

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 03 DECEMBER 2004

**04/0956/FL: PROPOSED INSTALLATION OF ONE METRE DIAMETER
SATELLITE ANTENNA WALL MOUNTED ON REAR ELEVATION AT 31
LOUDOUN STREET, MAUCHLINE**

APPLICATION BY SATELLITE INFORMATION SERVICES LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the installation of a satellite dish on the rear elevation of the building. The satellite dish measures one metre in diameter and would be positioned centrally on the wall below and offset from an existing window.

2. RECOMMENDATION

2.1 **It is recommended that the application be approved subject to the conditions listed on the attached sheet.**

3. SUMMARY OF ANALYSIS

3.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these do not indicate the application should be refused.

3.2 The satellite dish would be positioned behind an existing two storey extension to the rear of the property and would therefore be well screened from the public road at the Cowgate. Albeit it would be visible from Horwood Place it is not considered that it would be visually intrusive on the existing built environment.

3.3 The character of the Outstanding Conservation Area primarily takes its form from the street frontage of the built environment. The current proposal will

therefore not impact on this and for this reason it is not considered to have a detrimental impact on the character.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not require to be referred to the Development Services Committee because it would not represent a significant departure from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation, due to it having attracted a letter of objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is a two storey traditional sandstone building with a dual pitched slated roof and set within the Outstanding Conservation Area of the settlement of Mauchline. Situated within the central area there are a variety of uses in the vicinity. The building at present is a vacant unit and was formerly occupied by a storage warehouse for a sports shop.

2.2 Other retail and commercial premises adjoin the site and to the rear is Horwood Place which is predominantly residential properties. A vehicular access accesses the site from Loudoun Street and via the Cowgate which is also residential properties in the main.

2.3 **Proposed Development:** Full planning permission is sought for the installation of a satellite dish on the rear elevation of the building. The satellite dish measures one metre in diameter and would be positioned centrally on the wall below and offset from an existing window.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Architectural Heritage Society of Scotland has advised that the central positioning of the wall mounted antenna can result in its being unnecessarily visually intrusive. If it were placed clear to the guttering and downpipes it would

merge to some extent with existing services. It could be even less intrusive sited in the jamb of the extension also at gutter level.

It is considered that given the limitations of repositioning the proposed satellite dish, the position proposed is acceptable.

3.2 Mauchline Community Council has been consulted but no response has been received at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 The application has attracted a letter of objection from a third party and the points of objection can be summarised as follows:

4.2 Further to my letter dated 09 July 2004 where I noted my displeasure in a bookmakers on that site, I therefore refuse any application regarding satellite dishes on that property.

Whilst the writer has opposed the satellite dish they have not stated on what grounds they are objecting. Therefore this objection has minimal weight in the determination of the application.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained within the Structure Plan which are especially relevant to the determination of this application.

East Ayrshire Local Plan

5.3 Policy ENV4 of the Local Plan states that the Council will seek to ensure that all development within or affecting the setting of a Conservation Area is sympathetic to the area concerned in terms of its layout, size, scale, design, siting, materials and colour of finish.

It is proposed to position the satellite dish behind a two storey extension on the rear elevation of the building in the Conservation Area. It is considered that its position on the rear of the building will not have an adverse affect on the setting of the Conservation Area and hence the proposal does comply with Policy ENV4.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, the third party representation and planning history of the site.

Consultations Responses

6.2 Albeit the Architectural Heritage Society of Scotland (AHSS) has suggested an alternative position to that proposed they have not objected to the proposal and therefore this would not indicate the application should be refused.

Representations

6.3 The letter of objection which has been received does not state any grounds of objection and therefore is of little weight in the determination of the application.

Planning History

6.4 The building on which the satellite dish has been proposed has recently been the subject of an application for the change of use of the former storage warehouse to a licensed betting office (Ref: 04/0744/FL approved by the Southern Local Planning Committee on 08 October 2004).

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material

considerations relevant to this application, however it is considered that these do not indicate the application should be refused.

8.2 The satellite dish would be positioned behind an existing two storey extension to the rear of the property and would therefore be well screened from the public road at the Cowgate. Albeit it would be visible from Horwood Place it is not considered that it would be visually intrusive on the existing built environment.

8.3 The character of the Outstanding Conservation Area primarily takes its form from the street frontage of the built environment. The current proposal will therefore not impact on this and for this reason it is not considered to have a detrimental impact on the character.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not require to be referred to the Development Services Committee because it would not represent a significant departure from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

19 November 2004
NM/NM/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/0956/FL

Location	Coral Racing 31 Loudoun Street MAUCHLINE KA5 5BE
Nature of Proposal:	Proposed installation of one metre diameter satellite antenna wall mounted on rear elevation
Name and Address of Applicant:	Satellite Information Services Ltd Satellite House 17 Corsham Street LONDON N1 6DR
Name and Address of Agent	D J Design Ltd The Map House Smokers Hole Saxlingham NORFOLK NR25 1JU

DPO's Ref: Nicola Monroe
PPO's Ref: Hugh Melvin

The above **FULL** application should be granted subject to the following conditions:-

1. Within two months of the development hereby approved becoming disused the satellite dish and associated fixings shall be completely removed from the building and the rear elevation of the building restored to its former condition to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity.

2. The satellite dish hereby approved shall be attached to the building using non ferrous fixings to prevent discolouring of the stonework to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

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