

**5m E/10/0125/A - Unauthorised erection of two pole mounted CCTV cameras, at Burton House, Burtons Mill, Mill Lane, Sawbridgeworth, CM21 9PL.**

---

**Parish: SAWBRIDGEWORTH**

**Ward: SAWBRIDGEWORTH**

**RECOMMENDATION**

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised poles and cameras.

Period for compliance: 2 months.

Reasons why it is expedient to issue an enforcement notice:

1. The pole mounted cameras result in an unacceptable loss of privacy to residents of adjoining dwellings, in particular, 15 and 32 Burtons Mill, contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.
2. The pole mounted cameras are of a height, siting and design that is unduly conspicuous and dominant within the street scene, to the detriment of the character and appearance of the locality and the Sawbridgeworth Conservation Area, contrary to policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 5: Planning for the Historic Environment.

\_\_\_\_\_ (012510A.CA)

**1.0 Background**

- 1.1 The site is shown on the attached OS extract. It lies on the western side of the road, at its junction with Leat Close. The property is situated within the Conservation Area of Sawbridgeworth.
- 1.2 In April 2010 concerns were expressed to the Authority that the poles and cameras had been installed without the benefit of planning permission and that the cameras adversely impacted upon local residents' privacy.
- 1.3 The enforcement officer visited the site on 20<sup>th</sup> April 2010 and noted that the poles and cameras were in place and appeared to require planning permission. Unfortunately there was no-one on site. He noted that the

## **E/10/0125/B**

owner had consulted a planning officer in February 2010 with regard to a different proposal to site a CCTV camera on the site.

- 1.4 On 21<sup>st</sup> April 2010 the enforcement officer wrote to the owner informing him that planning permission was required for the development that had taken place.
- 1.5 The owner consulted with a planning officer who also advised that planning permission was required for both the cameras and poles. An application for retrospective planning permission was subsequently submitted, seeking to regularise the development, under application number 3/10/0884/FP.
- 1.6 That application was refused by officers, under delegated powers, on 11<sup>th</sup> August 2010.
- 1.7 Officers were subsequently contacted by the applicant who stated that it was his intention to appeal against the refusal to grant planning permission. The period during which such an appeal could be mounted expired on 3<sup>rd</sup> November 2010 and no details of any such appeal has been received by the Council.
- 1.8 Photographs of the site will be available at the meeting.

### **2.0 Planning History**

- 2.1 The most relevant planning history for the site can be summarised as follows:-

3/04/1199/FP	Erection of a single detached house & garage	Approved.
--------------	--	-----------

3/10/0884/FP	Two pole mounted CCTV cameras.	Refused.
--------------	--------------------------------	----------

### **3.0 Policy**

- 3.1 The relevant saved policies of the adopted local Plan in this matter are:-

BH6	New Developments in Conservation Areas.
-----	---

ENV1	Design and Environmental Quality.
------	-----------------------------------

## **4.0 Considerations**

- 4.1 The cameras are sited at 3.5 and 4 metres above ground level and are capable of providing a 360° view. Furthermore the specification provided with the application indicates that there is a zoom and full rotation facility. Whilst the specification states that software privacy blocks can be set by the user to block out sensitive areas, officers do not consider that any planning condition requiring this would be enforceable. It is, therefore, the view of officers that the installation of the pole mounted cameras results in harm to the privacy of local residents. It is, accordingly, contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.
- 4.2 Officers further consider that the pole mounted cameras are not sympathetic to the general character and appearance of the Conservation Area of Sawbridgeworth in which the site lies. They are significant, in terms of their height and their location (particularly camera 2 – on the corner edge of the plot) and regard must therefore be made to the prominence of the structures within the street scene. The ‘swan-neck’ serving the camera and its mounting is unusual and is not considered to be a characteristic of other street furniture in the locality. The planning considerations must take into account the character, height, form, materials and siting of the pole mounted cameras in relation to the general character of the heritage asset.
- 4.3 Both pole mounted cameras, (particularly camera 2) are readily visible to the public entering and passing along the street. Officers consider that they are unduly prominent and discordant within the street scene. It is acknowledged that the applicant has proposed to paint the poles a darker colour. However, the height, siting and form of the pole mounted cameras are not, unlike other street furniture (such as signs/lampposts/etc), a familiar type of structure which blends with the surroundings. In Officers opinion the cameras change, in a small but significant way, the perception of the character of the area because, by reason of their siting, form and prominence, they impart a feeling that the area is vulnerable to crime. For these reasons Officers consider that the pole mounted cameras do not preserve or enhance the character and appearance of the Conservation Area and thus fail to accord with the relevant policies of the Development Plan, and the guidance in PPS5.
- 4.4 It is, therefore, contrary to policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 5: Planning for the Historic Environment.

**5.0 Recommendation**

- 5.1 It is therefore recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised poles and cameras.