

**Item No. 20****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/11/01415/VOC</b>
<b>LOCATION</b>	<b>Fairfield Hall, Kingsley Avenue, Stotfold</b>
<b>PROPOSAL</b>	<b>Variation of condition: Removal of Condition 5 relating to CCTV on planning permission MB/05/01923/FULL dated 19 July 2007</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Hannah Pattinson</b>
<b>DATE REGISTERED</b>	<b>13 May 2011</b>
<b>EXPIRY DATE</b>	<b>12 August 2011</b>
<b>APPLICANT</b>	<b>P.J.Livesey Country Homes (Southern) Ltd</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major Development - Outstanding objection from Stotfold Town Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Site Location:**

The application site is grounds surrounding the Grade II Listed Building known as Fairfield Hall. The building has been converted to apartments over recent years, with an associated health club known as GL14.

**The Application:**

Planning permission is sought to remove condition 5 from planning approval ref MB/05/01923/Full which states that: Details of the size, location, design and finish of the Close Circuit Television (CCTV) shall be submitted to and approved in writing by the Local Planning Authority and shall be fully implemented prior to the completion of the development hereby permitted.

Reason: To ensure the CCTV does not have an adverse visual impact on the setting of the Listed Building on planning permission MB/05/01923/FULL dated 19 July 2007.

**RELEVANT POLICIES:****National Policies (PPG & PPS)**

PPS1 Delivering Sustainable Development  
PPS3 Housing

# Central Bedfordshire Core Strategy and Development Management Policies (2009)

DM3

## Supplementary Planning Guidance

Fairfield Park Urban Design Strategy

### Planning History

There is numerous planning applications in respect of this property. However, it is not considered that any of the previous planning history is relevant to this planning application other than:

MB/05/01923/FULL Full: Conversion of west wings, central wing, chapel, recreation halls, workshops buildings and isolation hospital into 90 apartments, a health club and change of use of church to recreation/health club - Approved 19 July 2007

### Representations: (Parish & Neighbours)

Stotfold Town Council Object on the following grounds: CCTV is necessary for the security of the car park area, bin store and surrounding areas. There has been no material change that would necessitate the removal of the CCTV requirement, and with the increase in density of dwellings comes more of a need for CCTV.

Neighbours One letter of objection that states that:

*We hereby submit our strong objection to the removal of the above and feel it is essential that it is reinstated with immediate effect to provide a deterrent from opportunistic activities affecting our security.*

One letter of objection that states that:

*Regarding the planning application CB/11/01415 for the removal of security Cameras at Fairfield Hall I consider that this application should be refused. I consider that instead of the cameras being removed these should be put into full working order to add additional security to the premises. I also consider that even if they are not working still act as a deterrent.*

One letter of objection that states that:

*The car park area concerned has been the matter of some contention between myself and the manager of GL14. I did not know of the planning requirement to provide and*

*use CCTV. Had I known of this I would have urged GL14 to get it up and running two years ago. It is essential, as the car park is so far from GL14 that they are unable to see it without a lengthy walk. Those using the car park have often behaved in an anti social, even obscene manner. The worst examples being people, who after using the Club and probably their bar, have urinated in the car park before getting into their cars and leaving. This has been reported to the management of GL14. The behaviour of people using the car park other than for visiting GL14 has been little better and often the noise and behaviours, sadly of many young people, has given a different, but equally disturbing intrusion on another wise calm and peaceful area of the Park. The installation of CCTV should help matters.*

*It was wise of the planners to include CCTV in their original requirements, if there has been any change since then, it has only been to reinforce the need for this. If it is difficult or inconvenient for GL14 to install at this stage, this is surely something they should have planned for years ago and not try to wriggle out of today.*

*As neighbours we have tried to negotiate a sensible compromise over when and how the car park is used. GL14 have not honoured any agreement we came to. Thus it does not surprise me that they now wish to be free of this particular planning obligation.*

*The traffic which the car park attracts is intrusive. This I must accept, but it is totally uncontrolled. The installation of CCTV can only help. I am so grateful to have been notified of this requested amendment and the opportunity provided to object in the strongest possible terms to the removal of Condition 5 relating to CCTV.*

*Three years ago when the area concerned was being used by P J Livesey as storage for building materials, the whole area was under CCTV surveillance. This often lead to the security men coming to the area in the evening and at weekends when intruders were seen. I therefore find it hard to understand why it is difficult to operate today. An area of the car park is still used as storage for building materials. This is unsightly and has been for some two years now. The latest incident in which youths have released Diesel fuel from an unbunded tank, to run across the ground and cause a most unpleasant stink and a dangerous slippery surface has only exasperated matters. When P J L finally withdraw from the site, will there be any obligation on them to remove the detritus of building and complete any landscaping of the area?*

One letter of objection that states that:

*I wish to object to the removal of the CCTV at Fairfield Hall as, whilst it has not been operational for some years, it is still in situ and I feel should be reinstated asap to provide a deterrent from opportunistic activities affecting our security.*

Five letters of objection that states that:

*I can advise that I share the view of many at Fairfield where we believe that instead of the cameras being removed these should be re-instated into full working order to add additional security to the premises but even in the current state they still act as a deterrent so I would object to their removal.*

One letter of objection that states that:

*We object to this application. Accepting that the CCTV is not currently working nethertheless the equipment may be reactivated in the future and its presence must act as some form of deterrent. Given the incidence of vandalism in the area this is better than nothing.*

One letter of objection that states that:

*These security posts act as a deterrent for unlawful acts and are therefore a useful amenity. In the future they may be put into proper use by Fairfield Hall Committee which voted to run the Hall once the builders P J Livesey have completed their obligations.*

One letter of objection that states that:

*I strongly object to the removal of the security cameras at Fairfield Hall. These cameras offer a visual deterrent to possible criminal activities. I think a better proposal would be to reinstate the cameras to a fully working condition.*

One letter of objection that states that:

*I object to the removal of CCTV on the basis that it would be much better served as a usable deterrent, as it is already in place and only requires reconnecting. Rather than having to dig up grounds to remove the various poles and cabling, and in return making the site even less secure than it already is. It was discussed a long time ago with the developer that it would be left in place for the residents to take over at a later date, this now seems to have been reversed.*

One letter of objection that states that:

*I feel that the CCTV cameras should be kept and reinstated. They were meant to be part of the security at Fairfield Hall and we have had several problems with crime and vandalism recently. This was sold as secure and gated community. It has become very far from being that.*

## **Consultations/Publicity responses**

Fairfield Hall Residents Association	FHRA are registering their objection to the Removal of Condition 5 relating to CCTV on planning permission MB/05/01923/FULL. We do so as we believe these should remain in situ as a deterrent against opportunistic activities which may occur on site. These are not operational at present but it is the intention of FHRA to reinstate them as soon as we are in a position to do so. Please find attached a report written last year by PC Spicer, Crime Reduction Officer when we approached the Police for their advice. Currently we are experiencing problems with youths riding their bikes through car parks ad hoc; nails being placed under car tyres so that when a car reverses the tyre punctures; a motorbike stolen from a carpark; vehicles accessing the site ad hoc. Residents require measures to be put in place for increasing site security, the CCTV cameras are on such measure.
CBC CCTV Manager	I have no objections to the removal of CCTV from this application.

## **Determining Issues**

The main considerations of the application are;

1. The Principle of Removing the Condition

## **Considerations**

### **1. The Principle of Removing the Condition**

The purpose of this application is to remove Condition 5 in relation to CCTV from planning permission MB/05/01923/FULL. Whilst CCTV cameras were installed at the site several years ago, it is understood that they have not been operated for a considerable period of time.

As part of the statutory consultation process for this planning application the Central Bedfordshire Council's CCTV Manager has been consulted whom has confirmed that they have no objection to the removal of CCTV as part of this planning application.

It is acknowledged that objections have been received both from Stotfold Town Council and neighbouring occupiers.

The applicant has submitted justification for the removal of the condition and it should be noted that the original intention was for any CCTV to be maintained

and operated by the Health Club on the site.

CCTV was not originally proposed as part of the MB/05/01923/FULL application, however, at the time the Mid Bedfordshire Community Safety Officer recommended that CCTV would have been appropriate in this location. It should be noted that at this time, neither Fairfield Park or Fairfield Hall were fully developed and therefore the provision of natural surveillance around the site was limited.

The reason attached to the original condition was to ensure that there was no adverse impact upon the Grade II Listed Building, Fairfield Hall. As such if it was necessary it had to be designed to be as sympathetic as possible. However, if no CCTV is to be provided and the existing CCTV camera poles were to be taken down this would be beneficial to the setting of the Listed Building.

Current legislation requires that a certified security company with SIA and PSS licensed staff is necessary to carry out monitoring of CCTV. There is no provision for this at Fairfield Hall and Officers are not aware that any provision had been made for this within the overall management plan for the site. In addition the provision of a dedicate space on site for monitoring and for staff would be required. Again no provision has been made for this. It can also be confirmed that Central Bedfordshire Council have no intention to be involved in any CCTV provision on site.

Whilst one of the criteria of policy DM3 is to enhance community safety, there is no planning requirement on the applicant to operate the cameras following their installation. Moreover, as there is no objection from the CBC CCTV Manager it is recommended that the removal of condition 5 should be granted.

It should be noted that the removal of this condition would effectively provide a new planning permission and as such the S106 Agreement from MB/05/01923/FULL is required to be tied to any permission which may be granted, in addition CCTV is a provision specifically mentioned in the legal agreement. Therefore a Deed of Variation is required to be signed prior to any planning permission being issued.

## **Recommendation**

That Planning Permission be granted subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

2 The Health Club hereby approved shall only be open to customers between the hours of 7am to 10pm Mondays to Fridays, 9 am to 10pm on Saturdays and 10am to 4pm on Sundays and Bank Holidays.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

3 Central Bedfordshire Council shall have access to the waste storage area in the development thereby approved from 07.00hrs until 17.00hrs Monday to Friday unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the regular collection of waste.

4 The alterations or repair of the existing external brickwork to the building shall be undertaken to match the existing brick type, bond and mortar mix. As far as possible the bricks to be used shall be salvaged and reused from the existing building. Where new bricks have to be used a sample panel of the proposed bricks shall first be agreed in writing with the Local Planning Authority. No cleaning of the internal or external faces of the bricks/stonework shall take place until the proposed cleaning method including sample test panels has been agreed in writing with the Local Planning Authority. The cleaning shall only proceed in accordance with the agreed method.

Reason: To ensure the external alterations to the building match as closely as possible the brickwork to the existing structure and ensure any cleaning method for the brickwork is acceptable.

**Reasons for Granting**

Whilst the removal of Condition 5 (Provision of CCTV) would not accord with the requirement in Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) to enhance community safety, the CCTV cameras have not operated for a significant period of time, and it appears unlikely that this will change in the future.

**DECISION**

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