PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	1st July 2025
DEVELOPMENT:	Installation of 2no. PTZ (pan, tilt, zoom) cameras.
SITE:	Car Park, Jengers Mead, Billingshurst, West Sussex
WARD:	Billingshurst
APPLICATION:	DC/25/0367
APPLICANT:	**Name:** Jengers Mead Car Park Holdings Ltd **Address:** Jengers Mead Car Park, Billingshurst, RH14 9PB

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

By request of Councillors Trollope and Bateman

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 This application seeks planning permission for the installation of two Pan, Tilt, Zoom cameras at Jengers Mead Car Park. These would be located on 5 metre high black powder coated steel poles with the camera on the top. The first would be located at the southern end of 'Atlantic House' adjacent to a blank three storey wall with no windows. The second would be installed adjacent to 3 Jengers Mead to the rear of the existing footway, adjacent to a blank three storey section of wall.

1.2 The cameras are required to support car park management and crime prevention within the established retail and commercial area. The positions have been designed to enable full coverage of the Jengers Mead parade, enhance the existing parking enforcement, and make management of parking and freehold land safer and more efficient.

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DESCRIPTION OF THE SITE

1.3 Jengers Mead Car Park is located within Billingshurst and is a 1970s shopping centre accessed from the High Street comprising ground floor commercial units with residential above, centred around a central parking courtyard. The site is part of the Billingshurst Conservation Area. The site is privately owned and managed.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Billingshurst Neighbourhood Plan (2021):
BILL1: Billingshurst Built-Up Area Boundary

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 9: Water Neutrality
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 23: Infrastructure Provision
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

3.2 **HDC Conservation:** No Objection
The proposed cameras and posts will not be conspicuous within significant areas of the conservation area. I am satisfied the proposal will not affect the character of the conservation area.

OUTSIDE AGENCIES

3.3 **Sussex Police- Designing Out Crime Officer:** Comment

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.

This planning application is seeking permission for the installation of 2no. PTZ Cameras. As indicated within the accompanying planning statement the cameras are required to support car park management and crime prevention within the established retail and commercial area.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments:

From a crime prevention perspective when considering any potential CCTV system, the equipment must be commensurate with the lighting conditions.

Lighting is an effective security measure and a useful tool for public reassurance in that it enables people to see at night that they are safe or to assess a developing threat and if necessary, identify a route they could take to avoid a potential issue. Recent events that have made national news and become the focus of concern over safety in public places means that there is merit in recognising the enormous value people place on being able to move around in public places at night under high quality lighting systems. Where lighting is implemented, it should conform to the recommendations within BS5489-1:2020.

Additionally, any trees or hedges adjacent to CCTV cameras or within the field of view being covered must be controlled to ensure that public security is not compromised.

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

Additional comment (11.06.25):

Although video surveillance systems (VSS) are not a solution to all security problems it can help deter criminals and assist with the identification of offenders after a crime has been committed. CCTV cameras and the use thereof will always undoubtedly cause consternation with some loving them and others hating them.

As indicated within the applicant's statement they will adhere to privacy and blocking out areas within the vision of CCTV camera to ensure that personal privacy is not invaded.

Blocking out areas on a CCTV cameras view is common practice and the applicant may want to consider (if this application is granted) allowing the planning authority access to the CCTV monitoring centre when 'live' so that the local community can be reassured via that medium.

PUBLIC CONSULTATIONS

3.4 Representations:
38 letters of Objection have been received from 35 addresses, objecting to the application on the following grounds:

- Privacy concerns (particularly in private gym and residential gardens)
- Intrusive type of cameras
- Disproportionate surveillance
- Concern cameras will have views into businesses/ residential
- Impact on local businesses from parking controls and charges
- Unclear on purpose
- Concern over increased parking charges
- Impact on amenity from being watched
- Impact on Conservation Area

3.5 Parish Comments:
Billingshurst Parish Council: Objection

At the Planning and Environment committee meeting of 6th May 2025, the committee resolved to an objection to this application based upon the letters of representation from residents and the verbal representation given at the meeting. Matters included intrusion of privacy, lack of information as to the purpose of the cameras and the regulation of their use, lack of consultation with residents and businesses, and the need for them to be of a Pan-Tilt-Zoom nature, rather than fixed position.

3.6 Member Comments:
Cllr Bateman has raised an Objection on the grounds that:

- this is a residential area and the use of such cameras potentially compromises the right of residents to privacy;
- this area is within a retail hub and acts as public space; and
- cameras such as these should not be introduced without the consent of the wider Billingshurst community.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 The purpose of the application is to assist in ensuring the car park and shopping area is a safe environment free from crime or the perception of crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

6.1 Policy 33 of the HDPF relates to development principles and states that proposals should (where appropriate) incorporate measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and surrounding area. Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which (amongst others) are safe and accessible, so that crime and disorder, and fear of crime, do not undermine the quality of life or community cohesion.

6.2 The application relates to the provision of two, five metre high poles and CCTV cameras to cover Jengers Mead Car Park. The proposal would principally serve as a parking management and enforcement tool, whilst also helping to reduce actual or perceived opportunities for crime or anti-social behaviour.

6.3 The applicant has explained that '*the contractor responsible for managing parking and enforcement on site has advised that incidents of anti-social behaviour and, on occasion, abusive behaviour have occurred. These incidents have made enforcement operatives feel unsafe and have impacted their ability to carry out their duties effectively. The Managing Director of the Parking Management company has also been abused on site and advised that over the management period some incidents have been reported to the police…. The installation of improved surveillance is intended to deter such behaviour and ensure a safer working environment for those managing and maintaining the site*.' As such there is a reasoned justification for the installation of CCTV cameras at the site. The principle of development is therefore considered acceptable, subject to material considerations detailed below.

Design and Appearance:

6.4 The application relates to the installation of two standard 5 metre high black powder coated steel poles with the camera on the top. The first would be located at the southern end of 'Atlantic House' adjacent to the blank three storey wall with no windows. The second would be installed adjacent to 3 Jengers Mead to the rear of the existing footway, adjacent to a blank three storey section of wall.

6.5 The proposal is considered to be acceptable and the design of the installations are appropriate in this context. The cameras will sit against a backdrop of taller buildings and will not appear overly prominent. The cameras will be intentionally clearly visible from within the site to help in the reduction of actual crime and fear of crime, and to help in car park management and enforcement.

Residential Amenity:

6.6 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

6.7 Concern has been raised by local residents and businesses relating to privacy and the installed cameras being able to view inside of private businesses/ properties/ gardens.

6.8 The operators have confirmed that they will be using a surveillance method called 'Static Masking'. When cameras are set up, the supplier will install privacy masks which are dark coloured shapes that cover sensitive areas such as windows and doors. The cameras know where these are as they are mapped internally in three dimensions so no matter where any operator Pan, Tilts or Zooms the camera, they cannot see things they are not supposed to.

6.9 The cameras will primarily be focused on the land owned and managed by Jengers Mead Car Park Holdings Ltd and areas outside of this will be masked and this cannot be undone without password authentication by the administrator of the system. This is common practice for operation of CCTV cameras. The cameras will be positioned to monitor the site's car park and commercial frontages only, with permanent privacy zones applied. The operators have stated that they would be agreeable to a condition being imposed to the effect that the areas of static privacy masking shall be agreed prior to first use of the cameras.

6.10 Privacy concerns related to CCTV type cameras are typically handled under data protection laws (such as the UK GDPR and the Data Protection Act 2018). Further to comply with data protection laws, the data controllers' details will be displayed on signs and this is a legal requirement.

6.11 The existing camera CCTV is run by the management company on behalf of the wider precinct. The applicant has advised that the proposed cameras will enable the applicant to prioritise the safety, security and management of the car parking areas and other freehold areas. They have also advised that in the past few years there has been increased anti-social behaviour towards the parking contractors' staff who manage the applicants land, and the cameras will support safer management.

6.12 The application does not propose any new lighting. The PTZ cameras will operate using existing lighting infrastructure, which has been in place to safely serve the car park and commercial premises. The cameras are passive and do not emit any light themselves. Therefore, there will be no impact on lighting levels or any additional light spill as a result of this proposal. It is agreed that good lighting contributes to public safety and reassurance. However, as there is no change proposed to the site's lighting, the application remains neutral in this regard and fully compatible with existing conditions.

6.13 Concern has also been raised by members of the public in relation to the ongoing management of the car park and increased parking fees. This is outside of the planning system and planning permission is not required to increase or reduce parking fees or to amend the way fees are charged. It is noted that parking enforcement is already in place at the site and the cameras will help with this as well as monitoring anti-social behaviour.

6.14 Whilst it is acknowledged that there will be some impact on adjoining neighbours from the perceived overlooking, Officers are confident that there will be no actual overlooking given the details provided in relation to the operation of the cameras, and the benefit to the private car park of effective and fair enforcement is considered to outweigh the limited planning harm.

Other matters

6.15 It is noted from the site visit that there are existing CCTV cameras on one of the buildings very near to where one of the pole-mounted cameras is proposed. It is understood that this CCTV unit is managed separately. The applicants have stated that this existing CCTV system does not cover all parts of the car park and they do not have access to control of this system or to its footage.

6.16 This application relates to the installation of two cameras on poles only and does not have any bearing on parking charges being increased or reduced. These can be amended without planning permission as this is a privately managed car park.

Conclusion:

6.17 The provision of CCTV at this site to enforce the parking provision and help deter criminal activity and monitor anti-social behaviour is considered a reasonable and acceptable proposal and the application is recommended for approval.

7. RECOMMENDATIONS

7.1 To grant planning permission subject to conditions below.

Conditions:

1. Approved plans list

2. **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre- Occupation Condition**: Prior to first use of the installed cameras, the operators shall submit details of the areas of static privacy masking to be blocked from view to be agreed in writing by the Local Planning Authority. The privacy masks shall be installed in accordance with the approved details and shall be maintained as such thereafter.

   Reason: In the interests of community safety and the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).