

**Full Planning Application**  
**at**  
**29 Raeburn Place**  
**Edinburgh**  
**EH4 1HU**

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

**Proposal:** Installation of two satellite dishes, an air conditioning vent and balustrading on the existing rear extension to the betting office  
**Applicant:** Stanley Racing Ltd.  
**Reference No:** 04/01370/FUL

**1 Purpose of report**

To recommend that the application be **REFUSED AND ENFORCED**

**Reasons**

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the satellite dishes do not preserve or enhance the appearance of the conservation area due to their visual dominance..
2. The proposal is contrary to Non Statutory Guidelines in respect of Satellite Dish Aerials, as the dishes adversely affect the listed building and the character and appearance of the conservation area.

## **2 Main report**

### **Site description**

The application site relates to a ground floor retail unit within a 2-storey and attic house, dating from 1814. The retail unit is single storey and has a modern shopfront. There is a substantial single storey extension to the rear of the property which occupies the whole of the garden area. The property is in betting office use.

The property is Category C(S) listed. It is located within the New Town Conservation Area.

### **Site history**

97/00981/FUL - Change of use of premises from Class 1 retail to Class 11 office/services. Approved 11 June 1997.

### **Enforcement history**

Date of complaint: Neighbour's letters of 18 November and 1 December 2003, detailing unauthorised works - erection of large air conditioning unit on the front roof of the shop and the erection of large dish aerials on the rear roof.

Enforcement file 03/00862/E01 - opened 20 November 2003. Letter of 16 December 2003 requesting the removal of the air conditioning unit and satellite dishes by 31 January 2004.

Following discussions with enforcement and listed buildings sections, applications for planning and listed building consent for the repositioning of the air conditioning units and satellite dishes were submitted in May 2004.

### **Development**

The property is in betting office use, which requires satellite dish antennae to operate its business.

It is proposed to install 2 satellite dishes on the rear wall of the building at first floor level, directly above the single storey extension. The dishes will be mounted onto brackets fixed to the rear wall of the original building and painted to match the stonework. The 2 dishes will measure 90cm in width. It is also proposed to erect wrought iron railings on the extension to disguise the impact of the satellite dishes. This enclosure will measure 2.8m in width and 3.6m in length. The top of the dish sits at 1.2m above the rear extension roof and the height of the proposed railings will be 1.3m.

The 2 existing satellite dishes located directly on the flat roof of the extension to the rear and the 2 satellite dishes located on the rear wall of the property will be removed.

It is also proposed to remove the existing air conditioning units from the flat roof of the projecting shopfront on the front elevation and to relocate them internally within 2 vents of the flat roof of the single storey extension to the rear. It is proposed to retain the existing single vent outlet and to install a new vent and cowl for the internal condensers.

## **Consultations**

### **Environmental Services**

The environmental impact of this application would normally warrant consideration by Environmental and Consumer Services. Due to a significant increase in workload, they were unable to provide a response.

### **Representations**

The application was advertised on the 14 May 2004.

Four letters of representation were received. Grounds of objection relate to:

- erection of large aerials and air conditioning units would be contrary to policy on listed buildings in conservation areas
- balustrading would not conceal equipment and would only raise height to an unacceptable level
- balustrading may permit the use of the flat roof as a roof terrace and would affect privacy
- existing aerials clearly show how they impact on rear views from all the properties

Other grounds concern title deeds which prohibit the erection of objects on the flat roof and are non-material planning considerations

## **Policy**

The application site is located within an area of Housing and Compatible Uses as identified in the Central Edinburgh Local Plan.

### Relevant Policies:

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Non-statutory guidelines on 'SATELLITE DISH AERIALS' set criteria for assessing such proposals.

Non-statutory guidelines on 'SERVICES ON BUILDINGS' supplement local plan conservation and design policies, providing additional guidance on the installation of services on the exterior of buildings.

### **3 Conclusions and Recommendations**

#### **DETERMINING ISSUES**

The determining issues are:

- do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;
- do the proposals comply with the development plan?
- if the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- if the proposals do not comply with the development plan, are there any compelling reasons for approving them?

#### **ASSESSMENT**

To address the determining issues, the Committee needs to consider:

- a) whether the proposals have an adverse impact on the character or appearance of the conservation area;
- b) whether the proposals have an adverse impact on the building or its setting;

a) The character of the New Town Conservation Area is described in the Central Edinburgh Local Plan as follows:

*"A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors."*

The location of the two proposed satellite dishes is contrary to non-statutory policy on Satellite Dish Aerials. The dishes are poorly sited and the visual effects of two satellite dishes on the original fabric of the building will detract from its architectural composition. It is also contrary to the Memorandum of Guidance on listed buildings and conservation areas, which states that 'the quality and visibility of the elevation together with the possible adverse affect upon other adjacent listed properties should always be carefully considered before consent is given'. The proposed satellite dishes will be visible from the residential properties to the rear. Although the agent has provided a supporting letter stating that the arm of the bracket is the shortest dimension possible to provide good signal reception, the principle of satellite dishes on this domestic scale elevation is not acceptable. The addition of an enclosure will not fully disguise the presence of the dishes and will add to the clutter on the rear elevation.

The relocation of the air-conditioning units from the front elevation of the property to within the rear extension is a distinct improvement. These are currently in a conspicuous location and do detract from the character and appearance of the conservation area. The relocation of the air conditioning units so that they are housed internally within the flat roof extension is an improvement. The proposed internal location does not require planning permission.

b) The relocation of the air conditioning units to an internal location within the modern extension to the rear will not affect the character of the listed building. However, the proposed location of the 2 satellite dishes and new enclosure would detract significantly from the appearance of the building and its setting.

The proposed dishes fail to comply with the development plan and non-statutory policies and would have an adverse effect on the character and appearance of the conservation area.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application, for the reasons stated, and initiates enforcement action to remove the unauthorised satellite dishes.

  
**Alan Henderson**  
Head of Planning and Strategy

**Contact/tel** Diana Garrett on 0131 529 3620 (FAX 529 3717)

**Ward affected** 17 -Stockbridge

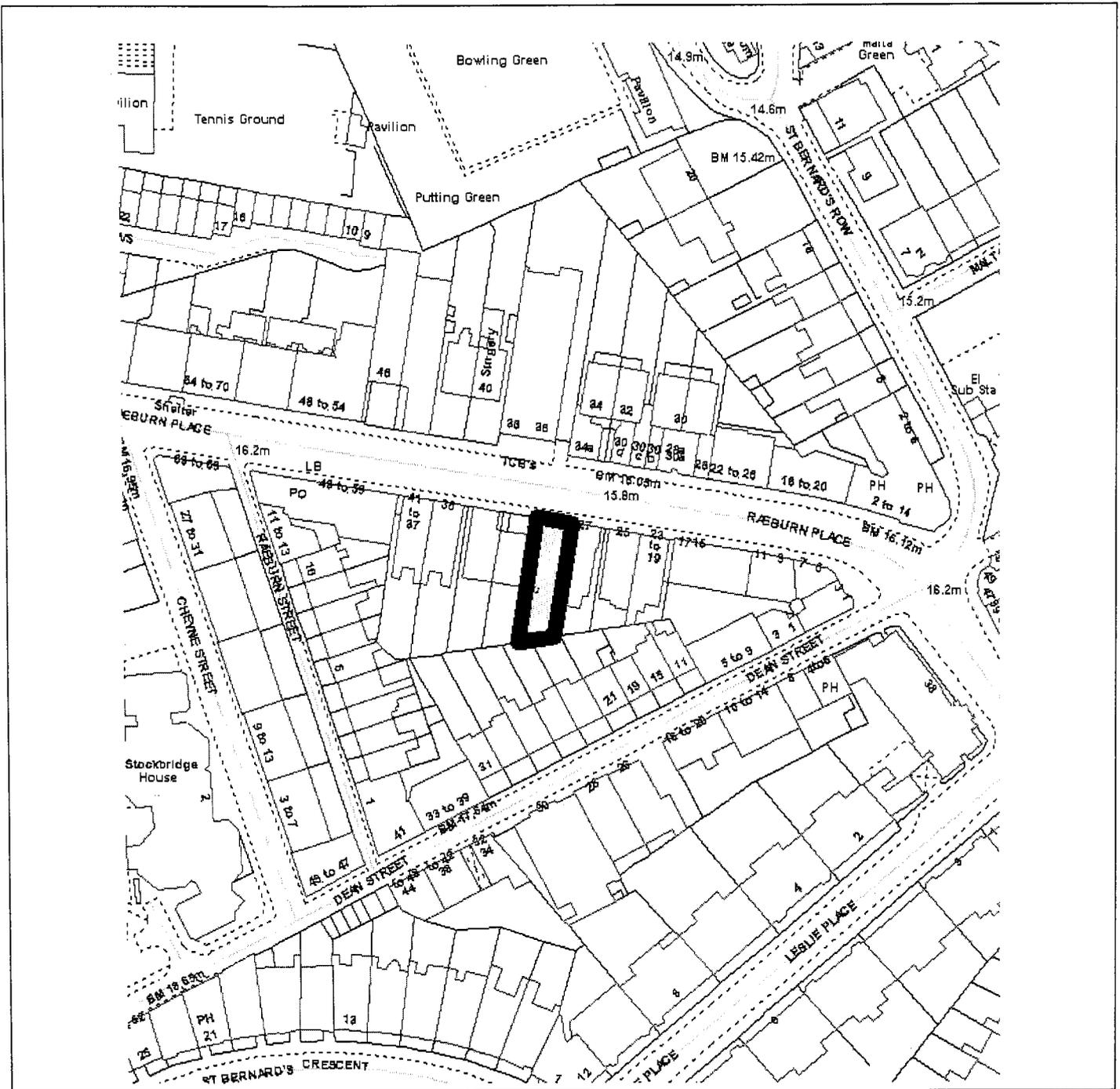
**Local Plan** CELP

**Statutory Development  
Plan Provision** Housing and Compatible Uses

**File** AF

**Date registered** 4 May 2004

**Drawing numbers/  
Scheme** 1-3  
Scheme 1



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# **PLANNING APPLICATION**

<b>Address</b>	<b>29 Raeburn Place, Edinburgh, EH4 1HU</b>		
<b>Proposal</b>	<b>Installation of two satellite dishes, an air conditioning vent and balustrading on the existing rear extension to the betting</b>		
<b>Application number:</b>	<b>04/01370/LBC</b>	<b>WARD</b>	<b>17- Stockbridge</b>

THE CITY OF EDINBURGH COUNCIL  
**THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**