

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

**DATE:** **15<sup>TH</sup> MAY 2013**

**REPORT BY:** **HEAD OF PLANNING**

**SUBJECT:** **APPEAL BY MR. S. CANTY AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE RETENTION OF A 7 M HIGH CCTV CAMERA POLE AT WILLOW FARM, SEALAND ROAD, SEALAND**

**1.00 APPLICATION NUMBER**

1.01 049311

**2.00 APPLICANT**

2.01 MR STEVEN CANTY

**3.00 SITE**

3.01 BARN 3, THE STABLES, WILLOW FARM, SEALAND ROAD, CH5 2LQ

**4.00 APPLICATION VALID DATE**

4.01 05/03/2012

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of the appeal decision, following the refusal under officer delegated powers of a full planning application for the erection of a CCTV camera pole, 7m in height at Barn 3, The Stables, Willow Farm, Sealand Road, Flintshire CH5 2LQ. The appeal was considered by way of an exchange of written representations and was DISMISSED

**6.00 REPORT**

6.01 **MAIN ISSUE**

The Inspector considered the main issue in this case to be the effect of the development on the living conditions of neighbouring residents.

**6.02 REASONS**

The Inspector notes that the siting of the camera provides surveillance of the approach and access to the property's parking area, but that it also appears to be surveying the amenity space of the adjacent property and views into the attached conservatory.

6.03 The Inspector also notes that whilst the appellant shows that the area of the adjacent property is masked from view, by use of settings on the camera, a condition to ensure that the privacy settings are used it would be very difficult to enforce against or monitor.

6.04 Notwithstanding the privacy issues the Inspector considers that is the presence and height of the camera which leads to harm in this case. It appears to overlook the adjacent garden and conservatory even if privacy settings are used and the perception of overlooking would be undiminished. This leads to a complete loss of privacy in the garden and conservatory which seriously harms the living conditions of the residents of the neighbouring property. Even if the camera were switched off its very presence would still engender a deep feeling of being overlooked and of constant surveillance.

6.05 The Inspector acknowledges the appellants desire for security, but as access to the site is via electronically controlled gates, CCTV surveillance is unnecessary.

6.06 The development is within a Green Barrier. As the development is close to existing buildings and overall is well screened from the Green Barrier, the Inspector concludes that the proposal does not have a harmful impact on the openness of the Green Barrier.

6.07 Overall, the Inspector considers the development results in significant harm to the living conditions of neighbouring residents and is therefore contrary to Development Plan policy.

**7.00 CONCLUSION**

7.01 For the reasons given above, and having considered all other matters raised the Inspector concludes that the appeal be dismissed.

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