

SATELLITE DISHES AND OTHER ANTENNAS – ODPM CONSULTATION PAPER

1 SUMMARY

- 1.1 This report seeks Members' views on Government proposals for amendments to the General Permitted Development Order (GPDO) relating to the treatment of satellite dishes and other antennas.

2 INTRODUCTION

- 2.1 The consultation paper is a response to the changes taking place in respect of digital and satellite technology. The proposals seek to regularise the way different antennas are treated under the planning system.
- 2.2 Under the current arrangements, there is a variation in the way that satellite dishes and other antennas are treated, and there is no clear methodology in respect of antennas located on a dwelling house, within a designated area (Conservation Area) or on other buildings, including blocks of flats and business premises.
- 2.3 In addition to satellite and other antennas, most homes have a TV aerial. Most conventional TV aerials have been treated as *de minimis*. (As in *de minimis non curat lex* – the law does not concern itself with trifles). In other words, erecting a TV aerial has not been considered as development and, therefore, permitted development rules do not apply. On this basis, the options included in the consultation paper do not apply to TV aerials.
- 2.4 Appendix 1 to this report provides details of the questions asked in the consultation paper.

3 OPTIONS

- 3.1 The Government is proposing five possible options for dealing with satellite and other antennas in the future. Appendix 2 to this report summarises the options. Suggested responses to each of the consultation questions are provided below.
1. Yes, this seems reasonable.
 2. Yes, there seems to be little doubt that further changes in the technology will come about and that the regulations should be flexible enough to deal with those changes.
 3. Existing satellite dishes are measured in centimetres across the width of the dish. Other antennas are available in various shapes and sizes. The

Government is proposing that these types be measured by cubic capacity and this would seem to be sensible.

4. Yes
5. Option 1 allows for 1 satellite dish and 1 small antenna. This option would avoid a proliferation of antennas on dwelling houses and control their position to ensure least damage to the skyline.
6. Yes – Option 1.
7. Yes – those proposed seem reasonable.
8. Yes.
9. Option 1 provides appropriate controls in sensitive areas.
10. Yes – Option 1.
11. Yes - again those proposed in Option 1 seem reasonable.
12. Yes.
13. Option 2 – the scale of flats and office buildings above 15 metres in height justifies a little more flexibility.
14. Yes.
15. Yes.
16. Yes.

4 ENVIRONMENTAL IMPLICATIONS

- 4.1 There is no doubt that the combined impact of satellite and other antennas on dwellings and other buildings can be significant, especially so in designated areas.

5 RECOMMENDATION

- 5.1 It is proposed that the Committee **RESOLVES**

That, subject to Members' comments, the Council's response to the consultation paper be as outlined in the report. (HPS)

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Background Papers: ODPM Consultation Paper “Satellite dishes and other antennas”.

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APPENDIX 1

chapter 5

Summary of questions

General Principles

1. We propose that all antennas (except conventional TV aerials) should be treated the same way within the GPDO irrespective of what is being transmitted. Do you agree with this principle?
2. Do you agree that the provisions should be drafted so that they are flexible enough to cope with future technological developments?
3. Do you agree with the proposed methods to measure antenna to safeguard technological neutrality? If not, what means would you suggest?
4. We propose to retain the existing regulations that stipulate two conditions that antennas are sited so as to minimise visual impact on the building; and that any redundant equipment is removed. Do you agree?

Options for change

a) Dwelling house

5. Which of the proposed options do you prefer? Would you prefer an alternative option not set out in this paper? Why?
6. Do you agree that the number of antennas should be limited? If so, what limit would you prefer?
7. Do you agree that the size restrictions are appropriate? If not, what restrictions would you prefer?
8. The siting restrictions are intended to prevent the poor siting of antennas. Do you agree that these siting restrictions are appropriate? If not, what restrictions would you prefer?

b) Designated Areas

9. Which of the proposed options do you prefer? Would you prefer an alternative option not set out in this paper? Why?
10. Do you agree that the number of antennas should be limited? If so, what limit would you prefer?
11. Do you agree that the size restrictions are appropriate? If not, what restrictions would you prefer?
12. The siting restrictions for designated areas are tougher in recognition of the impact that poor siting of antennas would have on visual amenity. Do you agree that these siting restrictions are appropriate for designated areas? If not, what restrictions would you prefer?

c) Other buildings

13. Which of the proposed options do you prefer? Would you prefer an alternative option not set out in this paper? Why?
14. Do you agree that we should differentiate between the number of antennas permitted on buildings below 15 metres in height, and on buildings 15 metres and above?

4.120 This would give people a choice as to who provides their telecommunications service, a wider range of services from which to choose and equitable access to the latest technologies as they become available. It would therefore facilitate the development of existing and new networks and support Government's objectives on Digital TV and broadband.

4.121 However, this option risks significant visual impacts in terms of proliferation and prominence of antennas.

4.122 Whilst this option would permit the installation of a dish it does not necessarily mean that all flat occupiers would be able to receive a service. As mentioned previously, satellite reception is dependent upon line of sight between the orbiting satellite and the receiving dish. In England, most dishes face towards the South in order to receive a signal. In some circumstances the flat/apartment may be on the side of the building that does not face the orbiting satellite.

Which option do you prefer? Would you prefer an alternative option not set out in this paper? Why?

4.123 The number of antennas permitted on a building is dependant on whether the building is above or below a 15 metre height threshold (approx 50 feet). In option 2, buildings below 15 metres are permitted 2 antennas, whilst buildings 15 metres and above are permitted 4. In Option 3, the numbers of antennas is increased to 3 and 6 respectively, although there are siting restrictions in both cases. For option 4, the number is increased again – also subject to siting restrictions. This is intended to prevent the proliferation of antennas on unsuitable buildings.

Do you agree that we should differentiate between the number of antennas permitted on buildings below 15 metres in height, and on buildings 15 metres and above?

4.124 In Options 2–4, the restrictions on the size of antennas are intended to prevent unnecessarily large antennas being installed.

Do you agree that the size restrictions are appropriate for buildings of below 15 metres in height; and for buildings of 15 metres and above? If not, what restrictions would you prefer?

4.125 In Options 2–4, the restrictions on siting aim to prevent the poor siting of these antennas.

The siting restrictions are intended to prevent the poor siting of antennas. Do you agree that these siting restrictions are appropriate for buildings of below 15 metres in height; and for buildings of 15 metres and above? If not, what restrictions would you prefer?

APPENDIX 2

TV/BROADBAND antenna comparison table
DWELLING HOUSES
And
OTHER BUILDINGS (less than 15 metres/50 feet approx.)

PROPOSALS	Option 1	Option 2	Option 3	Option 4	
Numbers of antennas permitted	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> • 1 satellite dish • 1 "small" antenna 	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> • 2 antennas 	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>FRONTING ANTENNAS: • 2 antennas maximum</p> <p>NON-FRONTING ANTENNAS: • 1 additional antenna, or 3 maximum</p>	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>FRONTING ANTENNAS: • 3 antennas (if 1 is roof-mounted)</p> <p>NON-FRONTING ANTENNAS: • unlimited</p>	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>ANTENNAS: • Unlimited</p>
Size of antennas permitted	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> • Sat. Dish – up to 90 cm. • "small" antenna – up to 60 cm (any linear dimension), & not exceeding 1591 sq. cm. <p>(Chimney-mounted satellite dishes & antennas – up to 45 cm max.)</p>	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>ALL ANTENNAS</p> <ul style="list-style-type: none"> – 1st Sat. Dish – up to 100 cm; – 2nd Sat. Dish – up to 60 cm; – 1st antenna – up to 100 cm in any linear dimension and up to 35 litres cc (max vol); – 2nd antenna – up to 60 cm in any linear dimension and up to 35 litres cc (max vol); <p>(Chimney-mounted satellite dishes & antennas – up to 60 cm max.)</p>	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>ALL ANTENNAS</p> <ul style="list-style-type: none"> – 1st Sat. Dish – up to 100 cm; – 2nd & 3rd Sat. Dish – up to 60 cm; – 1st antenna – up to 100 cm in any linear dimension and up to 35 litres cc (max vol); – 2nd & 3rd antenna – up to 60 cm in any linear dimension and up to 35 litres cc (max vol); <p>(Chimney-mounted satellite dishes & antennas – up to 60 cm max.)</p>	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>ALL ANTENNAS</p> <ul style="list-style-type: none"> – 1st Sat. Dish – up to 100 cm; – 2nd/subsequent Sat. Dish – up to 60 cm; – 1st antenna – up to 100 cm in any linear dimension and up to 35 litres cc (max vol); – 2nd/subsequent antennas – up to 60 cm in any linear dimension and up to 35 litres cc (max vol); <p>(Chimney-mounted satellite dishes & antennas – up to 100 cm max.)</p>	<ul style="list-style-type: none"> • TV aerial(s) – <i>de minimis</i> <p>ANTENNAS: • Unlimited</p>
Siting restrictions of antennas permitted	<ul style="list-style-type: none"> • Dishes/antennas should not protrude above the highest point of the roofline. • Dishes/antennas should not protrude above the highest point of the chimney. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 60 cm. • Dishes/antennas should not protrude above the highest point of the chimney. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 100 cm. • Dishes/antennas should not protrude above the highest point of the chimney by more than 60 cm. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 120 cm. • Dishes/antennas should not protrude above the highest point of the chimney by more than 100 cm. 	No restrictions

TV/BROADBAND antenna comparison table
DESIGNATED AREAS

PROPOSALS	Option 1	Option 2	Option 3	Option 4	Option 5
Numbers of antennas permitted	<ul style="list-style-type: none"> • TV aerial(s) – de minimis <p>FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • None permitted <p>NON-FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 1 satellite dish* • 1 "small" antenna** 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis <p>FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • None permitted <p>NON-FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 2 antennas permitted 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis <p>FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 1 antenna permitted <p>NON-FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 1 additional antenna, or 2 maximum 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis <p>FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 2 antennas permitted <p>NON-FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 1 additional antenna, or 3 maximum 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis <p>FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • 3 antennas (1 roof-mounted) <p>NON-FRONTING ANTENNAS:</p> <ul style="list-style-type: none"> • Unlimited
Size of antennas permitted	<ul style="list-style-type: none"> • TV aerial(s) – de minimis <p>* Sat. Dish- up to 90 cm</p> <p>** "small" antenna- up to 50 cm (in any linear dimension), & not exceeding 1591 sq. cm.</p>	<p>ALL ANTENNAS:</p> <ul style="list-style-type: none"> - 1st Sat. Dish- up to 100 cm - 2nd Sat. Dish- up to 60 cm <ul style="list-style-type: none"> - 1st antenna- up to 100 cm in any linear dimension and up to 35 litres cc (max vol). - 2nd antenna- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). <p>(Chimney-mounted satellite dishes & antennas- up to 60 cm max.)</p>	<p>ALL ANTENNAS:</p> <ul style="list-style-type: none"> - 1st Sat. Dish- up to 100 cm - 2nd Sat. Dish- up to 60 cm <ul style="list-style-type: none"> - 1st antenna- up to 100 cm in any linear dimension & up to 35 litres cc (max vol). - 2nd antenna- up to 60 cm in any linear dimension & up to 35 litres cc (max vol). <p>(Chimney-mounted satellite dishes & antennas- up to 60 cm max.)</p>	<p>ALL ANTENNAS:</p> <ul style="list-style-type: none"> - 1st Sat. Dish- up to 100 cm - 2nd/subsequent Sat. Dish- up to 60 cm <ul style="list-style-type: none"> - 1st antenna- up to 100 cm in any linear dimension & up to 35 litres cc (max vol). - 2nd/subsequent antennas- up to 60 cm in any linear dimension & up to 35 litres cc (max vol). <p>(Chimney-mounted satellite dishes & antennas- up to 60 cm max.)</p>	<p>ALL ANTENNAS:</p> <ul style="list-style-type: none"> - 1st Sat. Dish- up to 120 cm - 2nd/subsequent Sat. Dish- up to 60 cm <ul style="list-style-type: none"> - 1st antenna- up to 120 cm in any linear dimension and up to 35 litres cc (max vol). - 2nd/subsequent antennas- up to 60 cm in any linear dimension and up to 35 litres cc (max vol). <p>(Chimney-mounted satellite dishes & antennas- up to 100 cm max.)</p>
Other restrictions of antennas permitted	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roofline. • Dishes/antennas not permitted on the chimney stack. • Dishes/antenna not permitted on the wall or roof slope fronting a road or a Broads waterway. • Dishes/antennas not permitted on a building which exceeds 15 metres height. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 60 cm. • Dishes/antennas not permitted on a chimney stack where they are both fronting, and can be seen from a road, or a Broads waterway. • Dishes/antennas not permitted on the wall where they are both fronting, and can be seen from a road or a Broads waterway. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 60 cm. • Dishes/antennas should not protrude more than 60 cm above the highest point of the chimney stack. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 100 cm. • Dishes/antennas should not protrude more than 60 cm above the highest point of the chimney stack. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 120 cm.

TV/BROADBAND antenna comparison table
OTHER BUILDINGS
(Greater than 15 metres/50 feet approx.)

PROPOSALS	Option 1	Option 2	Option 3	Option 4	Option 5
Numbers of antennas permitted	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • 2 satellite dishes • 2 "small" antennas 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • 4 antennas 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • 6 antennas (if 2 are roof-mounted) 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • 8 antennas (if 4 are roof-mounted) 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • Unlimited antennas
Size of antennas permitted	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • Sat. Dish – up to 130 cm. • "small" antennas – up to 50 cm (any linear dimension), & not exceeding 1591 sq. cm. (Chimney-mounted satellite dishes & antennas – up to 45 cm max.) 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • ALL ANTENNAS – Sat. Dish – up to 130 cm. • Other antennas – up to 130 cm in any linear dimension and up to 35 litres cc (max vol). (Chimney-mounted satellite dishes & antennas – up to 60 cm max.) 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • ALL ANTENNAS – Sat. Dish – up to 130 cm. • Other antennas – up to 130 cm in any linear dimension and up to 55 litres cc (max vol). (Chimney-mounted satellite dishes & antennas – up to 130 cm max.) 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • ALL ANTENNAS – Sat. Dish – up to 130 cm. • Other antennas – up to 130 cm in any linear dimension and up to 55 litres cc (max vol). (Chimney-mounted satellite dishes & antennas – up to 130 cm max.) 	<ul style="list-style-type: none"> • TV aerial(s) – de minimis • ALL ANTENNAS – Sat. Dish – up to 130 cm. • Other antennas – up to 130 cm in any linear dimension and up to 55 litres cc (max vol). (Chimney-mounted satellite dishes & antennas – up to 130 cm max.)
Siting restrictions of antennas permitted	<ul style="list-style-type: none"> • Dishes/antennas should not protrude above the highest point of the roofline • Dishes/antennas should not protrude above the highest point of the chimney. 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 300 cm (approx 10 feet). 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 300 cm (approx 10 feet). 	<ul style="list-style-type: none"> • Dishes/antennas should not exceed the highest part of the roof by more than 300 cm (approx 10 feet). 	<ul style="list-style-type: none"> • No restrictions