

Application Number	22/00540/AS
Location	The Stour Centre, Tannery Lane, Ashford, TN23 1PL
Grid Reference	60144/14243
Parish Council	N/A
Ward	Victoria Ward
Application Description	New acoustic enclosure to existing air source heat pump
Applicant	Ashford Borough Council
Agent	N/A

(a) 7/1S (b) - (c) ESM- S

Introduction

1. This application is reported to the Planning Committee because the applicant is Ashford Borough Council.

Site and Surroundings

2. The application site is located within the car park adjacent to the Stour Centre. The site lies in Flood Zone 3 as does the Stour Centre, Civic Centre and associated parking.

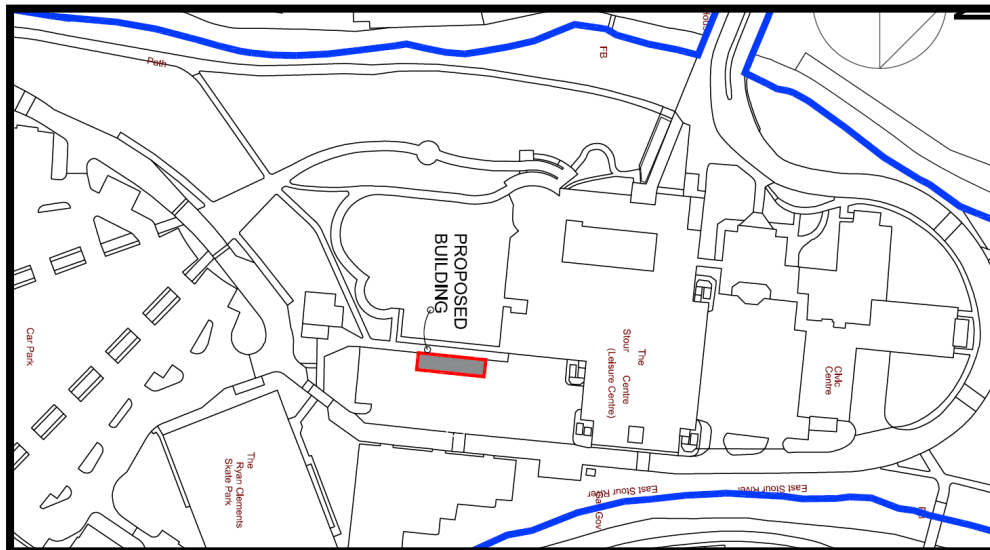


Figure 1 – Site Location Plan

Proposal

3. New acoustic enclosure to existing air source heat pump. The height of the enclosure would be 4.6 metres and it would be 22 metres wide. The enclosure would be finished with anthracite grey plastic powder coated aluminium.

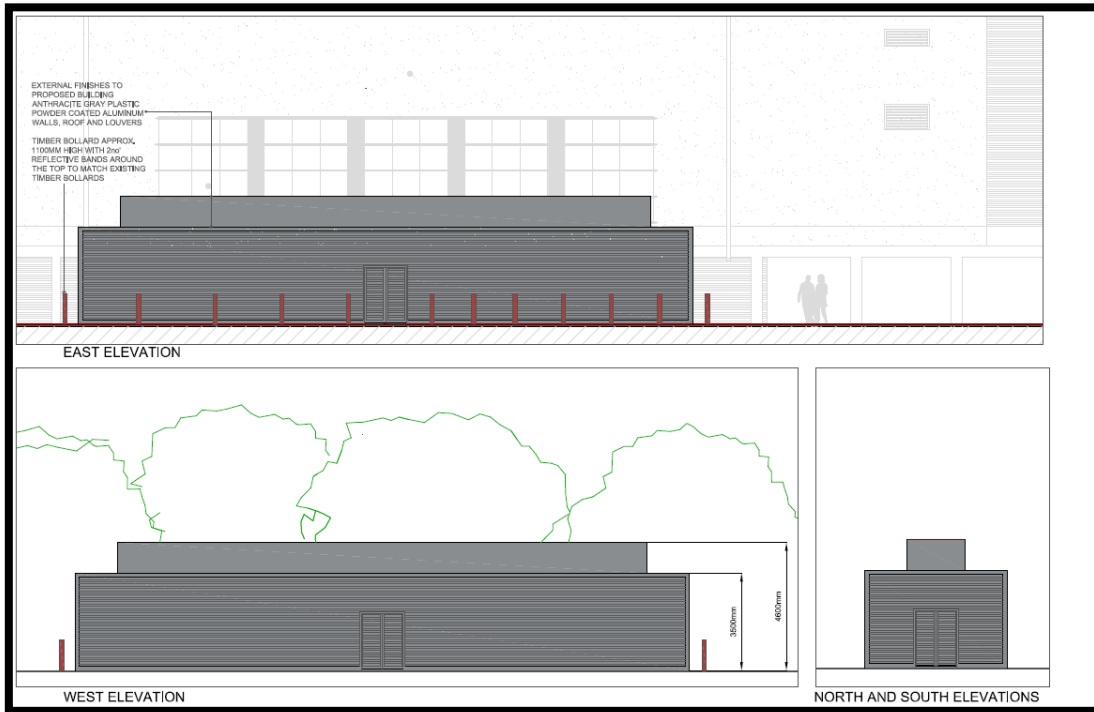


Figure 2 – Proposed Elevations

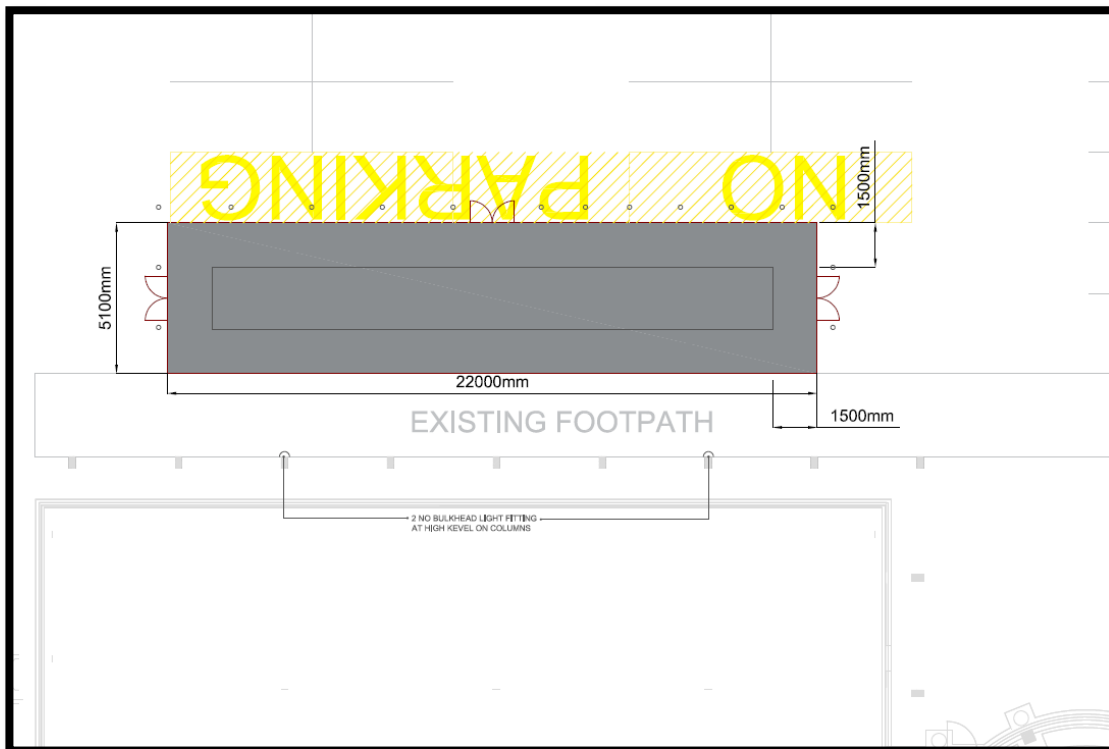


Figure 3 – Proposed Roof Plan

Planning History

4. No relevant history.

Consultations

Ward Member(s): Councillor Suddards is a member of the Planning Committee. No comments have been received from the other Ward Member Cllr Farrell.

Environmental Health: Supports the scheme and make the following comment:

- The Environmental Protection team support this application, and the rationale of attenuating the noise emissions from the installed ASHP units.

7 Neighbours: One neighbour supports the scheme and commented the following:

- As a resident who has been directly impacted by the horrendous noise from the heat pumps since they went online I fully support this planning application.

Planning Policy

5. The Development Plan for Ashford Borough comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019) The Egerton Neighbourhood Plan 2022 and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).

6. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Local Plan 2030 (adopted February 2019)

SP1 – Strategic Objectives

SP6 – Promoting High Quality Design

7. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

None

Government Advice

National Planning Policy Framework (NPPF) 2021

8. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the NPPF. The NPPF states that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Paragraph 130, Planning policies and decisions should ensure that developments:

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

Assessment

Visual amenity

9. The structure would be situated within the car park that serves the leisure centre and the Civic Centre. The visual impact is localised given that it is only really visible from the car park. It would sit comfortably adjacent to the large building (Stour Centre), therefore, the proposal would not give rise to any significant harm to the visual amenity of the area.

Residential amenity

10. No neighbour objections have been received in relation to this proposal. One letter of support has been received stating the structure will mitigate current noise disturbance from the air source heat pumps. The structure has a large separation distance between nearby properties and Environmental Health support the scheme with regard to reducing the noise emissions of the existing air source heat pump. The proposal would not adversely impact upon residential amenity but would improve it.

Highway safety

11. The proposal would result in the loss of 3 parking spaces of the 483. Given the marginal reduction of parking spaces, there would not be any significant harm with regard to highway safety.

Human Rights Issues

12. I have also taken into account the human rights issues relevant to this application. In my view, the “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

13. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

14. The development is acceptable in visual amenity, residential amenity and highway safety terms. The proposed development complies with the Development Plan and Central Government guidance and does not give rise to any unacceptable harm. I therefore recommend that planning permission is granted.

Recommendation

Permit

Subject to the following Conditions and Notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

Reason: In the interests of visual amenity.

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

4. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance ...

- the application was acceptable as submitted and no further assistance was required.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 22/00540/AS)

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