

7.3 Case Officer: Simon Osborn

Due Date: 07/05/2015

MINOR

Site: Coast Road, West Mersea, Colchester

Application No: 150476

Date Received: 12 March 2015

Agent: Stephen Collis

Applicant: Colchester Borough Council

Development: Installation of CCTV equipment on floating pontoon and toilet block

Ward: West Mersea

Summary of Recommendation: Conditional Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it is submitted by and on behalf of Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues explored below are the impact of the proposal upon the natural environment and the character of the surrounding area. The report has regard to the purpose of the installation, which is to deter anti-social behavior, and recommends that planning permission be granted.

3.0 Site Description and Context

- 3.1 The site relates to the public jetty, which stretches from the shore to the floating pontoon on Coast Road, West Mersea.

4.0 Description of the Proposal

- 4.1 The proposal is to install four CCTV cameras each mounted on a pole. One of these will be mounted on one corner of the public conveniences adjacent to the public car park on Coast Road; the other three will be fixed onto a galvanised hammerhead structure at the end of the jetty, adjacent to the floating pontoon. The height of each camera above ground level will be between 4.65 metres and 5.65 metres.

5.0 Land Use Allocation

- 5.1 The site is part of the West Mersea Conservation Area and the West Mersea Waterside Area of Special Character; it is also part of the Blackwater Estuary Site of Special Scientific Interest.

6.0 Relevant Planning History

- 6.1 COL/87/0965 – provision of new public conveniences, approved 1984
- 6.2 F/COL/00/0373 – installation of new GRP kiosk, approved 2000
- 6.3 C/COL/01/1671 – stationing of removable stall for sale of local fish at landing, approved 2001

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National planning Policy Framework (NPPF) must also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.
- 7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations
UR2 - Built Design and Character
ENV1 - Environment

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity
DP10 Tourism, Leisure and Culture
DP23 Coastal Areas

8.0 Consultations

- 8.1 Natural England made the following comments:

“This application is within the Blackwater Estuary Site of Special Scientific Interest (SSSI). This SSSI forms part of the Blackwater Estuary (Mid-Essex Coast Phase 4) Special Protection Area (SPA), Blackwater Estuary (Mid-Essex Coast Phase 4) Wetland of International Importance under the Ramsar Convention (Ramsar Site) and the Essex Estuaries Special Area of Conservation (SAC).

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Blackwater Estuary (Mid-Essex Coast Phase 4) SPA, the Blackwater Estuary (Mid-Essex Coast Phase 4) Ramsar Site and the Essex Estuaries SAC have been classified. Natural England therefore advises your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on these sites conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Blackwater Estuary SSSI has been notified.

We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of the application change, Natural England should be reconsulted.”

In addition to the details reported above, the full text of all consultation responses is available to view on the Council’s website.

8.2 Environmental Protection – no comment

9.0 Parish Council Response

9.1 West Mersea Town Council has stated that it is unable to comment on this application.

10.0 Representations

10.1 None

11.0 Parking Provision

11.1 There is no requirement for parking in association with this proposal.

12.0 Open Space Provisions

12.1 There is no requirement for open space provision in association with this proposal.

13.0 Air Quality

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

14.0 Development Team and Planning Obligations

14.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (S106) of the Town and Country Planning Act 1990.

15.0 Report

15.1 The CCTV cameras are proposed in order to deter anti-social behaviour from occurring within the vicinity of the floating pontoon at the end of the jetty on Coast Road, West Mersea. The anti-social behaviour ranges from boats being untied and set free, boats being vandalised and in some instances theft of outboard motors from moored boats. The cameras will also improve safety by minimising or eliminating vandalism of safety equipment or anti-social behaviour that endangers pontoon users. The pontoon area is accessible 24 hours a day to the general public and boat users.

- 15.2 Each of the four cameras will be mounted on metal poles. Three of these poles will be attached or immediately adjacent to the 2.65 metres high metal hammerhead structure at the end of the jetty and the other will be mounted on one corner of the brick and slate public convenience block. Each of the cameras will be positioned between 4.65 metres and 5.65 metres above ground level. Whilst there is an element of visual incongruity resulting from each of these structures, there is a number of other tall slim structures within the vicinity of each, such as a six metres high street lighting pole close to the public convenience block, five metres high wooden staves adjacent to the hammerhead structure at the pier end, and a number of 3.5 metres high lighting poles on the jetty. The masts of nearby sailing boats will also be close by. It is therefore considered that the visual impact of the proposed cameras will not be significant.
- 15.3 The jetty is within the Blackwater Estuary Site of Special Scientific Interest, a Special Protection Area, a Wetland of International Importance under the Ramsar Convention and a Special Area of Conservation. Natural England were consulted on the application and advised they are satisfied that the proposal will not damage or destroy the interest features for which the Blackwater Estuary SSSI has been notified.
- 15.4 Policy DP23 requires that development within the coastal protection belt will not be significantly detrimental to conserving important nature conservation, maritime uses and the landscape character of the coast. Proposals for all development on both the landward and seaward sides of Coast Road will be expected to enhance the existing traditional maritime character of the West Mersea Waterside Area of Special Character, and its role as a major yachting, fishing and boating centre. Whilst there is an element of visual incongruity associated with the proposed cameras, their purpose is to deter anti-social behavior associated with the yachting, boating and fishing activities at the heart of this area. The proposal is therefore consistent with the Council's adopted policies for the area.

16.0 Conclusion

- 16.1 The proposed CCTV cameras will be mounted on metal poles and each camera will be sited between 4.65 metres and 5.65 metres off the ground. The cameras will be close to other street and jetty "furniture" and whilst there will be an element of visual incongruity associated with them this impact is not considered to be significant. The proposed CCTV cameras are proposed to deter anti-social behaviour and it is considered the benefits of this outweigh any minor visual impact and accord with the Council's adopted planning policies. The application is therefore recommended for approval.

17.0 Recommendation

- 17.1 APPROVE subject to the following conditions

18.0 Positivity Statement

- 18.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

19.0 Conditions

1 - Time Limit for Full Permissions

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2 - *Development to Accord With Approved Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted location plan drawing and the appendices submitted with the application.

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

20.0 Informatives

(1) **ZT0 – Advisory Note on Construction & Demolition** The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 08456 037631.