



West Lothian
Council

A DEVELOPMENT CONTROL POLICY FOR THE CONTROL OF AMATEUR RADIO ANTENNA AND SATELLITE DISH RECEIVERS.

INTRODUCTION.

The continuing advances in radio communications technology have greatly increased public access to what was once fairly sophisticated hardware and it is now becoming common-place in and around the home. Indeed, it has been Central Government policy to actively promote such a communications revolution, as has been demonstrated by the legislation of citizen band radio and its support for cable television and direct broadcasting by satellite.

One consequence of this has been a substantial increase in the number of planning applications received for the erection of amateur radio and more recently for satellite dish receivers. Since this apparatus is by its very nature obtrusive, it has become apparent; its proliferation will have to be carefully monitored and regulated although it should be noted that new classes of Permitted Development have recently been introduced which afford certain installations of satellite dish receivers exemption from planning controls.

The General Development (Scotland) Amendment Order 1985 made it permissible for Telecommunications Code System Operators, that is to say British Telecom and Mercury Communications, to install a satellite dish receiver on land occupied by them without planning permission provided that the building or other structure on which the dish is installed exceeds 15m in height, the dish itself does not, when measured; in any dimension, exceed 1.3m, and that the development does not result in the presence on the building or structure of more than two microwave antennae.

In the case of all other operators wishing to install a satellite dish on commercial and business premises, the size of the dish, taken together with its supporting structure, must not exceed 0.9m and, again there should be no more than two satellite dishes on the building or structure.

Similarly, the General Development (Scotland) No 2 Order 1985 extended existing Permitted Development rights as applicable to private dwelling houses. To benefit from this exemption, the installation must satisfy three criteria. Firstly, that the dish receiver must not, when measured in any dimension, exceed 0.9m. Secondly, that there must be other satellite dish receiver already installed on the dwellinghouse or within the curtilage of the dwellinghouse in the case of a satellite dish receiver being installed on a dwellinghouse, the highest part of the receiver must not be higher than the highest part of the roof of the building on which it is installed. In practice, however, it has been our experience that the vast majority of installations fail to meet one or more of these conditions and planning permission is consequently required.

At the same time, the Permitted Development rights which are applicable to radio antennae and masts on a dwellinghouse often fail to satisfy the technical requirements of the amateur operator. Generally speaking, if the antenna or mast projects above the ridge of the dwellinghouse, or indeed in front of the dwellinghouse, planning permission is required. It is also the case that the erection of a tower or mast within the curtilage to support an antenna will often require planning permission since it is held to be a building, and buildings exceeding 4.0 m. in height do not enjoy exemption under the (General Development) (Scotland) Order 1981.

It is therefore recommended that whilst applications for planning permission for amateur radio antennae and satellite dish receivers should be determined largely on their merits and always with

the intention of affording the applicants the maximum enjoyment of their dwellinghouse, the overriding concern of the Council as Planning Authority must and should be to safeguard the appearance of individual buildings and the visual amenity and character of the area as a whole. Accordingly, it is recommended that the Council adopts the following policy guidelines.

GENERAL.

There will be a presumption against the location of all radio antennae and satellite dish receivers on or forward of the front elevation of any building, unless afforded exemption under Permitted Development rights.

AMATEUR RADIO ANTENNAE.

Applicants will be encouraged to make use of equipment which can be readily dismantled when not in use and a condition to this effect will be imposed if considered appropriate.

Aerials and masts which are to be sited independently of a dwellinghouse will generally be acceptable, provided such structures are self supporting and do not require the excessive use of guy ropes other visible of anchorage.

Aerials and masts which are to be fixed to the external elevations and/or roof of a dwellinghouse by means of brackets or other fixtures will generally be acceptable, provided that such means of attachment do not detract from the appearance of the building.

There will be a presumption in favour of vertically polarised aerials with little or no horizontal elements. However, where the installation of tribanders and other such aerials are considered acceptable, their horizontal span shall not exceed 3.0m in total length.

The siting of a radio antenna within a Conservation Area, on a Listed Building, or within close proximity to a Listed Building, will only be acceptable where it does not detract from the character and visual amenity of the Conservation Area or the setting of the Listed Building.

Not more than one antenna will be permitted on any individual property.

SATELLITE DISH RECEIVERS

The siting of a satellite dish receiver:-

- on the ground behind the front building line of a property and suitably screened will generally be acceptable.
- on a building such as a garage or other supporting structure i.e. behind the rear building line, or on the rear elevation of the property will generally be acceptable provided that no part of the receiver projects above the roof of the said building.
- on a flat roofed building will not normally be acceptable unless it can be adequately screened and concealed to the satisfaction of the Development and Building Control Manager.
- on a side elevation will generally be acceptable provided that no part of the receiver projects above the roof or beyond any part of the front elevation of the property.
- within a Conservation Area, on a Listed Building or in close proximity of a Listed Building will only be acceptable where it can be effectively screened from public view and does not detract from the character and visual amenity of the Conservation Area or the setting of the Listed Building. Conditions may be imposed to control the colour of the receiver.

Not more than one satellite dish receiver will be permitted on any individual property.