

**Enforcement Report into Breach of Control
at
66 Ferry Road
Edinburgh
EH6 4AH**

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

Owner/s

Occupier

Reference No: 06/00882/E54

1. Purpose of Report

Breach of Control:

The unauthorised erection of a satellite dish on a listed building within a conservation area.

Recommendation:

It is recommended that Committee authorises enforcement action secure the removal of this satellite dish.

The Site

Site Description

The property in question is one of a terrace of four two-storey houses, with dormers, on the north side of Ferry Road between North Fort Street and Maderia Street. It was built around 1860 and is statutorily listed, category C(S), and is also within the Leith Conservation Area.

Site History:

No previous history for this property.

When the complaint was first received, the satellite dish had been installed on the principal elevation of the property at ground floor level, just above a window. A white cable led from the dish into the property at the window cill. The property owner was advised that this location was unacceptable and that the dish should be removed or suitably relocated. Details of the proposed relocation should be submitted prior to the work being carried out.

Without making any contact, the owner relocated the dish to the roof, onto a chimney which faces onto Ferry Road. This chimney also has two television aerials and a "squarial" attached to it. The cables from the satellite dish now run down the roof and the face of the property to the ground floor window. The property owner has been advised that this relocation is also unacceptable but has neglected to suitably relocate or remove the dish.

Representations

Letter from neighbour received on 21 December 2006.

Description of Development

Without planning permission, the erection of a satellite dish on the chimney, facing Ferry Road.

3. Officer's Assessment and Recommendations

The determining issue in this case is whether it is expedient to take enforcement action having regard to the provisions of the development plan and to any other material considerations, in particular having special regard to the character and appearance of the conservation area.

The prominence of this dish does not preserve or enhance the special character or appearance of this conservation area, contrary to Policy E22 of the adopted North East Edinburgh Local Plan and ENV5 of the finalised Edinburgh City Local Plan. The dish is clearly visible from Ferry Road, which is a major vehicular and pedestrian in this part of the city. Its positioning is also considered to have a detrimental effect on the character and setting of this listed building, contrary to Policy E18 of the adopted North East Edinburgh Local Plan and Policy Env 2 of the Edinburgh City Local Plan.

The dish also contravenes the Non Statutory Guideline "Satellite Dishes", where satellite dishes are normally acceptable where they are effectively screened from public view, provided there is no adverse effect on the character and amenity of the conservation area and no adverse effect on the character and setting of a listed building. No attempt has been made to screen this dish from public view.

Government advice is that redundant equipment should be removed from a building as soon as is reasonably practical, and it is recommended that enforcement action should be extended to secure the removal of the "squarial", which adds unnecessarily to the clutter of equipment on this chimney.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Val Malone on 0131 529 3485
Ward affected	Ward 12 - Newhaven (OLD)
Local Plan	North East Edinburgh
Statutory Development Plan Provision	Conservation Area
File	
Date Complaint Received	21 December 2006

Planning Policy

Adopted North East Edinburgh Local Plan.

Policy E22 which requires new development within conservation areas to take into account their special interest and how its character and appearance may be preserved and enhanced.

Policy E18 requires proposals affecting a listed building, including its setting, to be considered for their effect on its character.

Finalised Edinburgh City Local Plan.

Policy Env 5 outlining the provisions whereby development will be permitted within conservation areas.

Policy Env2 states that development within the curtilage, or affecting the setting, of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

Non-Statutory Guidelines.

"Satellite Dishes" - paragraph 2 giving guidance on where dishes are acceptable within conservation areas and paragraph 3 giving guidance on where dishes are acceptable on listed buildings.

Appendix A

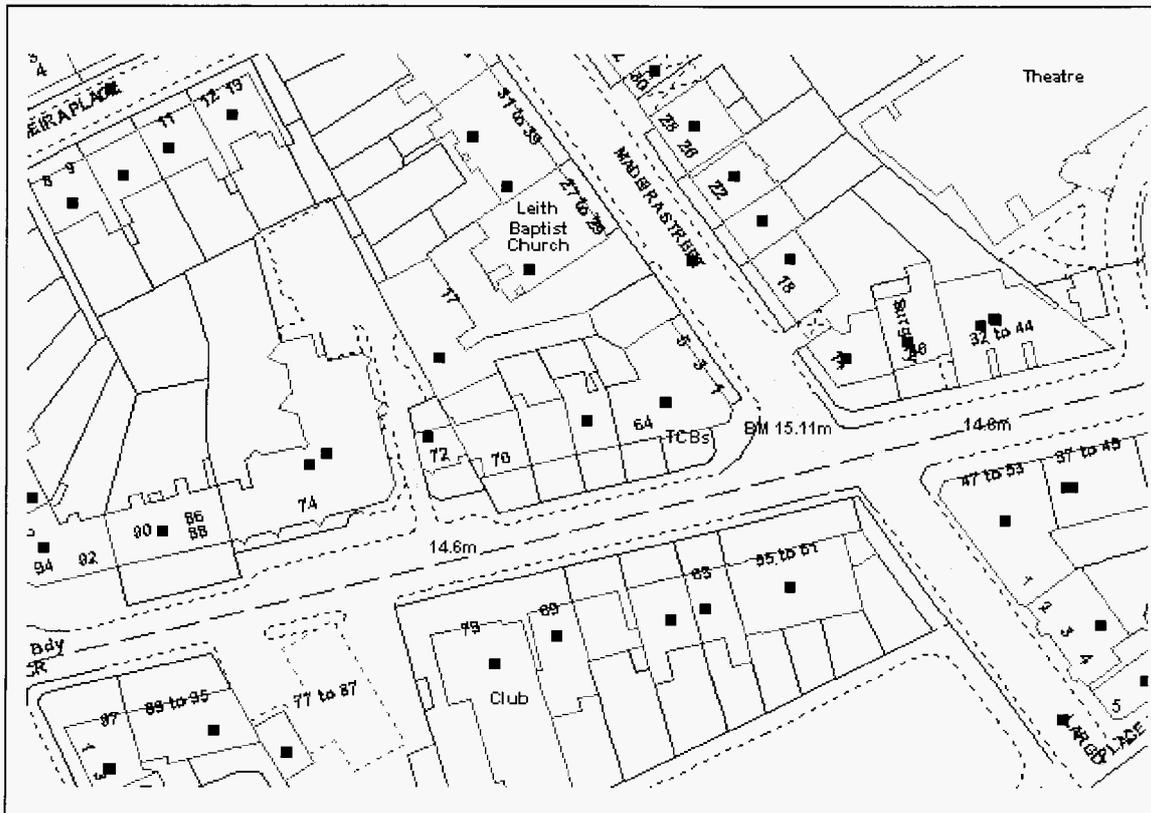


Address: 66 Ferry Road
Edinburgh
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Breach of Control: The unauthorised erection of a satellite dish on a listed building within a conservation area.

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Location Plan



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