

TCP/11/16(320)**Planning Application 14/00695/FLL Installation of 4 CCTV security cameras (in retrospect), Springbank House, Main Street, Perth**

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TCP/11/16(320)

Planning Application 14/00695/FLL Installation of 4 CCTV security cameras (in retrospect), Springbank House, Main Street, Perth

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD

Tel: 01738 475300

Fax: 01738 475310

Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000098637-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ericht Planning & Property
Consultants

You must enter a Building Name or Number, or both:*

Ref. Number:

Building Name:

First Name: *

Kate

Building Number:

40

Last Name: *

Jenkins

Address 1 (Street): *

Belgrave Road

Telephone Number: *

07795974083

Address 2:

Extension Number:

Town/City: *

EDINBURGH

Mobile Number:

Country: *

UK

Fax Number:

Postcode: *

EH12 6NQ

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Other"/>
Other Title: *	<input type="text" value="Mr & Mrs"/>
First Name: *	<input type="text" value="Ian"/>
Last Name: *	<input type="text" value="Stewart"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="Springbank House"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Main Street"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Perth"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="PH2 7HB"/>

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
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Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="Flat 1"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="Springbank House"/>	Town/City/Settlement:	<input type="text" value="Perth"/>
Address 3:	<input type="text" value="Main Street"/>	Post Code:	<input type="text" value="PH2 7HB"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="724176"/>	Easting	<input type="text" value="312154"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see attached Supporting Statement to Notice of Review and Appendix

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

☐ Yes ☒ No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Photos of cameras + warning notice/ notice locations
Location Plan
Block Plan
Elevations: camera positions
Floor Plan: coverage of cameras
Officer's Report & Decision Notice relating to LBC: 14/00696/LBC
Decision Notice 14/00695/FLL
Supporting Statement
CONFIDENTIAL Appendix
14/00695/FLL application form + decision notice

Application Details

Please provide details of the application and decision.

What is the application reference number? *

14/00695/FLL

What date was the application submitted to the planning authority? *

17/04/14

What date was the decision issued by the planning authority? *

30/06/14

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

An inspection would enable an improved understanding of the issues outlined in the Supporting Statement.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

It is advised that the Agent be contacted in advance of a site inspection due to ongoing tensions at Springbank as noted within this review.

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Kate Jenkins

Declaration Date: 30/08/2014

Submission Date: 30/08/2014

Supporting Statement to Notice of Review

in relation to Perth and Kinross Council's refusal of planning permission
for installation of 4 CCTV security cameras with warning signs, Springbank
House, Main Street, Perth 14/00695/FLL

August, 2014

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Appendix 1 Other Material Considerations

EXECUTIVE SUMMARY

This Notice of Local Review is submitted on behalf of Mr & Mrs Stewart, owners of Springbank House (“the Appellants”) against the decision of Perth & Kinross Council to refuse planning permission, on 30th June 2014, for the installation of 4 CCTV security cameras with warning signs at Springbank House, Main Street, Perth “the Proposal”. The application reference was 14/00695/FLL.

Springbank House is a category B listed building and it should be noted that the application for Listed Building consent for the Proposal (14/00696/LBC) was approved by the Planning Authority. The Planning Application was refused for the principal basis of asserted impact upon residential amenity.

This Statement sets out the background associated with the application, notes key issues and reviews the decision making process. The grounds of Appeal are then stated before the case for the Appellants is fully justified in order to challenge the reason for refusal. The Proposal is tested against planning policy and other material considerations and it is demonstrated that the decision of the Officer in relation to the Appellants’ development proposal should be overturned and the Application allowed.

The 3 Grounds of Local Review are:

- **Ground 1:** The proposal is not contrary to Local Development Plan policy RD1 ‘Residential Areas’.
- **Ground 2:** The proposal is not contrary to Local Development Plan policy PM1 ‘Placemaking’.
- **Ground 3:** Other material considerations, namely genuine security issues, necessitate the installation of the proposed cameras.

The Local Review Body, having considered the detail contained within the original Planning Application, together with the information set out within this Statement and Appendix, will be respectfully requested to allow the Review to enable planning permission to be granted for the security cameras and signage to ensure the safety and security of the Appellants’ property, themselves and holiday guests.

1.0 INTRODUCTION

- 1.1 An application for planning permission for the installation of 4 CCTV security cameras with warning signs at Springbank House was submitted to Perth & Kinross Council and validated on 17th April, 2014. The application, reference 14/00695/FLL, was refused on 30th June, 2014.
- 1.2 The Application included the following plans, drawings and photographs, which are included with this Local Review.
- Photographs of the cameras in situ
 - Photograph of a warning notice
 - Photograph of the 2no. locations where warning notices were to be erected
 - Location Plan
 - Block Plan showing ground in shared ownership
 - South elevation showing camera no.1 position
 - East elevation showing camera no.2 position
 - North elevation showing camera no.3 position
 - West elevation showing camera no.4 position
 - Floor Plan showing coverage of cameras
- 1.3 The Officer's report and Decision Notice relating to the consented Listed Building Application 14/00696/LBC for the Proposal are also included.
- 1.4 The cameras require to be installed due to genuine security concerns on behalf of the Appellants. The Appellants, who are both elderly, own Springbank House which consists of 3 flats, one of which is occupied by them and the other two are operated as two high quality holiday lets.
- 1.5 It should be noted that 3no other cameras attached to property *outwith* the ownership of the Appellants were noted by the Agent and the Appellants' son during a site visit on 22nd July, 2014. The requirement for the cameras will be explored under Ground 3.
- 1.6 Application 14/00696/LBC (retrospective) for the erection of 4no CCTV cameras on the facade of Springbank House and 2no warning signs on adjacent garage buildings was approved on 30th June, 2014. Within the Officer's report, it was recognised that the cameras are *"particularly small in scale, black in finish and as a result are easily 'lost' on the facade of this substantial stone built villa. The*

cabling associated with the cameras is also subtle and inoffensive". In conclusion, the Officer's Report stated that *"Overall there is minimal impact on the building's special character and dominant appearance"*. Consequent to this clear decision, this Local Review will not further discuss on the acceptability of the proposal from the perspective of Local Development Plan Historic Environment policies.

- 1.7 It is confirmed that information provided by the Appellants, including plans, contained within this Statement were available to the Appointed Officer at the time the decision was made, other than the detail of the exact nature of the security issues, as noted below.
- 1.8 It is assumed that a site inspection will have been made by the case Officer, at which point the configuration and relationship of development at Springbank House would have been observed, as would the security cameras present on two *additional* properties *outwith* the ownership of the Appellants.
- 1.9 The 'security' situation at Springbank has worsened since February, 2014, as noted with this submission. Such details of the genuine security issues have been provided by the Appellants' son. Whilst these details were not before the Officer during the decision making process, it is considered to be reasonable to assume that *security* cameras are required for *security* reasons, particularly given the presence of other security cameras at Springbank on property not owned by the Appellants. The Appellants did not previously wish to make such detail public, but are now in a position whereby this appears to be required in order to afford the Local Review Body clearer appreciation of the security situation and tensions at Springbank.

2.0 REFUSAL OF APPLICATION BY PERTH & KINROSS COUNCIL

- 2.1 The application was refused by Perth & Kinross Council on the basis set out below.

The proposal is contrary to Perth & Kinross Local Development Plan 2014 Policy RD1: Residential Areas, as the existing residential amenity will not be protected or improved by the development. Furthermore, the development will reduce the quality and enjoyment of the shared private space.

The proposal is contrary to Perth & Kinross Local Development Plan 2014 Policy PM1: Placemaking, as the development does not respect the character and amenity of this shared garden space.

3.0 GROUNDS FOR LOCAL REVIEW

- 3.1 The Local Authority's decision to refuse the application is challenged on the basis of the Grounds set out below. It is asserted that the Proposal accords with the relevant policies and intentions of the Local Development Plan, and other material considerations necessitate the cameras' installation.

- 3.2 The Appellants set out the following Grounds for Review:

- **Ground 1:** The proposal is not contrary to Local Development Plan policy RD1 'Residential Areas'.
- **Ground 2:** The proposal is not contrary to Local Development Plan policy PM1 'Placemaking'.
- **Ground 3:** Other material considerations, namely genuine security issues, necessitate the installation of the proposed cameras.

4.0 CASE FOR THE APPELLANTS

**GROUND 1: THE PROPOSAL IS NOT CONTRARY TO PERTH & KINROSS LDP
POLICY RD1 – RESIDENTIAL AREAS**

Policy RD1 - Residential Areas

- 4.1 In summary, this policy states that in identified areas, residential amenity will be protected and, where possible, improved. Small areas of private open space will be retained where they are of recreational or amenity value. Proposals will be encouraged where they improve the character and environment of the area and are compatible with the amenity and character of an area.
- 4.2 Springbank House is a category B listed substantial villa which overlooks the River Tay. The house was built in classical style around 1823 and has been subdivided to form 3 flats. The original curtilage of Springbank House has been subject to development with the erection of 3 modern low-level houses either side of the main drive. In addition, the original Lodge House is located at the entrance to the drive.
- 4.3 All land, including parking places, outwith the physical footprint of the built development and each dwelling's private garden ground is understood to lie within shared ownership.
- 4.4 The approval of the Listed Building application has confirmed that there is no negative impact arising from the location these discrete cameras on the fabric or setting of the listed building or from the location of the warning notices on the garages.
- 4.5 One camera is sited on each elevation of Springbank House. 3no are positioned over the 3 separate flat entrance doors and the fourth is located over the elevation which fronts the River Tay. The drawing provided with the original application clearly illustrates the limited range of view of the cameras. It is confirmed that the range of view cannot be altered remotely.
- 4.6 The areas which can be viewed by the cameras are limited to the 4 areas outside the 4no doors above which they are placed, as shown on the drawing. The remainder of the shared ground is not covered. Camera warning signs are clearly visible on the garages, alerting people to the presence of CCTV.

- 4.7 The Appellants acknowledge that all ground outwith the built footprint of the houses is shared, but wishes to point out that the 'modern houses' each have their own private ground, in addition to open use of the shared ground. Given the facts set out under the third ground of review, the limited impact upon amenity within a small proportion of the shared ground is considered to be reasonable in the circumstances and a reasonable consequence to significantly improve the residential amenity and security of three properties within Springbank House. 'Shared' ground, by its nature, has a lower level of personal privacy as a starting point, notwithstanding the fact that it is private shared ground.
- 4.8 The consultation response issued by N Thomson, the owner of no.2 Springbank, date stamped 1st May, 2014 confirms no objection to the installation of the cameras or signage. It is also noted that the response issued by G Mackie, the owner of no.1 Springbank, to the withdrawn application 13/02378/FLL (for an identical proposal) confirms support for the installation of the cameras.

GROUND 2: THE PROPOSAL IS NOT CONTRARY TO PERTH & KINROSS LDP POLICY PM1 -PLACEMAKING
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Policy PM1A - Placemaking

- 4.9 In summary, this policy requires that development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.
- 4.10 The cameras have been determined to be acceptable from the perspective of the historic environment, with the above-mentioned approval of the listed building application 14/00696/LBC.
- 4.11 Again, given the facts set out under the third ground of review, the limited impact upon amenity within a small proportion of the shared ground is considered to be reasonable in the circumstances and a reasonable consequence to significantly improve the residential amenity and security of the three properties which comprise Springbank House. 'Shared' ground, by its nature, has a lower level of personal privacy as a starting point, notwithstanding the fact that it is private shared ground.

GROUND 3: OTHER MATERIAL CONSIDERATIONS, NAMELY GENUINE SECURITY ISSUES, NECESSITATE THE INSTALLATION OF THE PROPOSED CAMERAS

- 4.12 The informative attaching to the Decision Notice stated that *“within 28 days from the date of this decision notice all existing CCTV cameras, associated cabling and warning signs shall be removed carefully from Springbank House and walls made good. Failure to do so may result in formal enforcement action being taken by the Council”*.
- 4.13 On 24th July, 2014, the Appellants’ agent contacted Perth & Kinross Council with regard to the above-noted informative and the Appellants’ proposal for the submission of a Local Review following refusal of 14/00695/FLL. The requirement for the cameras as a result of genuine concern for safety and security was explained to the Officer. The Appellants are grateful for the Council’s acknowledgement of the unfortunate situation at Springbank and notes their response *“I can confirm that – whilst your client will be in breach of the condition if the cameras are not removed – the council will not take any action over this while the review process is ongoing.”*
- 4.14 Given the sensitivity of the security situation at Springbank, this has been detailed within an Appendix to this Statement. The information contained therein is for the information of Perth & Kinross Council’s Local Review Body only.
- 4.15 In summary, there is a genuine security requirement for the cameras within the context of security issues and ongoing neighbourhood tensions at Springbank. The cameras will not unreasonably impact upon residential amenity within this context and will significantly improve the residential amenity of the occupants of Springbank House including the Appellants and the holiday-let guests. Other security cameras are already present on other properties at Springbank.

5.0 CONCLUSIONS

- 5.1 This Local Review requests that the Officer's decision to refuse planning consent for the installation of 4 CCTV security cameras with warning signs at Springbank House, Main Street, Perth, be overturned.
- 5.2 It has been demonstrated that the proposal is not contrary to Local Development Plan policy RD1 'Residential Areas' or Local Development Plan policy PM1 'Placemaking'. The cameras will improve the residential amenity of the three properties which comprise Springbank House whilst not unreasonably impacting upon the amenity of the shared ground, given the facts and circumstances of the situation.
- 5.3 The security cameras are necessary for security purposes and to enable the peaceful enjoyment by the occupants of Springbank House, including the Appellants, both of whom are elderly, and also the holiday guests.
- 5.4 It is noted that the application for Listed Building consent for the proposal was approved by the Planning Authority in June, 2013. The Officer's report stated *"Overall there is minimal impact on the building's special character and dominant appearance"*.
- 5.5 It has been demonstrated that other material considerations, namely genuine security issues, necessitate the installation of the proposed cameras.

End

Further Information on Security Issues at Springbank

- 1.0 The information contained herein has been wholly provided to the Agent by the Appellants' son and is provided for the information of Perth & Kinross Council's Local Review Body to support the Local Review Statement.
- 1.1 The information is provided in order to outline the genuine security concerns which exist on behalf of the Appellants and holiday guests who reside at Springbank House.
- 1.2 The information within this appendix demonstrates the unfortunate and worsening security concerns at Springbank which are impacting upon the Appellants and guests residing at Springbank House.
- 1.3 The Appellants consider that the security situation at Springbank has worsened considerably since February 2014. Guests are sometimes harassed when they park their cars, a neighbour's car headlights were pulled from the vehicle, items have been stolen from the grounds and a neighbour's property has been broken-into.
- 1.4 It has been noted within the Local Review Statement that there are 2no cameras at 3 Springbank. The existence of theses cameras within the development clearly demonstrates both the need for, and acceptance of them by others. It appears that these cameras may view partly over communal ground, namely the driveway. The Appellants are not aware that consent exists for these cameras, if such is required. It is understood that the 'panning camera' was put up approximately one month after the erection of the cameras on Springbank House. The 'point camera' has only been noticed by the Appellants' son and their Agent in July.
- 1.5 There is also a security camera on no.1 Springbank. It is understood that this was erected following damage to the owner's car in May, 2014, whereby, both headlights were ripped out, as has been noted above.
- 1.6 Following contact with the police after an incident at Springbank the police suggested CCTV cameras were erected to help improve the security around the house. Police community liaison vans have been seen on the driveway attending to incidents in the development.

Ends



Close-up of CCTV Warning Sign (approx. A4 size)
to be fixed to walls of Garage buildings



Corrected No. X above station at Ground Floor Level



Camera (No. 1) above side door at Garden Lane



Close up view of CCTV Camera



Company (Ides et al.) evaluated how well their former clients have fared



Camera (No. 2) above main front entrance



View of Triple Garage



Review of Single Cystitis





Swann High Resolution 600TVL Add-on Cameras 4-Pack

Key Features:

- 4 x 600TVL Cameras
- Indoor/Outdoor Rated
- Up to 65' Night Vision
- 60' Cable per Camera Included

The Swann C29 Multi-Purpose Day/Night Camera 4 pack delivers everything you need to expand your security system. By adding 4 extra cameras to an existing DVR system it's the perfect way to defend your home or business, safeguard your loved ones and deter intruders.

This 4 pack of cameras is perfect if you already have a 4, 8 or 16 channel DVR but have not yet purchased cameras. It is also an ideal upgrade option if you are looking to upgrade an existing 8 channel DVR system with 4 cameras for full 8 channel monitoring. You can also add the 4 pack to a 16 channel DVR system with 8 cameras for comprehensive 12 or 16 channel monitoring at your home or business.

The C29 Professional Multi-Purpose Day/Night Cameras feature 600 TV Lines 1/3" SwannTruColor video sensors and thanks to the state-of-the-art, high-resolution video technology, you can keep a continuous eye out for thieves, vandals, break-ins, or any other suspicious activity. The powerful infrared night vision can clearly see up to 65ft / 20m away making the cameras ideal for monitoring driveways, businesses, hallways, cars, warehouses and more at any hour of the day.

Everything you need is included in the pack including 4 x 60ft / 18m BNC cables for connecting to a DVR, power adapter, mounting screws, theft deterrent stickers operating instructions and more.

The C29 Cameras are truly weatherproof with a water proof rating of IP67 and the ability to

operate in freezing conditions down to -4 degrees F. For added security the C29 Cameras have the cable threaded through their mounting brackets to hide any exposed wires and reduce the risk of vandalism. When combined with a Swann DVR you'll be able to record, store, and remotely view footage online for total peace of mind. Best of all, their "plug & play" installation, with mounting screws and plugs included in the pack, makes set-up incredibly simple indoor or outdoors.

As a specialist in DIY Security and celebrating 25 years of innovation, you can buy Swann products with confidence knowing you will be keeping your loved ones, home or business safe. Swann stands by its promise of Lifetime Support to make advanced security easy to use, install, and maintain. Everything is in the pack, but if you need it Costco Concierge Services are available for free technical support to answer any questions you may have. If you don't have the time to DIY, Swann can organize installation with full details in the pack.

In addition to Swann's 12 month warranty, Costco members receive an additional warranty for a total of 3 years and free shipping with their order.

The Swann C29 Day/Night Camera 4 Pack is the perfect accompaniment for Costco members that have purchased the Swann 8 Channel 4 Camera Security System (Costco #654791). It really is advanced security made easy.

Highlighted Features:

- See more with high resolution 600 TV Lines 1/3" SwannTruColor video & powerful infrared night vision
- Easily mount to walls with cable threaded through bracket for added protection
- Sturdy aluminum construction and IP67 water proof rating suits indoor & outdoor applications in any weather
- Fight back against crime by deterring intruders & protecting your property
- Plug into your DVR for recording or your TV's yellow video-in socket for immediate surveillance
- Perfect for home or business use including doorways, yards, parking lots, hallways, storage areas & more
- We recommend combining the C29 4 Pack with Swann's 8 Channel 4 Camera Security Monitoring System available from Costco.com (Item # 654791) for full 8 channel monitoring

C29 Day/Night Cameras x 4:

- Image Sensor: Color 1/3" SwannTruColor
- Video Quality: 600 TV Lines
- Pixels: 728 x 488
- Minimum Illumination: 0 Lux (IR on)
- Day/Night Mode: Color during day / switches to B&W at night
- Gain Control: Automatic
- Backlight Compensation: Yes
- Lens: 4.8mm
- Viewing Angle: 58 degrees
- Night Vision Distance: Up to 65ft/20m
- IR Cut Filter: Yes
- Number of Infrared LEDs: 24
- Infrared Wavelength: 850nm
- Infrared LED Life: 10,000 hrs
- Indoor/Outdoor: Both, outdoor weather rating IP67
- Operating Power: DC 12V
- Operation Temperature: -4 degrees F to 140 degrees F
- Body Construction: Aluminum
- Camera Dimensions: 2.0" x 2.0" x 2.8"
- Camera & Stand Dimensions: 2.5" x 2.5" x 5.8" (with concealed cable management)

- Camera Weight: 0.56lbs
- Cable Length: 60ft

What's Included:

- C29 Day / Night Security Cameras x 4
- Cable Managed Brackets x 4
- BNC Extension Cables 60ft / 18m x 4
- Mounting Screws & Plugs
- Theft Deterrent Stickers x 4
- Operating Instructions

Swann's Lifetime Support:

Technical resources available at www.swann.com

Toll Free 1-800-627-2799

Technical Support: tech@swann.com

Support hours: 6am - 10pm Mon - Fri, 11am - 10pm Sun, closed Sat (All times PST)

Model: SWPRO-C29PK4-US

Product Specifications



DVR8-4000

Video

- Video Format: NTSC or PAL
- Video Inputs: 8 Composite BNC Inputs
- Video Outputs: VGA, HDMI
- Display Resolution: 1024 x 768, 1280 x 1024, 1280 x 720, 1920 x 1080
- Display Frame Rate: NTSC: 30fps/channel / PAL: 25fps/channel

Audio

- Audio Input: 4 RCA Inputs
- Audio Output: 1 RCA Outputs

Recording

- Compression Format: H.264
- Recording Resolution: NTSC: D1 (704 x 480), CIF (352 x 240), PAL: D1 (704 x 576), CIF (352 x 288)
- Global Recording Frame Rate: NTSC: 30fps D1 / PAL: 25fps D1
- Recording Modes: Manual / Motion / Schedule
- HDD Interface / Memory Type: 1TB SATA
- Hard Drive Support: Up to 2TB

Network

- LAN Connection: Yes
- Network Interface: RJ45
- Network Protocol: TCP/IP, DDNS, UPnP
- Dynamic DNS: Yes (swannivr.net : DYNDNS)
- Remote Operation: Yes

REPORT OF HANDLING

DELEGATED REPORT

Ref No	14/00696/LBC	
Ward No	N12- Perth City Centre	
Due Determination Date	17.06.2014	
Case Officer	Vivienne Whyte	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Installation of 4 CCTV security cameras and warning signs (in retrospect)

LOCATION: Springbank House Main Street Perth

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.

DATE OF SITE VISIT: 24 February 2014

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Listed building consent is sought in retrospect to install 4 No CCTV cameras to the facade of Springbank House and erect 2 No warning signs on neighbouring garage buildings. The unauthorised works was first brought to the Council's Enforcement Officers attention last year which has resulted in the submission of an application. A similar application was submitted earlier this year to resolve the unauthorised works but had to be withdrawn due to inaccuracies in the application to do with land ownership.

Springbank House is a substantial villa set on a desirable plot overlooking the River Tay. Built in the classical style shortly after 1823, Springbank House is now subdivided into 3 flats. The original curtilage of Springbank House has been subject to development in the past with the erection of housing either side of the main drive. The listed description suggests the grounds were developed and the house subdivided prior to its listing in 1965. It is worth noting that the garden ground surrounding the main house is commonly owned and shared by the other properties located within the original grounds of Springbank, this includes the 3 modern houses and the stone built lodge located at the entrance.

Despite the changes that have occurred Historic Scotland listed Springbank category B in recognition of its historic interest and special character. The listing details can be found in the Perth Burgh under Listed Building Record reference number 39547.

A separate planning application has been submitted which is being assessed under application 14/00695/FLL.

SITE HISTORY

09/01471/FLL Alterations to dwellinghouse 9 February 2010 Application Permitted

09/01473/LBC Alterations to dwellinghouse 15 March 2010 Application Permitted

13/02377/LBC Installation of 4 CCTV security cameras and warning signs (in retrospect) 19 March 2014 Application Withdrawn

13/02378/FLL Installation of 4 CCTV security cameras (in retrospect) 19 March 2014 Application Withdrawn

14/00695/FLL Installation of 4 CCTV security cameras (in retrospect)

PRE-APPLICATION CONSULTATION

None

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework 1 & 2, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Designing Places, Designing Streets, and a series of Circulars.

The Scottish Planning Policy 2010 makes specific reference to listed buildings in paragraph 113. It requires planning authorities, when determining applications for planning permission or listed building consent, to 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.

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
Section 14 & 59 of this Act requires the Council to have special regard to the desirability of preserving Listed Buildings or their settings or any features of special architectural historic interest which the building possesses.

Scottish Historic Environment Policy 2011

This document, produced by Historic Scotland provides guidance to Planning Authorities on how to deal with planning applications which affect Listed Buildings and their settings.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Policy 3: Managing TAYplan's Assets

This policy seeks to protect TAYplan's assets which includes historic buildings and townscapes.

Further to the above policy the overall vision of the Tay Plan should be noted.

The vision states *“By 2032 the TAYplan region 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 and visit and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy HE2 - Listed Buildings

There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

Policy HE3A - Conservation Areas

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of a new development within a Conservation Area, and development outwith an area that will impact upon its special qualities should be appropriate to its appearance, character and setting. Where a Conservation Area Appraisal has been undertaken the details should be used to guide the form and design of new development proposals.

CONSULTATION RESPONSES

None

REPRESENTATIONS

The following points were raised in the 1 objection received:

1) Design, visual appearance and finishing materials, 2) effects on a listed building and conservation area, 3) overshadowing/loss of outlook to the detriment of the residential amenity and 4) overlooking and loss of privacy.

The relevant issues raised above will be addressed within the body of the report. The planning related concerns will be addressed in the planning application as the same objection letter has been received for both the listed building consent application and the planning application ref. 14/00695/FLL.

Additional Statements Received:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
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

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The applicable policies of the local plan are Policy HE2: Listed buildings and Policy HE3A: Conservation Areas

The listed building policy states that there is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting.

The conservation area policy states that development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of a new development within a Conservation Area, and development out with an area that will impact upon its special qualities should be appropriate to its appearance, character and setting. Where a Conservation Area Appraisal has been undertaken the details should be used to guide the form and design of new development proposals.

Design and Layout

The proposal which is in retrospect is for 4 No CCTV cameras and 2 No warning signs. At present the warning signs are located on the façade of Springbank House which during the course of the previous application prior to withdrawal was considered an unacceptable location for the signs. This proposal includes the relocation of the signs onto the garage buildings which sit north and south of Springbank House. A condition will be written to cover the safe removal of the plastic warning signs within a limited time frame.

There is one CCTV camera sited on each elevation; 3 are positioned over the 3 separate flat entrance doors and the fourth is located on the elevation which fronts the River Tay.

The cameras are particularly small in scale, black in finish and as a result are easily 'lost' on the façade of this substantial stone built villa. The cabling associated with the cameras is also subtle and inoffensive.

Overall there is minimal impact on the buildings special character and dominant appearance.

Landscape

The entrance to Springbank House is located at a busy junction on Main Street in Bridgend, Perth and marked by tall stone built gatepiers. Set behind the gatepiers is a stone built lodge, originally built to serve Springbank House. The driveway then meanders between modern, low level, secluded development interspersed with large trees before opening out and revealing the striking principle elevation of Springbank House. The land opens up around Springbank House and falls naturally down to the River Tay.

Although located in Kinnoull Conservation Area, Springbank House has a very private, quiet feel to it. The proposal is largely absorbed by the scale of the house and its setting. As a result it has little or no impact on the character of the conservation area.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

There is no economic benefit to the proposal as it is in retrospect.

Application Processing Time

The recommendation for this application has not been made within the statutory determination period due to a number of recent complex applications with a similar determination date.

Conclusion

In conclusion, 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 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1 That within six months of the CCTV units being decommissioned, all apparatus and associated equipment shall be removed and the external fabric of the building shall be reinstated to its pre-development condition to the satisfaction of the Council as Planning Authority.

Reason - In order to safeguard the special architectural or historic character of the building.

2 The 2 No unauthorised plastic warning signs shall be removed carefully from the facade of Springbank House no later than 31 August 2014 and erected on the two garages as per approved drawing no 14/00696/1 and to the satisfaction of the Council as Planning Authority.

Reason - In order to safeguard the special architectural or historic character of the building.

Justification

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

Informatives

- 1 This is approval of your application ref no 14/00696/LBC for listed building consent only. It does not include any approval for your related planning application ref no 14/00695/FLL. The associated planning application has been refused on grounds of detrimental impact on residential amenity. Full details, including the reasons for refusal are available within the Report of Handling for application 14/00695/FLL.

Procedural Notes

- 1 This application is covered by Historic Scotland's scheme for non-notifiable listed building consent applications and is therefore not required to be ratified by Historic Scotland. The application will require to be sent to Historic Scotland within 5 days of Listed Building Consent being issued for monitoring purposes.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

14/00696/1

Date of Report 17.06.2014

PERTH AND KINROSS COUNCIL

Mr And Mrs A Stewart
Richard Allen Architectural Design
4 Striling Terrace
Clovenfords
Galashiels
TD1 3NB

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 30 June 2014

Town and Country Planning (Scotland) Acts.

Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997

Application Number **14/00696/LBC**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 17th April 2014 for listed building consent for **Installation of 4 CCTV security cameras and warning signs (in retrospect)** at Springbank House Main Street Perth subject to the undernoted conditions.

Development Quality Manager

Conditions referred to above

- 1 That within six months of the CCTV units being decommissioned, all apparatus and associated equipment shall be removed and the external fabric of the building shall be reinstated to its pre-development condition to the satisfaction of the Council as Planning Authority.

Reason - In order to safeguard the special architectural or historic character of the building.

- 2 The 2 No unauthorised plastic warning signs shall be removed carefully from the facade of Springbank House no later than 31 August 2014 and erected on the two garages as per approved drawing no 14/00696/1 and to the satisfaction of the Council as Planning Authority.

Reason - In order to safeguard the special architectural or historic character of the building.

Informatives

- 1 This is approval of your application ref no 14/00696/LBC for listed building consent only. It does not include any approval for your related planning application ref no 14/00695/FLL. The associated planning application has been refused on grounds of detrimental impact on residential amenity. Full details, including the reasons for refusal are available within the Report of Handling for application 14/00695/FLL.

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan reference

14/00696/1

14/00695/FLL

17 APR 2014

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997

The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS

ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr & Mrs	Ref No.	
Forename	Alistair	Forename	Richard
Surname	Stewart	Surname	Allen
Company Name		Company Name	Richard Allen Architectural Des
Building No./Name	Springbank House	Building No./Name	4
Address Line 1	Main Street	Address Line 1	Stirling Terrace
Address Line 2		Address Line 2	Clovenfords
Town/City	Perth	Town/City	Galashiels
Postcode	PH2 7HB	Postcode	TD1 3NB
Telephone		Telephone	01896 850520
Mobile		Mobile	07870 194639
Fax		Fax	
Email		Email	richard.allen39@btinternet.com

3. Address or Location of Proposed Development (please include postcode)

Springbank House
 Main Street
 Perth
 PH2 7HB

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Describe the Proposed Works
 Please describe accurately the work proposed:

Installation of 4 CCTV Security Cameras including 2 warning signs (retrospective)

Have the works already been started or completed Yes ☒ No ☐

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application.

Applicant was unaware that consent was required

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given? Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☐

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes ☒ No ☐

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes ☐ No ☒

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes ☐ No ☒

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

N/A

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

N/A

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes ☐ No ☒

If you have answered yes please provide details:

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes ☒ No ☐ N/A ☐

Signature:



Name:

Richard Allen

Date:

16th April 2014

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application. ☐
- (2) None of the land to which the application relates constitutes or forms part of agricultural land. ☐

Signed:



On behalf of:

MR & MRS A. STEWART

Date:

16.4.14

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than the applicant who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are: ☒

Name	Address	Date of Service of Notice
Ms S Robertson	Springbank Lodge, Main St, Perth, PH2 7HB	16th April 2014
G Mackie	1 Springbank, Main St, Perth, PH2 7HB	16th April 2014
N Thomson	2 Springbank, Main St, Perth, PH2 7HB	16th April 2014
Mr & Mrs J Morton	3 Springbank, Main St, Perth, PH2 7HB	16th April 2014

- (2) None of the land to which the application relates constitutes or forms part of agricultural land ☒

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

Name	Address	Date of Service of Notice

CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

- (1) I have _____ been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. ☐

or

- (2) I have _____ been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates. ☐

- (3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have _____ been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. ☐

or

- (5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have _____ served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

Name	Address	Date of Service of Notice

- (6) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have _____ been unable to do so.

Steps taken:

CERTIFICATE D

Certificate D is for use where the application is for mineral development.

- (1) No person other than myself _____ was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application. ☐

or

- (2) I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

- (3) None of the land to which the application relates constitutes or forms part of an agricultural holding. ☐

or

- (4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant. ☐

- (5) Notice of the application as set out below has been published and displayed by public notice ☐

Signed:

On behalf of:

Date:

CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

- (1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application. ☐

- (2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants. ☐

or

- (1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application. ☐

- (2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are: ☐

Name	Address	Date of Service of Notice

- (3) I have taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have been unable to do so. ☐

Steps taken:

--

Signed:

--

On behalf of:

Mr & Mrs A Stewart

Date:

16th April 2014

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act

TCP/11/16(320)
Planning Application 14/00695/FLL Installation of 4 CCTV security cameras (in retrospect), Springbank House, Main Street, Perth

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 47-48)*

REPORT OF HANDLING *(included in applicant's submission, see pages 39-46)*

REFERENCE DOCUMENT *(included in applicant's submission, see page 33)*

TCP/11/16(320)
Planning Application 14/00695/FLL Installation of 4 CCTV security cameras (in retrospect), Springbank House, Main Street, Perth

REPRESENTATIONS

- Comment from Mr and Mrs Stewart, received 5 May 2014
- Objection from Mr J Morton, received 14 May 2014
- Representation from Mr J Morton, received 18 September 2014
- Agent's response to representation, dated 7 October 2014

- 1 MAY 2014

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

Town and Country Planning (Scotland) Act 1997
Regulation 15 (1) of the Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013

Name [Note 1]	N Thomson
Address	2 Springbank
	Main Street
	Perth
	PH2 7HB

Proposed development at [Note 2]	Springbank House
	Main Street
	Perth, PH2 7HB

Notice is hereby given that an application is being made to

[Note 3]	Perth & Kinross	Council by	Mr & Mrs A Stewart
----------	-----------------	------------	--------------------

For planning permission to [Note 4]

Install 4 No CCTV security cameras, including 2 No warning signs (retrospective)
--

If you wish to obtain further information on the application or to make representations about the application, you should contact the Council at [Note 5]

35 Kinnoull Street, Perth, PH1 5GD

(The grant of planning permission does not affect owners' rights to retain and dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.)

Signed	
On behalf of	Mr & Mrs A Stewart
Date	16th April 2014

*Delete where appropriate

[Note 1] – Insert name and address of owner or agricultural tenants

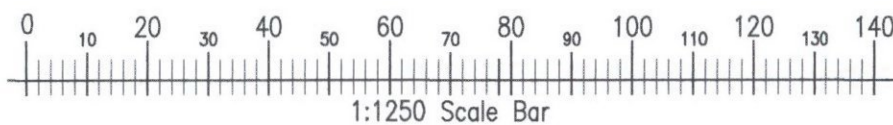
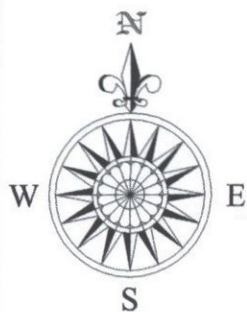
[Note 2] – Insert address or location of proposed development.

[Note 3] – Insert name of planning authority.

[Note 4] – Insert description of proposed development.

[Note 5] – Insert planning authority address.

*I have no objection to the installation
of the cameras*



Springbank House, Main Street, Perth

Location Plan

1:1250

Apr 2014

2009/10/511

Richard Allen Architectural Design

23 St Ronan's Terrace

Innerleithen

Peeblesshire

EH44 6RB

01896 830099

07870 194639

richard.allen39@btinternet.com

www.richard-allen.co.uk



16 MAY 2014

VW

FAO: Development Quality Manager

Perth & Kinross Council

Planning & Regeneration

Pullar House

35 Kinnoull Street,

Perth, PH1 5GD



Thank you for the Retrospective Planning Application re Springbank House, Main Street, Perth, PH2 7HB.

Please find my objection to Planning Application Reference 14/00696/LBC and 14/00695/Fll in retrospect for the Installation of 4 CCTV cameras and two warning signs. This appears on both applications which confuses me somewhat as it appears to indicate in the planning that the applicants wish to relocate the warning signs to areas other than the listed building, why then does application 14/00696/LBC for Listed Building Consent consist of 4 CCTV cameras & 2 warning signs if this is the case. This is my fourth objection to this Application. The first was an objection to the installation of cameras and signs without prior application for Planning & Listed Building Consent on a B listed building in a conservation area which constituted a Criminal Offence. The second & third Applications in retrospect, that I objected to were both withdrawn due apparently to erroneous information being contained in the applications.

This is the fourth objection regarding the B Listed Building, located in a private compound with four other residences in the Bridgend Area, which itself is in a Conservation Area.

My objections fall under the Perth Development Plan. 'design, visual appearance and finishing materials'. The cameras appear on all four of the elevations of the Building. Fixings to the wall are unidentified and has cabling strung all over the Building. This sight then points us to Development Plan 'Effect on Listed Building and Conservation Area', and also 'Overshadowing/loss of outlook to the detriment of residential amenity'. A previous Application for the same residence had a frontal location for a balanced flue and venting rejected as part of the overall plan. The Architectural Heritage Society of Scotland comments on this in their Ref:3, on same plan. see 09/01473/LBC

Following on to Development Plan 'Overlooking/Loss of privacy'. In this instance you will appreciate that all ground outwith the curtilage of the five residences in the Compound is common property. These cameras have a substantial viewing distance that can encompass 90% of the commonly owned area, together with an audio capability this compromises if not violates a privacy aspect of the use of the ground and garden which has the unusual situation of being commonly owned, allowing all owners now and in the future to partake of the ability to stroll the grounds and garden without concern that they are capable of being under surveillance both in the visual and audio spectrums.

Acceptance of this could set an unusual precedent in other similar situations creating something that could not be rescinded. It would appear that taking all together the implementation of the Planning Application would also not meet the stated aims of the Conservation Area Plan with regard to Listed Buildings, particularly in the Bridgend area where the flow of Listed Buildings from the Perth Bridge along the Tay ending with Springbank House is of considerable Historical consequence, again concurring with the statement in the Architectural Heritage Society's comments.

It should be noted that the Kinnoull Conservation Area Appraisal along with the Perth and Kinross Council (Restriction of Permitted Development (Kinnoull) Direction 2010 point out that all effort should be made to Preserve and Enhance.

It should again be noted that the original installation constituted a criminal offence as no planning

permission was sought. The subsequent retrospect application 13/02378/FLL showing that no person other than the applicant was sole owner of the land was erroneous (see Land certificate A.). The drawing 2009/10/504/A for 13/02378/FLL shows only Springbank House marked as owned by applicant. All land overlooked by cameras is commonly owned. Application subsequently withdrawn.

Another application was made again in retrospect i.e. 13/02377/LBC. The location plan shows the entire compound marked as applicants land compounded by the map showing the entire area hatched which to my understanding in conversations with planning indicates ownership of land. This again is not the case. Application subsequently withdrawn.

This Fourth Application should be rejected based on the foregoing and the variance with established Planning & Listed Building Consent. That as of this moment in time and with vision for the future, Consent should be denied.

Yours/~~Sincerely~~

John ~~Morton~~

3 Springbank
Main Street
Perth
PH2 7HQ

FAO : Perth and Kinross Local Review Body

2 High Street

Perth. PH1 5PH.

Your Ref: TCP/11/16 (320)

From : J.Morton

3 Springbank

Isla road

Perth.

Sirs,



Thank you for the opportunity to make further comments with reference to planning consent refusal for 14/00695/FLL . I have no additional comments to make re my objection or the decision. I would however like to make a number of observations on the Supporting Statement to Notice of Review by the Appellants for 14/00695/FLL.

Please see 2.6 of guidance notes for Perth and Kinross Local Review Body which would appear to indicate that new material would not be permitted unless it was demonstrated that it could not have been introduced earlier. I see nothing in the Supporting Statement that could not have been introduced earlier.

Item 1.6 Supporting Statement.

It is not the cameras that are in question it is the intrusion into the privacy and amenity of this Walled private area, already in a Conservation Area. As in your colleague's assessment of refusal this "undoubtedly impacts on the residential amenity." In case it may have been overlooked, the Garden & Grounds are in common ownership, a fact that your colleague was made aware of after an earlier application claimed ownership of all Gardens & Grounds and no doubt took into consideration in the decision.

Item 4.15 Supporting Statement.

(Genuine Security Concerns)

This item gives me cause for concern, as far as I can ascertain none of the other residents in the complex are aware of this situation. I most certainly was not. As the Appellants son is concerned for his aged parents this I can understand . My wife & I are 77 and 75 years respectively and I know one other occupant who is 92 years of age. Other than Springbank House I know of no other residents that have these feelings. Should then this matter not be directed to the Police if it is of ongoing concern. Something that is much more in their area of expertise and I myself would much happier if the Police were called on these occasions. However changing the refusal will only further remove this area from what your colleague moved against in the assessment of the refusal that is the privacy & amenity concern. See also Council decision Your Ref (MD200 SR/MB) Miss S.Douglas.

Please note also the original application (retrospectively) 13/02378/FLL dated the 22/12/2013 shows date of completion of installation as September 2013. It has taken all this time to ascertain the crime wave in this area? with no camera documentation to support "break-ins, support car damage, support stolen items , harassment, cameras that

do not exist''. Let the Police do their Job. The cameras on Springbank House are obviously not capable of documenting what the appellants are complaining about after a year in place and nothing to support their statements.

Supporting Statement.

There are no other cameras in Springbank to my knowledge. The appellant refers to a panning camera at my residence 3 Springbank. This is a movement sensor that switches on my outside lights. This was in place prior to my moving here. The point camera was a dummy camera suggested by the police when No 1 Springbank and the Lodge were having problems re animals & parking, a by product of this being "(the police vehicles seen on driveway)." The dummy camera was removed when the occupant of 1 Springbank sold and moved. There was no camera on his premises that I ever noticed before or after he sold his property.

There is constant reference to cameras significantly improving the residential amenity for the occupants of Springbank House including the Appellants and the Holiday let guests. What about improving the amenity of the entire compound as achieved by the refusal decision. Please note this Walled Garden and Grounds are here for all the private residents not just for Springbank House and perhaps some guests alone.

The shared Garden & Grounds amounts to approximately 70% of the Springbank Compound. The other residences approximately 22%. Springbank House takes up about 8%. The cameras have a night vision range of 65 ft, and audio capabilities and can cover 50% of the Total Compound area. What now for the greater good?.

I am not aware of a neighbours cars having both headlights ripped out. I am aware however of the police investigation and on being informed of this they indicated to me that in reality one of the wipers on a headlight of a neighbours car had apparently fallen off and they had replaced it. "Headlights Ripped Out"!!! I am not aware of items being stolen from the grounds or of a neighbours property having been broken into. I assume the Appellant can support these statements. I spoke with the police and they could not confirm to me of any break-ins in the neighbourhood. It does appear that the Appellant wishes to portray this area as a crime ridden area and in the worst possible light. This of course is not supported by actuarial statistics. This is in actuality one of the lowest crime areas in Perth, supported by various Insurance statistics. Perhaps the Appellant can also clarify the claim of harassment. I enclose Photographs that depict what I consider harassment showing before and after.

In conclusion let me say in my opinion that the "Supporting Statement to Notice of Review" based on Local Development Plan RD1 and PM1 and other Material Considerations does not appear to have any relevance or connection with RD1 or PM1.

The Appellant does appear to have a habit of overstating things as in his 4 applications 3 withdrawals with subsequent refusal re: 14/00695/FLL.

Thank you J.Morton

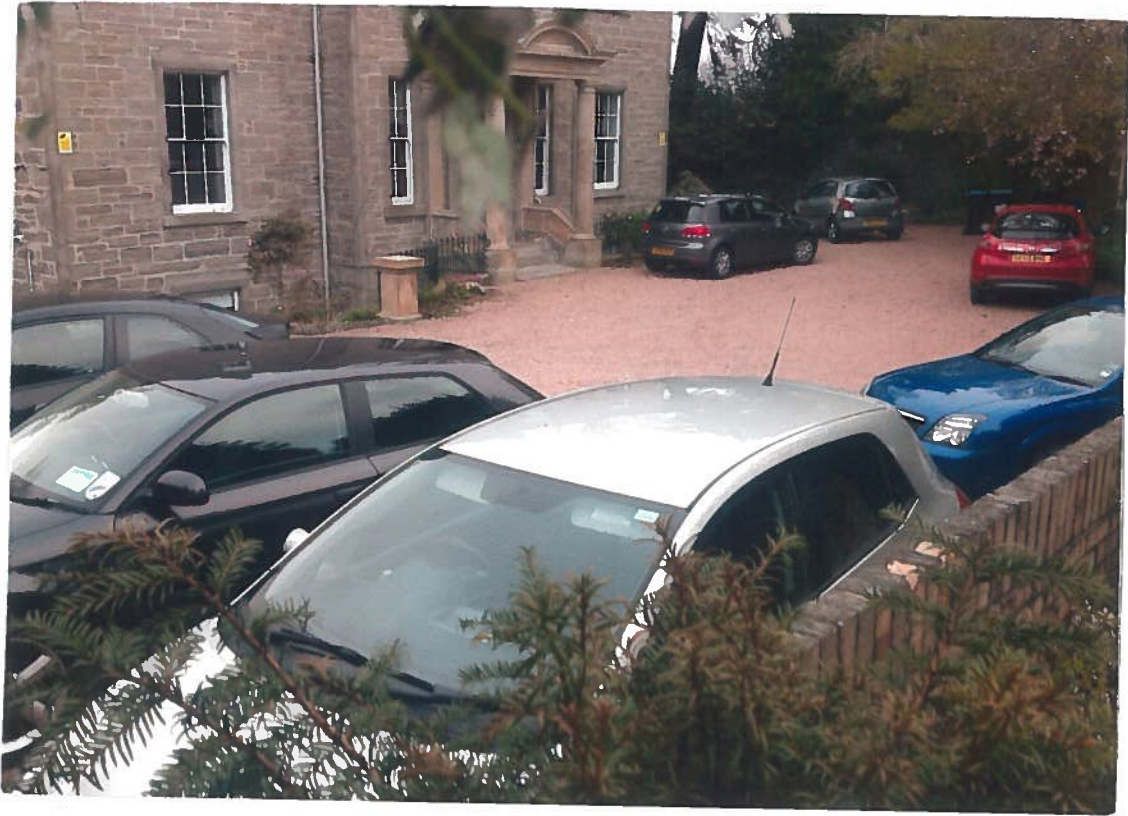


AS IT SHOULD BE

NO HARASSMENT?



1
SAME TIME SAME PLACE
HARASSMENT?



2 SAME TIME SAME PLACE
HARASSMENT?

7th October, 2014

Gillian A Taylor
Clerk to Local Review Body
Perth & Kinross Council
2 High Street
PERTH
PH1 5HP *By email to Planninglrpb@pkc.gov.uk only*

Dear Ms Taylor

**TCP (11/16 (320) SPRINGBANK HOUSE, MAIN STREET, PERTH
14/00695/FLL LOCAL REVIEW - RESPONSE TO REPRESENTATION**

I refer to your letter of 29th September, 2014, together with attached representation. The Appellant's son, on behalf of the Appellants, wishes to make the following points:

1. The case has been set out clearly in the original submission and it is not necessary to repeat the points made. This representation does not alter the Appellants' views on the points already set out.
2. The Appellants suggest that the tone of this representation is indicative of the tensions within the development.
3. The issue of 'matters before the Appointed Officer' is dealt with in section 1.7 – 1.9 of the Supporting Statement to Notice of Review.
4. The presence of camera(s) in the development, dummy or otherwise, indicates security concerns. The fact that police have attended the development is clear demonstration of the reality of tensions/ security concerns.
5. The Appellant's son confirms he approached other owners in the development prior to the cameras' installation and that none objected or had issue with their erection, rather they received the proposal positively.

I look forward to receiving confirmation of the date of the Local Review body meeting.

Yours sincerely,

Kate Jenkins

Kate Jenkins
MRTPI MRICS

