

**KEY INFORMATION**

**Ward** Broughty Ferry

**Proposal**

Installation of satellite dish  
on rear elevation

**Address**

8 Church Court  
10 East Home Street  
Broughty Ferry  
Dundee  
DD5 1EB

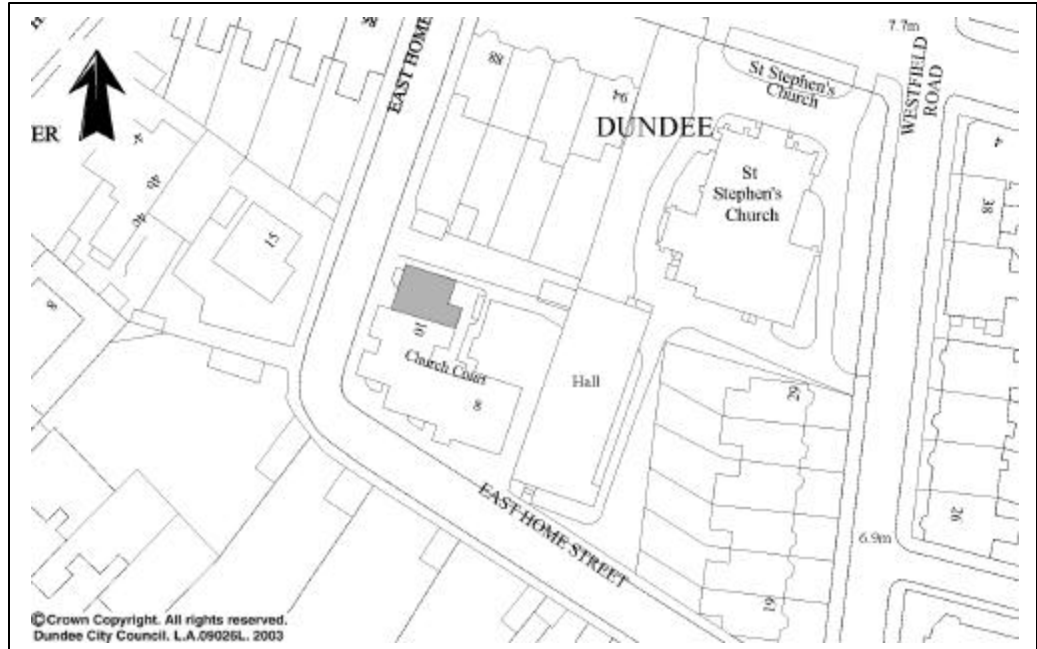
**Applicant**

Mrs Christine Gordon  
Flat 8, Church Court  
10 East Home Street  
Broughty Ferry  
Dundee DD5 1EB

**Agent**

**Registered** 29 Dec 2003

**Case Officer** Julie Finlay



## Satellite Dish Proposed in Church Court

The installation of a satellite dish is **RECOMMENDED FOR APPROVAL SUBJECT to conditions.** Report by Director of Planning and Transportation.

**RECOMMENDATION**

It is considered that the proposal is in accordance with the policies of the Development Plan in this instance. The application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a satellite dish on the rear elevation of 8 Church Court, 10 East Home Street, Broughty Ferry, Dundee.
- The application raises issues for consideration in terms of Built Environment Policies of the Dundee Local Plan 1998 and Policy 61 of the Finalised Dundee Local Plan Review.
- Four letters of objection and one letter with 3 signatures were received from neighbouring residents. The grounds of objection are the adverse effect on the building and conservation area and setting a precedent.
- It is considered that the proposal complies with the Built Environment Policies of the Dundee Local Plan 1998 and Policy 61 of the Finalised Dundee Local Plan Review. In addition, it is considered that the objections are not of sufficient weight to warrant refusal of the application in this instance.

### DESCRIPTION OF PROPOSAL

Planning permission is sought for the installation of a satellite dish at 8 Church Court, 10 East Home Street, Broughty Ferry, Dundee.

The dimensions of the dish are 59cms high by 74cm wide and 61cm deep. It will be located on the rear elevation below a kitchen window.

### SITE DESCRIPTION

The application site is located on the east side of East Home Street. The property is a 3 storey modern flatted development with dry dash render, brick basecourse and slated roof. There is an amenity area on the rear (east) elevation.

### POLICY BACKGROUND

#### Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

#### Dundee Local Plan 1998

The following policies are of relevance:

Built Environment Policy BE11: Development in Conservation Areas.

#### Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application.

#### Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 61: Development in Conservation Areas.

#### Scottish Planning Policies, Planning Advice Notes and Circulars

There are no statements of Government policy relevant to the determination of this application.

### Non Statutory Statements of Council Policy

There are no non statutory Council policies relevant to the determination of this application.

### LOCAL AGENDA 21

There are no Key Themes of relevance to the consideration of this application.



### SITE HISTORY

There is no site history of relevance to the consideration of this application.

### PUBLIC PARTICIPATION

The applicant carried out the statutory notification of neighbours and four letters of objection and one with three signatures were received to the proposed development. The grounds of objection are the adverse effect on the building and conservation area and setting a precedent.

### CONSULTATIONS

No adverse comments were received from any of the statutory consultees to the proposed satellite dish.

### OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations.

### The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

The satellite dish in the location proposed would normally be permitted development with no requirement for planning permission. However, in this instance the application property is located within the Broughty Ferry Conservation Area which has an Article 4 Direction attached to it which removes the permitted development rights of householders. Therefore an application for planning permission is required.

Built Environment Policy BE11 Development in Conservation Areas is relevant and advises that within conservation areas all development proposals will

be expected to complement and enhance the character of the surrounding area. The satellite dish is to be located on the rear elevation of the house and will not be a visible public elevation. It is considered that the location chosen by the applicant has been sited with the minimum of visual intrusion. In light of this it is considered that the proposal is acceptable in terms of Built Environment Policy BE11 of the Dundee Local Plan 1998.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

### Other Material Considerations

The other material considerations to be taken into account are as follows:

## Finalised Dundee Local Plan Review

Policy 61 sets out similar criteria to Built Environment Policy BE11 of the Dundee Local Plan 1998. Given that the proposal is considered to be acceptable in terms of Policy BE11 it is considered that for the reasons outlined above the proposal is also acceptable in terms of Policy 61 of the Finalised Dundee Local Plan Review.

### Objections

Objections have been raised about the adverse impact of the proposal on the appearance of the building and conservation area. It is considered that the location on the rear elevation of the building is acceptable, as it would not be visible from any public elevation and that it has been sited with the minimum of visual intrusion.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

### Design

The satellite dish will be located on the rear of the property and as a result will not detrimentally affect the appearance of the building or surrounding conservation area.

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## CONCLUSION

It is considered that the proposal complies with the Built Environment Policies of the Dundee Local Plan 1998 and Policy 61 of the Finalised Dundee Local Plan Review. In addition, it is considered that the objections raised by neighbours are not of sufficient weight to warrant refusal of the application in this instance.

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## RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.

- 2 Details the exact location of the satellite dish and protrusion from the building shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details

### Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1972.
- 2 To ensure the satisfactory standard of appearance of the development.