

REPORT TO: PLANNING & TRANSPORTATION COMMITTEE – 30 AUGUST 2004

REPORT ON: SATELLITE DISHES AND OTHER ANTENNAS – CONSULTATION ON POSSIBLE CHANGES TO PLANNING REGULATIONS

REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION

REPORT NO: 513-2004

1 PURPOSE OF REPORT

- 1.1 To inform the Committee of the contents set out in the Scottish Executive's Consultation Paper on "Satellite Dishes and other Antennas" and to set out the Council's responses to the questions in the Paper.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee note the contents of the Consultation Paper and agrees to respond to the questions asked as set out in the Report.

3 FINANCIAL IMPLICATION

- 3.1 There are no financial implications arising from this Report.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 The Council's Local Agenda 21 policies seek to promote and sustain local distinctiveness and to promote a pleasant environment. Although a relaxation of planning control for satellite dishes might have environmental repercussions from the point of view of visual amenity, it is not proposed to relax controls within Conservation Areas.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 No equal opportunities are associated with this Report.

6 BACKGROUND

- 6.1 The past 25 years has seen a huge range of technological advances in information and communications technology. These include the use of Internet and e-mail and the rise of digital technology with the development of cable and satellite platforms and digital terrestrial television. The introduction of these technologies has led to the installation of a range of equipment necessary to gain access to these services.
- 6.2 The Consultation Paper questions whether the existing Permitted Development Rights for satellite dishes are still appropriate or whether Permitted Development Rights should be applied to different types of equipment.
- 6.3 The Government is committed towards promoting digital TV and the delivery of broadband across Scotland. The Consultation Paper therefore seeks to examine whether the existing arrangements should be revised to facilitate the take-up of technological advances and how these arrangements might be redrafted to achieve

this, whilst keeping the visual and environmental impact to a minimum. It should be noted that the Consultation Paper proposals do not apply to mobile 'phone antennas.

- 6.4 The Consultation Paper provides five options ranging from Option one which is to maintain the status quo to Option five involving extensive deregulation. The options relate to four different types of premises, these being dwellinghouses, dwellinghouses in designated areas, other buildings and other buildings in designated areas. Details of the Options are attached as Appendix 1.
- 6.5 The requirements for additional satellite dishes and antennas on buildings is less of an issue in Dundee compared with rural or more remote locations where the satellite dish is the only means of access to both broadband and digital TV. However, it is considered that the current regime is quite restrictive, particularly since Listed Buildings are protected by Listed Building legislation and the Council has promoted Article 4 Directions in most Conservation Areas removing Permitted Development Rights for satellite dishes. The Council receives very few applications for satellite dishes and these normally relate to proposals within Conservation Areas or occasionally proposals for tenement blocks where there are already two dishes on the building. In these circumstances it is considered that there is scope for greater deregulation and that Option three, which is effectively a halfway house between the current level of regulation and total deregulation, would be the most appropriate one.

7 CONCLUSIONS

- 7.1 The Council supports the deregulation of the planning requirements for the installation of satellite dishes and other antennas.
- 7.2 Detailed responses to the questions posed in the Consultation document are contained in Appendix 2 to this Report.

8 CONSULTATIONS

- 8.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

9 BACKGROUND PAPERS

Satellite Dishes and other Antennas, Consultation and Possible Changes to Planning Regulations, Scottish Executive, April 2004.

Mike Galloway
Director of Planning & Transportation

Ian Mudie
Head of Planning

IGSM/CW/DB

23 August 2004

Dundee City Council
Tayside House
Dundee

SATELLITE DISHES AND OTHER ANTENNAS

Table A TV / BROADBAND antenna comparison table

DWELLING HOUSES (not in designated areas)					
PROPOSALS	Option 1	Option 2	Option 3	Option 4	Option 5
Numbers of antennas permitted	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i> 1 satellite dish. 2 "small" antennas. 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: <ul style="list-style-type: none"> 1 antenna maximum NON-FRONTING ANTENNAS <ul style="list-style-type: none"> 2 additional antennas, or 3 maximum 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: <ul style="list-style-type: none"> 2 antennas maximum NON-FRONTING ANTENNAS: <ul style="list-style-type: none"> 2 additional antenna, or 4 maximum 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: <ul style="list-style-type: none"> 3 antennas (if 1 is roof-mounted) NON-FRONTING ANTENNAS: <ul style="list-style-type: none"> unlimited 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. ANTENNAS: <ul style="list-style-type: none"> Unlimited
Size of antennas permitted	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i> Sat. Dish:- up to 90 cm. "small" antenna:- up to 50cm (any linear direction), & not exceeding 1591 sq. cm. 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes <ul style="list-style-type: none"> -1st Sat. Dish:- up to 100 cm; - Subsequent Sat. Dish:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 60 cm max.) Other Antennas <ul style="list-style-type: none"> - 1st antenna:- up to 100 cm in any linear dimension and up to 35 litres cc (max vol). - Subsequent antenna:- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antenna up to 60 cm or 35 litres cc (max vol))	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes <ul style="list-style-type: none"> -1st Sat. Dish:- up to 100 cm; - Subsequent Sat. Dish:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 60 cm max.) Other Antennas <ul style="list-style-type: none"> - 1st antenna:- up to 100 cm in any linear dimension and up to 35 litres cc (max vol). - Subsequent antenna:- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antenna up to 60 cm or 35 litres cc (max vol))	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes <ul style="list-style-type: none"> -1st Sat. Dish:- up to 120 cm; - Subsequent Sat. Dish:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas <ul style="list-style-type: none"> - 1st antenna:- up to 120 cm in any linear dimension and up to 35 litres cc (max vol). - Subsequent antennas:- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antenna up to 100 cm or 35 litres cc (max vol))	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. Unlimited
Siting restrictions of antennas permitted	Highest part of the antenna should not be installed any higher than the highest part of the roof.	Dishes/antennas should not exceed the highest part of the roof by more than 60 cm. Dishes / antennas should not protrude above the highest point of the chimney	Dishes/antennas should not exceed the highest part of the roof by more than 100 cm. Dishes / antennas should not protrude above the highest point of the chimney by more than 60 cm.	Dishes/antennas should not exceed the highest part of the roof by more than 120 cm. Dishes / antennas should not protrude above the highest point of the chimney by more than 100 cm.	No restrictions

TABLE B TV / BROADBAND antenna comparison table

DWELLING HOUSES IN DESIGNATED AREAS

PROPOSALS	Option 1	Option 2	Option 3	Option 4	Option 5
Numbers of antennas permitted	<ul style="list-style-type: none"> TV aerial(s) - <i>de minimis</i> FRONTING ANTENNAS: None permitted NON-FRONTING ANTENNAS: 1 satellite dish* 2 "small" antennas* 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: None permitted NON-FRONTING ANTENNAS: 3 antennas permitted 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: 1 antenna permitted NON-FRONTING ANTENNAS: 2 additional antennas, or 3 maximum 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: 2 antennas permitted NON-FRONTING ANTENNAS: 2 additional antennas, or 4 maximum. 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS: 3 antennas (1 roof-mounted) NON-FRONTING ANTENNAS: unlimited
Size of antennas permitted	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i> Sat. Dish:- up to 90 cm. "small" antenna:- up to 50cm (in any linear direction), & not exceeding 1591 sq. cm. 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes: -1st Sat Dish:- up to 100 cm - Subsequent Sat Dish:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 60 cm max.) Other Antennas - 1st antenna:- up to 100 cm in any linear dimension and up to 35 litres cc (max vol). - Subsequent antenna:- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antenna up to 60 cm or 35litres cc (max vol)) 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes: - 1st Sat. Dish:- up to 100 cm; - Subsequent Sat. Dishes:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 60 cm max.) Other Antennas - 1st antenna:- up to 100 cm in any linear dimension & up to 35 litres cc (max vol). - Subsequent antennas:- up to 60 cm in any linear dimension & up to 35 litres cc (max vol). (Chimney mounted antenna up to 60 cm or 35 litres cc (max vol)) 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes - 1st Sat. Dish:- up to 100 cm; - Subsequent Sat. Dishes:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 60 cm max.) Other Antennas - 1st antenna:- up to 100 cm in any linear dimension & up to 35 litres cc (max vol). - Subsequent antennas:- up to 60 cm in any linear dimension & up to 35 litres cc (max vol). (Chimney mounted antenna up to 60 cm or 35 litres cc (max vol)) 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -1st Sat. Dish:- up to 120 cm; - Subsequent Sat. Dish:- up to 60 cm; (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas - 1st antenna:- up to 120 cm in any linear dimension and up to 35 litres cc (max vol). - Subsequent antennas:- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antenna up to 100 cm or 35 litres cc (max vol))
Siting restrictions of antennas permitted	Highest part of the antenna should not be installed any higher than the highest part of the roof. Antennas should not be permitted on any part of a dwellinghouse that faces on to a road	Dishes/antennas should not exceed the highest part of the roof by more than 60 cm. Dishes/antennas not permitted on a chimney stack where they are both fronting, and can be seen from, a road. Dishes/Antennas not permitted on the wall where they are both fronting and can be seen from a road.	Dishes/antennas should not exceed the highest part of the roof by more than 60 cm. Dishes/antennas should not protrude more than 60 cm above the highest point of the chimney stack.	Dishes/antennas should not exceed the highest part of the roof by more than 100 cm. Dishes/antennas should not protrude more than 60 cm above the highest point of the chimney stack. (this does not distinguish between roof and chimney height)	Dishes/antennas should not exceed the highest part of the roof by more than 120 cm.

TABLE C TV / BROADBAND antenna comparison table

OTHER BUILDINGS (not in designated areas)					
PROPOSALS	Option 1	Option 2	Option 3	Option 4	Option 5
Numbers of antennas permitted	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i> 2 satellite dishes. 8 "small" antennas 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. 4 antennas. 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. 6 antennas (if 2 are roof-mounted) 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. 8 antennas (if 4 are roof-mounted) 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. Unlimited antennas
Size of antennas permitted	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i> Sat. Dish:- up to 130 cm. "small" antenna:- up to 50cm (any linear direction), & not exceeding 1591 sq. cm. 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -Sat. Dish:- up to 130 cm; (Chimney-mounted satellite dishes:- up to 60 cm max.) Other Antennas - Other antenna:- up to 130 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antenna up to 130cm or 35 litres cc (max vol)) 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -Sat. Dish:- up to 130 cm; (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas - Other antenna:- up to 130 cm in any linear dimension and up to 55 litres cc (max vol). (Chimney mounted antenna up to 130cm or 35 litres cc (max vol)) 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -Sat. Dish:- up to 130 cm; (Chimney-mounted satellite dishes:- up to 130 cm max.) Other Antennas - Other antenna:- up to 130 cm in any linear dimension and up to 55 litres cc (max vol). (Chimney mounted antenna up to 130cm or 35 litres cc (max vol)) 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. All Antennas -unlimited;
Siting restrictions of antennas permitted	Highest part of a terrestrial antenna will not be more than 3 metres higher than the highest part of the building or structure. Antennas should be sited so as to minimise the effect on the external appearance of the building.	Highest part of an antenna will not be more than 3 metres higher than the highest part of the building or structure. Antennas should be sited so as to minimise the effect on the external appearance of the building.	Highest part of an antenna will not be more than 3 metres higher than the highest part of the building or structure.	Highest part of an antenna will not be more than 3 metres higher than the highest part of the building or structure.	no restrictions

Table D TV / BROADBAND antenna comparison table

OTHER BUILDINGS in DESIGNATED AREAS					
Proposals	Option 1	Option 2	Option 3	Option 4	Option 5
Numbers of antennas permitted	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i> 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS None permitted NON-FRONTING ANTENNAS 2 permitted 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS 1 permitted NON-FRONTING ANTENNAS 2 additional antennas or 3 maximum 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS 2 permitted (1 roof-mounted) NON FRONTING ANTENNAS 3 additional antennas or 5 maximum 	<ul style="list-style-type: none"> TV aerial(s) — <i>de minimis</i>. FRONTING ANTENNAS 3 permitted (1 roof-mounted) NON-FRONTING ANTENNAS Unlimited
Size of antennas permitted	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i> 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -Sat. Dish:- up to 130 cm; 2nd Dish up to 60cm (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas 1st antenna up to 130cm in any linear dimension and up to 35 litres cc (max vol). 2nd Antenna up to 50cm in any linear dimension and up to 35 litres cc (max vol) (Chimney mounted antennas up to 60cm or 35 litres cc (max vol)). 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -1st Sat. Dish:- up to 130 cm; -Subsequent Sat. Dish:- up to 90cm; (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas 1st antenna up to 130 cm in any linear dimension and up to 35 litres cc (max vol). Subsequent antenna up to 60cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antennas up to 60cm or 35 litres cc (max vol)). 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -Sat. Dish:- up to 130 cm; -Subsequent Sat. Dish:- up to 100cm; (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas 1st antenna up to 130 cm in any linear dimension and up to 55 litres cc (max vol). Subsequent antenna up to 100cm in any linear dimension and up to 35 litres cc (max vol) (Chimney mounted antennas up to 100cm or 35 litres cc (max vol)). 	<ul style="list-style-type: none"> TV aerial(s):- <i>de minimis</i>. Satellite Dishes -1st Sat. Dish up to 130 cm; -Subsequent Sat. Dish:- up to 100cm; (Chimney-mounted satellite dishes:- up to 100 cm max.) Other Antennas 1st antenna up to 130 cm in any linear dimension and up to 55 litres cc (max vol). Subsequent antenna up to 100cm in any linear dimension and up to 35 litres cc (max vol). (Chimney mounted antennas up to 100cm or 35 litres cc (max vol)).
Siting restrictions of antennas permitted	None permitted	Dishes/Antennas should not be installed any higher than the highest part of the roof. Dishes/Antennas not permitted on a wall where they are both fronting and can be seen from a road. Dishes/Antennas not permitted on a chimney stack where they are both fronting, and can be seen from a road.	Dishes/antennas should not exceed the highest part of the roof by more than 100 cm Dishes/Antennas should not protrude more than 100cm above the highest point of the chimney stack.	Dishes/Antennas should not exceed the highest part of the roof by more than 100 cm Dishes/Antennas should not protrude more than 100cm above the highest point of the chimney stack.	Dishes/Antennas should not exceed the highest part of the roof by more than 200 cm Dishes/Antennas should not protrude more than 100cm above the highest point of the chimney stack

Satellite Dishes and Other Antennas

List of Questions on Which Views Are Sought

- 1 We therefore propose that all antennas (except conventional and TV aerials) should be treated the same way within the GPDO irrespective of what is being transmitted. Do you agree with this principle?

Response – The Council agrees that it is the visual impact of the equipment on amenity that is important and not the data being transmitted or the purpose of the equipment.

- 2 Do you agree that the provisions should be drafted so that they are flexible enough to cope with future technological developments?

Response – The Council agrees that with constant technological advances, it would be appropriate to be as flexible as possible in the circumstances.

- 3 Do you agree with this method of measuring antennas to safeguard technological neutrality? If not, what means would you suggest?

Response – The Council agrees that the use of two dimensional criteria for measuring satellite dishes is not appropriate across the range of equipment that can be installed and the use of cubic capacity should be supported.

- 4 Do you agree with the retention of existing provisions that GPDO antennas must be sited so as to minimise the visual impact on the building and that redundant equipment should be removed?

Response – The Council agrees with these principles, although the requirement to minimise visual impact is so subjective that it can be difficult to give meaningful advice to householders without a detailed submission.

- 5 Are there additional considerations in Scotland that necessitate large antennas? If so, what size would be sufficient to meet the technological requirements?

Response – In general, the Council has not experienced much demand for the installation of dishes larger than those outlined in the GPDO.

- 6 Do you think the list of designated areas in relation to antennas on buildings other than dwellinghouses too long? If so, which designations do you think should be removed?

Response – The Council considers that the list of designated areas is generally satisfactory.

Options for Change

- 7-23 The Council considers that Option three is appropriate for the four categories set out in Tables A, B, C and D. It considers that the numbers and size restrictions set out in Option three are satisfactory and strike the correct balance between deregulation and the protection of the environment.