



Appeal Decision

Site visit made on 6 January 2026

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/X5990/W/25/3364433

16 Bloomfield Terrace, London, SW1W 8PG

- 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 Richard Parry of Bloomfield Exhibitions Limited against the decision of the Council of the City of Westminster.
 - The application Reference is: 24/05651/FULL.
 - The development proposed is described as: The relocation of 4 No. air source heat pump units (ASHP), installed within the roof area of 16 Bloomfield Terrace.
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Decision

1. The appeal is allowed, and planning permission is granted for the relocation of 4 No. air source heat pump units (ASHP), installed within the roof area at 16 Bloomfield Terrace, London, SW1W 8PG in accordance with the terms of the application, Ref: 24/05651/FULL, subject to the conditions in the attached schedule.

Preliminary Matters

2. There are presently four ASHP units installed on the roof of the building and I was able to see these when I visited the site. These have been granted planning permission and listed building consent, albeit subject to a condition that requires one of the units to be relocated to a slightly different position. The appeal proposal seeks to relocate all four units to a small flat roofed area on the opposite, western, side of the roof and to install an acoustic enclosure around the edge of this area.
3. The appeal building is part of a short terrace of buildings (14-18 Bloomfield Terrace) which are Grade II Listed [List Entry Number: 1218843]. The application that forms the subject of this appeal was submitted to the Council concurrently with an application for Listed Building Consent for the same proposal. I am advised that this application for Listed Building Consent had been granted.
4. The second reason for refusal set out on the Decision Notice issued by the Council related to insufficient information being provided with the proposal to demonstrate that the relocated ASHPs and associated enclosure would not result in noise and vibration nuisance to neighbours. A new noise report was submitted with the appeal. This information was not before the Council when it made its decision on the planning application. Nevertheless, Council have considered and commented on this additional noise report as part of their appeal submissions. Whilst a number of interested parties raised concerns with regard to noise in their representations in respect of the planning application and appeal, these were not supported by any competing technical evidence. As the noise report was submitted with the initial appeal submissions and the Council notified those

interested parties of the appeal, I do not consider that the interests of these parties would be prejudiced by accepting this noise report.

5. On 21 January 2026, following a partial review, the Council adopted a revised version of the City of Westminster City Plan 2019 -2040. In terms of the policies that are most relevant to this appeal, and which are cited on the Decision Notice issued by the Council, the wording of these is identical to that in the previous version of the plan. The numbering of some of the relevant policies has however changed, Policy 33 is now Policy 37, and Policy 38 is now Policy 42. Policy 7 is unchanged.

Main Issue

6. The main issue in this appeal is the effect of the proposed development on the living conditions of nearby residential properties with particular regard to outlook and noise and vibration.

Reasons

7. The appeal proposal consists of installing four ASHP units on a small area of flat roof at second floor level on the west facing elevation of the building. It is also proposed to erect a 1.5 metre high acoustic enclosure around the edge of the flat roofed area. The top of the acoustic enclosure would be just below the level of the flat roof over the second floor of the appeal building.

Outlook/overbearing

8. The appeal site is located on a building that sits to the rear of the residential properties in the terrace. It is accessed via a carriage arch and covered passage which runs through the terrace. There are approximately fifteen first and second floor windows in the rear elevation of the terrace as a whole. The Council's concerns in respect of outlook relate primarily to number 15 Bloomfield Terrace. The proposed ASHP installation would be situated approximately 4.9 metres from the rear elevation of number 15, part of which is located above the carriage arch and passage that provides access to the appeal building.
9. The flat roof area above the carriage arch entry to appeal building is used as a roof terrace by number 15 Bloomfield Terrace. This is accessed by a French window at first floor level. Above the French window there is a further window at second floor level. Number 15 also has first and second floor windows slightly offset to the side of the access passage. I also saw that there is a small roof terrace at second floor level located on the rear addition to number 17.
10. At present the first floor French window looks directly toward a blank wall of the appeal building that breaks through the eaves line of the hipped roof. To the north side of the terraced area, a projecting rear addition to number 17 Bloomfield Terrace would also impinge on the outlook from the French window. The proposed acoustic enclosure would increase the perceived height of the wall opposite by 1.5 metres. Due to the proximity of this wall and the rear addition on the neighbouring house to the window of number 15, the outlook from this French window would currently be constrained. The appellant's Comparative Amenity Assessment illustrates that the proposed development would very slightly encroach on the 25° line from the centre point of the French window, that is used as a rule of thumb in the Building Research Establishment publication 'Site layout

planning for daylight and sunlight'¹ to determine whether there is likely to be an effect on daylight received to a window. The proposed development would have a very slight effect on outlook and daylight received by this French window. The remaining first floor window in the rear elevation of number 15 is off set from the location of the proposed acoustic enclosure and although the enclosure may be visible in oblique views from this window there would not be any adverse effect on the outlook from it.

11. The cross sections included in the appellant's Comparative Amenity Assessment indicate that the bottom of the second floor windows at number 15 are slightly below the level of the top the proposed acoustic enclosure and above the level of the proposed acoustic enclosure. The proposed development would consequently not have any noticeable adverse effect on the outlook from these windows.
12. The small roof terrace at number 17 Bloomfield Terrace is located at approximately the same level as the proposed installation. Whilst the acoustic enclosure would be visible from here, due to its low height, it would not make this small terrace feel more enclosed.
13. Whilst the proposed development would have a slight effect on one window at number 15 Bloomfield Terrace, this effect would be small and, as such, would not make the property as a whole a less pleasant place to live or occupy.

Noise and Vibration.

14. The noise assessment submitted with the original planning application assessed the effect of the ASHP units in their current, previously approved, location. An updated noise assessment which assessed the proposed new location was provided as part of the appellant's appeal submissions².
15. The noise assessment measured the average ambient noise level at the site between 07:00 and 23:00 as 53 dB(A) and the minimum background noise level as 42 LA90dB(A). The Council do not dispute this.
16. The Council's Environmental Supplementary Planning Document 2022 (the SPD) sets out that in circumstances where the existing daytime external ambient noise does not exceed the World Health Organisation guideline level of LAeq 55dB, a target noise level of 5dB below minimum background noise level should be achieved at the nearest noise sensitive receptor where the noise source does not contain tones or intermittent noise sufficient to attract attention. It is common ground that noise generated by the proposed installation would not contain tones, or intermittent noise sufficient to attract attention.
17. Applying this criterion, a target noise level of 37dB(A) should be achieved at the nearest noise sensitive receptor. The noise assessment concludes that when taking into account attenuation derived from distance and achieved by the proposed acoustic enclosure, at the second floor residential window of 15 Bloomfield Terrace, the closest receptor, noise levels from the proposed installation would be 33dB(A). This would meet the requirements of the SPD.

¹ Building Research Establishment: Site layout planning for daylight and sunlight – A guide to good practice *P Littlefair et al* 3rd Edition 2022

² KP Acoustics – 16 Bloomfield Terrace, Planning Compliance Report, Report 25306.PCR.01 Rev G

18. Whilst the small roof terrace at number 17 Bloomfield Terrace is closer to the ASHP installation than the window at number 15 and would experience less noise attenuation due to distance, from the figures in the revised noise assessment, noise levels experienced by this external space would not exceed the World Health Organisation guidelines for external amenity areas of 55dB(A).
19. The appellant has stated that because the building is a commercial property that is not occupied overnight, they would be willing to accept a planning condition which restricts the operating times of the ASHP units. This would prevent any disturbance during the night time period when background noise levels are lower.
20. In its appeal submissions, the Council accept that, having considered the revised noise assessment, the proposal would demonstrate compliance with its planning requirements.
21. At the time of my site visit the weather was particularly cold, it had been snowing shortly before I arrived at the site, and the ASHP units were in operation. Standing next to the units, there was an audible noise, primarily from the fans mounted on the face of the units. However, this was not especially loud. The units are currently mounted on a steel mesh walkway attached to the roof of the building and there was no notable vibration, other than a slight vibration of the casing of the units.
22. It is stated in the proposal that the ASHP units would be mounted on appropriate anti-vibration mountings, and a specification for several types of mounting is included in the revised noise assessment. The location of the ASHP units is such that any vibration would in the first instance be transferred into the appeal building. Whilst vibration can be propagated through building fabric into adjoining structures, in order to be noticeable in properties in Bloomfield Terrace or Newson's Yard, any vibration would need to be of a sufficient magnitude to travel through a large proportion of the appeal building. From my observations at the site, I do not consider that subject to the ASHP units being appropriately installed with anti-vibration mountings, as set out in the noise assessment, that there is any significant potential for the transmission of vibrations into any adjoining building. I have also noted that the Council, after considering the revised noise assessment has not raised any substantive concerns in respect of vibration in its appeal submissions.
23. From what I have read and from what I saw when I visited the site, I am satisfied that the proposed development would not cause harm to the living conditions of nearby residents from noise or vibration. Nor would it have an adverse effect on the outlook experienced from number 15 Bloomfield Terrace. It would comply with the relevant requirements of Policies 7, 37 and 42 of the Westminster City Plan 2019 -2040. When read together these policies expect new development to, *inter alia*, prevent unacceptable impacts in terms of daylight and sunlight and sense of enclosure; prevent adverse effects of noise and vibration; and ensure a good standard of amenity for new and existing occupiers. It would also comply with the requirements of the SPD.

Other Matters

24. I am mindful that the Council has previously granted listed building consent for the works proposed by the appeal scheme. Nevertheless, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in

considering whether to grant planning permission for development which affects a listed building or its setting, the Secretary of State shall have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. The appeal site is also within the Belgravia Conservation Area where it is required that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.

25. The application was accompanied by a comprehensive Historic Building Report. Whilst this report is in relation other works that were proposed to the building, the information contained therein is, nonetheless, still relevant and provides a detailed assessment of the architectural and historic interest of the building.
26. The appeal building is a range of buildings set behind the terrace of houses (numbers 14-15 and 17-18) and is accessed via a carriage arch and passageway set between numbers 15 and 17. The terrace forms part of a perimeter block, the interior of which contains, in addition to the appeal building, a former timber yard that has been converted to retail/commercial use (Newson's Yard). Built development thus takes up much of the interior of the block.
27. From the evidence, the original function of the appeal building is unclear, but it has been used for a variety of purposes over time. The evidence also indicates that during its existence it has been much altered. It was apparent from my site visit that this is the case. The evidence also indicates that the second storey of the appeal building where the ASHPs would be located was added to the building in the mid 1960's. From what I have read and from what I saw when I visited the site, whilst the ASHPs and the associated acoustic enclosure would alter the appearance of the building, these would not result in the loss of any historic fabric or obscure any of the important architectural details of the building. As such, this would not diminish the ability to understand or appreciate the significance of the listed building and would have an overall neutral effect.
28. The Belgravia Conservation Area covers a large area, with the part closest to the appeal site being characterised by smaller scale housing and the mixed residential and commercial area around Pimlico Road and Orange Square. This contrasts with the more formally planned and laid out, larger, terraces and squares in the northern part of the conservation area.
29. The appeal building is largely unseen from public areas within the conservation area, with only a small section of the roof being visible in the gap between numbers 12 and 14 Bloomfield Terrace. The proposed ASHP installation would not be visible in public views. As set out above although the proposed installation would be visible from the rear upper floor windows of a number of nearby residential properties, it would be seen in the context of the upward projecting brick walls of the mid-twentieth century addition to the building that rise above the main roof, various ad-hoc additions to the rear elevations of other houses and the substantial Newson's Yard building that occupies much of the interior of the perimeter block. Within this context, the small scale of the installation, which would primarily manifest itself in the form of the acoustic enclosure, would have a negligible effect on the perception of the interior of the perimeter block. Overall, due to its lack of visibility from the public domain, the proposed development would have a neutral effect on that part of the conservation area where the appeal

building is located, and no effect on the character and appearance of the conservation area as a whole.

Conditions

30. I have had regard to the list of conditions suggested by the Council. The National Planning Policy Framework and the Planning Practice Guidance advise that planning conditions should be kept to a minimum and only used where they are: necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.
31. I have amended the wording of some of the conditions suggested by the Council in the interests of clarity, brevity, or to tailor them more closely to the proposed development.
32. In order to define the terms of the planning permission and provide certainty regarding what has been permitted, it is necessary to impose a condition specifying the approved drawings.
33. The appeal site is surrounded by and in proximity to a number of residential properties. During the construction phase of the development, it is inevitable that there will be some noise generated by the works. In order to minimise any disturbance to the occupiers of these buildings, it is, therefore, necessary to attach a condition restricting the times during which works can take place. I have amended the wording of this condition from that suggested by the Council because the development is a rooftop installation and, as such, it is unlikely to involve any piling or excavation operations.
34. To ensure that the proposed acoustic enclosure does not appear as an incongruous feature on the appeal building, it is necessary to require that it is coloured to match the existing building. I have amended the wording suggested by the Council to make this more specific to the development proposed.
35. The Council has suggested a condition in respect of controlling noise from the development. Given that the Council has accepted the content and conclusions of the noise assessment submitted by the appellant, the condition suggested by the Council is unnecessarily complex, particularly taking into account the small scale of the scheme. I have amended the wording of this condition to simplify it and have also combined it with the suggested implementation and retention condition in order to reduce the overall number of conditions.
36. The appeal building is a commercial property and does not operate overnight. In order to avoid disturbance to the nearby residential properties at times when the background noise levels are lower, it is necessary to impose a restriction which prevents the operation of the ASHP units during the night.
37. In order to preserve the living conditions of the occupiers of nearby residential properties, it is necessary to impose a condition that limits the potential transfer of vibration through the building fabric.

Conclusion

38. I have found that the proposed development would not cause harm to the living conditions of nearby residential properties with particular regard to outlook and noise and vibration, and, as such, would comply with the development plan for the

area. It is not suggested that the proposal conflicts with the development plan in any other respect. From what I have read and from what I saw when I visited the site, I have no reason to find otherwise.

39. For the above reasons, I therefore conclude that the appeal should be allowed.

John Dowsett

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing Nos: 212/PA/100, 212/PA/101, 212/PA/102, 212/PA/103, 212/PA/104 (Existing north elevation and sections AA & BB), 212/PA/104 (Existing South and East Elevations), 212/PA/106, 212/PA/107, 212/PA/108, 212/PA/109, and 212/PA/110.
- 3) Demolition or construction works, or deliveries to the construction site, shall take place only between 08.00 and 18.00 Monday to Friday; 08.00 and 13.00 on Saturday; and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 4) Before the development hereby approved is brought into use, the external face of the proposed acoustic enclosure shall be finished in a colour that matches the existing external finishes of the appeal building.
- 5) Prior to the installation of the acoustic enclosure shown on Drawing Nos: 212/PA/106, 212/PA/107, 212/PA/108, 212/PA/109, and 212/PA/110, a specification for the construction and installation of the acoustic enclosure shall be submitted to, and approved in writing by, the local planning authority. The specification shall demonstrate that the enclosure will achieve a daytime (07:00-23:00) noise level of less than 37dB(A) measured at 1m from the second floor façade of 15 Bloomfield Terrace. Thereafter the enclosure and any other mitigation measures shall be installed in accordance with the approved specification, prior to first use of the air source heat pumps, and shall be maintained for the duration that the air source heat pumps are in place and are operational.
- 6) The air source heat pumps hereby permitted shall not be operated except between 07.00 hours and 23.00 hours daily.
- 7) No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development so as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time or 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.