



Appeal Decision

Site visit made on 24 June 2025

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 JUNE 2025

Appeal Ref: APP/T2350/C/24/3337005

Land at 9 Old Road, Chatburn, Clitheroe, BB7 4AB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by Mr David Parkinson against an enforcement notice issued by Ribbles Valley Borough Council.
 - The notice was issued on 10 January 2024.
 - The breach of planning control as alleged in the notice is the installation of a closed-circuit television camera on the western elevation.
 - The requirements of the notice are to remove the CCTV camera and its associated brackets and housings from the western elevation of 9 Old Road, Chatburn, Clitheroe, BB7 4AB.
 - The period for compliance with the requirement is eight weeks.
 - The appeal is proceeding on the ground set out in section 174(2)(c) of the Town and Country Planning Act 1990 (as amended).
-

Decision

1. The appeal is dismissed, and the enforcement notice is upheld.

Reasons

2. The appeal made on ground (c) is that the matter alleged does not constitute a breach of planning control.
3. The closed-circuit television (CCTV) camera has been erected to the side of the detached dwellinghouse on a projecting bracket and just under the apex of the roof. While the CCTV camera does appear to be within the curtilage of the dwellinghouse, it is nevertheless positioned very close to a field. Owing to its overall size, position and projection from the side wall of the house (i.e., on a bracket), it is conspicuous within the street-scene.
4. Class F of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) states that CCTV cameras are permitted development if the limitations and conditions in F.1 and F.2 of Class F are met.
5. The point of dispute between the main parties relates to whether the CCTV camera meets the condition in F.2(a) of Class F. This states that such development is permitted subject to the condition that *'the camera is, so far as practicable, sited so as to minimise its effect on the external appearance of the building on which it is situated'*. The appellant asserts that the projection from the house is necessary to allow surveillance of the full length of the garden, front and rear, and states that the camera is sited in the only practicable position to allow for surveillance of the whole edge of the garden and the field.

6. The appellant has not provided any technical/objective evidence to support the contention that the camera must be in its location and, in particular, on such a projecting bracket, to ensure surveillance of his property and land. It is noteworthy that the camera was installed by a 'local installer' and hence it may have been possible for the appellant to have supplemented his evidence with professional and technical evidence from such a local installer.
7. Moreover, the appellant states that the camera has been positioned in such a way on the dwellinghouse as it also allows for surveillance of the field. He says that such surveillance is needed as an unauthorised stile or wooden steps have been installed from Old Road into the field and as he has concerns about the security of his property/land from those that may enter the field using this stile or wooden steps. He refers to individuals previously '*gathering close to my house selling and taking drugs*'. It is understood that the field has planning permission for a dwellinghouse and that it is in separate ownership.
8. While it may be theoretically possible for people to enter the appellant's land via the field, there is no technical evidence before me to indicate why the camera could not be positioned more discreetly on the dwellinghouse (and without the same projecting bracket) while at the same time ensuring appropriate surveillance of the land falling within the curtilage (including its boundary) of 9 Old Road. It is not clear why the field at large needs CCTV camera surveillance as distinct from simply the boundary and curtilage of 9 Old Road.
9. Put another way, the appellant's evidence does not persuade me that it is imperative that the field itself needs to be the subject of camera surveillance. Therefore, the evidence is not sufficiently precise or clear to demonstrate why it would not be practicable to site the camera in a way where it does not project so far from the edge of the dwellinghouse, thereby minimising its impact on the external appearance of the building, while at the same time ensuring that the security of the land/property at 9 Old Road is suitably achieved from a surveillance point of view.
10. For the above reasons, I cannot therefore conclude that the CCTV camera is permitted development. It fails to accord with the condition laid out in F.2(a) of Class F of Part 2 of Schedule 2 of the GPDO and hence constitutes a breach of planning control. In reaching this conclusion, I note that there are some supportive comments from third parties, some of which refer to the proximity of the field to the appeal site, and to the camera being on the side and not the front of the dwellinghouse. However, these comments do not alter or overcome my finding that based on the evidence that is before me, I am unable to conclude that the CCTV camera is permitted development. Therefore, the ground (c) appeal fails.

Conclusion

11. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

D Hartley

INSPECTOR