

**E/08/0101/A–Unauthorised installation of a satellite dish at 9 Pye Gardens,  
Bishop’s Stortford, CM23 2GU**

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**Parish: BISHOP’S STORTFORD**

**Ward: SILVERLEYS**

**RECOMMENDATION**

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised satellite dish.

Period for compliance: 28 days

Reason why it is expedient to issue an enforcement notice:

The satellite dish, by reason of its size and siting, appears as an unsympathetic addition to the existing dwelling and unduly prominent within the street scene to the detriment of the character and appearance of the Bishop’s Stortford Conservation Area, contrary to policies ENV1, ENV5 and BH5 of the East Herts Local Plan Second Review April 2007.

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**1.0 Background**

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located within the built up area and Conservation Area of Bishops Stortford. Pye Gardens is a modern estate of 13 dwellings that were granted planning permission in 2005 under reference 3/02/0640/FP.
- 1.2 The satellite dish is sited at the side of the dwelling in a central position above the front door. Adjacent to this side of the property is an open area of hard standing for vehicles to park and a 1.8 metre fencing enclosing the gardens of No 9 and 8 Pye Gardens. The openness of the area to the side of the dwelling increases the prominence of the dish within the street scene.
- 1.3 The original permission for the dwelling was granted subject to a condition that removed permitted development rights for satellite dishes (Part H of Schedule 2, Part 1 of the General Permitted Development Order).

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1.4 Concern was raised with the Enforcement Team in February 2008 regarding the installation of the satellite dish. A letter was sent to the owner on the 22<sup>nd</sup> February 2008 stating that the satellite dish required planning permission as the permitted development rights were removed.

1.5 On the 27<sup>th</sup> March 2008, an application was submitted for the retention of the satellite dish and after due consideration the application was refused permission on the 19<sup>th</sup> May 2008 for the following reason:

The proposed satellite dish, by reason of its size and siting appears as an unsympathetic addition to the existing dwelling and unduly prominent within the street scene to the detriment of the character and appearance of the Bishops Stortford Conservation Area, contrary to Policies ENV1, ENV5 and BH5 of the East Herts Local Plan Second Review 2007.

1.6 The refusal was subsequently appealed with the Planning Inspectorate and the appeal was dismissed on the 7<sup>th</sup> January 2009. A copy of the Inspectors report is attached.

## **2.0 Planning History**

2.1 The recent relevant planning history is as follows: -

3/08/1414/FP	Installation of satellite dish - retrospective	Refused and dismissed at appeal.
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## **3.0 Policy**

3.1 The relevant policies of the East Herts Local Plan Second Review April 2007 are:-

- ENV1 – Design and Environmental Quality.
- ENV5 – Extensions to Dwellings.
- BH5 – Extensions and Alterations to Unlisted Buildings in Conservation Areas.

## **4.0 Considerations**

4.1 Policy ENV1 states that all development proposals including alterations or additions to buildings will be expected to be of a high standard of design and layout to reflect local distinctiveness. Policy ENV5 also states planning

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permission will be granted for alterations to existing dwellings provided that the character, appearance and amenities of the dwelling and any adjoining dwellings would not be significantly affected to their detriment. It is clear that the visual impact of the satellite dish on the dwelling, surrounding dwellings, and the area, is detrimental due to its size and location on this elevation of the property. The dish is clearly visible and prominent when entering or the leaving the site as there is only one access road.

- 4.2 Policy BH5 relates to extending or altering an unlisted building in a Conservation Area wherein it states that planning permission will be permitted only where the alterations are sympathetic in terms of scale, height, proportion, form, materials and siting. The satellite dish is not sympathetic due to its scale, materials and siting. It is constructed of a solid material and projecting from the middle of this elevation of the dwelling being of a scale that is not considered as proportionate to the dwelling. It is considered that there are other alternative locations within the curtilage of the dwelling that the satellite dish may be able to be located that would not then have any visual impact on the dwelling itself or surrounding area.

### **5.0 Recommendation**

- 5.1 For the above reasons it is recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised satellite dish.