

HOMEHEIGHTS HOUSE CLARENCE PARADE SOUTHSEA PORTSMOUTH

ROOFTOP INSTALLATION OF 3NO. POLE MOUNTED ANTENNAS, 1NO. DISH, 2NO. CABINETS AND ASSOCIATED ANCILLARY DEVELOPMENT.

[23/01383/FUL | Rooftop installation of 3no. pole mounted antennas, 1no. dish, 2no. cabinets and associated ancillary development. | Homeheights House Clarence Parade Southsea Portsmouth PO5 3NN](#)

Application Submitted By:

Mr Niall Kelleher
Telent Technology Services Limited

On behalf of:

EE Ltd

RDD: 7th November 2023

LDD: 9th February 2024

1.0 SUMMARY OF MAIN ISSUES

- 1.1 The application has been brought to the Planning Committee for determination as it has received nine objection comments, and one support.
- 1.2 The main issues for consideration are:
 - Sitting and appearance and its impact on heritage assets and amenity; and
 - Other Issues.

2.0 SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**2.1 Site and Surroundings**

- 2.2 The application site relates to the roof of Homeheights House a 1980s 11-storey flatted block. The building is primarily finished in yellow brick with elements of brown glazing and brick detailing. The proposal primarily relates to the southern half of the main flat roof of the building. Homeheights has an unusual form, with multiple roofs, and some balconies.
- 2.3 Homeheights faces directly onto the Grade II Registered Park and Garden 'Southsea Common', given the open nature of the common the building is highly visible from several angles. The site itself is located within the 'Owen's Southsea' Conservation Area No.2. There are a number of other designated heritage assets within the area and due to the height of the building and openness of the surrounding area, the roof of the building is visible from many of these. These include:

The Grade I Listed:

- Portsmouth Naval War Memorial (located 280m to the south-west);

The Grade II Listed:

- Queens Hotel (located 60m to the north west);
- 1-6 Clifton Terrace (located 45m to the east);
- 1-11 Netley Terrace (located 100m to the east);
- Aboukir Memorial (located 320m to the south-west);
- Crimean Monument (located 400m to the south);

- Tram Shelter (adjacent to the Blue Reef Aquarium) (located 410m to the south);
- Lamp columns to Clarence Esplanade (located 420m to the south-east);
- Trident Memorial (located 350m to the west); and
- Chesapeake Monument, Trafalgar Monument, Peel or Shannon Naval Brigade Monument (located 430m to the west).

2.4 Proposal

2.5 Planning permission is sought for the installation of 3 pole-mounted antennas, 1 dish, 2 cabinets and associated ancillary development on the roof of Homeheights House. The proposed antennae would extend to 5m in height above the existing roof of the building and measure approximately 2m tall, 0.5m in width and 0.2m in depth. Two antennae would be sited on the two corners of the building's southern elevation roof, and the third on a north-west corner, facing the Queen's Hotel. The dish would be located at this third location, at 0.58m diameter, and 0.25m maximum depth. The dish and antennas would both be colour treated grey and this would be conditioned. The two cabinets would be sited next to each other on the western side of the roof, and measure 2.2m tall and as a group approximately 2m wide by 0.65m deep. The antennae and dish would be located 1.4m away from the edge of the roof of the building, and the cabinets 1m from the edge of the building.

2.6 The images below show the Location Plan; Southern Elevation and Roof Plan:

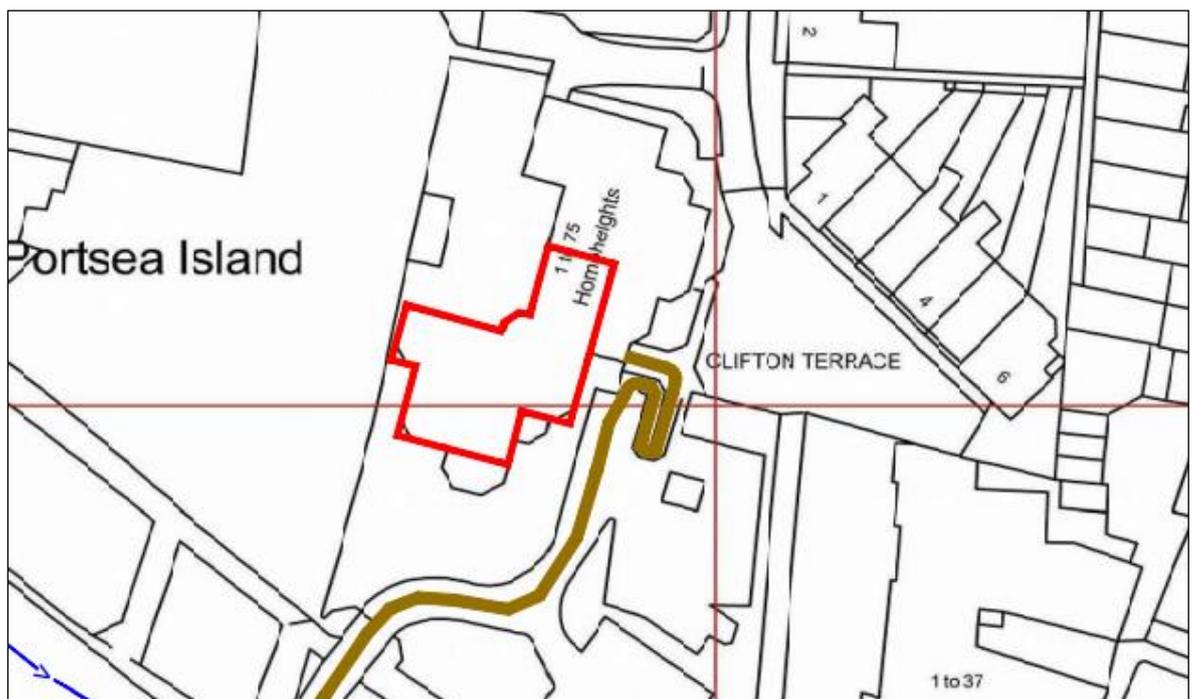


Figure 1 Location Plan

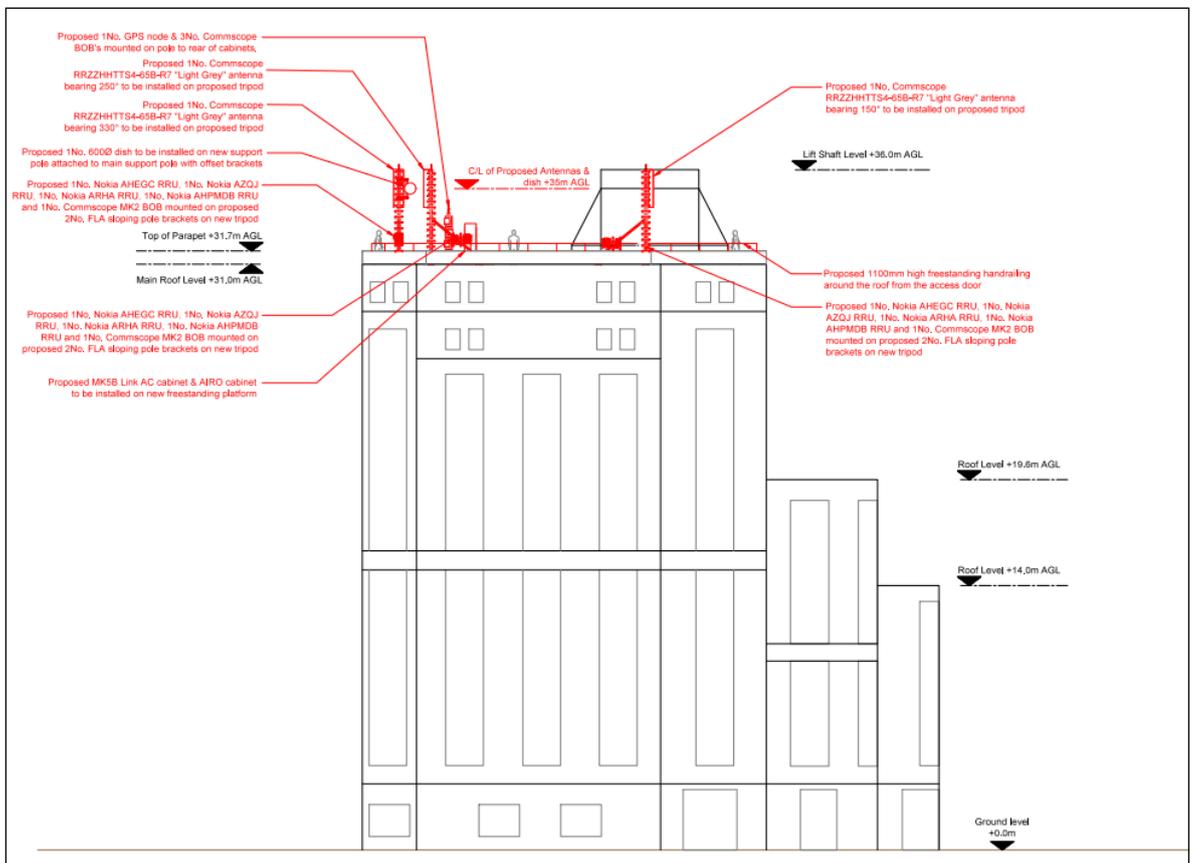


Figure 2 Southern Elevation

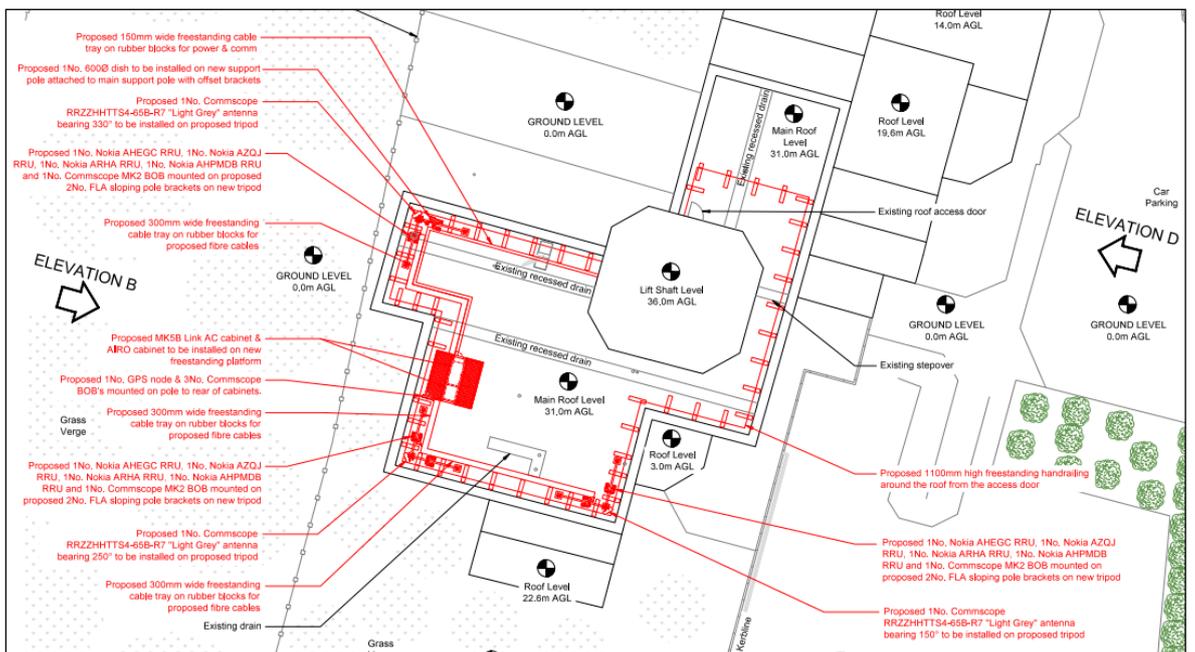


Figure 3 Roof Plan

2.7 Planning history

2.8 A*27302/V: Eleven storey block of 74 elderly persons flats, 2 wardens flats and ancillary accommodation. Conditional Permission (01.23.1985).

3.0 POLICY CONTEXT

3.1 In addition to the aims and objectives of the National Planning Policy Framework (2023), the relevant policies within the relevant policies within the Portsmouth Plan (Jan 2012) would include:

- PCS23 - Design & Conservation

4.0 CONSULTATIONS

- 4.1 Environmental Health - No objections given submission of ICNIRP Certificate (International Commission on Non-Ionising Radiation Protection).
- 4.2 Conservation Officer - Detailed comments provided assessing the siting and appearance of the structure, considers that the equipment would cause some degree of harm in their context albeit the harm would be less than substantial and would represent a low/medium visual impact overall.

5.0 REPRESENTATIONS

- 5.1 Nine representations have been received towards the scheme, 8 of which offer comments of objection, 1 which offers support. The reasons for objections were:
- Impact on the visual setting of Clifton Terrace;
 - Loss of light to rear garden of Clifton Terrace;
 - Set a precedent for future additions to the roof;
 - Errors within the application form;
 - Choice of colour of the clouds in the photomontage hides true impact of structure;
 - Impact of views from War Memorial;
 - Fire risk;
 - Impact of winds blowing structure off roof;
 - No analysis of how the proposal would impact operations in the locality;
 - Impact on residential amenity;
 - Impact on heritage and the Conservation Area;
 - Queries over if other locations have been considered;
 - Lessees are responsible for the upkeep of the roof - contractors may damage roof; and
 - Disruption from installation and maintenance of equipment; and
 - Health concerns from the radiation.
- 5.2 The support comment received is summarised below:
- Supports improved network coverage.

6.0 COMMENT

- 6.1 The main issues for consideration are:
- Siting and appearance and its impact on heritage assets and residential amenity; and
 - Other issues;
- 6.2 Section 10 the National Planning Policy Framework (NPPF) sets out that *"Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections."* It goes on to set out that the *"use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged."*
- 6.3 Although submitted as a full planning application, the proposed equipment may actually be achieved as a fallback position under a Prior Notification procedure, but the Applicant has, after discussion with the Local Planning Authority, chosen to continue with this full application.

6.4 Sitting and appearance

- 6.5 Section 12 of the NPPF places an emphasis on achieving high quality sustainable development. Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places are fundamental to what the planning and development process should achieve. Paragraph 130 sets out that developments should ensure that they function well and add to the overall quality of an area; be visually attractive; be sympathetic to local character and history; establish or maintain a strong sense of place and should optimise the potential of a site to accommodate and sustain an appropriate mix of development.
- 6.7 In addition, Policy PCS23 of the Portsmouth Core Strategy (2012) states, inter alia, that new development must be well designed and, in particular, respect the character of the city. A range of guiding principles include the need for excellent architecture, public and private spaces, the need to relate well to the city's heritage and to be of an appropriate scale, density, layout, appearance, and materials in relation to the context.
- 6.8 The proposed telecommunication equipment is utilitarian in design and nature. The existing building itself is not considered to be of the highest architectural quality and is at odds with the more historic setting of the wider Conservation Area. The equipment would have restricted visibility from close quarters, due to the height of the building and the angled views from ground level. As such, it is not considered the proposal would have any undue effect on local residents' amenities (outlook). The equipment would become visible when taking in wider views and this has been demonstrated by the photomontage within the application submission. The antennae and other equipment would be visibly detractive from the setting of Southsea Common and the surrounding heritage assets however, the equipment would not be particularly noticeable given the distances that views would need to be taken from. They would be a small part of a wide visual context. Overall, the proposal would fail to preserve or enhance the character and appearance of the Conservation Area or the setting of the special architectural or historic context of the Grade II Listed Southsea Common and other Heritage Assets. It is therefore considered that harm would be caused to these Assets, though given the factors above it is considered that this harm would be 'less than substantial' (NPPF, paragraph 202). Therefore, the public benefits of the proposal must be considered in order to establish if these benefits can overcome the limited harm identified.
- 6.9 The applicant in support of the application has set out the need to provide improved telecommunication services within the area as well as setting out alternative sites that have been considered to meet this service requirement. Given the layout of the Seafront and Southsea Common, ground-based infrastructure would be prohibitively more intrusive upon the open and verdant nature of the area. This can be seen by the recent refused application for a monopole within the area at the 'Pavement Outside the Pyramids' (22/01558/PN). It is therefore considered that a building-based proposal may well be a good solution to cover this network gap. As explained above the Local Authority is instructed within the NPPF to give substantial weight for the need to provide such infrastructure. It is therefore considered that given the 'less than substantial' harm present and the public benefit of providing improved telecommunications infrastructure, the proposal is on balance considered to be acceptable in regard to its siting and appearance.
- 6.10 Other Issues raised in the representations
- 6.11 The objection points of setting a precedent: the proposal is considered on its own individual merits as would any future application.
- 6.12 Two minor errors are noted within the application form however they are not considered to be determinantal to the public or Council's assessment of the application.

- 6.13 The colour of the clouds is simply to give an example of how the structure would appear.
- 6.14 The risk of fire is not a planning consideration and would be covered by the Building Control remit as would the securing of the structure to ensure they do not get blown down by the wind.
- 6.15 The application has demonstrated the gap in network coverage and/or capacity and the application would therefore address this network gap.
- 6.16 The impact of the installation/maintenance of the structures is not a material planning consideration, neither are the matters of the interest of the lessees or potential damage from the installation phase on the roof.
- 6.17 The application includes an ICNIRP Certificate which sets out that the equipment would meet the precautionary guidelines set out by the International Commission on Non-Ionizing Radiation Protection and therefore it is not considered that the equipment would result in any health impacts via radiation.
- 6.18 It is not considered that the proposals would affect light or adversely affect other amenity to neighbours.
- 6.19 Human Rights and the Public Sector Equality Duty ("PSED")
- 6.20 The Council is required by the Human Rights Act 1998 to act in a way that is compatible with the European Convention on Human Rights. Virtually all planning applications engage the right to the enjoyment of property and the right to a fair hearing. Indeed, many applications engage the right to respect for private and family life where residential property is affected. Other convention rights may also be engaged. It is important to note that many convention rights are qualified rights, meaning that they are not absolute rights and must be balanced against competing interests as permitted by law. This report seeks such a balance.
- 6.21 Under section 149 of the Equality Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of their protected characteristics. Further the Council must advance equality of opportunity and foster good relation between those who share a relevant protected characteristic and those who do not. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Having had due regard to the public sector equality duty as it applies to those with protected characteristics in the context of this application, it is not considered that the officer's recommendation would breach the Council's obligations under the Equality Act 2010.
- 6.22 Conclusion
- 6.23 The proposed development is considered to result in 'less than substantial' harm towards the Conservation Area, Southsea Common and the setting of the nearby heritage assets. However, in this instance the public benefits of the proposal by way of increase in network coverage and/or capacity is considered to outweigh this harm. It is therefore considered that on balance the proposals constitute sustainable development and should be granted planning permission.

RECOMMENDATION Conditional Permission

PRO-ACTIVITY STATEMENT

In accordance with the National Planning Policy Framework the City Council has worked positively and pro-actively with the applicant through the application process, and with the submission of amendments an acceptable proposal has been achieved.

Conditions

Time Limit

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings -
Drawing numbers:

- 002 Site Location Plan;
- 150 Proposed Site Plan;
- 250 Proposed Site Elevation A;
- 251 Proposed Site Elevation B;
- 252 Proposed Site Elevation C;
- 253 Proposed Site Elevation D;
- 310 Antenna Headframe and Support Structure Plan; and
- 311 Antenna Headframe and Support Structure Elevations.

Reason: To ensure the development is implemented in accordance with the permission granted.

Colour Treatment

3) The equipment hereby approved shall be colour treated light grey and retained in that colour for the lifetime of the development, unless agreed otherwise in writing by the Local Planning authority.

Reason: In order to preserve the character and appearance of the Conservation Area in accordance with Policy PCS23 of the Portsmouth Plan (2012).