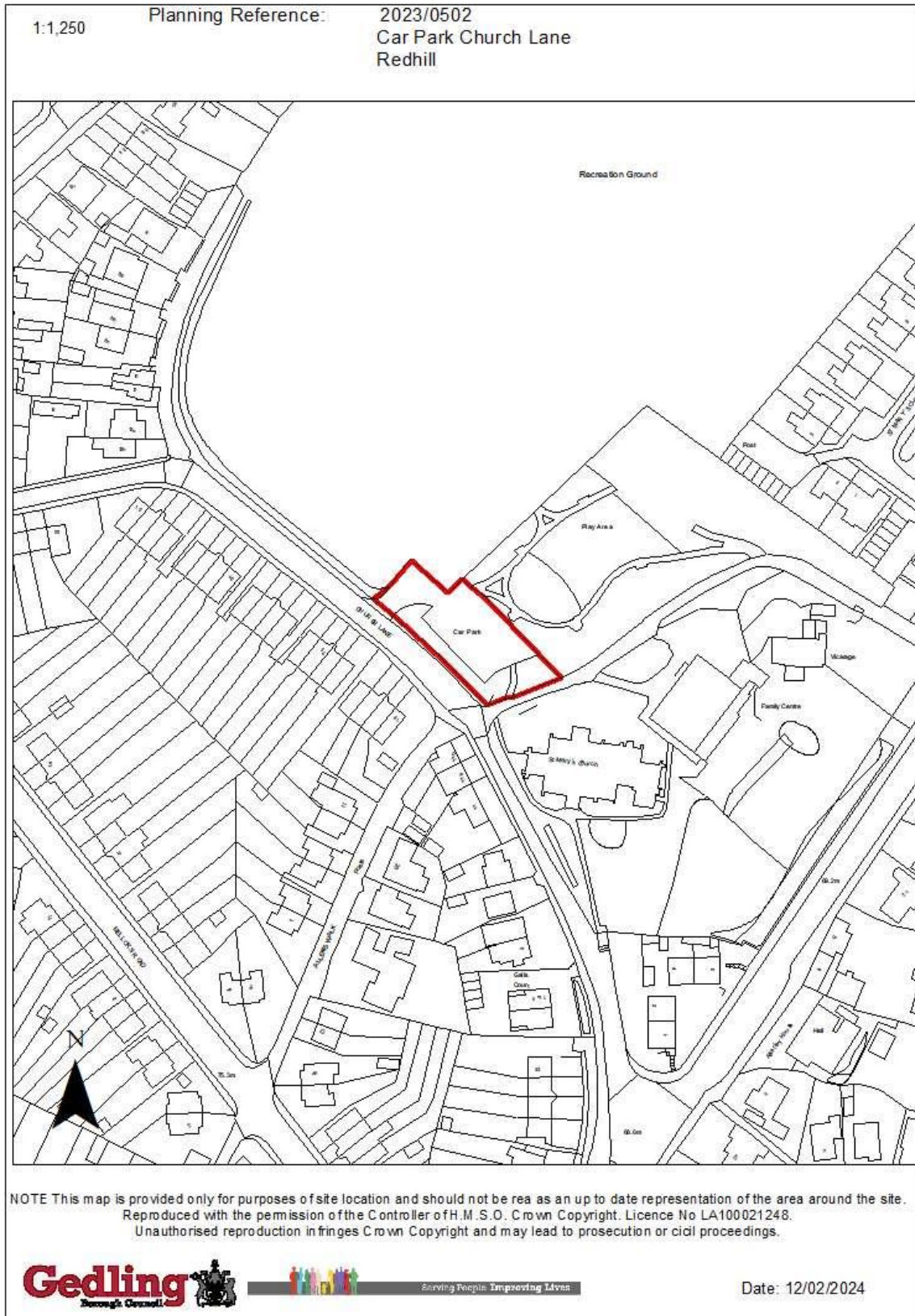




Planning Report for 2023/0502



Report to Planning Committee

Application Number: 2023/0502

Location: Car Park, Church Lane, Arnold

Proposal: Install a 10m cabinet style galvanised column together with a 2m antennae extension and a concrete base for CCTV camera.

Applicant: Gedling Borough Council

Agent:

Case Officer: Craig Miles

The applicant is Gedling Borough Council and, therefore, in accordance with the Council's Constitution, this application has been referred to Planning Committee.

1.0 Site Description

1.1 The application site comprises a small parcel of land within the Church Lane Recreation Ground. It is intended to erect a pole on which will sit a CCTV dome and antenna, which will be sited on a narrow strip of grass between the car park and adjacent children's play area. The pole would be sited close to an existing lighting column. The area is predominately residential with some community uses in the vicinity including the Grade II* Listed St Mary's Church and recreation ground.

2.0 Relevant Planning History

2.1 None

3.0 Proposed Development

3.1 The application seeks full planning permission for the erection of a 10m high column and 2m antennae extension for a CCTV camera and associated transmitter equipment, with a concrete base. The total height of the proposed column with antennae extension will be 12m.

3.2 The purpose of the camera is to assist in the prevention and detection of crime and anti-social behaviour in the area.

- 3.3 For the avoidance of doubt, the column was originally proposed to be sited on the verge close to the highway; however, following concerns raised about the possible impact on the setting of the adjacent Listed St Mary's Church, an alternate location has been sought and the application is considered accordingly.

4.0 Consultations

- 4.1 A public consultation has been undertaken with letters sent to neighbouring properties; a notice posted at the site and an advert placed in the local press too. No public representations have been received as a result of the consultation.
- 4.2 The Highway Authority have confirmed that they raise no objection to the application.
- 4.3 The Conservation Officer – following submission of an amended location for the pole, away from the highway verge and not in the primary view of St Mary's Church when heading along Church Lane toward Calverton Road, raises no objection to the application.
- 4.4 Historic England – make no observations on the application and ask that the application be determined in accordance with the Councils own Conservation and Archaeological advise.

5.0 Development Plan Policies

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2021 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG). The Greater Nottingham Aligned Core Strategy Part 1 Local Plan and the Local Planning Documents (Part 2 Local Plan) is also pertinent.
- 5.3 The following policies are relevant to the application:

National Planning Policy Framework 2023

Sets out the national objectives for delivering sustainable development. Section 8, paragraph 96(b) (promoting healthy and safe communities) makes specific reference to the need to ensure that crime, and the fear of crime, does not undermine community cohesion. Section 12, paragraph 135(f) (Achieving well-designed places) also makes reference to how crime, and the fear of crime, can undermine the quality of life.

Greater Nottingham Aligned Core Strategy (ACS) Part 1 Local Plan

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 11: The Historic Environment – sets out the criteria for assessing application affecting the historic environment and heritage assets and their settings.

Local Planning Document (Part 2 Local Plan)

LPD20 - Protection of Open Space – notes the applications for permission that will detrimentally impact on Public Open Space will not be supported but those that improve or enhance it will be granted.

LPD26: Heritage Assets – highlights the criteria against which applications that affect heritage assets will be assessed along with the need to consider wider public benefits and other mitigation that may be advanced.

LPD27: Listed Buildings – identifies the need to consider impacts to listed buildings from the development proposed, as well as on their setting.

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

6.0 Assessment of Planning Considerations

6.1 The key issues in the determination of this application are the impact of the proposal on the immediate surroundings in terms of the design and appearance of the proposal, the impact of the proposal on the residential amenity of nearby properties, the support provided towards crime prevention in the area and impact on heritage assets (St Mary's Church).

7.0 Principle of development

7.1 The principle of the development is supported in that the site is located within a built-up area and there is a need to ensure that crime, and the fear of crime is, where possible, reduced. There are a number of community uses in the locality e.g. park, play equipment, St Mary's Church, some of which have been the subject of vandalism and anti-social behaviour. As such it is considered that the erection of the pole and CCTV camera will reduce the fear of crime and likelihood of vandalism and anti-social behaviour occurring. The proposal is, therefore, deemed to comply with guidance within the NPPF (sections 8 and 12).

8.0 Design

8.1 The proposed CCTV column would be located in a grass verge close to Church Lane. The CCTV column will have a reasonably slender design, and as such is not considered to be overly prominent in the public realm. There are a number of streetlights in the area, including in the car park, as well as tall trees in close proximity. Therefore, it is not considered that the column will be an incongruous feature in the streetscape.

8.2 It is considered that the pole and camera would not have any material adverse impact on the character of the area by reason of its scale, bulk, form, layout or materials such that it would comply with the requirements of Policy 10 of the ACS and LPD32.

9.0 Residential amenity

9.1 The CCTV is to be used as a deterrent to crime and will be focused on the public realm as a deterrent and to record possible crimes in the area. Whilst there are some residential properties in the local area, the purpose of the camera is not to impinge on the privacy of occupiers or members of the public but to observe the public realm with the aim of reducing crime and anti-social behaviour.

9.2 The proposed pole will have a slender design, and will be sited away from the amenity space of nearby residential properties. As such it is not considered to result in an overbearing or overshadowing impact on the residents of any neighbouring properties.

9.3 Given the above, it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of nearby dwellings and is therefore in accordance with all relevant aims of policy LPD32.

10.0 Crime prevention

10.1 Paragraph 92 of the NPPF advises that planning decisions should aim to ensure that developments, inter-alia, 'are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion'. Policy 10 of the Core Strategy also supports the 'incorporation of features to reduce opportunities for crime and the fear of crime, disorder and anti-social behaviour, and promotion of safer living environments'. It is considered that the operation of a CCTV camera at this location would be acceptable due to its purpose to reduce crime and the fear of crime. It is therefore considered that the proposal complies with the advice of the NPPF and Core Strategy Policy 10.

11.0 Protected open space

11.1 The application site forms protected open space; however, the use would remain and no usable games area or amenity space would be lost. Furthermore, there would be no discernible impact on the openness of the site and the CCTV is considered to enhance the site in that it will improve the safety of its users. The application is therefore deemed to comply with policy LPD20.

12.0 Impact on setting of heritage asset (St Mary's Church)

12.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 identifies the need to consider whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

12.2 In this instance it is considered that the impact on the setting of the adjacent Listed Building would be acceptable in that the primary view of the listed building along Church Lane will not be affected following the re-siting of the mast. Therefore, in accordance with the views of the Conservation Officer, it is not considered that the proposal would have a detrimental impact on the setting of the listed building. As a result the application is deemed to comply with Section 66(1) of The Act and policies LPD26, LPD27 and ACS11.

13.0 Conclusion

13.1 The proposal represents an acceptable form of development which seeks to reduce crime, the detection of crime and the fear of crime. The proposal is not considered to have an unacceptable impact on the visual amenity of the area or be detrimental to the setting of St Mary's Church. The proposal will not have an unacceptable impact on the residential amenity of the occupiers of neighbouring properties or protected public open space.

13.2 It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 8 and 12), Policies 10 and 11 of the GBCAS (2014) and Policies 20, 26, 27 and 32 of the LPD.

Recommendation: Grant Planning Permission subject to the following conditions:

Conditions

- 1 The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
- 1 This permission shall be carried out in accordance with the details set out in the application form;

Updated site plan (received on 14 December)

Pole specification (received on 02 January P1)

Antenna and camera specification (received on 06 February P1 and P6)

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies. The proposal represents an acceptable form of development which seeks to reduce crime, the detection of crime and the fear of crime. The proposal is not considered to have an unacceptable impact on the visual amenity of the area, or detrimental impact on the setting of the adjacent Listed Building. The proposal will not have an unacceptable

impact on the residential amenity of the occupiers of neighbouring properties. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 8 and 12), Policies 10 and 11 of the GBCAS (2014) and Policies 20, 26, 27 and 32 of the LPD.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.