

Application Number	PA/2023/1184
Location	Tenterden Sports and Leisure Centre, Recreation Ground Road, Tenterden, TN30 6RA
Grid Reference	Easting 588731, Northing 133187
Parish Council	Tenterden
Ward	Tenterden South Ward
Application Description	Installation of solar PV on the roof and for maintenance purposes, a Man-Safe line with walkways is required (retrospective)
Applicant	Ashford Borough Council, Mr P. Stanton
Agent	N/A
Site Area	1.5 hectares.

Introduction

1. This is a retrospective application for the installation of solar panels and man-safe line with walkways proposed by Ashford Borough Council.

Site and Surroundings

2. The application site, which is located towards the southern boundary of the built confines of Tenterden, comprises the existing Tenterden Recreation Centre. The site is surrounded by open landscape and car parking facilities which serve the Leisure Centre. To the north lies the recreation field and 'Little Explorers Children's Centre' and 'Tenterden Infant School' lie to the west.
3. Immediately to the south of the site lie a number of recently built residential properties which form 'Mercer Drive'.

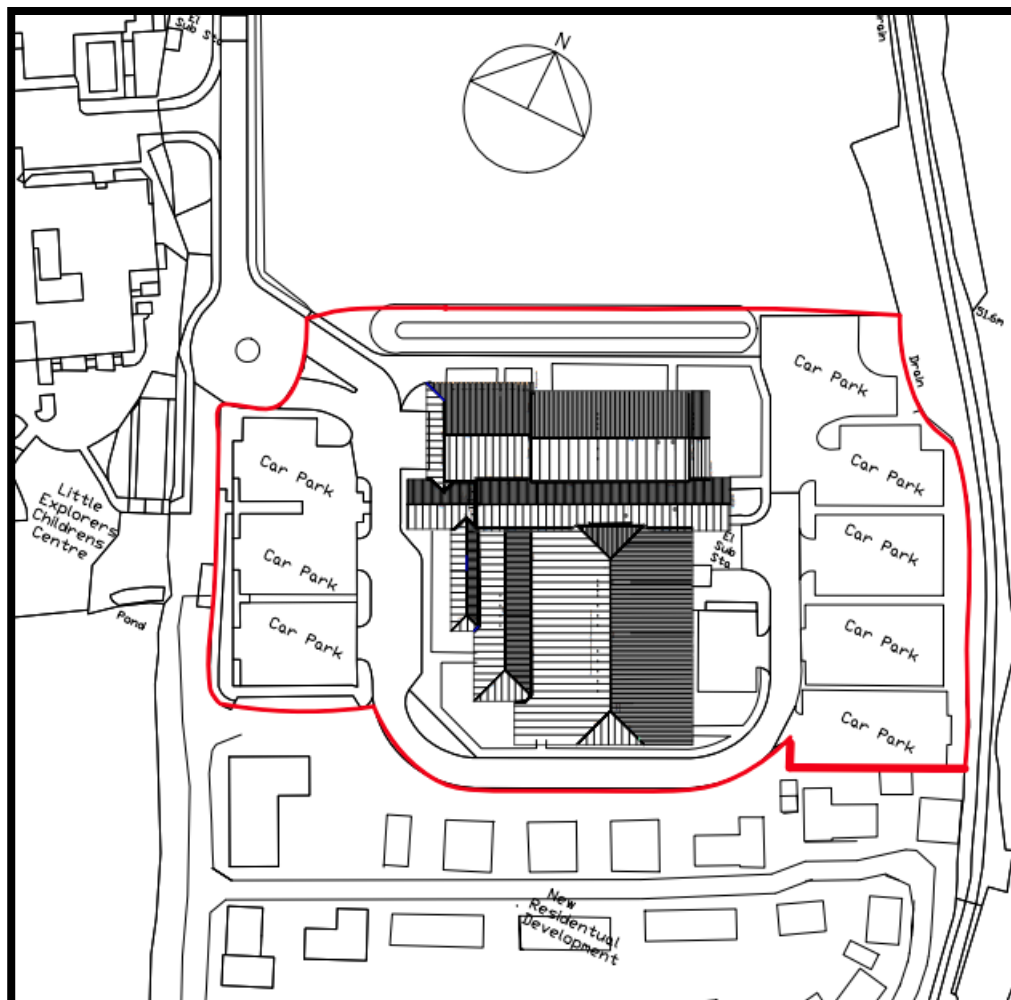


Figure 1 - Site Location Plan

Proposal

4. This is a retrospective application. Planning permission is sought to regularise the installation of two hundred and four (204no.) solar PV panels and a man-safe maintenance line to the western-facing roof slope of the building. The panels cover approximately 557 square metres of the roof.
5. The panels, which were installed in April 2023, are arranged symmetrically across the area of the western roof slope. The panels are black and the man-safe walkway, which provides access for maintenance purposes, is light grey.

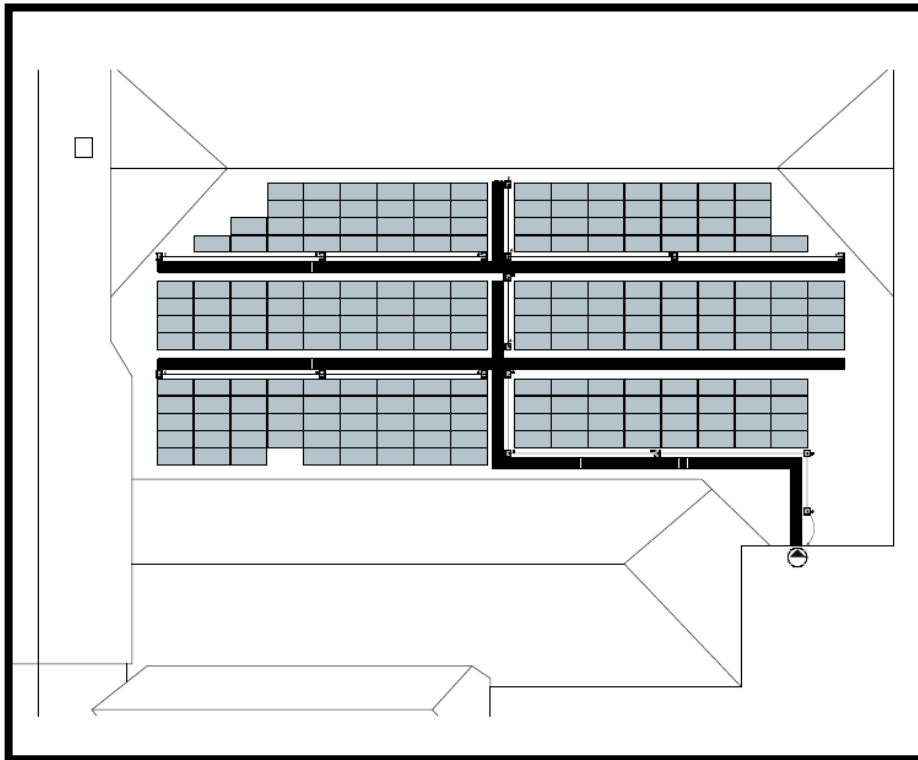


Figure 2 – Roof Plan

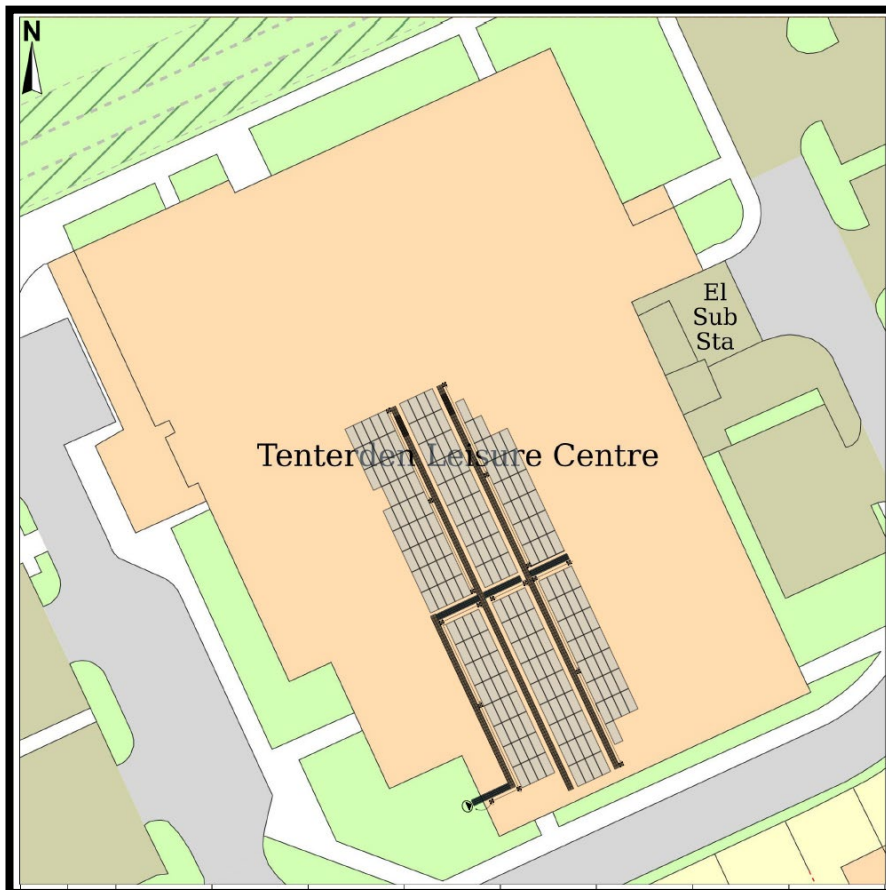


Figure 3 – Block Plan

Planning History

6. The following is relevant relating to the application;-

11/01161/AS: *Proposal to install solar panels on the roof of the existing Tenterden Leisure Centre. Permitted on 23/11/2011, however the permission was never implemented.*

20/00505/AS: *Removal of existing roof materials to be replaced with profiled metal sheet; removal of plastic guttering replacing with metal guttering; removal of existing fascia/soffit materials and replacement with metal fascia/soffit; removal of roof panels above swimming pool and replacement with profiled metal sheet incorporating photovoltaic panels. Permitted on 26/06/2020.*

20/00505/AMND/AS: *Non-material amendment to planning permission 20/00505/AS (Removal of existing roof materials to be replaced with profiled metal sheet; removal of plastic guttering replacing with metal guttering; removal of existing fascia/soffit materials and replacement with metal fascia/soffit; removal of roof panels above swimming pool and replacement with profiled metal sheet incorporating photovoltaic panels) to install a metal deck built-up roofing system to 282mm as per the fixing arrangement drawing D001. Permitted on 11/05/2021.*

PA/2023/0217: *Lawful Development Certificate - Proposed - To install a compound to the rear of the building to house an Air Source Heat Pump. Installation of solar PV on the roof and for maintenance purposes, a mansafe line with walkways is required. Withdrawn by the applicant on 23rd of June 2023.*

PA/2023/0101: *Proposed installation of 2no. air source heat pumps to the North-East with a 3m high wooden compound. Withdrawn by the applicant on 23rd of June 2023.*

PA/2023/1186: *Lawful Development Certificate – Existing - The installation of 2 no. Air Source Heat Pumps sited within a purpose-built part acoustic fenced enclosure adjacent to the eastern elevation at the northeast corner of the building. Under consideration (21/08/2023).*

Consultations

Ward Member(s): No comments received.

Tenterden Town Council support the application.

29 Neighbours consulted. 9 letters of objection received, however no material planning considerations relevant to this application were raised.

Planning Policy

7. 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), the Charing Neighbourhood Plan 2023 and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).

8. 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,
ENV10 – Renewable and Low Carbon Energy

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

Government Advice

National Planning Policy Framework (NPPF) 2021
National Planning Policy Guidance (NPPG)

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.

Assessment

10. The main issues for consideration are:

- Principle of development
- Visual amenity
- Residential amenity
- Highway Safety

Principle of development

6. Regard must be had to Policy ENV10 - Renewable and Low Carbon Energy of the local plan. The policy lends support for the planning applications for the proposals to generate energy from renewable and low carbon sources subject to a number of criteria being met.
7. The National Planning Policy Framework sets out a proactive approach towards the provision of Renewable Energy development to meet aims to reduce greenhouse gas emissions and meet renewable energy targets. Chapter 14 of the NPPF sets out the national planning policy with regards to climate change, flooding and coastal change. This requires the planning system to support the transition to a low carbon future and to support renewable and low carbon energy and associated infrastructure. Paragraph 151 of the NPPF (2021) requires plans to help increase the use and supply of renewable and low carbon energy and heat. Paragraph 158 of the NPPF (2021) states that applications for renewable energy development are not required to demonstrate the overall need for renewable energy. It also requires applications to be approved where its impacts are (or can be made) acceptable.
8. The starting point for proposals delivering renewable energy is a positive policy framework for which significant weight must be given. This is defined in Policy ENV10 which encourages such development provided that, there is no unacceptable adverse impact, including cumulative impact on a number of identified issues within the policy. The potential key issues are:
 - visual impacts on local landscapes,
 - highways and access and
 - residential amenity
9. The application relates to the installation of solar panels over the roof of the existing building. As such, the principle of development is considered acceptable subject to site-specific considerations.

Visual Amenity

10. The leisure centre was built in 1991 and, over the passage of time, there have been many alterations to the roof as a whole. The PV panels, which are already in situ, and therefore visible at the site, are considered to have a low visual impact. They have a symmetrical design across the section of the western roof slope and, whilst they dominate the western roof slope, they do not over-dominate the roof as a whole. The panels, which are black, complement the building's current grey roof and, therefore, they are not considered to appear out of place within the site. Overall, the proposal is considered acceptable in terms of the visual impact and complies with Policy SP6 in terms of visual amenity and design.

Residential Amenity

11. Given the nature of the development, it is not considered that this causes unacceptable impact to the residential amenity of the neighbouring residential occupiers.

Highway Safety

12. Given the nature of the development there would be no harm to the highway safety of the site or the surrounding road network.

Human Rights Issues

13. 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

14. 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

15. In light of the above assessment, the development is visually acceptable and does not cause harm to the residential amenity of neighbouring residential properties. Furthermore, the proposal is not considered to cause detrimental impact on the highway safety of the site or the surrounding road network. As such, it is recommended that planning permission is granted.

Recommendation

Permit - Subject to the following Conditions and informatives:

1. 3-year standard condition
2. Approved Plans
3. Materials
4. Removal of solar panels when the use ceases.

Informatives

1. Working with the applicant

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 PA/2023/1184)

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