
Appeal Decision

Site visit made on 17 September 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/M1520/D/25/3370004

2 Merrigold Close, Benfleet, Essex SS7 1FN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Rob Dixon against the decision of Castle Point Borough Council.
 - The application Ref. is 25/0222/FUL.
 - The development proposed is for the installation of a domestic air source heat pump.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a domestic air source heat pump at 2 Merrigold Close, Benfleet, Essex SS7 1FN in accordance with the terms of the application Ref. 25/0222/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, proposed block plan, 25/0222/FUL-FLR-1, 25/0222/FUL-ELE-1.
 - 3) The air pump shall not be brought into use until a scheme of soft landscaping has been submitted to and approved in writing by the local planning authority.
 - 4) All planting comprised in the soft landscaping shall be carried out in the first planting season following the completion of the development. The completed soft landscaping scheme shall be retained for the lifetime of the development. Any trees or shrubs which die, or are damaged, removed or seriously diseased shall be replaced by those of a similar size and species to those originally planted.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the dwelling and locality.

Reasons

3. The appeal site lies on the junction of Merrigold Close, Kingston Road and Rose Street and relates to a detached, two-storey house with accommodation in the roof. The local area is mainly residential in nature.

4. I acknowledge the Council's concerns in that the scheme would be in a prominent position and clearly visible from the public domain. However, I am aware that the heat pump would be of diminutive proportions and can be screened by soft landscaping. This would add some verdant interest to the side garden of the appeal property and provide modest benefits to local biodiversity.
5. Moreover, the appellant has outlined the rationale for the location of the heat pump; I am satisfied that sufficient justification has been given to explain why the east elevation is the most appropriate position for the unit. I have also borne in mind that such low-carbon energy sources are to be encouraged, and that the Council's Environmental Health service has been consulted on the proposal and raised no objection in relation to noise.
6. Taken in the round, I consider that the proposal would not be harmful to the character and appearance of the dwelling and locality. It would be in accordance with Policy EC2 of the Castle Point Borough Local Plan (1998), which seeks to secure schemes of acceptable scale and design. It would also be consistent with the advice in the National Planning Policy Framework, which states that good design is a key aspect of sustainable development.

Conditions

7. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition requiring the completion of a landscaping scheme would ensure the Council has control over the height and variety of hedgerow planting, to ensure that the proposal integrates with the site and surrounds; given the importance of the scheme, I consider it to be necessary for the lifetime of the development.

Conclusion

8. Having regard to the foregoing and all other matters raised, the appeal is successful.

C Hall

INSPECTOR