opposite the appeal property is enclosed by a close-boarded fence.
4. While the appearance of individual buildings is consistent, resulting in a unified and harmonious character, the garden spaces are varied and include a typical array of ephemeral domestic elements, such as sheds, garden furniture and planting. However, permanently attached external plant and equipment are not characteristic external elements of properties along the street or the surrounding area. The proposed air source heat pump would therefore be a prominent addition to the host building when viewed over the existing, low front boundary fence. I also acknowledge that the proposed air source heat pump cannot be covered,

shrouded or have anything around it in any way that would prevent effective operation. As such, in the circumstance before me, the proposed air source heat pump would, necessarily, be visible and detract from the appearance of the host property and surrounding area.

5. Taking the above into account, I conclude that the development would have a significant detrimental effect on the character and appearance of the site and the surrounding area. Hence, it would conflict with Policies Q2, Q5, Q8 and Q11 of the Lambeth Local Plan, 2021 (the Local Plan). Policies Q2 and Q11 respectively include specific consideration of visual amenity and alteration comprising new plant, which are relevant considerations here. Together these seek, among other things, to ensure that development sustains local distinctiveness, is visually attractive and ensures new plant or equipment is fully integrated into the building and not placed on elevations visible from the public domain or is adequately screened.

Living Conditions

6. The proposed air source heat pump would be located on the external wall of the appeal property, facing the boundary wall with No 37. The air source heat pump, according to the appellant's MCS Manual Sound Calculator, would emit a level of noise, 3 decibels in excess of expected maximum levels to allow the development to take place under permitted development rights. A technical assessment of noise levels was not submitted with the application, including the existing background noise levels, and no mitigating measures or noise attenuation are proposed. As a result, there is no compelling evidence before me to demonstrate that the noise from the air source heat pump would not have an adverse effect on the living conditions of neighbouring occupiers.
7. Taking the above into account, I conclude that the proposed development would result in a harmful effect to the detriment of the living conditions of the occupiers of neighbouring properties, in respect of noise. Hence, it would conflict with Policy Q2 of the Local Plan, 2021, and Policy D14 of the London Plan, 2021, which seek, among other things, to ensure noise resulting from development is reduced to an acceptable level through the use of attenuation, distance, screening and siting.

Other Matters

8. I note from the Council's evidence that they assessed the appeal site from the public footway adjacent to the appeal site, but did not enter the property.
9. I also note that the appellant argues that the application did not raise any objections from occupiers of neighbouring properties. However, an absence of objections in this respect is a neutral factor.
10. I also note that the appellant considers that the Council has not met the requirements of paragraph 39 of the Framework. However, this is not a matter for me to address in an appeal under section 78 of the 1990 Act.

Planning Balance

11. Given my findings above, the proposed development would result in harm to both the character and appearance of the host property and the surrounding area and the living conditions of neighbouring occupiers due to noise. In these regards the proposal would conflict with the development plan taken as a whole.

12. The Council state that it supports measures to reduce carbon emissions and the installation of renewable technologies that will provide heating and hot water for occupiers of buildings. Furthermore, the appellant highlights the policies within the Local Plan and London Plan that aim to reduce greenhouse gas emissions and address climate change, and that the proposal accords with those policies. The appellant also states that the air source heat pump could only be installed as proposed due to the location of existing services and the cost, and feasibility, of relocating them, and I have no reason to question this matter.
13. However, as described above, and with regard to the development plan as a whole, on balance the benefits of a single air source heat pump would be limited and would not outweigh the harm identified.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Mayes

INSPECTOR