

TENTERDEN TOWN COUNCIL

The Town and Hundred of Tenterden



A Corporate Member of the Cinque Ports

Ms. T. Kerly
Chief Executive
Ashford Borough Council

6th April 2023

Dear Tracey,

Re: ABC Planning Applications for Air Source Heat Pumps at Tenterden Leisure Centre

We wish to inform you of Tenterden Town Council Planning committee's view of Ashford as the applicant for two planning applications for the installation of air source heat pumps and associated acoustic barriers.

As you are aware, Tenterden Town Council and its Planning Committee fully support the introduction of low carbon energy solutions for the town's Leisure Centre. The issue for us is the poor submission of two applications by Ashford Council as the planning applicant with a lack of evidence and non-adherence to Ashford's Local Plan Policy ENV10.

Two applications have been submitted:

1. PA/2023/0101 – Phase 2 Proposed installation of 2no air source heat pumps to the North-East with a 3m high wooden compound. The application is for Full Planning Permission. The heat pump has been installed, but not the wooden compound, presumably meaning the acoustic barrier.
2. PA/2023/0217 – Phase 1 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 man-safe line with walkways is required. This also includes an acoustic barrier. The application is for a Lawful Development Certificate. This installation was completed last year and is operational.

Continued over

The key element for both these applications is the location for the heat pump installation and the noise mitigation with acoustic barriers and other associated measures. Noise is a material consideration in the planning process and a key aspect of sustainable development. It should be noted that to date, there is no up to date acoustic assessment for the newly sited Phase 2.

Tenterden Town Council recognise that the Grant to pay for the equipment would expire by the 31st March this year and thus the reason for installing in the last financial year.

Nevertheless, there is no acceptable rationale why the planning applications could not have been submitted once the grant was approved to allow due process to be undertaken. There is also no good reason why application PA/2023/0217 is for a Lawful Development Certificate and not an application for Full Planning Permission, which will be explained.

Both applications are for installing very large air source heat pumps with a significant footprint, which will emit high levels of decibel noise. Central Government noise mitigation guidance states: good acoustic design needs to be considered early in the planning process, as per the NPPF. The relevant NPPF paras are 174(e) and 185(a).

In addition these two applications must adhere to Ashford's Local Plan Policies. The most relevant is ENV10 which has been ignored by Ashford Borough as the Applicant.

For ease of reference, ENV10 Policy states:

Policy ENV10 - Renewable and Low Carbon Energy

Planning applications for proposals to generate energy from renewable and low carbon sources will be permitted provided that:

- a) The development, either individually or cumulatively does not result in significant adverse impacts on the landscape, natural assets or historic assets, having special regard to nationally recognised designations and their setting, such as AONBs, Conservation Areas and Listed Buildings;*
- b) The development does not generate an unacceptable level of traffic or loss of amenity to nearby residents (visual impact, noise, disturbance, odour);*
- c) Provision is made for the decommissioning of the infrastructure once operation has ceased, including the restoration of the site to its previous use; and,*
- d) Evidence is provided to demonstrate effective engagement with the local community and local authority.*

The final paragraph of the policy has not been complied with, which is a serious breach of Ashford's Local Plan:

A statement should be submitted alongside any planning application illustrating how the proposal complies with the criteria above and any mitigation measures necessary and be informed by a Landscape and Visual Impact Assessment.

We are very concerned that the local community has not been consulted as per bullet point (d). With regard to Tenterden Town Council, we were mainly consulted about the removal of some trees to make way for pipework. At the time there was no application of supporting documentation for us to review, despite being told on 27th January 2023 that these would be forwarded when available.

In addition, the two planning applications should have included a Design Statement outlining the rationale for the different installation site locations, with a qualified comparison of the noise assessment at a set of agreed receptor locations.

Today, with only the existing air-conditioning units and Phase 1 air source heat pumps, the noise is very obvious at the boundary with the Dandara site. Phase 2 installations will only exacerbate the issue.

Tenterden Town Council, and the immediate neighbourhood desire, is that the installations are correctly sited to mitigate intrusive noise to surrounding neighbours, together with a robust and high-quality acoustic barrier with other measures such as landscaping. We would expect proven night-time accumulative noise levels of all units operating not to exceed 30 dBA for agreed receptor locations for first floor residential façade.

For transparency, we request that this information is shared with the community.

We look forward to a speedy resolution that will satisfy Ashford Borough Council, Tenterden Town Council and the community.

Yours sincerely,

D. Baines

Debbie Baines
Town Clerk

c.c. Tracey Butler, Ashford Borough Council
Cllr. John Crawford, Tenterden Town Council