CASE OFFICER'S REPORT

Application Reference	PL/2023/06482
Site address	OLD MILL HOTEL, TOWN PATH, HARNHAM, SALISBURY, SP2 8EU Erection of pole with ANPR cameras within carpark
Site visit	21/11/2023

POLICIES

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment

Planning (Listed Building and Conservation Areas) Act 1990 Section 72

ISSUES

- Principle of development including design and scale;
- Impact upon the character and appearance of the area and upon the setting of a Listed Building
- Impact to the neighbouring amenity
- Archaeology

REPRESENTATIONS

Salisbury City Council – No comments received.

Conservation – No objection

Archaeology – No objection

Third Party Representations – Three objection letters were received with the following concerns:

1. Visually unacceptable within the Conservation Area
2. Impact upon privacy – Old Mill Gardens
3. Penalizing innocent motorists

ASSESSMENT

Principle of development including design and scale

The application site is the car park of the well-established hotel which is Grade 1 Listed and falls within the Conservation Area.

The proposal seeks retrospective approval for the erection of two ANPR cameras on a pole within the car park.

Core Policy 57 of the Wiltshire Core Strategy (WCS) requires there to be a high standard of design

is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire.

In addition, *Section 66 of the Planning (LBCA) Act 1990 says:*

*'*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority….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'.

The pole and cameras are modest in scale. When you enter the site, but are not considered to be overly dominant. Due to the site falling within the Conservation Area the Councils Officer was consulted on the cameras and provided the following comments:

I do not consider the proposed pole and camera would have an adverse impact on the setting of the listed building (The Old Mill or Three Crowns) nor on the conservation area.

In light of the above, the proposal is acceptable upon the setting of the Heritage asset and would not result in any harm which would warrant a refusal. Therefore, the proposal is considered to be compliant with Core Policy 57 & 58.

Impact to the neighbouring amenity

Core Policy 57 of the WCS also requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The pole is positioned along the rear boundary of the car park itself with one camera facing the entrance and the second facing Old Mill Gardens which is a private road.





Concerns have been raised in regard to impact upon privacy particularly from the camera facing Old Mill Gardens. The applicant has provided some additional information regarding the purpose of the cameras and justification of their positions.

'The first camera captures the car entering into the old mill car park, the system then searches for the number plate on the system that should be entered at the old mill, if the system does not see the number plate it searches to see if this was a resident or a guest of Old Mill Gardens, if the 2nd camera captures this it does not issue a ticket as it believes it is a resident or guest to OM Gardens'.

It appears that the camera is required to ensure that residents and visitors to residents within Old Mill Gardens are not fined, and therefore the camera is deemed justified, subject to these not detrimentally effecting any residential amenities. Although the cameras may be visible from nearby residential properties and they may not be a welcomed feature, this is not a sole reason for refusal.

Upon visiting the site, it appears the cameras are hooded, and the Council requested imagery of the cameras to establish whether they may have a negative impact upon privacy to any neighbouring properties or gardens, as per the concerns raised. The imagery demonstrated that the camera is angled solely to the road and does not provide any wider context.

The applicant provided a statement further confirming that the cameras are static.

'The ANPR Cameras are to stop unauthorised parking with the Old Mill Car Park. The Cameras are designed to capture number plates only and static, meaning they do not rotate or controlled by an operator

The design of having two static cameras is that this will capture the cars that access the resident's road, meaning that they will not receive a parking enforcement camera.

The cameras are designed NOT to capture or intrude within the boundaries of resident's gardens and properties.

The system that is managed under Creative Car Parking is nationally used within many similar locations as the Old Mill car park. The company upholds and has a GDPR policy in place'.

A condition could be placed upon any approval ensuring the cameras remain static and non-moveable.

If any third parties believe they have been penalized incorrectly this would be a separate civil matter.

<u>Archaeology</u>

The Old Mill Hotel is a handsome, Grade I listed, historic mill building with 14th-century origins on the River Nadder. The proposed ANPR camera pole is not located close to the mill building and its footprint is tiny as regards any impact on the buried archaeological heritage. On this basis, I have no archaeological concerns with this proposal and no further action is therefore required as regards the buried archaeological heritage in relation to this application.

CONCLUSION

For the reasons as outlined within this report, and further to the additional information provided, officers are of the opinion that the ANPR cameras and poles would conform to the objectives of Core Policy 57, 58 of the Wiltshire Core Strategy and the aims of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm and therefore, planning permission should be granted for the development.

RECOMMENDATION: Approve, with conditions.