

**9 DCCW2003/3399/F - RETENTION OF AN EXISTING 1200MM DIAMETER SATELLITE DISH AT CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, KINGS ACRE ROAD, HEREFORD, HR4 0SD**

**For: Church of Jesus Christ of Latter Day Saints per Frith Williams Architects, 30A High Street, Newport, Shropshire, TF10 7AQ**

**Date Received: 12th November 2003      Ward: Three Elms      Grid Ref: 47677, 41351**  
**Expiry Date: 7th January 2004**

Local Members: Councillors Mrs. P.A. Andrews, Mrs. S.P.A. Daniels and Ms. A.M. Toon

**1. Site Description and Proposal**

- 1.1 The site lies on the A438 Kings Acre Road to the west of the city centre. The Church building is a substantial brick built structure of broadly rectangular form, north/south aligned, with associated car parking to the east. The structure is situated to the western edge of the site, approximately 3 metres from the boundary with No. 264 Kings Acre Road at its closest point. A Leylandii hedge marks this boundary, which is in the ownership of No. 264.
- 1.2 This application is for the retention of a satellite dish which is affixed to the western elevation of the building. The dish measures 1200 mm in diameter and the underside is approximately 2 metres above ground level.

**2. Policies**

2.1 Hereford Local Plan:

Policy ENV14 - Design  
Policy H21 - Compatibility of Non-residential Uses

2.2 Herefordshire Unitary Development Plan (Deposit Draft):

Policy DR1 - Design

**3. Planning History**

- 3.1 HC930291PF Proposed extension to meeting house to form new multi purpose hall, entrance and teaching area and the conversion of the existing multi purpose hall into office and teaching area. Approved 24th September, 1993.
- 3.2 HC960437PF Removal of existing roof mounted spire and erection of free-standing spire. Approved 31st October, 1997.

#### **4. Consultation Summary**

##### Statutory Consultations

4.1 There are no statutory consultees.

##### Internal Council Advice

4.2 Head of Engineering and Transportation: No objection to the grant of permission.

#### **5. Representations**

5.1 Hereford City Council: No objection.

5.2 Breinton Parish Council: Objection.

"The dish is too low and on the wrong side of the building. This is detrimental to the amenity of the neighbour because it blocks out early morning sunlight. The Parish Council is also concerned about the health implications of siting a dish so low. If it was mounted on the north side and fixed on a separate mast at a height sufficient to clear the roof, it would be acceptable."

5.3 One letter of objection has been received from the occupier of No. 264 Kings Acre Road. The main points are summarised below:

- The dish is obtrusive and unsightly when viewed from both the rear of the property and the driveway.
- The Leylandii hedge has been allowed to grow unchecked in order to mitigate the impact.
- Alternative sites should be explored for the dish, ideally in the roofspace or on the other side of the building.

The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

#### **6. Officers Appraisal**

6.1 The proposal is for the retention of a 1.2 metre diameter satellite dish sited on the western elevation of the Church of Latter Day Saints. The dish is screened in part by a Leylandii hedge and is relatively unobtrusive when viewed from Kings Acre Road.

6.2 In response to the representations received from Breinton Parish Council and the occupier of No. 264 Kings Acre Road, the Local Planning Authority wrote to the applicant's agents, requesting that they examine alternative sites for the dish.

6.3 A response was received on the 22<sup>nd</sup> December, 2003 which states that the only other alternative site would be to the east of the building, near to the car park. This would involve the erection of a 12-foot pole and bracket, with the dish sited at the top. The agents argue that this would be more visually obtrusive than the current arrangement.

- 6.4 The agents accept that the dish could be lowered in its current position, although they would be reticent to do so, as this may increase the possibility of unmitigated vandalism to the dish.
- 6.5 The Local Planning Authority accept that the dish is visible from the rear of No. 264 Kings Acre Road and that the Leylandii hedge has been allowed to grow in order to screen the dish from view. However, in relation to the host building the dish is considered to be in scale and unobtrusive when viewed from other aspects.
- 6.6 In conclusion after full consideration of representations received, it is considered that the retention of the dish in the erected position is acceptable owing to a lack of alternative sites and that planning permission for the retention of the dish should be granted. The alternative sites have been examined but the Local Planning Authority has a duty to determine the application before it. The site and location of the dish is typical for such a location.

**RECOMMENDATION**

**That planning permission be granted:**

**Note to Applicant:**

**The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:**

- Policy ENV14 - Design**
- Policy H21 - Compatibility of Non-residential Uses**

**This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.