



Appeal Decision

Site visit made on 29 July 2025

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/V1505/D/25/3367811

1 Post Meadow, Billericay, Essex, CM11 2SE

- 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 Mr Victor Oxley against the decision of Basildon Borough Council.
 - The application Ref is 25/00153/FULL.
 - The development proposed is installation of Air Source Heat Pump to side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for installation of Air Source Heat Pump to side elevation at 1 Post Meadow, Billericay, Essex, CM11 2SE, in accordance with the terms of the application, Ref 25/00153/FULL, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 (Location Plan and Existing Plans); 02 (Proposed Plans); and specification sheet for aroTHERM plus 5kw Air Source Heat Pump.

Procedural Matters

2. The description of development in the banner heading and formal decision has been taken from the planning application form. In Part E of the appeal form a different wording has been entered, but as the parties have not provided written confirmation that a revised description of development has been agreed I have used the one given in the original application.
3. The Air Source Heat Pump (ASHP) the subject of this appeal has already been installed.

Main Issues

4. The main issues are the effect of the development on (1) the character and appearance of the appeal property and the street scene; and (2) the living conditions of occupants of 54 Mill Road, with particular reference to outlook.

Reasons

Character and Appearance

5. The appeal property is located towards the entrance to the cul-de-sac of Post Meadow, and its side elevation is adjacent to the garden of 54 Mill Road (No.54). Post Meadow comprises a group of detached and semi-detached houses that

appear cohesive as a result of the house designs, detailing and range of materials. The appeal property is set back from the roadside behind its front garden, and part of its side elevation is seen from the road above the vegetation and boundary fencing of No.54.

6. The ASHP which has been installed is visible in the street scene, but is not prominent due to its set back position, and its partial siting under the roof eaves. It is seen alongside a satellite dish, at the same level as a first-floor window and the side of a front dormer window, and its casing is not dissimilar in colour to the cladding of that dormer window. Whilst not matching, its colour is reasonably complementary to the brickwork of the elevation against which it is seen.
7. The ASHP has a somewhat utilitarian appearance, but there is an array of functional apparatus, albeit smaller, such as satellite dishes, television aerials, flues and alarm boxes on properties throughout Post Meadow and beyond. The visual impact of the ASHP on the street scene is limited due to the narrow viewing area. It is seen directly in front of the property, but views from the road across the garden of No.54 are filtered by vegetation. Whilst I acknowledge that the neighbouring planting is not within the control of the appellant, the limited viewing range and the set back position from the road means that the ASHP is not unduly intrusive or incongruous in the wider street scene.
8. The Council's officer report advises that the ASHP has not been sited in a suitable way to minimise its visual impact on the host dwelling or street scene. I have no reason to doubt the appellant's assertion that an existing rear conservatory and kitchen door mean that there is no alternative position within a reasonable distance of the internal parts of the system, which has been installed where space allows; nor that the south-facing position of the ASHP gives maximum efficiency. To place the unit at ground level would also block practical use of the side access path. In this context, it is not evident that an alternative or lower siting on the side elevation of the property would be more discreet than the current position.
9. I therefore conclude that the development is acceptable in its impact on the character and appearance of the appeal property and the street scene, and accords with Policy BAS BE12 of the Basildon District Local Plan Saved Policies 2007 (LP), which states that an alteration to a dwelling will be refused if it causes material harm to the character of the surrounding area, including the street scene. For the reasons outlined above, I find no conflict with the design objectives of the National Planning Policy Framework (the Framework).

Living Conditions

10. The positioning of the ASHP means that it is visible to occupants of No.54, which has windows facing towards the side of the appeal property, and it can also be seen from its relatively shallow garden. However, whilst I appreciate that this is now a feature in the outlook from that property, I am not persuaded that the appearance and siting of the ASHP is so intrusive and detrimental as to cause material harm. The previous outlook was of the side wall of the appeal property, and this view has not materially changed.
11. I therefore conclude that the development has not diminished the outlook for occupants of No.54 to a degree that the living conditions of current and future occupants of the property would be harmed. As a result, I find no conflict with LP Policy BAS12, which seeks to resist alterations to dwellings if material harm

would be caused in terms including disturbance of the occupants of neighbouring dwellings and over-dominance; and no conflict with the aim to create places with a high standard of amenity for existing and future users set out in the Framework.

Other Matters

12. A representation to the planning application raised concerns about the effect of the development on property values. However, published Planning Policy Guidance advises that the Courts have in general taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property could not be a material consideration relevant to making a planning decision.
13. The appellant advises that the unit has been installed to reduce reliance on gas infrastructure and to improve energy security at the property, whilst reducing emissions. This is consistent with the objectives to meet the challenge of climate change set out in section 14 of the Framework; paragraph 167 of which advises that significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings, including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights. Had I found harm, this would have weighed in favour of the proposal in the planning balance.

Conditions

14. As the ASHP has already been installed a time limit condition is not necessary, but I have attached a condition specifying the approved plans, as this provides certainty.

Conclusion

15. For the reasons given above the appeal should be allowed.

H Lock

INSPECTOR