

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE: 13 JUNE 2003**

**03/0058/FL: PROPOSED ADDITION OF SATELLITE DISH TO REAR OF  
PROPERTY AND**

**03/0179/LB: PROPOSED ALTERATIONS TO EXISTING BUILDING  
(INSTALLATION OF SATELLITE DISH)  
AT 73-77 MAIN 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 rear of the chimney below the ridge line of the roof.

Listed Building Consent is also sought for this work to the existing building (Installation of Satellite Dish).

**2. RECOMMENDATION**

**2.1 It is recommended that the application for Listed Building Consent be approved subject to the conditions indicated on the attached sheet and notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997; and that the application for Full Planning Permission be approved subject to the indicated conditions.**

**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 it 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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(INSTALLATION OF SATELLITE DISH)  
AT 73-77 MAIN STREET, NEWMILNS**

**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 'B' listed, 2½ 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 development and has a frontage directly onto Main 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 rear of the chimney below the ridge line of the roof.

Listed Building Consent is also sought for this work 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 had no comments to make other than that the details are ambiguous; one drawing is annotated to show that the satellite dish in question will be sited below the ridge line whilst it is sited above the ridge line on a submitted drawing.

***It is intended to secure the siting of the dish below the ridge line of the roof by means of condition if the Committee are of a mind to approve the application.***

#### **4. REPRESENTATIONS**

One letter of objection was submitted in respect of the full planning application of the proposed development. 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 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 chimney below the ridge line of the roof. The dish will only be visible from the rear of the property 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 and on the Conservation Area.***

#### **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 chimney below the ridge line of the roof and will only be visible from the rear of the property. This is in accordance with the Council's design guidance as the dish is located in a position which minimises the effect on the appearance of the building and Conservation Area.***

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 applications have 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, representation, the Memorandum of Guidance and the impact of the proposal on the amenity of the area and listed building and immediate neighbours.

### Consultations

6.2 As stated in Section 3.2 the consultation response offered no objection but noted an ambiguity in the position of the satellite dish. This issue can however be addressed with a condition.

### 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 Conservation Area.

### Impact on the Amenity of the Area/Listed Building

6.4 The placement of the satellite dish is such that the proposal can be accommodated, subject to conditions, 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 principle elevations of the building. The dish is situated in such a way that it is inconspicuous and does not affect the front elevation 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 be approved subject to the conditions indicated on the attached sheet and notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997; and that the application for Full Planning Permission be approved subject to the indicated conditions.**

## **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 it 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 on Listed Buildings and Buildings in Conservation Areas.

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

***Implementation Officer: Dave Morris***

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## EAST AYRSHIRE COUNCIL

## TOWN &amp; COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0058/FL

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Site of Proposal:	73-77 Main Road 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

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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.

3. Notwithstanding the plans hereby approved the satellite dish shall be sited so that it is entirely below the ridge line as detailed in drawing 6936/L(2-)73/06F.

REASON To ensure that development is carried out in accordance with the approved details.

## EAST AYRSHIRE COUNCIL

## TOWN &amp; COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0179/LB

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Site of Proposal:	73-77 Main 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

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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.

3. Notwithstanding the plans hereby approved the satellite dish shall be sited so that it is entirely below the ridge line as detailed in drawing 6936/L(2-)73/06F.

REASON To ensure that development is carried out in accordance with the approved details.

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