

**Enforcement Report into Breach of Control
at
Flat 4 11 Newhaven Place
Edinburgh
Edinburgh
EH6 4TW**

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

Owner/s

Occupier

Reference No: 08/00071/EOPDEV

1. Purpose of Report

Breach of Control:

Unauthorised installation of a satellite dish in a conservation area.

Recommendation:

It is recommended that enforcement action is authorised to secure the removal of this satellite dish.

The Site

Site Description

The property in question is a first floor flat in a new residential development on Lindsay Road, close to the corner of Newhaven Place. The property is not listed but is within the Newhaven Conservation Area.

Site History:

This flatted residential development was approved through application 99/02639/FUL in May 2000 and was completed in early 2002.

In January 2007 the Enforcement Section was asked to investigate a satellite dish at 17/5 Newhaven Place, which fronts onto Lindsay Road and is also in the Newhaven Conservation Area, and secured its removal in March 2007.

The occupiers of this property were advised that the dish was not acceptable and stated that it would be relocated so that it was not visible from either Lindsay Road or Newhaven Place but this has not been achieved.

Representations

Letter from neighbour received on 29 January 2008.

Description of Development

Without planning permission, this satellite dish has been installed at first floor level on the principal elevation of this block of flats, facing onto Lindsay 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 Lindsay Road, which is a major vehicular and pedestrian thoroughfare in this part of the city.

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. No attempt has been made (or can be 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.

The positioning of the satellite dish is therefore unacceptable.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Val Malone on 0131 529 3485
Ward affected	Ward A13 - Leith (NEW)
Local Plan	North East Edinburgh
Statutory Development Plan Provision	Conservation Area
File	idox
Date Complaint Received	5 February 2008

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.

Finalised Edinburgh City Local Plan.

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

Non-Statutory Guidelines.

"Satellite Dishes" - paragraph 1a) encouraging dish sharing, 1b) stating concern about multiplicity of dishes and paragraph 2 giving guidance on where dishes are acceptable within conservation areas.

Appendix A

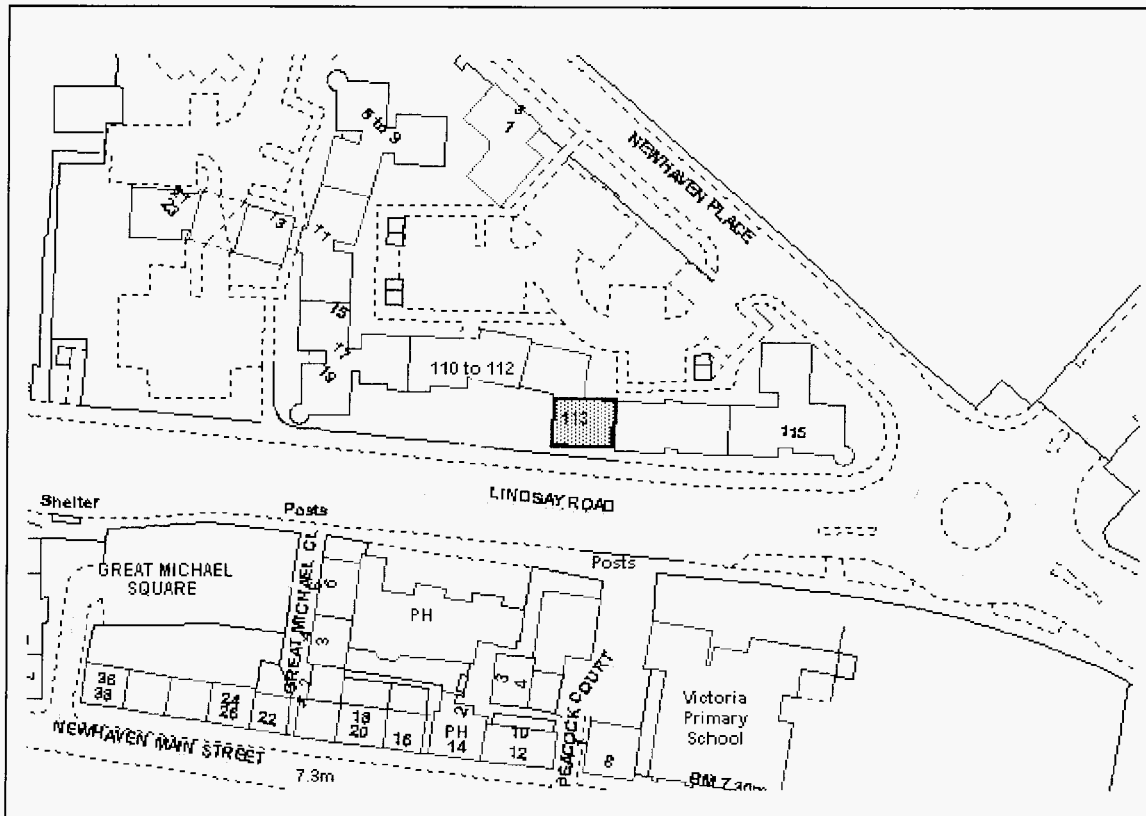
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THE CITY OF EDINBURGH COUNCIL

Address: Flat 4 11 Newhaven Place
Edinburgh
Edinburgh
EH6 4TW

Breach of Control: Unauthorised installation of a satellite dish in a conservation area.

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Location Plan



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