

FLINTSHIRE COUNTY COUNCIL

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

DATE: **14TH MAY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **RETROSPECTIVE APPLICATION FOR THE ERECTION OF AUTOMATIC NUMBER PLATE RECOGNITION CAMERAS AT ENTRANCE/EXIT TO CONTROL THE LENGTH OF STAY IN CAR PARK AND VARIATION TO SECTION 106 AGREEMENT OF PLANNING PERMISSION REF: 028289 TO ALLOW THE ABOVE DEVELOPMENT AT ALDI FOODSTORE LTD., KING STREET, MOLD.**

APPLICATION NUMBER: **051655**

APPLICANT: **ALDI STORES UK LIMITED**

SITE: **"ALDI FOODSTORE LTD", KING STREET, MOLD**

APPLICATION VALID DATE: **29TH JANUARY 2014**

LOCAL MEMBERS: **COUNCILLOR R C BITHELL**

TOWN/COMMUNITY COUNCIL: **MOLD TOWN COUNCIL**

REASON FOR COMMITTEE: **A SECTION 106 OBLIGATION IS REQUIRED**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a retrospective planning application for the retention of automatic number plate recognition cameras used for the purpose of car park management at Aldi, Mold. It is considered that the proposal is acceptable in terms of the principle of development and the impacts of the proposal.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to replace the Section 106 Agreement dated 28th September 1999 in respect of the car parking management. The new Section 106 agreement should omit those parts of the existing Section 106 that are specific to monitoring through the use of a Patrol Officer and the requirement of the £20,000 commuted sum as this has already been paid.

The proposal is recommended for approval subject to the following conditions:

1. In accordance with approved plans
2. Details of the bollards to be submitted and agreed

3.00 CONSULTATIONS

- 3.01 Local Member
Councillor C Bithell – no comments received at time of writing

Mold Town Council
No objection

Head of Assets and Transportation
No objection

Head of Public Protection
No adverse comments

4.00 PUBLICITY

- 4.01 Site Notice
Two representations have been received objecting to the proposal on the following grounds:

- The justification for the camera system was undertaken by the camera supplier
- The cameras do not differentiate between legitimate car park users for McDonalds and those that use Aldi, and also those that return within a short period of time
- The justification is inadequate
- The disabled parking bays are no longer clearly identifiable
- The signage is not readily visible
- There is no evidence of any prior consultation with McDonalds.
- The cameras harvest registration details and do not survey the actual parking spaces
- The management of the car park can lead to distress and

confrontation

- Does not agree with the officer's opinion that CCTV cameras were not common place in 1999 when the section 106 agreement was entered into

5.00 SITE HISTORY

- 5.01 P/98/26/00345 - DEVELOPMENT OF FOOD RETAIL STORE (CLASS A1) AND PUBLIC HOUSE/RESTAURANT (CLASS A3) (approved 14/ 8/1998)

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
GEN1 – General Requirement for Development

7.00 PLANNING APPRAISAL

- 7.01 The application seeks retrospective planning permission for the installation of cameras to automatically monitor the length of stay of cars. The application requires planning permission because the cameras and pole on which they are attached are operational development.
- 7.02 The key material planning considerations are the impact the cameras and pole have on the visual amenities of the area.
- 7.03 The application site is within Mold town and the siting of the cameras is within the parking area of the Aldi car park, facing the entrance/exit to the site.
- 7.04 The site comprises two large commercial buildings in the form of McDonalds and Aldi, a large hardstanding area (the car park) and there are a number of lighting columns around the site, which are similar in design to the camera pole.
- 7.05 Reference is also made to the installation of bollards at the entrance to the site. Whilst the details concerning these are very limited, a condition can ensure that details are agreed prior to their installation.
- 7.06 It is considered that the proposal has no adverse impact on the visual amenities of the area.
- 7.07 Objections have been received concerning the operating processes of the camera system and the company that manages the system; however, these are not considered to be material planning considerations.
- 7.08 The planning permission granted for Aldi and what is now McDonalds was subject to a Section 106 agreement, which included amongst

other things, a commuted sum of £20,000 for a shortfall in car parking spaces and very specific details on the management of the car park. The provision in the 3rd schedule to the section 106 agreement explains that the car park at the store will provide short stay car parking free of charge for customers, not only of the store, but also other shops and facilities within the town centre

7.09 The s106 was very specific with regard to how the car park would be monitored, i.e. a Patrol Officer. There is no mention that a camera operated system could be used; however, at the time that the s106 was drafted (1999) such systems were not common place and therefore were not included. If the application is approved the new Section 106 will omit those parts of the existing Section 106 that are specific to monitoring through the use of a Patrol Officer. Furthermore, if the application is approved, the s106 will also have to be amended to omit the requirement of the £20,000 commuted sum as this has already been paid.

8.00 CONCLUSION

8.01 It is considered that the proposal does not have a material detrimental impact on visual amenities of the area and is hereby recommended for approval.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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