

Planning Committee: 11th October 2005

Item Number: 19

Investigation Number: ACT 269/26/03

Town/Parish Council: Leamington Spa
Case Officer: Martin Perry
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PSL Distribution Ltd., 47 Bedford Street, Leamington Spa, CV32 5DY
Unauthorised development: 2 externally mounted CCTV Cameras installed
without planning permission.

SUMMARY OF REPRESENTATIONS

In June 2003 it was brought to our attention that 2 externally mounted CCTV cameras had been installed on the front and side elevations of the building. The site was visited by an Enforcement Officer and the tenant/proprietor of the premises was informed verbally and by letter that Planning Permission was required and that permission may not be granted.

RELEVANT POLICIES

[DW] ENV8 New Development within the Conservation Areas (Warwick District Local Plan 1995)
DAP11 Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996-2011)

PLANNING HISTORY

A retrospective planning application to retain the cameras was made on 18th March 2004 [W20040545 refers]. Planning permission was refused under delegated powers on 10th June 2004 on the following grounds:

“Policy (DW) ENV8 of Warwick District Local Plan 1995 requires that within Conservation Areas development proposals will be required to achieve a high standard of design appropriate to the historic and special architectural character of the area. Policy DAP11 of the emerging Warwick District Local Plan 1996-2011 states that development will not be permitted to alter or extend unlisted buildings which would adversely affect the historic integrity, character or setting of the Conservation Area.

In the opinion of the District Planning Authority, the two CCTV cameras, by reason of their siting and design, are too large and obtrusive on this single storey building, appearing as incongruous features within the Conservation Area. Their retention would thereby be contrary to the provisions of Policies (DW) ENV8 of the Warwick District Local Plan 1995 and DAP11 of the emerging Warwick District Local Plan 1996-2011”.

The tenant/proprietor has been advised, verbally and by letter that the cameras should be removed and that the continued breach of planning control could be the subject to enforcement action and non compliance with an Enforcement Notice was a criminal offence for which prosecution action could be taken.

The owner of the property was also advised by letter on two occasions that under The Town and Country Planning Act 1990 if enforcement action was taken a notice would be served on him and that non compliance was a criminal offence for which prosecution action could be taken.

KEY ISSUES

The site and its Location

The property is a single storey retail unit located on the east side of Bedford Street within Leamington Spa Town Centre and in the Leamington Spa Conservation Area.

Assessment

The development involves the installation of two externally mounted CCTV cameras on the front and side elevations of the building. Whilst the security needs of the premises can be taken into account as a material planning consideration in the context of designing out crime, it is considered that the cameras are too large and obtrusive and thereby detrimental to the historic and special architectural character of the Conservation Area.

Justification for Enforcement Action

The cameras have not been removed and in view of the adverse effects on the Conservation Area, the service of an Enforcement Notice is the only option available to resolve the current breach of planning control.

RECOMMENDATION

That enforcement action be authorised to ensure that both cameras are removed from the property. The period of compliance to be one month.
