West Lothian Council

DEVELOPMENT MANAGEMENT COMMITTEE

Report by Development Management Manager

1 DESCRIPTION AND LOCATION

Installation of a webcam (in retrospect) at Manse Road Canal Basin, Manse Road, Linlithgow.

2 DETAILS

Reference no.	0765/FUL/09	**Owner of site**	British Waterways Scotland
Applicant	West Lothian Council	**Ward & local members**	**Linlithgow** T Conn M Day T Kerr
Case officer	Steven McLaren	**Contact details**	01506 775215 steve.mclaren@westlothian.gov.uk

Reason for referral to Development Management Committee: Application is made by West Lothian Council

3 RECOMMENDATION

Grant planning permission

4 DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1 A tourism webcam has been erected without the benefit of planning permission by the tourism lead group Pride and Passion Linlithgow. West Lothian Council is however taking over the control and operation of the camera. The site lies within the Upper Linlithgow and Union Canal Conservation Area while the camera housing is supported on an existing pole, which supports floodlighting, and is attached to a timber shed within the canal basin site.

4.2 The camera provides eight views of the canal basin, moored boats and surrounding area, these views can be selected by users online. The camera is operated by the group, Pride and Passion Linlithgow, the images can be viewed at www.linlithgow.com/webcam_canal.htm.

4.3 There have been no previous applications on this site relevant to this application.

5 PLANNING POLICY ASSESSMENT

Plan	Policy	Assessment	Conform?
Edinburgh and the Lothian Structure Plan (ELSP)	ENV1D (Regional and local natural and built environment interests)	Developments affecting regional or local areas of natural heritage and built environmental interest, or their setting, will only be permitted where it can be demonstrated that the overall integrity of the designated area will not be compromised. The webcam is attached to existing infrastructure and is a small inclusion to the setting of the canal basin.	Yes
West Lothian Local Plan (WLLP)	HER17 (Conservation areas)	The status of designated conservation areas will be upheld and publicised. It is desirable to preserve or enhance the character and appearance of an area. The webcam is designed to promote the Linlithgow area and is a small inclusion within the general group of the buildings within the canal basin.	Yes
WLLP	HER19 (Conservation areas)	Works affecting a conservation area must contribute to the preservation or enhancement of the character and appearance of the area and will require appropriate high standard of design, material, siting and implementation. Although the camera and housing is 21st century technology within the conservation area, is has been sensitively mounted on existing infrastructure and does not detract from the setting of the conservation area.	Yes

Also of relevance is Historic Scotland's policy document 'Scottish Historic Environment Policy, July 2009' which states that 'the protection of the historic environment is not about preventing change'.

6 REPRESENTATIONS

One letter of representation has been received from a prospective purchaser of a house to the rear of the site and one letter of support from another Linlithgow resident. The comments submitted are summarised below; the full letters are attached to this report.

	Comments	Response
1.	There are residential properties to the rear of the canal basin with the private garden ground adjacent to the site. Concern has been raised about the mechanism to prevent the camera viewing out with the programmed field of view and intrude on private garden ground.	The operator has advised that there are two separate electronic controls over the movement of the camera but there is no mechanical restriction over the rotation of the camera. The operator has advised that if the camera were to malfunction and view the properties behind, the camera can be

		switched off within 24 hours. A condition can be applied to have the camera bowl masked to prevent any overlooking of the properties to the rear, in the event of a malfunction.
2.	The application should be supported; it will show off one of Linlithgow's visitor attractions to potential visitors with good effect and will help to promote the town as a visitor destination. The camera is not visually intrusive. The privacy of neighbours has been respected.	Noted

7 CONSULTATIONS

No consultations were carried out for this application.

8 ASSESSMENT

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Development Plan: Edinburgh and the Lothians Structure Plan

8.2 Policy ENV1D supports development where regional or local areas of natural heritage and built environmental interest, or their setting, are not adversely affected by the proposed development, such as in this case.

West Lothian Local Plan

8.3 Policies HER17 and HER19 look to restrict developments which have a negative impact on conservation areas. The webcam, as installed, does not have an adverse impact of the character of the area.

Other Material Considerations

8.4 Scottish Historic Environment Policy (SHEP), July 2009, is a material consideration. SHEP supports development within an historic setting and advises that 'change in this dynamic environment should be managed intelligently and with understanding', as this has been.

9 CONCLUSION AND RECOMMENDATION

9.1 Although the webcam has been installed, without the benefit of planning permission, and the images made available on the internet, the size, design and location of the camera

housing within the setting of the canal basin is not obtrusive and does not detract from the setting of the area.

9.2 It is recommended that permission be granted retrospectively for the webcam, subject to conditions safeguarding the privacy of neighbouring residential properties.

11 ATTACHMENTS

- Location plan
- Photograph of camera in situ
- Letters of representation

CHRIS NORMAN
Development Management Manager **Date**: 18 November 2009