

Perth and Kinross Council
Planning and Plaemaking Committee – 1 June 2022
Report of Handling by Head of Planning & Development
(Report No. 22/115)

PROPOSAL:	Installation of 2 CCTV cameras (in retrospect)
LOCATION:	Logiealmond Estate, Logiealmond

Ref. No: [22/00228/FLL](#)
Ward No: P5- Strathtay

Summary

This report recommends approval of the application as the development is considered to comply with the relevant provisions of the Development Plan and there are no material considerations apparent which outweigh the Development Plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The site forms part of the southern policies of Logiealmond Estate, which is a sporting estate set in an upland location to the west of Harrietfield. The proposals are retrospective and relate to the installation of 2 CCTV camera units on a 5-metre-high timber post within an area of land which is situated close to the Core Path network and the main access into the estate from the minor, B8063 public road.

Pre-Application Consultation

- 2 None undertaken.
- 3 The proposed development is not classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Therefore, the applicant was not required to undertake any formal pre-application consultation with the local community.

National Policy and Guidance

- 4 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework 2014

- 5 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. This is a statutory document and material consideration in any planning application. It provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

The Scottish Planning Policy 2014 (SPP)

- 6 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
- The preparation of development plans.
 - The design of development, from initial concept through to delivery; and
 - The determination of planning applications and appeals.
- 7 The following sections of the SPP will be of particular importance in the assessment of this proposal:
- Sustainability: paragraphs 24 – 35
 - Placemaking: paragraphs 36 – 57
 - Supporting Business and Employment: paragraph 92

Planning Advice Notes

- 8 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management
 - PAN 77 Designing Safer Places
- 9 Pan 77 identifies that where the risk of crime is high, natural surveillance many need to be complemented by a more formal surveillance mechanism such as CCTV. The siting and design of CCTV cameras should be carefully considered to ensure their presence is known, without being over dominant.

Development Plan

- 10 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016-2036

- 11 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

Perth and Kinross Local Development Plan 2

- 12 The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 13 The principal relevant policies are, in summary:
- Policy 1A: Placemaking
 - Policy 1B: Placemaking
 - Policy 39: Landscape

Other Policies

- 14 Placemaking Guide 2020

SITE HISTORY

- 15 Several applications have been submitted for consideration at the estate, following major investment and ongoing upgrade works. Recent applications in the vicinity have obtained permission for work to the private access road, the formation of a new section of core path and associated landscaping, installation of lamp posts, creation of a bin storage area and a gated entrance feature.
- 16 [20/00483/FLL](#) Full Planning Permission application was Withdrawn 5 May 2020 for Erection of entrance gates, bin store and associated works
- 17 [20/00790/FLL](#) Full Planning Permission was Approved 25 September 2020 for Erection of entrance gates, bin store and associated works
- 18 [20/01318/FLL](#) Full Planning Permission was Approved 11 November 2020 for Alterations to track and formation of turning circle (in retrospect)
- 19 [20/01365/FLL](#) Full Planning Permission 24 December 2020 for Installation of lamp posts
- 20 [21/00373/FLL](#) Full Planning Permission was Approved 26 May 2021 for Land engineering works associated with ground source heat pump system
- 21 [21/01614/FLL](#) Full Planning Permission was Approved 5 November 2021 for Installation of lamp posts

CONSULTATIONS

- 22 No consultations have been undertaken.

Representations

- 23 A total of 25 representations were received in respect of the current application. The comments are split between those supporting (13) and objecting (12) to the proposal.
- 24 The letters in support cite similar safety, security/crime deterrent concerns raised on behalf of the applicants such as need to protect working dogs, theft of tools or equipment, vandalism, fly tipping and other crime prevalent in remote locations.
- 25 The main issues raised within the representations are:
- Inappropriate location
 - Visual impact
 - Out of character with rural location
 - Overlooking and loss of privacy
 - Intimidation with intent to deter public access
- 26 These issues are addressed in the Appraisal section of the report.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

- 27 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the TAYplan Strategic Development Plan 2016–2036 and the Perth and Kinross Local Development Plan 2019. The relevant policy considerations are outlined in the policy section above and are considered in more detail below. In terms of other material considerations, this involves considerations of the Council's other approved policies and supplementary guidance, namely the Placemaking Guide 2020.

Principle

- 28 The site is located outwith any defined settlement boundary and, as such, background policy considerations and supplementary guidance form the determining factor in the assessment of this application. In general terms, the principle of developments which are deemed acceptable in land use terms will be supported, subject to securing minimal impact and a good fit within the wider landscape setting.
- 29 In this instance Policies 1A & B: Placemaking and 39: Landscape of the Perth and Kinross Local Development Plan 2 (2019) (LDP2) are directly applicable.
- 30 Policy 1A and B seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.
- 31 Policy 39 outlines that development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross

Design and Layout

- 32 The application site is located approximately 60 metres back from the public road in a narrow section of rough ground which borders the main private access road to the east and a track leading down to agricultural land, to the west.
- 33 Within the site, a redundant, 5-metre-high, timber telegraph pole exists. Two round “Starlight” CCTV cameras have been fixed at a height of 4.5 metres from ground level. The cameras are identical in size and form. The round viewing dome is fixed to the post by a white hanging bracket. The specification included indicates that the camera units are capable of auto tracking movement and operation in low light levels.
- 34 Confirmation has however been received from the installer that the units have been programmed with a mask facility, so that the area of coverage extends to the roadway only, in order to monitor vehicles entering and leaving the estate.
- 35 The location of the cameras is logical given that the aim is to focus on the main access route for vehicular traffic into and out of the estate, rather than the extensive hinterland. The camera units are modest in size at 190mm by 332mm, featuring an inoffensive, contemporary “bubble” type design that is routinely used in commercial, retail and domestic environments. The overall impact of the supporting timber post and CCTV equipment is acceptable and compatible with the placemaking policy considerations that seek to ensure development contributes positively to its surroundings, is respectful of the surrounding landscape character, is of an appropriate height and appearance and will enable safe and accessible access, which in this case is to the adjacent core path network. The proposal is therefore considered to comply with these aspects of Policy 1A.

Landscape and Visual Impact

- 36 The visual impact of the retrospective proposals is minimal in terms of the site context within the wider landscape setting. The site is therefore acceptable in terms of Policy 39 Landscape requirements as the distinctive local landscape characteristics are unaffected. No landscape features of merit have been affected by the proposals and nearby tree and shrub cover will screen the proposals from the public road network.
- 37 A more recessive green or black coloured camera housing unit would have been less obtrusive, rather than the stark white bracket and framing which exists. However, it is acknowledged as noted in PAN 77, that in terms of security, the visibility itself of the CCTV equipment can act as a deterrent to unwelcome individuals. The timber post on which the cameras are installed is acceptable in terms of providing a natural material which will weather and become less noticeable through time. No significant on- or off-site visual impact concerns are raised by the development. The proposal is therefore considered to comply with the relevant aspects of Policies 1B and 39.

Residential Amenity

- 38 There are no nearby residential properties or third-party land that would be affected by the cameras. Comment has been made about the cameras being able to look inside an objector's house and people working the land. The residential property concerned is however not in the direct line of sight of the access road or camera range, being set over 800 metres away and the masking facility is such that no nearby fields will be actively monitored. The proposals as a result, raise no residential amenity concerns.

Core Path Amenity

- 39 A number of concerns have been raised by path users who have questioned the need for CCTV in this location, claiming that it is being utilised more as a means of intimidation to walkers and should be moved to the areas of value which need security coverage. Whilst the perception of being monitored is understandably not encouraging to core path users, the cameras in themselves are not restricting access and the landowner is fully aware of the need to continue to allow unhindered access. Supporting information provided on behalf of the estate confirms that the units are not and will not be monitored, nor do they contain face or number plate recognition capabilities. They are being used as a deterrent and to assist Police when there is a need to report any criminal activity.

Roads and Access

- 40 As there are no changes to the existing road or access provision, there are no concerns associated with this proposed development.

Waste Collection

- 41 The waste collection area is unaffected by the proposals.

Natural Heritage and Biodiversity

- 42 No issues or concerns are raised with the proposals.

Developer Contributions

- 43 No developer contributions are required.

Economic Impact

- 44 The economic impact of the proposals is minimal. The security provided by the cameras will however help to safeguard the financial investments and operations at the estate.

VARIATION OF APPLICATION UNDER SECTION 32A

- 45 This application has not been varied. Confirmation has been obtained in respect of the extent of camera coverage.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 46 None.

DIRECTION BY SCOTTISH MINISTERS

- 47 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 48 To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.
- 49 Accordingly the proposal is recommended for approval subject to the following conditions.

A RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

- 1 The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

B JUSTIFICATION

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

None

D INFORMATIVES

There are no relevant Informatives.

Background Papers: 25 letters of representation

Contact Officer: Alma Bendall

Date: 19 May 2022

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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