

# Planning Committee

## 8 January 2025



<b>Application No.</b>	24/01434/FUL
<b>Site Address</b>	Sunbury Leisure Centre, Nursery Road, Sunbury-on-Thames, TW16 6LG
<b>Applicant</b>	Spelthorne Borough Council
<b>Proposal</b>	Installation of Air Source Heat Pumps on flat roof
<b>Case Officer</b>	Kelly Walker
<b>Ward</b>	Halliford and Sunbury West
<b>Called-in</b>	N/A. This application is being referred to the Planning Committee for a decision, as the applicant is Spelthorne Borough Council

<b>Application Dates</b>	Valid: 29.11.24	Expiry: 28.01.2025	Target: Within 8 weeks
<b>Executive Summary</b>	<p>The subject property is Sunbury Leisure Centre, which is located on the northern side of Nursery Road. The site is irregular in shape with the building set back from the road, and car parking in front. To the north and east is Sunbury Manor School, and to the west are the rear gardens of the dwellings located along Beverley Road. The site is located in the urban area.</p> <p>The proposal is for the installation of 18 no. individual Air Source Heat Pump (ASHP) units on the flat roof of the existing leisure centre building. The applicant notes the ASHPs are required to replace the boilers and therefore will have a similar purpose to provide heating to the leisure centre and the pool. .</p> <p>Given the location of the pumps on part of the roof which is not particularly visible from public view points outside the site, the orientation of the building, and the fact the existing pitched roof on the main part of the building, provides screening, the pumps will not be unduly prominent and will have an acceptable impact on the character of the area. This part of the building is set-in from the side boundary with the neighbouring residential properties' rear gardens. The dwellings themselves being set back a further and would not be adversely affected by the proposals.. As such, the design and appearance is considered to be acceptable.</p> <p>The Environmental Health Officer (EHO) has raised no objection on noise grounds. Therefore, the proposal is considered to have an</p>		

	acceptable impact on the amenity of neighbouring residential properties including in regard to noise.
<b>Recommended Decision</b>	The application is recommended for approval.

## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
- SP6 (Maintaining and improving the Environment)
  - EN1 (Design of New Development)
  - CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
  - EN11 (Development and Noise)
- 1.2 The policies contained within the National Planning Policy Framework (NPPF) 2024.
- 1.3 On 19 May 2022, the Council agreed that the draft Spelthorne Local Plan 2022 – 2037 be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The public consultation for the Pre-Submission Publication version of the Local Plan ended on 21st September 2022 and the local plan was submitted to the Planning Inspectorate on 25th November 2022.
- 1.4 An Examination into the emerging Local Plan commenced on 23 May 2023. However, on 6 June 2023, the Council resolved to request that the Planning Inspector pause the Examination for a period of three (3) months to allow time for the new council to understand and review the policies and implications of the emerging Local Plan. After the three months pause, the Council would decide what actions may be necessary before the Local Plan Examination should proceed. This was agreed.
- 1.5 On 14 September 2023, a letter was received from the Housing Minister stating that the Housing Secretary was directing the Council "not to take any step to withdraw the plan from examination..." The Council resolved to extend the pause in the Examination timetable until the proposed changes to the NPPF had been published before determining the next steps.
- 1.6 On 22 September 2023, the Inspector agreed to a further pause to the Examination and requested that the Council continue to address the issues that he identified in the first week of the Examination, in particular flood risk and its potential implications in relation to the site allocation and delivery strategy of the plan.

- 1.7 On 18 July 2024, Council considered a report into the resumption of the Local Plan Inquiry which had previously been agreed by the Corporate Policy and Resources Committee on 8 July 2024. The report set out the recent response from the Environment Agency, and the options for deciding whether or not Council agreed a request for further Main Modifications to the Local Plan in order to resume the Examination hearings and progress the Plan to adoption. Council agreed the option to progress the local plan and officers requested this from the Inspector.
- 1.8 On 24 October 2024, the Council agreed to re-instate 13 of the 15 Green Belt sites as housing allocations and requested the Planning Inspector to resume the Examination into the Local Plan.
- 1.9 On 12 December 2024, the Planning Inspectorate confirmed that the Local Plan examination would resume on the 27 January 2025.
- 1.10 The following policies of the Pre-Submission Spelthorne Local Plan 2022 – 2037 are of relevance:
- PS1: Responding to the Climate Emergency
  - E4: Environmental Protection
  - PS2: Designing places and spaces.
- 1.11 The NPPF policy states at para 49 that: Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 1.12 Section 38(6) the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan (unless material considerations indicate otherwise) and not in accordance with an emerging plan, although emerging policies may be a material consideration.
- 1.13 At this stage, the policies in the Pre-Submission Spelthorne Local Plan carry limited weight in the decision-making process. The adopted policies in the 2009 Core Strategy and Policies DPD carry substantial weight in the determination of this planning application.

## 2. Relevant Planning History

- 2.1 The site has the following relevant planning history:

92/00119/DEE	Erection of a dual use leisure centre including sports hall and swimming	Grant 29.04.1992
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	pool with parking and alterations to highway.	
04/00295/FUL	Installation of an array of solar panels to the south elevation of the swimming pool roof.	Lapsed 08.06.2004
24/01133/PAP	Prior Approval Notification for the installation of a further 89 no. 1kWp (kilowatt peak) solar photo voltaic (PV) panels to the roof.	Approved 10.12.2024

### 3. Description of Current Proposal

- 3.1 This application relates to Sunbury Leisure Centre, which is situated on the northern side of Nursery Road. The site is irregular in shape and the building is set back from the road with a car park in front. To the north and east is Sunbury Manor School, and to the west are the rear gardens of the dwellings located along Beverley Road. The site is located in the urban area.
- 3.2 This application is for the installation of Air Source Heat Pumps (ASHPs) on top of the flat roof part of the existing leisure centre building. The proposal involves the installation of 18 separate units in two rows. Each unit will measure 1.7m in height, 2m in length and 0.75m in width. The ASHPs will be set back from the roof edge by at least 1.2m.
- 3.3 The applicant notes the ASHPs are required to replace the boilers and therefore will have a similar purpose to provide heating to the leisure centre and the pool. Because the ASHPs will run off electricity rather than gas, the recently approved Solar PV panels on the roof will offset the additional electrical usage.

### 4. Consultations

- 4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
Environmental Health Officer (Noise)	No objection

### 5. Public Consultation

- 5.1 The Council has sent letters to 17 properties. No letters of representation have been received to date. Any letters received will be reported at the Planning Committee meeting.

### 6. Planning Issues

- Design and appearance
- Impact on the amenity of neighbouring residential properties (noise)
- Climate change

## 7. Planning Considerations

### Design and appearance

- 7.1 This application involves the installation of Air Source Heat Pumps (ASHP) on the flat roof of the existing leisure centre building, with a total installed capacity of up to 750 KwP. The proposal will involve 18 heat pumps in total, in rows of 2 x 9. They will measure some 1.7m in height, 2m in length and 0.75m in width. There will be a gap of approximately 1m between each pump along the longer side of the roof and approximately 2.2m between the 2 separate units on the narrower side of the roof.
- 7.2 The ASHPs will be installed on the flat roof to the side/rear of the building, which is partly shielded by the taller pitched roof at the front of the building. As such, they will not be readily visible from public viewpoints outside the site, as the building is also set back approximately 80m from Nursery Road to the south. The proposed ASHPs will protrude above the flat roof by 1.7m, however, they will be set back from the edge of the roof by a minimum of 1.2m and the existing pitched roof will partly shield them from view to the south and east. The ASHPs will replace the boiler, so will provide heating to the leisure centre and the pool.
- 7.3 The ASHPs will be located on the existing roof, which is located a minimum of 12m from the side boundary with the rear gardens of the residential properties on Beverley Road. The properties are approximately 32m away in total. There is also some screening by vegetation on the side boundary. Given the separation distance, the proposed ASHPs will not appear unduly prominent when viewed from the dwellings in Beverley Road.
- 7.4 Therefore, it is not considered that an objection could be raised on design and appearance.
- 7.5 As such, the proposal is considered to accord with Policy EN1 of the Core Strategy and Policies DPD.

### Impact on the amenity of neighbouring residential properties (noise)

- 7.6 The proposed pumps are to be located on the roof of the existing building which is set in from the boundary. It is considered that they will not result in overshadowing, loss of light or being overbearing and would not, therefore, result in a loss of amenity to the neighbouring properties due to their size and location..
- 7.7 Policy EN11 on noise notes that: -  
*'The Council will seek to minimise the adverse impact of noise by:*  
*a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level,*  
*b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels. Development will otherwise be refused.'*

- 7.8 The applicant has submitted a noise report to assess the impact of the proposed ASHPs. The Council's Environmental Health Officer (EHO) has been consulted and following the submission of an amended report, raises no objection noting that, '*...noise emissions from the plant will be at a 'low impact' and therefore compliant with SBC [Spelthorne Borough Council] policy requirements.*'
- 7.9 As such the proposal is considered to accord with Policy EN11 and will be acceptable on noise grounds.

#### Climate Change

- 7.10 Policy CC1 states that the Council will support the provision of renewable energy, energy efficiency and promote sustainable development generally by '*...b) encouraging the installation of renewable equipment to supply existing buildings*'.
- 7.11 The importance of climate change is set out in the NPPF 2024 on climate change and renewables which states:
- '167. Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels' and*
- '168. When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:*
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;*
  - b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;*
  - c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site'.*
- 7.12 The applicant has noted that the proposed ASHPs will replace the existing boilers to provide energy to the building. The proposal provides energy efficiency and low carbon energy on a non-domestic building by a renewable source, which would have an acceptable impact, and as such accords with Policy CC1 and the NPPF.

#### Conclusion

- 7.13 The proposed development would have an acceptable impact on the amenity of neighbouring residential properties. It is not considered that an objection could be raised on design and appearance grounds. The proposal will provide a renewable source of energy for an existing building and accordingly, the planning application is recommended for approval.

## **8 Recommendation**

8.1 APPROVE subject to the following conditions:

1. The development hereby permitted shall be completed within three years from the date of this permission.

Reason: -. This condition is required by 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 hereby permitted shall be carried out in accordance with the following approved plans numbered 10400 A1 C00, 10200 A1 C00, SLC-GT3-0001 and E010 02 received on 5 December 2024.

Reason: -. For the avoidance of doubt and to ensure the development is completed as approved.

3. The ASHP shall be removed as soon as reasonably practicable when it is no longer needed.

Reason: -. In the interest of visual amenity.