

**Enforcement Report into Breach of Control  
at  
7 Atholl Terrace  
Edinburgh  
EH11 2BP**

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**Development Management Sub-Committee  
of the Planning Committee**

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**Owner/s**

**Occupier**

**Reference No:** 09/00157/ELBB

**1. Purpose of Report**

**Breach of Control:**

Without planning permission, or listed building consent the erection of a satellite dish antenna on a listed building.

**Recommendation:**

It is recommended that enforcement action is authorised in order to remedy this breach of planning and listed building control.

**The Site**

**Site Description**

The site is located within a terraced 2-storey and attic comprising four 4-bay blocks; each block containing 4 houses, 2 up 2 down. The satellite is located on the south-east elevation of No.15 Atholl Terrace. The property is category B listed (listed on 29 April 1977, Item Number 26746) but does not lie within a conservation area.

**Site History:**

No relevant site history prior to this enforcement investigation.

**Representations**

Two complaints have been received from members of the public concerning the unauthorised satellite dish.

**3. Assessment**

In determining whether it is expedient to take enforcement action it is necessary to consider:

1. Whether there has been a breach of planning and listed building control;
2. Whether it is expedient to issue a notice, having regard to the provisions of the development plan and to any other material considerations; and
3. The effect of the works on the character of the listed building.

1. The erection of a satellite dish represents development and does not fall under what would be considered permitted development as the satellite dish has not been sited so as to minimise its effect on the external appearance of the building on which it has been installed. A breach of planning control has occurred as the satellite dish has not been subject of an express grant of planning permission. The satellite dish has not been the subject of an application for listed building consent and therefore a breach of listed building control has occurred.

2. Development plan policies comprise the Central Edinburgh Local Plan policy CD2 and Finalised Edinburgh City Local Plan policy ENV3. The satellite dish has been attached to a street elevation, creating an alien feature that is visible from street level. The dish diminishes the architectural integrity of the building, having an adverse effect on the character of the building and the area. The feature is not worthy of retention and is therefore contrary to policy. Other material considerations include the Council's non-statutory guidelines. The dish also contravenes advice in the non-statutory guideline "Satellite Dish Aerials" which states that satellite dishes on this type of property should not be attached to the street elevation. No attempt has been made to screen this dish from public view. The guideline encourages the sharing of dishes or communal dishes and notes the Council's concern about the visual effects of a multiplicity of dishes; it states that consent for additional dishes may be refused even where this may preclude some residents from receiving satellite television.

3. The siting of the satellite dish, attached to a street elevation, detracts from the character of this listed building. It is a highly visible and incongruous feature which is unacceptable. There are no material considerations which outweigh this conclusion.



**John Bury**  
Head of Planning

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<b>Contact/tel</b>	Mark Dunlop on 0131 469 3642
<b>Ward affected</b>	Ward A07 - Sighthill/Gorgie
<b>Local Plan</b>	Central Edinburgh Local Plan/finalised Edinburgh City Local Plan
<b>Statutory Development Plan Provision</b>	Housing and Compatible Uses/Urban Area
<b>File</b>	IDOX
<b>Date Complaint Received</b>	6 March 2009

## **Planning Policy**

### Central Edinburgh Local Plan

CD2 (Listed Buildings) seeks to prevent alterations that would diminish the architectural integrity of the building.

### Finalised Edinburgh City Local Plan

ENV3 (Listed Buildings – Alterations and Extensions) aims to prevent alterations that would adversely affect the character of the building.

### Non-Statutory Guidelines

“Alterations to Listed Buildings” provides additional guidance in respect to works to listed buildings.

“Satellite Dish Aerials” provides guidance on the siting of satellite dishes in order to protect the character and appearance of listed buildings and conservation areas.

Appendix A



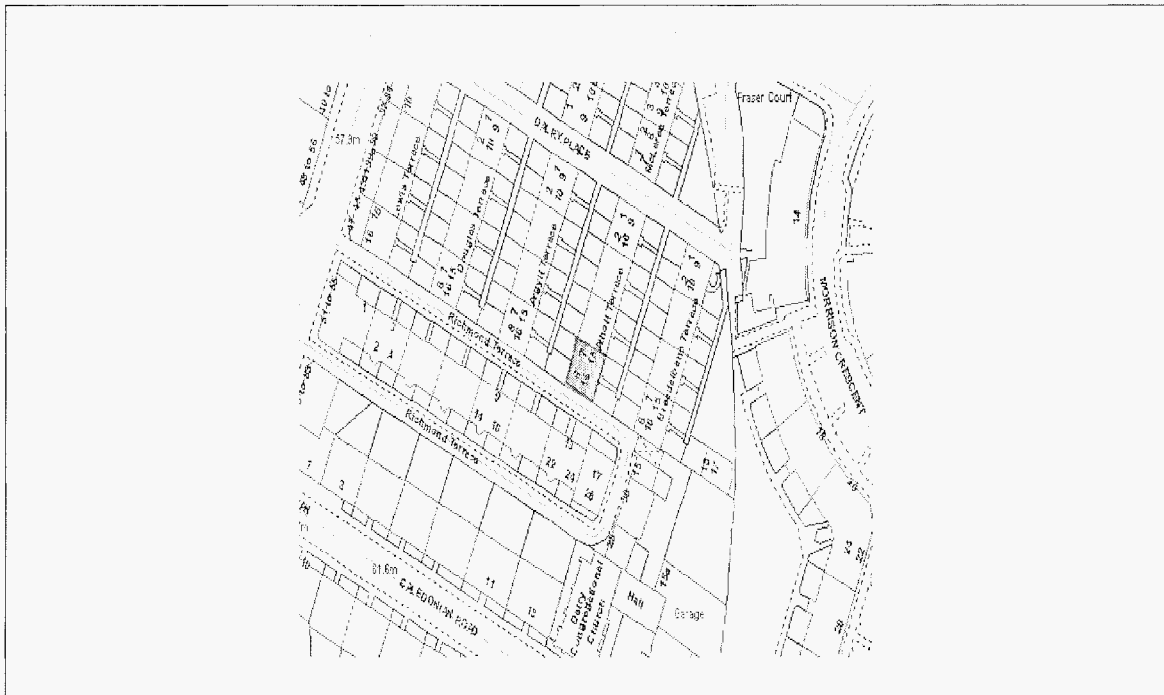
**Address:** 7 Atholl Terrace  
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**Location Plan**



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