

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 13 JUNE 2003

**03/0059/FL: PROPOSED ADDITION OF SATELLITE DISH TO REAR OF
PROPERTY AND**

**03/0180/LB: PROPOSED ALTERATIONS TO EXISTING BUILDING
(INSTALLATION OF SATELLITE DISH)
AT 24-28 HIGH STREET, NEWMILNS**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the addition of a satellite dish to the rear of the property. The dish will be fixed to the side of a stair and be kept low below the pitch line.

Listed Building Consent is also sought for these alterations to the existing building, (Installation of Satellite Dish).

2. RECOMMENDATION

1.2 It is recommended that the application for Listed Building Consent and that for Full Planning Permission be approved subject to the conditions listed on the attached sheets.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the planning and listed building applications have been assessed in terms of Policy ENV 4 of the Adopted East Ayrshire Local Plan and have been found to be acceptable against the relevant criteria. The material considerations against which the applications were assessed generally support the applications. The submitted letter of objection is noted but is not in itself of sufficient weight to justify an unfavourable recommendation.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Building Control, the applications

will not require to be referred to the Development Services Committee as this would not constitute a significant departure from policy.

Alan Neish
Head of Planning and Building Control

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 and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application and a Listed Building application which are to be considered by the Local Planning Committee under the scheme of delegation as the planning application is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a 'C' Listed two storey traditional building located centrally within Newmilns. The site is within Main Street Newmilns Outstanding Conservation Area. The site is surrounded by residential and commercial developments and has a frontage directly onto High Street.

2.2 **Proposed Development:** Full planning consent is sought for the addition of a satellite dish to the rear of the property. The dish will be fixed to the side of a stair and be kept low below the pitch line.

Listed Building Consent is also sought for these alterations to the existing building, (Installation of Satellite Dish).

3. CONSULTATIONS AND ISSUES RAISED

3.1 Newmilns and Greenholm Community Council have not responded to their consultation at the time of writing this report.

Noted.

3.2 Historic Scotland has no comments to make on this proposal.

Noted.

4. REPRESENTATIONS

One letter of objection has been submitted in respect of the full planning application for the proposed development and the grounds of objection are as follows:-

4.1 To allow the erection of satellite dishes would diminish not only the buildings themselves but the whole area. Millions of pounds have been, and are being spent, to retain the original look of the centre of the town and modern eyesores have no place in the scheme of improving and reinstating old buildings. When the Planning Department and Building Control are rightfully very strict about all other additions and erections in the town it would seem detrimental to all the hard work that has already taken place to allow these satellite dishes to be erected.

It is considered that the proposed erection of a satellite dish in this location would not diminish the character or appearance of the buildings or the surrounding area. The satellite dish is situated to the rear of the property fixed to the side of an external stair and is kept low below the pitch line. The dish will only be visible from the rear of the property within parking and access areas and is in compliance with the Council's design guidance as the dish is located in a position minimising the effect on the appearance of the building.

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 and applications for Listed Building Consent be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of these applications the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan.

5.2 The relevant policy in the Adopted East Ayrshire Local Plan against which the proposal requires to be assessed is Policy ENV 4.

5.3 Policy ENV 4 refers to the Council's aim to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned

and has due regard to the architectural and historic qualities of the area or building concerned.

The application has been assessed and found to be acceptable against the relevant criteria. The satellite dish is situated to the rear of the property. The dish will be fixed to the side of an external stair below the pitch line and will only be visible from the rear of the property. This is consistent with the Council's design guidance as the dish is located in a position which minimises the effect on the appearance of the building.

5.4 The relevant policy in the Approved Ayrshire Joint Structure Plan which the proposal requires to be assessed is Policy E20.

5.5 Policy E20 refers to the aim that development proposals considered to have an adverse effect on listed buildings shall not conform to policy. The application has been assessed and found to be acceptable against the relevant criteria set out in Policy E20.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The material considerations relevant to the determination of these applications are the consultations, representations, the Memorandum of Guidance, the impact of the proposal on the amenity of the area and listed building and immediate neighbours.

Consultations

6.2 The consultation responses received offer no objection to the proposed development.

Representations

6.3 The issues raised by the objector have been assessed and are considered to be of insufficient weight to justify the refusal of the applications in this case due to the inconspicuous location of the satellite dish and its position which minimises the effect on the appearance of the building and the Conservation Area.

Impact on the Amenity of the Area

6.4 The placement of the satellite dish is such that it is considered that the proposal can be accommodated as detailed with no detriment to the area or the listed building.

Memorandum of Guidance on Listed Buildings and Conservation Areas

6.5 The memorandum of Guidance states that dishes should only be installed where it is possible to do so without affecting in any way the principal elevations of the building. The dish is situated in such a way that it is relatively inconspicuous and does not affect the character of the building.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining these applications.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the planning and listed building applications have been assessed in terms of Policy ENV 4 of the Adopted East Ayrshire Local Plan and have been found to be acceptable against the relevant criteria. The material considerations against which the applications were assessed generally support the applications. The submitted letter of objection is noted but is not in itself of sufficient weight to justify an unfavourable recommendation.

9. RECOMMENDATION

9.1 It is recommended that the application for Listed Building Consent and that for Full Planning Permission be approved subject to the conditions listed on the attached sheets.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Building Control, the applications will not require to be referred to the Development Services Committee as this would not constitute a significant departure from policy.

Alan Neish
Head of Planning and Building Control

03 June 2003
(EMcL/MMM)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms and Plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Planning Application.
5. East Ayrshire Council Design Guidance (2001).
6. Adopted East Ayrshire Local Plan.
7. Approved Ayrshire Joint Structure Plan.
8. Memorandum of Guidance on Listed Buildings and Conservation Areas.

Anyone wishing to inspect the above papers please contact Eddie McLennaghan on 01563 576787.

Implementation Officer: Dave Morris

030059FL&030180LB

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0059/FL

Site of Proposal:	24-28 High Street NEWMILNS
Nature of Proposal:	Proposed Addition of Satellite Dish to Rear of Property
Name & Address of Applicant:	St Vincent Crescent Preservation Trust Per Mr R McCallum 14 James Watt Road Milngavie GLASGOW G62 7JY
Name & Address of Agent:	Page & Park Architects The Italian Centre 49 Cochrane Street GLASGOW G1 1HL

DPOs Reference: EMcL/MMM

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

1. Within one month of the satellite dish becoming operationally redundant all the apparatus shall be removed.

REASON In the interests of the visual amenity of the listed building.

2. Notwithstanding any specification on the submitted plans details of the colour of the satellite dish and the fixings shall be submitted to and approved by the Planning Authority prior to erection of the dish on site.

REASON In the interests of visual amenity.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0180/LB

Site of Proposal:	24-28 High Street NEWMILNS
Nature of Proposal:	Proposed Alterations to Existing Building (Installation of Satellite Dish)
Name & Address of Applicant:	St Vincent Crescent Preservation Trust Per Mr R McCallum 14 James Watt Road Milngavie GLASGOW G62 7JY
Name & Address of Agent:	Page & Park Architects The Italian Centre 49 Cochrane Street GLASGOW G1 1HL

DPOs Reference: EMcL/MMM

The above LISTED BUILDING application should be granted subject to the following conditions:-

1. Within one month of the satellite dish becoming operationally redundant all the apparatus shall be removed.

REASON In the interests of the visual amenity of the listed building.

2. Notwithstanding any specification on the submitted plans details of the colour of the satellite dish and the fixings shall be submitted to and approved by the Planning Authority prior to erection of the dish on site.

REASON In the interests of visual amenity.

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