

---

# SUPPLEMENTARY AGENDA

## (items 9, 14 & 15)

---

### CABINET

TUESDAY, 21 JUNE 2022 AT 12PM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Democratic Services - Tel 023 9283 4060  
Email: Democratic@portsmouthcc.gov.uk

---

### Membership

Councillor Gerald Vernon-Jackson CBE (Chair)

Councillor Suzy Horton (Vice-Chair)

Councillor Chris Attwell

Councillor Kimberly Barrett

Councillor Darren Sanders

Councillor Lynne Stagg

Councillor Jason Fazackarley

Councillor Lee Hunt

Councillor Steve Pitt

Councillor Matthew Winnington

---

(NB This supplementary agenda should be retained for future reference with the main agenda and minutes of this meeting).

### SUPPLEMENTARY AGENDA

**9 Air Quality Quarterly Report (Pages 3 - 34)**

The purpose of this report is to provide an update on the performance of the Portsmouth Clean Air Zone (CAZ) and the work being undertaken across the Council to improve air quality.

**14 QA Emergency Ward Support (Pages 35 - 50)**

The purpose of this report is for Cabinet to consider an application for Community Infrastructure Levy ('CIL') Funding of £864,354.26 by Portsmouth Hospitals University NHS Trust ('the Trust') for community infrastructure outputs at Queen Alexandra Hospital (QA).

It is recommended that Cabinet recommend that Full Council approves :

The granting of £864,354.26 from Community Infrastructure Funding to Portsmouth Hospitals University NHS Trust for the provision of infrastructure in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) ("CIL Regs") to be funded from Capital Infrastructure CIL.

**15 Milton Neighbourhood Plan (Pages 51 - 124)**

The purpose of this report is to provide an update on the progression of the Milton Neighbourhood Plan following Examination in April / May 2022 and to seek approval for the Neighbourhood Plan as amended by the Examiner and Council's Officers and agreed by the Milton Neighbourhood Planning Forum to proceed to referendum (public vote).

It is recommended that Cabinet:

- (i) NOTES the progression of the Milton Neighbourhood Plan to this point;
- (ii) Accepts all modifications to the Milton Neighbourhood Plan recommended by the Examiner together with the officer's amendments, which provide additional clarity on the modifications made by the Examiner;
- (iii) APPROVES all appropriate actions to progress the Milton Neighbourhood Plan to referendum. A date for the referendum is set for the 18<sup>th</sup> of August 2022;
- (iv) APPROVES the proposed referendum area as indicated on the attached map; and
- (v) APPROVES carrying out the proposed referendum with associated costs and publicity (cost to be recouped from government grant).

These reports marked as 'to follow' on the agenda, were published on 14 June 2022.

# Agenda Item 9



## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

**Title of meeting:** Cabinet Meeting

**Subject:** Air Quality Quarterly Report

**Date of meeting:** 28 June 2022

**Report by:** Tristan Samuels - Director of Regeneration

**Wards affected:** All wards

---

### **1. Requested by**

- 1.1. Members have requested an update on the performance of the Portsmouth Clean Air Zone (CAZ) and the work being undertaken across the Council to improve air quality.
- 1.2. This report details the CAZ performance metrics between November 2021 and February 2022 and provides an up-to-date assessment of the cross-service works being undertaken to address poor air quality.

### **2. Purpose**

- 2.1. Poor air quality is the largest environmental risk to public health in the UK. Every year, between 28,000-36,000 deaths in the UK are thought to be caused by air pollution. Studies have shown that long-term exposure reduces life expectancy and exacerbates pre-existing conditions such as respiratory and cardiovascular diseases. Short-term exposure to elevated levels of air pollution can also cause a range of effects including exacerbation of asthma, effects on lung function, increases in respiratory and cardiovascular hospital admissions and mortality.
- 2.2. Annual reporting of the five Air Quality Management Area (AQMA) locations has shown that in most locations there has been a slow downward trend in NO<sub>2</sub> since their designation, as a result of actions undertaken by PCC and a renewing of vehicles to cleaner models, alongside personal choices made by residents to travel in more sustainable ways. However, despite the decline, air quality is still poor in many parts of the city.
- 2.3. Due to the danger to human health that poor air quality poses, Portsmouth are legally obliged to bring levels of NO<sub>2</sub> down to within legal limits in the shortest

## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

possible time. This meant that PCC had to take stringent actions, such as introducing the Clean Air Zone and its complimentary measures.

- 2.4. The Portsmouth Clean Air Zone (CAZ) was launched on the 29<sup>th</sup> November 2021 in order to bring down levels of dangerous pollutants to within legal limits in the shortest possible time. As a Class B+ CAZ, it charges older, more polluting heavy goods vehicles, coaches, buses, taxis, and private hire vehicles.
- 2.5. The CAZ will need to be in place until compliance with legal limits have been met and have been proved to be permanent. Portsmouth will need to have been compliant with legal limits for at least two years and provide demonstratable evidence in the success of the measures to improve air quality, such that the removal of the Clean Air Zone will not lead to a reversal of these. Central Government are developing a framework for Clean Air Zone decommissioning that Portsmouth will work within.
- 2.6. Appendix A provides a summary of the work undertaken in the first quarter of CAZ operation (November 29<sup>th</sup> 2021 - February 28<sup>th</sup> 2022), highlighting the key schemes looking to benefit air quality in the city. It also reports on some of the key metrics relating to the launch of the CAZ, such as the compliancy rate and the number of *Penalty Charge Notices issued*.
- 2.7. It also reports on the success of the Council in engaging with businesses and successfully distributing the Clean Air Fund to upgrade or replace many of the most polluting vehicles. Since 2019, the Council have supported 69 Heavy Goods Vehicles (HGV's), 162 buses and coaches, and 119 taxi and private hire vehicle upgrades. Extensive work has also been undertaken with the taxi and private hire community to support those upgrading their vehicles, especially in the case of Wheelchair Accessible Taxi's that provide essential services to residents.
- 2.8. In addition to the CAZ, other measures were introduced in the Local Air Quality Plan in order to bring Portsmouth into compliance with legal limits of harmful pollutants. These included changes to taxi licensing policy and traffic signal changes at Alfred Road.
- 2.9. To further reduce the impact of poor air quality on residents, a few other projects and schemes are taking place across the Council to reduce emissions. For example, the Refuse Collection Fleet has swapped its fuel types for one that produces up to 30% less nitrogen dioxide and up to 85% less particulate matter. There is also ongoing work to provide electric car charging points for both residents and taxis, enabling the switch the electric fuel types, alongside the securing of £6.5 million for Zero Emission Bus Regional Area grant (ZEBRA), in partnership with Hampshire County Council and First Solent.



**THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

**3. Information Requested**

- 3.1. Please note, that for future reports, further monitoring data will be provided, and this will include patterns and changes to air quality in Portsmouth. Due to air quality being monitored annually, this interim report includes forecast data from the Air Quality modelling, and will be supplemented with the 2021 Air Quality Annual Status Report data in a future report. Changes to air quality are monitored annually and so the results for 2022 will not be released and reported until 2023.
- 3.2. Future iterations will also monitor traffic on routes external to the Clean Air Zone. This monitoring is already taking place, but the data needs to be thoroughly analysed to ensure its robustness on an annual basis before being released.

.....  
Signed by (Director)

**Appendices:**

Appendix A - Portsmouth Air Quality Quarterly Review

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

This page is intentionally left blank

# Portsmouth Air Quality Quarterly Review

29 November 2021 – 28 February 2022



# 1 Air pollution

## 1.1 Introduction

Poor air quality is the largest environmental risk to public health in the UK. Every year, between 28,000–36,000 deaths in the UK are thought to be caused by air pollution. Studies have shown that long-term exposure reduces life expectancy and exacerbates pre-existing conditions such as respiratory and cardiovascular diseases. Short-term exposure to elevated levels of air pollution can also cause a range of effects including exacerbation of asthma, effects on lung function, increases in respiratory and cardiovascular hospital admissions and mortality.

## 1.2 National limits

The main pollutant of concern in Portsmouth is Nitrogen Dioxide (NO<sub>2</sub>). Public Health England advise that NO<sub>2</sub>, particularly at high concentrations, is a respiratory irritant that can cause inflammation of the airways. There is currently no clear evidence of a threshold concentration of NO<sub>2</sub> in ambient air below which there are no harmful effects for human health.

In 2010 Air Quality Standards Regulations were introduced into English Law and set legal binding limits for concentrations of major air pollutants that affect human health, including nitrogen dioxide. The legal limit for Nitrogen Dioxide, for which Portsmouth are in exceedance, is an annual mean of 40µg/m<sup>3</sup>.

Regulation 26 of the legislation requires the Secretary of State to develop and implement a national Air Quality Plan demonstrating how the limit values for air pollution will be achieved in the shortest possible time. Since 2010, the UK has been in breach of legal limits for nitrogen dioxide in many major urban areas.

## 1.3 Legal challenges

The UK Government has lost 3 challenges in the High and Supreme Courts against environmental campaign group ClientEarth, for failing to take action to achieve the legal limits of air pollution NO<sub>2</sub> in the shortest possible time. Each challenge increased the number of local authorities being directed to take action. Portsmouth was included in the third of these challenges in 2018. Whilst the legal challenges focused on breaches of legal limits, the reasons behind them were to improve air quality and reduce health inequalities across England.

## UK plan for tackling roadside Nitrogen Dioxide concentrations

Government suggest that Charging Clean Air Zones (CAZ) are an effective way to deliver compliance with legal limits for nitrogen dioxide in the shortest possible time. Charging CAZs define areas where vehicle owners are required to pay a charge if they drive through or within. The charge only applies to older, more polluting vehicles, specifically diesel vehicles that are older than Euro 6 and petrol vehicles that are older than Euro 4.

Central government's **UK plan for tackling roadside nitrogen dioxide concentrations**<sup>1</sup> sets out an outline framework for introducing Charging CAZ's. In essence, the worse an area's air quality, the stronger the intervention required to reduce emissions to within legal limits in the shortest possible time. The following classes of CAZ are set out, with an escalating number of vehicle classes being charged. Local authorities should only introduce the minimum required to bring emissions within legal limits:

- Class A – Buses, coaches, taxis, private hire vehicles
- Class B – Buses, coaches, taxis, private hire vehicles, heavy goods vehicles
- Class C – Buses, coaches, taxis, private hire vehicles, heavy goods vehicles, vans, minibuses
- Class D – Buses, coaches, taxis, private hire vehicles, heavy goods vehicles, vans, minibuses, cars, motorcycles (optional)

There is no option for local authorities to pick or choose which vehicles they will charge; instead, they rely on modelled evidence to demonstrate why a particular Class of CAZ is needed to bring about improvements in air quality in the shortest possible time.

The least intrusive classes – A & B – focus largely on vehicles with heavy duty engines. Unlike many light passenger and commercial diesel vehicles, which have not shown the expected real world improvements in engine type in recent years, the latest emission standard (Euro 6) shows significant improvements over Euro 5 in real world emission tests for heavy duty engines. However, these vehicles only make up relatively small percentage of the vehicle fleet (pre-CAZ, only 3% of vehicles operating within Portsmouth were HGV's, buses and coaches<sup>2</sup>, but this accounted for 24% of NO<sub>x</sub><sup>3</sup> emissions).

Introducing a Class B Clean Air Zone means that non-compliant vehicles running on heavy duty engines will be incentivised to upgrade or retrofit their

---

1 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/633270/air-quality-plan-detail.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/633270/air-quality-plan-detail.pdf)

2 <https://www.portsmouth.gov.uk/wp-content/uploads/2020/04/appendix-a-local-air-quality-problem-and-underlying-cause.pdf>

3 NO<sub>x</sub> refers to the cumulative sum of NO and NO<sub>2</sub>. NO can react with oxygen to form NO<sub>2</sub>, so the cumulative total of both gases is considered when working with air pollution data.

vehicles to a cleaner standard. Without the intervention of the Clean Air Zone it is unlikely that the same rates of vehicle upgrade would be achieved.

Taxis and Private Hire Vehicles are also included as they form part of circuiting traffic; whilst a private car might make a single trip in and out of an area in a day, taxis and private hire vehicles may make multiple trips in a single day, thereby continually adding to the pollution.

## 1.5 Portsmouth local Air Quality Plan

Portsmouth has persistent exceedances of the legal limits of NO<sub>2</sub>. Extensive modelling showed two locations, on Alfred Road and Commercial Road, which would be in exceedance in 2022 unless action was taken to reduce emissions. Both are on the A3 route in and out of the city. An estimated reduction in NO<sub>x</sub> of 4%–7% is required to achieve the legal limit at these sites. There are also a further six road sections where NO<sub>2</sub> concentrations were forecast above >37 µg/m<sup>3</sup> in 2022, which, whilst not in exceedance of legal limits, are still considered high.

In order to identify the most suitable options for bringing down levels of NO<sub>2</sub> to within legal limits, a longlist of 64 different interventions was considered. These included both non-charging (such as anti-idling campaigns, changes to traffic signals etc) and charging interventions (i.e. different levels and types of vehicle charging). These options were assessed and refined using a series of assessment criteria. The primary assessment criteria were:

- delivery timescales, where the charging CAZ benchmark was assumed to be 12–18 months
- potential scale of NO<sub>2</sub> reduction, based on emissions modelling undertaken as part of the 2018 Targeted Feasibility Studies or proxy estimates based on the potential change in vehicle flow, speeds and/or delay;
- certainty of delivering the estimated change identified above, e.g. high certainty for options which ban traffic or reduce per vehicle emissions and low certainty for options which rely on individuals choosing to change their behaviour (e.g. travel planning initiatives); and
- risk of displacement of traffic or air quality limit exceedance to other Air Quality Management Areas

The four sub-criteria which were assessed were the strategic case for the intervention, supply side capacity and capability, affordability and achievability.

Delivery of a Charging Clean Air Zone was forecast to take 12–18 months. As this was Central Government's preferred tool for bringing down emissions to within legal limits in the shortest possible time, any alternative suggestion would need to achieve the same reduction in emissions in a similar time frame. Therefore, any options which would take more than 24 months were

assumed to have failed in the objective to reduce emissions to within legal limits in the shortest possible time.

After extensive studies and numerical modelling, looking at both charging and non-charging options, it was identified that a Class B+ CAZ was needed to bring levels of pollutants down to within legal limits in the shortest possible time. There was no non-charging measure which on their own, or in combination with other interventions, could sufficiently reduce emissions to within legal limits in the shortest possible time, as Portsmouth had legally been mandated to do by Central Government.

The final option, which Central Government instructed Portsmouth City Council (PCC) to implement, was a Class B+ CAZ. A Class B CAZ is one which charges non-compliant heavy goods vehicles, buses, coaches, taxis and private hire vehicles. In order to reach compliance with legal limits PCC also delivered a number of non-charging measures alongside the Class B CAZ (the + element) such as changes to traffic signals and revising Portsmouth's taxi and private hire licensing policy. The modelling forecast that this option would be effective at reducing emissions to within legal limits in the shortest possible time. There was therefore no legal need to introduce a CAZ C or D which could charge vans and cars.

The CAZ will need to be in place until compliance with legal limits have been met and have been proved to be permanent. Portsmouth will need to have been compliant with legal limits for at least two years and provide demonstratable evidence in the success of the measures to improve air quality, such that the removal of the Clean Air Zone will not lead to a reversal of these. Central Government are developing a framework for Clean Air Zone decommissioning that Portsmouth will work within.

## **1.6 Impact of the pandemic on air quality in Portsmouth**

Since PCC was legally mandated to implement a Class B CAZ, the COVID-19 pandemic has significantly impacted on local economies and how, why and when we travel. The pandemic has the potential to influence future NO<sub>2</sub> concentrations, by impacting future travel behaviour, the economy (affecting both the volume of travel and the rate at which vehicles are upgraded), and background NO<sub>2</sub> levels.

Within Portsmouth, the initial lockdown measures resulted in significant reductions in vehicle movements in the city as residents observed the lockdown restrictions. Those who could worked at home, schools closed, and many shops, services and leisure businesses closed or switched to online operation only. At the height of the March 2020 lockdown use of motorised traffic in the city decreased to less than a third of pre-lockdown levels and cycling numbers increased by more than 150% compared to 2019. However, as lockdown eased, traffic levels increased along the main routes in the city and have mostly recovered to the levels seen pre-pandemic.



There is some evidence that the peak in people cycling more remains higher than it was in 2019, before the pandemic. Any move away from the private car to increased bike use will lead to better air quality, however, it is too early to draw any long-term conclusions from the data.

An important implication of the pandemic is the disruption that it was caused to the automobile market. In 2020, new car sales were down to their lowest level since 1992<sup>4</sup>, and the number of newly licensed Heavy Goods Vehicles nationally was at its lowest level since 2014<sup>5</sup>. With the difficulties in obtaining a new vehicle, this has been a boost to the second-hand market.

From an air quality perspective, this is problematic as the newer vehicles are significantly less polluting than older vehicles. As a result, the improvement in per vehicle emissions has been less than the improvement that would have occurred without COVID-19 (as without the pandemic a greater number of older vehicles would have been replaced by new cars).

The drop in new Heavy Goods Vehicles is particularly a cause for concern as it is in the vehicles with Heavy Duty Engines where the biggest improvements in air quality have been seen in recent years. Lower rates of upgrade in this vehicle group could mean older, more polluting vehicles continuing to operate. PCC will continue to monitor these statistics. The introduction of a Class B CAZ is likely to drive upgrades in this vehicle group, as otherwise they will be subject to a £50 daily charge.

---

4 <https://www.bbc.co.uk/news/business-55551315>

5 <https://www.gov.uk/government/statistical-data-sets/veh05-licensed-heavy-goods-vehicles>

# 2 Portsmouth Charging Clean Air Zone

## 2.1 Portsmouth CAZ

The Portsmouth Charging CAZ went live on the 29 November 2021. All non-compliant vehicles will be charged upon entry to the CAZ. Vehicle registration plates are captured using Automatic Number Plate Recognition (ANPR) cameras upon entry to the zone; these are sent to the Government's automated central service which uses DVLA vehicle records to determine which vehicles are non-compliant, and whether or not they have paid the CAZ charge.

PCC only need to take action when non-compliant vehicles have entered the CAZ and not paid the charge, and so are liable for a Penalty Charge Notice.

The metrics included within this section are for the first three months of operation for the Portsmouth CAZ. Please note, that this data will be updated and reported on a quarterly basis.

### 2.1.1 Portsmouth Clean Air Zone Scheme Information

Go Live Date: 29 November 2021

Size: 2.62km<sup>2</sup>

Website: <https://cleanerairportsmouth.co.uk>

### 2.1.2 Vehicle Charge Summary

Category	November/ December	January	February
Total vehicles subject to a charge	1,126	1,587	1,343
Total vehicles entering the CAZ	1,054,124	1,143,374	1,123,542
Total number PCNs issued*	549	478	394

\*For non-compliant entries in that month.

The data suggests that there has been a slow increase in the number of vehicles entering the Clean Air Zone since it launched. From 13 December through to 26 January, government guidance was in place instructing people to work from home where possible due the Covid-19 pandemic. It is likely that this had had an impact on the total number of vehicles driving through the CAZ in that time, particularly cars. As cars are not subject to the CAZ charge it's unlikely that this would have an impact on the number of vehicles being issued a charge.

The increase in total vehicles subject to a charge between December and January is likely due to internal adjustments to the cameras to achieve an

optimum state in terms of capturing the highest possible number of number plate reads, balanced against the workload of correcting any misreads.

### 2.1.3 Vehicle Compliance Summary

Category	November/ December	January	February
Compliance rate %	96%	96%	95%
Non-compliance rate %	4%	4%	4%
Average daily unique compliant vehicles	30,616	35,341	38,307
Average daily unique non-compliant vehicles	1,253	1,395	1,537
Average daily unique vehicles detected in Zone	31,943	36,883	40,126

The data generally shows a compliance rate of 96%, and non-compliance at 4%<sup>6</sup>. The rate of non-compliance is significantly inflated by a large number of nationally and locally exempt vehicles. The CAZ system categorises all nationally exempt vehicles as 'non-compliant' – meaning that many vehicles that wouldn't be charged under a Portsmouth CAZ (such as cars, vans etc) are being included within that number of non-compliant vehicles. The compliance rate is, in turn, likely to be higher than stated. Likewise, locally exempt figures include vehicles that have been whitelisted for purposes other than a PCC-granted Local Exemption.

Future iterations of this report will include figures on the number of vehicles that have been granted a Local Exemption as agreed by PCC. This is not possible for the first months of operation due to the way in which the reporting system was initially set up.

### 2.1.4 Enforcement Summary

Category	November/ December	January	February
Daily Average number of vehicles issued a PCN	17	15	14
Total Number of Penalty Charge Notice's Issued	549	478	394
Percentage of vehicles subject to a charge issued a PCN	49%	30%	29%
Percentage of all unique vehicles issued a PCN	0.05%	0.04%	0.04%
Percentage of PCN's paid	81%	81%	61%

<sup>6</sup> Some vehicles are unrecognised so the combined figure of Compliant and Non-Compliant vehicles will not always equal 100% of the total number of vehicles entering the Clean Air Zone.

The number of vehicles being issued with Penalty Charge Notice (PCN) started at almost half of all chargeable vehicles when the CAZ launched. PCC were aware that some people may not be aware of the CAZ, and so ran an early 'soft enforcement' whereby for the first month of operation those in receipt of a PCN had a further week's grace to pay the CAZ charge only, without the additional penalty charge. The data shows the number of chargeable vehicles being issued with a PCN has started to fall, with the average number of PCNs issued in February at 14 per day.

### **2.1.5 Comparison against forecasts**

The numbers of vehicles are lower than forecast, as are the number of non-compliant vehicles. For the first three months of CAZ operation, PCC forecast an average of 306 non-compliant vehicles per day, whereas the average actual is 44 vehicles subject to a charge per day. Likewise, the forecast traffic flows were 52,100 unique vehicles per day, whereas the average monitored daily flow is 36,100 unique vehicles (although this represents an average and has been steadily increasing with time). The income from the CAZ is consequentially lower than expected, with the funds raised going towards the operational running costs of the scheme.

The launch of the CAZ coincided with the introduction of Work from Home guidance by the government as part of their response to the Covid-19 pandemic, which is likely to have resulted in fewer vehicles travelling through the CAZ. The launch was also preceded by an eight-month period where PCC worked with the vehicle owners who would be most impacted to upgrade their vehicles, either through retrofitting, replacement or lease. More details can be found in section 3 below. Whilst it is too early to draw definitive conclusions as to why the number of non-compliant vehicles is lower than forecast, it's likely that these are two contributory factors.

PCC are collecting both vehicle data and air quality data in relation to the CAZ. Whilst vehicle data is quickly available for comparison against forecasts, the air quality monitoring data has much longer lead in times (see section 2.2). The exceedances in NO<sub>2</sub> levels are due to road traffic and so a reduction in the numbers of older, more polluting vehicles is expected to result in improved air quality. This will be closely monitored.

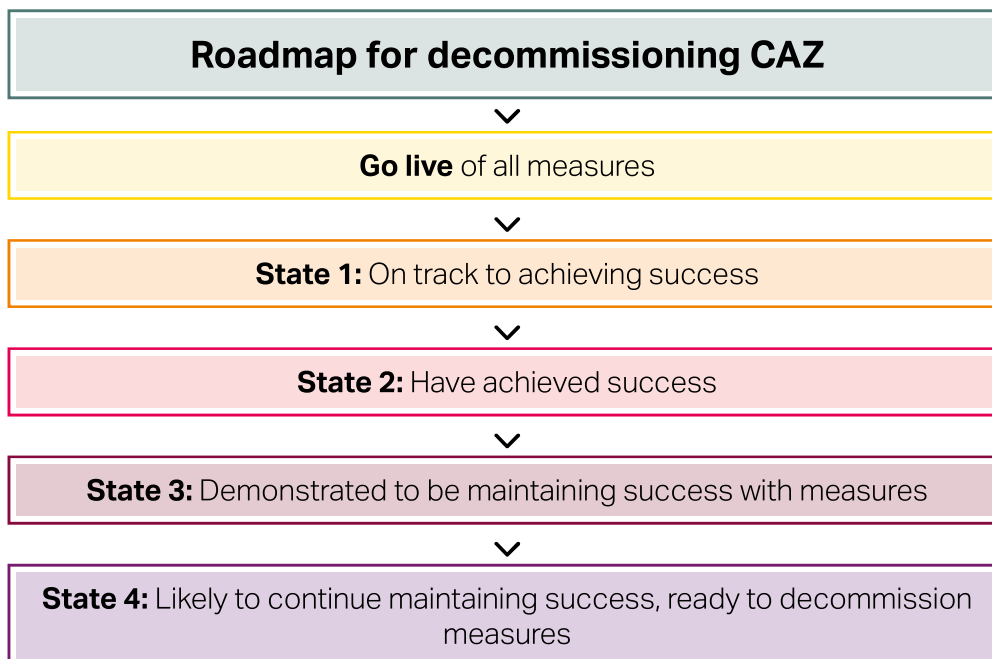
## **2.2 Long term monitoring and decommissioning**

The Portsmouth CAZ will remain in operation until Portsmouth has achieved and maintained compliance with legally binding targets in air quality. Whether or not Portsmouth has achieved compliance will rest on an evidence base of long-term monitoring. This will need to demonstrate a year+ worth of data that shows NO<sub>2</sub> levels are below the legal limit of 40µg/m<sup>3</sup>, and a further year to ensure that levels remain within legal limits.

The data that central government use to monitor compliance with legal limits is based on their national Automatic Urban and Rural Network of air quality monitors and modelled concentrations from the Pollution Climate Mapping (PCM). This is different from the data that PCC collect to monitor air quality in the city. PCC rely on a network of diffusion tubes and a limited number of continuous monitoring sites for air quality data. The diffusion tubes themselves are analysed and verified yearly, meaning that data for 2022 will not be available until 2023. Whilst useful, the six continuous monitoring sites on their own cannot give a true picture of air quality in Portsmouth as they only provide a snapshot of air quality in a particular location and not in the city as a whole.

The CAZ will not be 'switched off' as soon as legal limits have been met – this runs the significant risk that air quality would just return to levels seen before the CAZ was introduced. Instead, the CAZ will be decommissioned when real world data and modelling demonstrates that removing the CAZ is unlikely to result in emission levels reaching above the legal limits. Figure 1 below shows the stages for decommissioning that have been laid out by central government.

**Figure 1. Roadmap for Decommissioning**



## 2.3 External monitoring summary

As part of the long-term monitoring of the CAZ, PCC are working with central government to monitor roads external to the CAZ to make sure that more polluting vehicles do not simply move to alternative routes through the city.

Central government are providing Portsmouth with the raw data for PCC to analyse. The results will be incorporated into the next Quarterly Report.

# 3 Clean Air Fund

## 3.1 Introduction

PCC recognises that by introducing the CAZ, many businesses will find their operations interrupted on a day-to-day basis. In order to help them upgrade their vehicles before the CAZ launched, PCC submitted an application to central government's Clean Air Fund (CAF) to secure funding for Heavy Goods Vehicles, buses, coaches, taxis and Private Hire Vehicles. Applications opened in March 2021 and since then have been heavily subscribed.

Whilst we have not been able to award funding for every applicant who requested it, we have been able to support those most in need in replacing their vehicles. Applications were scored against a set of criteria, the most significant of which were:

- Location – is the business located in Portsmouth or the Isle of Wight?
- Is the business micro, small or medium sized (i.e. 0–249 employees)?
- How often does the vehicle enter the CAZ?
- Can the business rotate their fleet or plan routes that don't result in non-compliant vehicles entering the CAZ?

Due to the high number of applicants, the fund for HGVs, buses and coaches is now closed. We still have funding available for taxis, and we'd encourage any taxis or private hire vehicles licensed with PCC who have yet to upgrade to contact us.

Some CAF vehicles who are facing a delay in delivery of new vehicles have been granted temporary exemptions as the delay is due to the disruption caused by Brexit and the pandemic.

## 3.2 Heavy Goods Vehicles

Traffic surveys undertaken to support the implementation of the Portsmouth CAZ suggested that funding was needed to upgrade 69 Heavy Goods Vehicles. PCC were successful in securing grants of £16,000 per vehicle. This fund has been fully subscribed.

As there are not many retrofit options for Heavy Goods Vehicles, most have opted to replace their older, non-compliant vehicle with one that is Euro 6 compliant.

## 3.3 Buses and coaches

As with HGVs, traffic surveys done to support the implementation of the CAZ suggested that funding was needed to support the upgrade of 57 buses and coaches. PCC were successful in securing grants of £15,000 per vehicle. This funding was targeted at small and medium sized enterprises. A previous

round of funding in 2019 focused on scheduled bus services run by First and Stagecoach retrofitted 105 vehicles who regularly entered the CAZ, to bring them up to Euro VI standard.

The CAF for buses and coaches has been fully subscribed, with 23 vehicles choosing to replace their older, non-compliant vehicle with a Euro 6. A further 33 vehicles have so far chosen to retrofit their existing vehicles. A single vehicle has used the CAF funding to exit their lease agreement on a non-compliant vehicle.

### **3.4 Taxis and Private Hire Vehicles**

PCC operate as the Licensing Authority for the Hackney Carriages (taxis) and Private Hire Vehicles (PHVs) based in Portsmouth. As such, the council applied for enough funding to support the drivers of all the non-compliant vehicles in the fleet to upgrade. Through the CAF, grants of £1,500 per vehicle for a standard taxi or PHV, and £5,000 per Wheelchair Accessible Vehicles (WAVs), were secured. The higher grant amount for the Wheelchair Accessible Vehicles reflected the higher upgrade costs. Since the CAF opened to Hackney Carriages and Private Hire Vehicles in March 2021, PCC has actively supported the replacement of 119 vehicles, including 26 WAVs.

Wheelchair Accessible Vehicles also play a key role in providing mobility for wheelchair users in Portsmouth and so it was particularly important to ensure that vehicle owners were supported in upgrading their vehicles. PCC were able to secure an additional £1,000 per vehicle from central government, raising the funding available from £4,000 to £5,000. Moreover, around 30 PCC licensed Wheelchair Accessible Vehicles were granted a six-month sunset period where they were exempt from the CAZ charge, which ended on the 31 May 2022. This sunset period was in place to give drivers longer to upgrade their vehicles, recognising the higher upgrade costs for WAVs and the key role that they play in supporting those with mobility difficulties. We are actively supporting vehicle owners through our dedicated Engagement Officer to help them reach compliance.

Grants remain open to those licensed in Portsmouth who have yet to upgrade. For further enquiries please email [\*\*CleanerAir@portsmouthcc.gov.uk\*\*](mailto:CleanerAir@portsmouthcc.gov.uk).

# 4 Changes to hackney carriage and private hire licensing policy

In December 2020, PCC's Licensing Committee agreed to change licensing requirements for hackney carriages and private hire vehicles so that they could only be licensed until they reached eight years of age. This meant that older, more polluting vehicles would be phased out of use in the taxi and private hire trade. Owners of older vehicles could apply for a CAF grant to help them upgrade.

The new requirements came into effect on 1 January 2022, so owners of non-compliant vehicles had a full year to replace them. Portsmouth local fleet of taxis and PHV is now 97% compliant with the requirements of the Portsmouth CAZ (as of May 2022) – up from 62% when the CAZ Outline Business Case was submitted in the autumn of 2019.

It was also agreed by the Licensing Committee that any new vehicle licensed after 1 January 2025 would need to be Zero Emissions Capable. Many hybrids and all electric vehicles are classed as Zero Emissions Capable<sup>7</sup>. By making this commitment to cleaner vehicles in the longer term, PCC was able to successfully bid for £500,000 in funding for rapid electric vehicle (EV) chargers specifically for the taxi and private hire trade.

Recognising the importance that Wheelchair Accessible Vehicles provide to key communities within Portsmouth, proposals are being developed through the Licensing Committee to consider extending the age limit of these vehicles from eight to 12 years. An update on this proposal will be reported in the next quarterly review.

---

7 Transport for London defines a Zero Emission Capable private hire vehicle as one that emits:

- No more than 50g/km CO<sub>2</sub>, with zero exhaust emissions for a minimum range of 10 miles (16.09 km)
- No more than 75g/km CO<sub>2</sub> exhaust emissions, and be capable of operating with no emissions for a minimum range of 20 miles (32.19km)



# 5 Alfred Road signal changes

Alfred Road is one of the two sites on Portsea Island where emissions were forecast to exceed legal limits in 2022. Whilst this site is within the CAZ, PCC has also made changes to the signals to optimise traffic flow. Less queuing traffic will contribute to a lower build-up of emissions at this location.

In particular, PCC has made changes to the traffic signals at Alfred Road / Queen Street junction. These are:

- A shorter cycle time during the AM and PM peak periods. A junction's cycle time is the time it takes to move through all the 'stages', with all arms having a green light, including space for pedestrian movements. A shorter cycle time means shorter wait times for vehicles, resulting in shorter queues and lower 'at point' emissions, and shorter wait times for pedestrians and students.
- Reversing two of the signal phases. This will allow a 'green wave' effect for southbound traffic to flow straight through the junction, reducing the amount of congestion at the exceedance location.

In combination with the CAZ and other measures being introduced to improve air quality in the city, these changes are forecast to lead to an improvement in the level of air pollution at Alfred Road.

# 6 Workplace Sustainable Travel Fund

The aim of the Workplace Sustainable Travel Fund is to reduce single occupancy car journeys and encourage cycling and walking for both business journeys and travel to and from work. These behaviours translate into helping to improve the air quality in Portsmouth.

The 2021/22 fund was distributed as grants of up to £4,000, with at least 10% match funding required. The fund was oversubscribed, with 33 applications received. PCC were able to award funding to 22 applicants – 17 with the full funding requested and 5 part-funded.

Applications were received from churches, a nursery, various businesses (such as solicitors, mobile barista's, engineering consultancies) and non-for-profit organisations. Using the funding, they were able to purchase pool bikes, e-cargo bikes, bike shelters, cycling and walking accessories (helmets, hi-vis, waterproof clothing).

# 7 Electric vehicle charging points

## 7.1 Rapid EVs for Taxis and PHV

Due to the changes made in Licensing Policy for taxis and private hire vehicles, PCC were able to bid for funding from Central Government for £500,000 for rapid electric vehicle charging points around the city exclusively for the use of the taxi and private hire trade. The rapid chargers are sized at 50kW each and to begin with the tariff is expected to be 40p/kWh.

The first of these was installed in February 2022 at Stubbington Avenue. The next phase is a planned charger at both London Road and Isambard Brunel Surface carparks followed by the Park and Ride and D-day Museum with up to three chargers each.

With a requirement for all new taxis and private hire vehicles to be Zero Emissions Capable by 2025, the introduction of these charge points will enable this change.

## 7.2 On-street residential EV charging points

PCC started installing on-street electric vehicle (EV) charging points in March 2019, with a successive wave in February 2022. To date there have been 98 on-street charge points installed.

Use of the on-street electric charge points is open to all residents. There are two operators of on-street charging points in Portsmouth, Ubtricity and Joju, each with their own app for use. If the user doesn't have either app downloaded, payment can also be made through scanning a QR code on the charge point with a smart phone.

Phase 1 of the EV charge point installation, which began in March 2019, saw the installation of 36 chargers. The shift to electric vehicles will have reduced the amount of nitrogen dioxide and particulate matter generated from vehicle exhausts. Moreover, to date these are estimated to have saved in the region of 122.7 tonnes of CO<sub>2</sub>e (carbon dioxide or equivalent) over three years of operation.

## 8 Refuse collection vehicles

Portsmouth's fleet of refuse collection vehicles are now run-on Green D+ Hydro-treated Vegetable Oil (HVO), rather than diesel. HVO fuels are made using used second-hand oils and fats from cooking and other industries.

Emissions data indicates that Green D+ HVO fuel results in the following fuel efficiencies:

- Carbon Dioxide (equivalent) – reduction of up to 90%
- Nitrogen Oxide – reduction of up to 30%.
- Particulates – reduction of up to 85%.

By using HVO fuels for refuse collection vehicles this reduces the impact that statutory services such as refuse collections have on the city's air quality.

Whilst the switch from regular fuel to the Green D+ HVO fuel isn't sufficient to bring the refuse collection vehicles in line with Euro 6 standards – particularly with regards to NO<sub>x</sub>, it still offers a smart, effective reduction at very little cost to the taxpayer. Because the refuse collection vehicles will be operating across the city, and not just within the CAZ, these emissions savings will benefit everyone. It also means that the council can invest in new Euro 6 refuse collection vehicles when the current contract ends in October 2023.

Moreover, the significant reduction in CO<sub>2</sub> (e) means that the use of Green D+ HVO fuel has wider ranging benefits to the environment, beyond improvements to air quality. The benefits of Green D+ is such that one engine running on diesel produces as much CO<sub>2</sub> (e) as 10 running on Green D+ – helping Portsmouth tackle the climate emergency through simple steps in the way in which the council operates.

# 9 **Zero Emission Bus Regional Area (ZEBRA)**

In partnership with First Solent and Hampshire County Council, PCC has been awarded £6.5 million to replace 34 diesel buses with new electric buses on three key routes across the Gosport, Fareham and Portsmouth area (First bus routes 1, 3, 9/9a).

Portsmouth and Hampshire are just one of twelve areas across England to be awarded funding for electric buses, alongside the required charging infrastructure. The buses are forecast to be able to operate for up to 300 miles between charges.

The buses will run through areas where a quarter of households are without a car, providing much needed clean connectivity. Furthermore, as electric vehicles are much less polluting than diesel vehicle, with zero tailpipe exhausts, this will support air quality improvements on the bus routes that travel through four of Portsmouth's air pollution hotspots.

# 10 Preliminary air quality reporting

## 10.1 Baseline air quality modelling

The legal limit for NO<sub>2</sub> is an annual mean of 40 µg/m<sup>3</sup>. Extensive modelling has been undertaken to identify areas where air quality is not expected to meet legal limits in 2022. This modelling is based on extensive roadside air quality monitoring and traffic surveys.

Two local road sections in central Portsmouth were identified where modelled NO<sub>2</sub> concentrations are forecast to exceed the statutory limit of 40 µg/m<sup>3</sup> (or 40.49 µg/m<sup>3</sup> unrounded) in 2022. These are:

- **A3 Alfred Road (Unicorn Rd to Queen St, 41.7 µg/m<sup>3</sup>);**
- **A3 Commercial Road (south of Church St, 41.1 µg/m<sup>3</sup>).**

These road links are located in the city centre area, on the main A3 route in and out of the city. An estimated reduction in NO<sub>x</sub> of 4%–7% is required to achieve the statutory limit.

For context, 2022 is the earliest year in which compliance is considered feasible as a result of implementing a charging CAZ, and represents the benchmark for assessing options. Portsmouth is under ministerial direction to reach the legal limit in the shortest possible time. The modelling in Figure 3 shows the forecast modelled air quality with and without the CAZ. Figures 4 and 5 below show the location of the air quality exceedance / near exceedance locations.

In the absence of any intervention, **compliance would be achieved in 2023 at the identified exceedance locations, due to assumed background changes in fleet composition.** However, the coronavirus pandemic has created some uncertainty around the background rate at which vehicles are renewed, due to a decline in the number of new vehicle registrations in the first six months of 2020. This could extend the baseline year of compliance.

## 10.2 Trends in air quality

There are five Air Quality Management Areas (AQMAs) currently in place within Portsmouth's statutory boundary, due to exceedance in annual NO<sub>2</sub> at these locations. Four of these are either within or border the CAZ, with the fifth covering the southern end of Eastern Road (see figure 2 below). Annual reporting at these five locations has shown that in most locations there has been a slow downward trend in NO<sub>2</sub> since their designation, as a result of actions undertaken by PCC and a renewing of vehicles to cleaner models, and personal choices made by residents to travel in more sustainable ways. A more detailed analysis is available in the Air Quality Annual Status Report (ASR). Despite the decline air quality is still poor in many parts of the city.

Because of the danger to human health that poor air quality poses, Portsmouth is legally obliged to bring levels of NO<sub>2</sub> down to within legal limits in the shortest possible time. This meant that PCC had to take stringent actions, such as introducing the CAZ and its complimentary measures. This may bring Portsmouth into compliance with legal limits as shown in Figure 3 below, but it is recognised that there is still further to go to improve air quality and residents' health and wellbeing. That is why measures such as the ZEBRA bus scheme and on-street electric vehicle charging points are being pursued, with further actions being planned as PCC explore other ways in which Portsmouth's air quality can be further improved.

**Figure 2. Portsmouth Clean Air Zone and Air Quality Management Areas**



Figure 3. Modelled NO<sub>2</sub> (µg/m<sup>3</sup>) air quality modelling, with and without the Clean Air Zone

Receptor ID	Road Name	Future Baseline (2022)	CAZ B + non-charging measures (2022)
<b>Exceedance locations</b>			
573	<b>A3 Alfred Road (Unicorn Rd to Queen St, s/b)</b>	<b>E 41.7</b>	<b>N 40.2</b>
546	<b>A3 Commercial Road (south of Church St Rbt, s/b)</b>	<b>E 41.1</b>	<b>N 39.5</b>
<b>Near exceedances (37 µg/m<sup>3</sup>)</b>			
526	Church Street (east of Church St Rbt, n/b) (revised assessment)	<b>N &lt;38.7<sup>a</sup></b>	<b>N &lt;38.7<sup>a</sup></b>
536	A3 Hope Street (south of Church St R'bout, s/b)	<b>N 38.9</b>	<b>N 37.8</b>
824	A2030 Eastern Road Water Bridge (s/b)	<b>N 38.8</b>	<b>N 38.5</b>
648	A2047 London Road (Stubbington Ave to Kingston Crescent, s/b)	<b>N 38.5</b>	<b>N 37.9</b>
520	Mile End Road (north of Church St R'bout, s/b)	<b>N 37.6</b>	<b>N (36.9)</b>
557	A3 Marketway (Hope St Rbt to Unicorn Rd)	<b>N 37.4</b>	<b>N (36.2)</b>
<b>Road sections on the Strategic Road Network exceeding the statutory limit (40.49 µg/m<sup>3</sup>) in 2022</b>			
986	A27 (north of Portsea Island, w/b)	<b>E 48.5</b>	<b>E 48.2</b>
1089	A27 (east of Portsea Island, w/b)	<b>E 46.1</b>	<b>E 46.0</b>
11	M27 (west of Portsea Island, w/b)	<b>E 45.3</b>	<b>E 45.3</b>
968	A27 (north of Portsea Island, e/b)	<b>E 43.7</b>	<b>E 43.1</b>
834	A27 (east of Portsea Island, w/b)	<b>E 41.1</b>	<b>E 40.8</b>

Exceedances (>40.49µg/m<sup>3</sup>) shown preceded with E, near exceedances (>37µg/m<sup>3</sup>) shown preceded with N, lower concentrations shown in brackets.

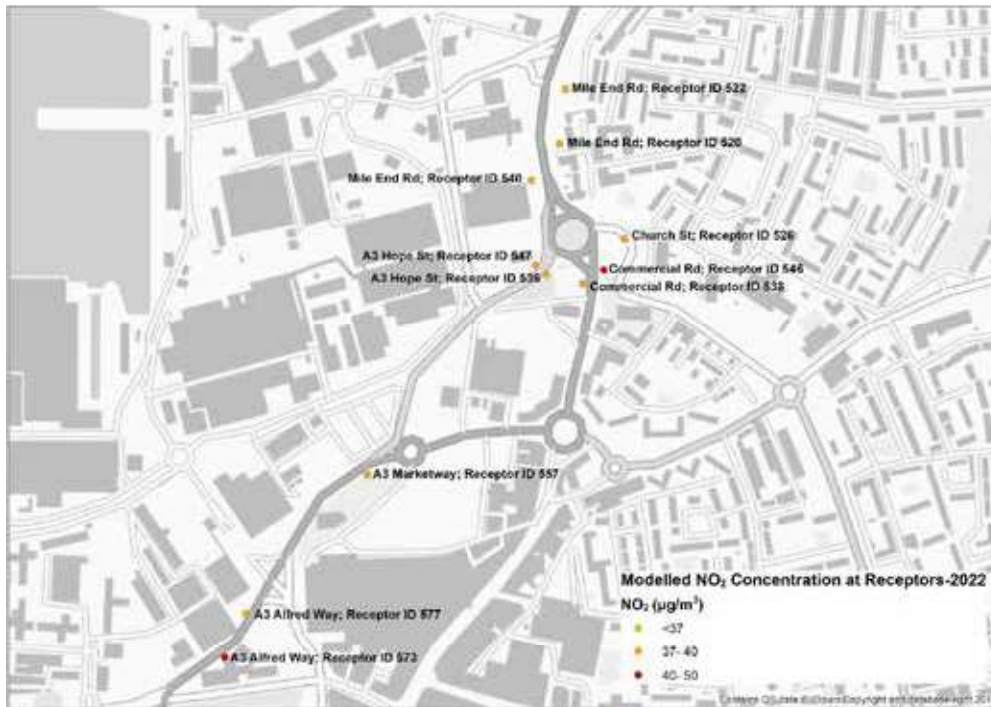
Note a: The concentration at Church Rd has not been modelled directly, but the option reduces traffic levels and improve the average fleet emissions compared with the baseline. It therefore follows that the concentration will follow the same trend as at all other sites and be lower than the baseline concentration.



Figure 4. Location of roadside receptor sites with modelled exceedances in 2022 baseline



Figure 5. The City Centre Exceedance locations



### 10.3 Exceedance locations on the strategic road network

There are also five road sections on the A27/M27 Strategic Road Network (operated by National Highways) where NO<sub>2</sub> concentrations are forecast to exceed the statutory limit in 2022. The highest exceedance is on the section of the A27 immediately north of Portsea Island, requiring a reduction in road NO<sub>x</sub> of 30% to achieve the limit value.

These locations are National Highways' responsibility, but PCC is expected to ensure local measures do not adversely impact on these sites. The introduction of the CAZ in the south-west of the city is not expected to adversely impact these sites.

### 10.4 Future reporting

Section 2.2 describes the process for long term monitoring of the Clean Air Zone.

PCC also produce an Annual Status Report looking at air quality across Portsmouth for the previous year. Due to the nature of air quality monitoring (much of it being in the form of diffusion tubes which need to be collected and analysed on an annual basis) this is only reported annually. Air quality can also be affected by factors such as seasonality and local transport conditions which makes an annual assessment the most robust approach.

The results of 2021's Annual Status Report on air quality will be incorporated into future iterations of this report where it can complement the forecast data in understanding the emerging picture of the impacts of the CAZ.

# 11 Next steps and where to find out more

## When will the next report be published?

This report will be published four times a year – once every quarter, bringing residents an update on the measures being implemented across the city to improve air quality.

## Where can people find out more?

There is a website dedicated to air quality in Portsmouth – <https://cleanerairportsmouth.co.uk>. Updates are also posted on PCC social media feeds.

## Where can I find out more about changes to Air Quality as a result of the measures included in this report?

As time goes on, we will update the Quarterly report with data as it becomes available. Air Quality data is also reported annually in **Portsmouth City Councils Air Quality Annual Status Report**<sup>8</sup>. The data for 2021 will be released later this year, once it has been verified and reviewed.

---

<sup>8</sup> <https://www.portsmouth.gov.uk/services/environmental-health/air-quality-and-pollution/air-quality-in-portsmouth>







You can get this information in large print, Braille, audio or in another language by calling 023 9268 8651



<b>Title of meeting:</b>	<b>Cabinet and Full Council</b>
<b>Date of meeting:</b>	21 June 2022 and 19 July 2022
<b>Subject:</b>	Queen Alexandra (QA) Hospital Emergency Ward Support
<b>Report by:</b>	Tristan Samuels, Director of Regeneration
<b>Report Author:</b>	Ian Maguire, Assistant Director Planning & Economic Growth, Regeneration
<b>Wards affected:</b>	All
<b>Key decision:</b>	Yes
<b>Full Council decision:</b>	Yes

---

## 1. Purpose of report

- 1.1. To consider an application for Community Infrastructure Levy ('CIL') Funding of £864,354.26 by Portsmouth Hospitals University NHS Trust ('the Trust') for community infrastructure outputs at Queen Alexandra Hospital (QA).

## 2. Recommendations

Cabinet

- 2.1. to note the content of the report.
- 2.2. to recommend to Full council, to approve the recommendations of the Report.

Full Council to approve:-

The granting of £864,354.26 from Community Infrastructure Funding to Portsmouth Hospitals University NHS Trust for the provision of infrastructure in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) ("CIL Regs") to be funded from Capital Infrastructure CIL.

## 3. Background

- 3.1. Portsmouth City Council has been charging CIL since April 2012. CIL is a set charge, based on the gross internal area floorspace of buildings, on most new development to help fund the infrastructure needed to address the cumulative impact of development across the City.
- 3.2. The CIL charging schedule sets out the charging rates applied to different forms of development. In summary, this schedule advises:

Type of development	Charge
All development types unless stated otherwise in this table	Full Basic CIL rate
<b>A1 - A5:</b> In-centre retail of any size and small (< 280m <sup>2</sup> ) out-of-centre retail	Reduced CIL rate
<b>B1(a); B1, B2, B8:</b> Office and Industrial	Zero rated
<b>C1:</b> Hotels	Reduced CIL rate
<b>C2:</b> Residential Institutions	Reduced CIL rate
<b>D1:</b> Community Uses	Zero rated

- 3.3. The CIL collected by the Council includes a proportion of 15% which is reserved to be spent as 'Neighbourhood CIL' on projects of a more local nature, a further 5% is reserved for Administration Costs, with the remainder available for use in the Council's capital programme towards the cost of eligible schemes. The Neighbourhood CIL element is subject to a separate procedure operated by the Planning service in consultation with Ward Members for the ward where a project is proposed.
- 3.4. The Portsmouth City Council Infrastructure Funding Statement, last updated December 2021 includes "the infrastructure list", the necessary statement in accordance with Regulation 121A(1)(a) of the CIL Regulations detailing the infrastructure project and types of infrastructure which the Council intends will be or may be wholly or partly funded by CIL. That list is:
- Transport (including road networks, transport interchanges and park & ride)
  - Flood Defences (including Portsea Island Coastal Defence Strategy)
  - Schools (including academies and free schools)
  - Hospitals (including healthcare and social care facilities)
  - Green Infrastructure (including play areas, open spaces and parks)
  - Recreational Facilities (including cultural and sports facilities)
  - Community Safety Facilities (including police stations).
- 3.5. The infrastructure list includes elements of community infrastructure, such as police stations and hospitals, which the City Council is not responsible for. There is however no current adopted mechanism for those public authorities who are responsible for delivering this essential public infrastructure to access CIL funding. In the absence of an adopted procedure the Council has nevertheless received a request for funding from Portsmouth Hospitals University NHS Trust.
- 3.6. The Trust has been engaging with the Council on the issue of CIL for some time. Under the current CIL charging schedule PCC levies CIL on new floorspace created within hospitals, which falls within the description of Use Class C2 in the table at 3.1 above. The Trust therefore is in the position that it must make CIL payments to the City Council proportionate to new floorspace created but that



same floorspace is itself a community infrastructure output that CIL funding can be put towards.

- 3.7. The Trust has, to date, paid £1,016,887 in CIL to PCC arising from two developments carried out at Queen Alexandra Hospital, a new ward block and a new public car park. The Trust has also expressed concerns, in a letter from their Chief Executive of 1<sup>st</sup> February 2021, about the impact this payment has on their own financial management as this cost is not covered by the capped national funding award they received to bring forward these proposals. They have also expressed similar concerns about the CIL liability that has been identified for their proposed new Emergency Department development, which was granted Outline Planning Permission by the Council in 2021 and when brought forward will be liable for a CIL charge of £508,000.
- 3.8. As a result, in February 2021 Members instructed Officers to advise the Trust that they would consider an application for CIL funding from them to an amount equivalent to that already paid in CIL associated with the development of the ward block and car park. The Trust, in a letter of 9<sup>th</sup> February 2022 (see appendix A), in response to this in principal agreement has written to the Council to request funding of £864,354.26. This is equivalent to 85% of the CIL paid by the Trust to PCC. Similar request for £152,533, equivalent to 15% of that paid, has been applied for by the Trust in two tranches through the established Neighbourhood CIL procedure and, following consultation with local Ward Members approved in April 2022.

#### **4. Reasons for recommendations**

- 4.1. As noted above the provision of Hospitals, including healthcare and social care facilities, is recognised in the adopted Infrastructure Funding Statement as a form of infrastructure that can be funded through CIL within Portsmouth. The Trust has confirmed in their letter of application that funding applied for will secure the delivery of the new ward and car park as well as the following additional elements:
- a new patient garden (part utilising the neighbourhood CIL contribution) which is due to be constructed alongside in the Spring and be open by August 2022
  - the introduction of new barrier-less access to the car park reducing queues and on-site congestion whilst enabling an easier way of paying for spaces when charging is reintroduced
  - the introduction of electrical car charging infrastructure (part utilising the neighbourhood CIL contribution)
  - provision of improved signage and variable messaging signs for public parking information
  - access improvements to the pedestrian routes between the new car park and the north entrance
  - a range of further measures to promote sustainable travel supported by the Trusts Green Travel Plan (currently being developed)

- 4.2. Officers are satisfied that the projects and benefits described are of a type and kind that constitute community infrastructure necessary to support growth within the city and are thus capable of being funded by CIL. For clarity it can be confirmed that Officers have already advised that these schemes are capable of being partly funded from those funds considered to be Neighbourhood CIL.

## **5. Integrated impact assessment**

- 5.1 See appendix

## **6. Legal implications**

- 6.1 Under Regulation 59(1) of the Community Infrastructure Regulations 2010 (amended ("CIL Regs")), as a charging authority, PCC must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.
- 6.2 Under Regulation 59 (4) of the CIL Regs may pass CIL to another person for that person to apply to funding [the provision, improvement, replacement, operation or maintenance of infrastructure.

## **7. Director of Finance's comments**

- 7.1 The Council's approved Capital Strategy seeks to maximise the Capital Resources available for the Council as well as seeking to ensure the maximum flexibility in the use of any Capital Resources available. This is achieved by avoiding any "ring-fencing" of Capital Resources except where that is statutory. In achieving such flexibility, the Council has more freedom to direct Capital Resources to its highest priorities.
- 7.2 Whilst there are requirements for the use of CIL funding, there remains a reasonable degree of choice in how to apply that funding in accordance with the "infrastructure list" set out in paragraph 3.3. Accordingly, Capital Infrastructure CIL is made available to the Council each year as part of the Annual Capital Budgeting process for allocation to new Capital Schemes. The allocation of Capital Infrastructure CIL therefore is reserved for Full Council.
- 7.3 The Capital Programme approved by City Council on 15th February 2022 is not relying on the CIL receipt arising from the QA hospital developments to fund the approved schemes within the Capital Programme. As a consequence, the amount can be awarded to QA hospital without any impact on the current capital programme. However, resources available for future years' capital starts which will be approved in February 2023 will be lower by £864,354 than they would otherwise have been and there will be £152,533 less Neighbourhood CIL for Ward Members to allocate within their Ward.

.....  
Signed by:

**Appendices:**

Appendix A - Letter of application for CIL funding from Portsmouth Hospitals Universities NHS Trust dated 9<sup>th</sup> February 2022

**Background list of documents:**

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by:

This page is intentionally left blank

# Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
  - Communities and safety
  - Regeneration and culture
  - Environment and public space
  - Equality & - Diversity - This can be found in Section A5

Directorate:

Regeneration

Service, function:

Planning

Title of policy, service, function, project or strategy (new or old) :

Queen Alexandra (QA) Hospital Emergency Ward Support

Type of policy, service, function, project or strategy:

- Existing
- New / proposed
- Changed

What is the aim of your policy, service, function, project or strategy?

To consider the making of a capital grant to Portsmouth Hospitals University NHS Trust

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No

**A - Communities and safety**

Yes

No

Is your policy/proposal relevant to the following questions?

**A1-Crime** - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact [Lisa.Wills@portsmouthcc.gov.uk](mailto:Lisa.Wills@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impacts on Crime or Safety

How will you measure/check the impact of your proposal?

**A - Communities and safety**

Yes

No

Is your policy/proposal relevant to the following questions?

**A2-Housing** - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact [Daniel.Young@portsmouthcc.gov.uk](mailto:Daniel.Young@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on Homes

How are you going to measure/check the impact of your proposal?

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A3-Health** - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact [Dominique.Letouze@portsmouthcc.gov.uk](mailto:Dominique.Letouze@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

The requested capital grant will support the delivery of community health infrastructure at Queen Alexandra Hospital

How are you going to measure/check the impact of your proposal?

The delivery of the approved developments forming the enhanced community health infrastructure will be monitored by the Planning Service

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A4-Income deprivation and poverty**-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact [Mark.Sage@portsmouthcc.gov.uk](mailto:Mark.Sage@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>

<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No Impact on poverty or deprivation

How are you going to measure/check the impact of your proposal?

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A5-Equality & diversity** - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact [gina.perryman@portsmouthcc.gov.uk](mailto:gina.perryman@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on Equality or Diversity

How are you going to measure/check the impact of your proposal?



**B - Environment and climate change**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**B1-Carbon emissions** - Will it reduce carbon emissions?

In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact [Tristan.thorn@portsmouthcc.gov.uk](mailto:Tristan.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on carbon emissions

How are you going to measure/check the impact of your proposal?

**B - Environment and climate change**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**B2-Energy use** - Will it reduce energy use?

In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact [Triston.thorn@portsmouthcc.gov.uk](mailto:Triston.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on energy use

How are you going to measure/check the impact of your proposal?

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B3 - Climate change mitigation and flooding**-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact [Tristan.thorn@portsmouthcc.gov.uk](mailto:Tristan.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on climate change and flooding

How are you going to measure/check the impact of your proposal?

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B4-Natural environment**-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact [Daniel.Young@portsmouthcc.gov.uk](mailto:Daniel.Young@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on public spaces

How are you going to measure/check the impact of your proposal?

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B5-Air quality** - Will it improve air quality?

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact [Hayley.Trower@portsmouthcc.gov.uk](mailto:Hayley.Trower@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on air quality

How are you going to measure/check the impact of your proposal?

**B - Environment and climate change**

Yes

No

Is your policy/proposal relevant to the following questions?

**B6-Transport** - Will it improve road safety and transport for the whole community?

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact [Pam.Turton@portsmouthcc.gov.uk](mailto:Pam.Turton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on road safety or transport

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

**B7-Waste management** - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact [Steven.Russell@portsmouthcc.gov.uk](mailto:Steven.Russell@portsmouthcc.gov.uk) or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on waste or recycling

How are you going to measure/check the impact of your proposal?

**C - Regeneration of our city**

Yes

No

Is your policy/proposal relevant to the following questions?

**C1-Culture and heritage** - Will it promote, protect and enhance our culture and heritage?

In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact [Claire.Looney@portsmouthcc.gov.uk](mailto:Claire.Looney@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on culture or heritage

How are you going to measure/check the impact of your proposal?

**C - Regeneration of our city**

Yes

No

Is your policy/proposal relevant to the following questions?

**C2-Employment and opportunities** - Will it promote the development of a skilled workforce?

In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact [Mark.Pembleton@portsmouthcc.gov.uk](mailto:Mark.Pembleton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on skills or employment

How are you going to measure/check the impact of your proposal?

Is your policy/proposal relevant to the following questions?

**C3 - Economy** - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact [Mark.Pembleton@portsmouthcc.gov.uk](mailto:Mark.Pembleton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact on growth or regeneration

How are you going to measure/check the impact of your proposal?

**Q8 - Who was involved in the Integrated impact assessment?**

**This IIA has been approved by:** Ian Maguire, Assistant Director of Regeneration.

**Contact number:** 02392834299

**Date:** 01/06/2022

# Agenda Item 15



Portsmouth  
CITY COUNCIL

<b>Title of meeting:</b>	Cabinet
<b>Date of meeting:</b>	21 June 2022
<b>Subject:</b>	Milton Neighbourhood Plan, progress to referendum
<b>Report by:</b>	Ian Maguire, Assistant Director of Planning & Economic Growth
<b>Wards affected:</b>	Milton, Baffins, (abuts Central Southsea / Eastney and Craneswater)
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

---

## 1. Purpose of report

To provide an update on the progression of the Milton Neighbourhood Plan following Examination in April / May 2022 and to seek approval for the Neighbourhood Plan as amended by the Examiner and Council's Officers and agreed by the Milton Neighbourhood Planning Forum to proceed to referendum (public vote).

## 2. Recommendations

- 2.1 To note the progression of the Milton Neighbourhood Plan to this point.
- 2.2 To accept all modifications to the Milton Neighbourhood Plan recommended by the Examiner together with the officer's amendments, which provide additional clarity on the modifications made by the Examiner
- 2.3 To approve all appropriate actions to progress the Milton Neighbourhood Plan to referendum. A date for the referendum is set for the 18<sup>th</sup> of August 2022.
- 2.4 To approve the proposed referendum area as indicated on the attached map
- 2.3 To approve carrying out the proposed referendum with associated costs and publicity (cost to be recouped from government grant).

## 3. Background

- 3.1 The Milton Neighbourhood Planning Forum has prepared and submitted a Neighbourhood Plan to Portsmouth City Council. This document known as the 'Milton Neighbourhood Plan' will set out a planning strategy to meet future development needs in the Milton Neighbourhood Plan Area of the city for the period to 2038. The Neighbourhood Plan Area covers part of Milton and Baffins



Wards, and its boundary adjoins Eastney and Craneswater and Central Southsea Wards, see attached plan. The Neighbourhood Plan contains planning policies to guide decision making on planning applications in this area of the city. The Neighbourhood Plan would form part of the Development Plan for Portsmouth in the relevant area and would be read alongside the Local Plan produce by the City Council.

- 3.2 The process for producing the Neighbourhood Plan is set out in *The Neighbourhood Planning (General) Regulations 2012 (as amended)*. Its content and scope has been tested on its consistency with the *National Planning Policy Framework (NPPF)* and *National Planning Practice Guidance (NPPGs)*, and Portsmouth's Local Development Plan and the justification provided by the Neighbourhood Plan's evidence base. An Examination carried out between January and May 2022 which considered the soundness of the Neighbourhood Plan. The Plan was found to sound by the Examiner, providing a number of suggested modifications are made to some of the Neighbourhood Plan policies (set out in the Examiner's report). The Plan must be found sound in order to be adopted by the Council following referendum.

#### The Milton Neighbourhood Plan - progress to date

- 3.3 The Milton Neighbourhood Planning Forum was formally ratified and the Milton Neighbourhood Plan Area designated in June 2015 (redesignated in August 2020).
- 3.4 The Neighbourhood Planning Forum prepared the Neighbourhood Plan with input from the residents of the area through a number of consultation events, before going out to a full consultation (regulation 14) on their draft plan in April 2019. The Neighbourhood Planning Forum submitted the Neighbourhood Plan to Portsmouth City Council in the summer of 2021 who ran further consultation (regulation 16) including with statutory bodies and landowners between the 6th of September and the 18th of October 2021.
- 3.5 Following this consultation an independent Examiner was appointed for the Neighbourhood Plan, with the Examination taking place commencing in January 2022. The Examiner dealt with the majority of the proposed policies in the plan through written representation, however a hearing was required on Local Green Space / Open Space policy in the plan (April 2022) where the Examiner felt they needed further detail. Following the Examination, the Examiner's report with recommended modifications to the Neighbourhood Plan to make the plan sound was received by the Council in May 2022.

#### Examiners Report

- 3.6 The Neighbourhood Plan Examiners Report was received in May 2022, setting out a number of modifications to policies in the Milton Neighbourhood Plan in order to ensure the plan was sound in line with regulations.
- 3.7 The Examiner considered the Plan and its policies in terms of whether they comply with the Basic Conditions as regards national policy and the development plan. If not,





then modifications required to bring the plan into conformity were recommended by the Examiner. The Examiner recommended a number of changes to the Neighbourhood Plan the most notable areas of change were:

- Policy ENV 1 of the Neighbourhood Plan. This policy deals with green space in the Plan. The examiners modifications divided these spaces between those designated as Local Green Space in line with the NPPF definition, and those designated as open space in line with the Local Plan designation.
- Policy STJ 1 of the Neighbourhood Plan. The examiners modifications recommended the designation of land for open space and health uses to the east of the main hospital building, further detail to ensure nutrient neutrality was taken into account was also added.
- Policy LAN1 of the Neighbourhood Plan. The examiners modifications confirmed the principle of the land swap proposed by the Neighbourhood Planning Forum and set out in the supporting plan the areas impacted by this.

3.7 Portsmouth City Council Officers made a number of additional modifications to provide further additional clarity on the changes made by the Examiner but have not materially changed the position of any of the policies in the plan or examiners recommendations.

3.8 All of the changes by both the Examiner and Council Officers have been agreed by the Milton Neighbourhood Planning Forum. The Forum have the opportunity to withdraw the plan if they do not agree with the modifications made, which they have not done.

3.9 The Examiner's report is also required to make a recommendation on the referendum area (the area of the city within which residents are eligible to vote on the plan) and is able to recommend a wider area than the Neighbourhood Plan Area, if there are specific circumstances that merit it. The Examiner's recommendation is that the referendum area is the same as the Milton Neighbourhood Plan Area (See Plan). The City Council's Officers agree with this position.

### Referendum

3.10 If approved the referendum is currently scheduled to take place on the 18th of August 2022. The referendum will be undertaken in line with the *Neighbourhood Planning (Referendums) Regulations 2012*. The regulations govern the process of the referendum and publicity in the lead up to it.

3.11 If the decision is made to allow the Milton Neighbourhood Plan to proceed to referendum the following question will be asked in line with Schedule 1 of the *Neighbourhood Planning (Referendums) Regulations 2012*:

1. Do you want Portsmouth City Council to use the neighbourhood plan for Milton to help it decide planning applications in the neighbourhood area?

3.12 Residents within the referendum area will be able to vote on the question as outlined above. Should more than half of those voting, vote in favour of the neighbourhood

plan, the plan comes into force as part of the statutory Development Plan for the area (para 80, NPPG). In the instance of the vote in favour of the Milton Neighbourhood Plan, the Plan will be brought back to members for adoption as part of the Development Plan for the city within 8 weeks of the referendum result.

- 3.13 Central government Grant funding is available to the Council to help cover the cost of Neighbourhood Plan preparation, examination and the referendum. When the Neighbourhood Plan is approved to go to referendum the Council becomes eligible for a further £20,000 of this funding. This can be applied for within the next funding window in the autumn. The Elections team at the City Council have estimated a total cost of £11,000 to hold the referendum.

### **Reasons for recommendations**

- 4.1 The City Council is able to move away from or add to the recommendations made by the independent Examiner if it feels there are particular circumstances which merit it doing so. To do so however would require further consultation on the plan and result in a delay of several months. Council Officers have worked with the Neighbourhood Planning Forum and landowners on the drafting of the plan and do not feel there are circumstances warranting substantive change.
- 4.2 Officers would note that the Examiner's recommended modifications to Policy ENV1 to include enlarging the area to be designated as Local Green Space at Bransbury Park (LGS5 in the Neighbourhood Plan). This modification would include all that land which Portsmouth City Council has previously undertaken consultation on as a proposed site for an indoor leisure facility. Under this modified designation such development would be considered 'inappropriate' and the Planning Authority, when considering a future planning application for such a proposal would need to consider whether there were very special circumstances to justify such development.
- 4.2 It is therefore recommended that Cabinet approve the Milton Neighbourhood Plan (as revised) to go to public referendum on the 18th of August 2022 including the proposed referendum area as indicated on the attached map

### **5. Integrated impact assessment**

- 5.1 No IIA is considered to be necessary in respect of the decision to take the Plan to referendum as the processes for such referenda are subject to national and local guidance that has already been subject to appropriate assessments

### **6. Legal implications**

- 6.1 The Milton Neighbourhood Plan must comply with the Basic Conditions, which state it must:
1. Have regard to national policies and advice contained in guidance issued by the Secretary of State;
  2. Contribute to the achievement of sustainable development;

3. Be in general conformity with the strategic policies of the development plan for the area;
4. Be compatible with and not breach European Union (EU) obligations and comply with human rights law; and
5. Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (prescribed basic condition since December 2018).

6.2 The Chief Planner is satisfied that the Milton Neighbourhood Plan with the Examiner's modifications complies with the Basic Conditions.

**7. Director of Finance's comments**

7.1 As stated in paragraph 3.13 of the main body of the report the referendum is likely to cost around £11,000 to carry out, and this will be funded from Central Government Grant.

.....  
Signed by:

**Appendices:**

- Referendum Area Map
- Examiner's Report May 2022
- Updated Milton Neighbourhood Plan including Examiner's Modifications June 2022
- Final Examination Proposals Map
- Final Examination Green Space Map

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Milton Neighbourhood Plan, Proposal Map and Evidence Base (Submission Version)	Milton Neighbourhood Plan website ( <a href="http://www.miltonplan.org.uk">www.miltonplan.org.uk</a> )


The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

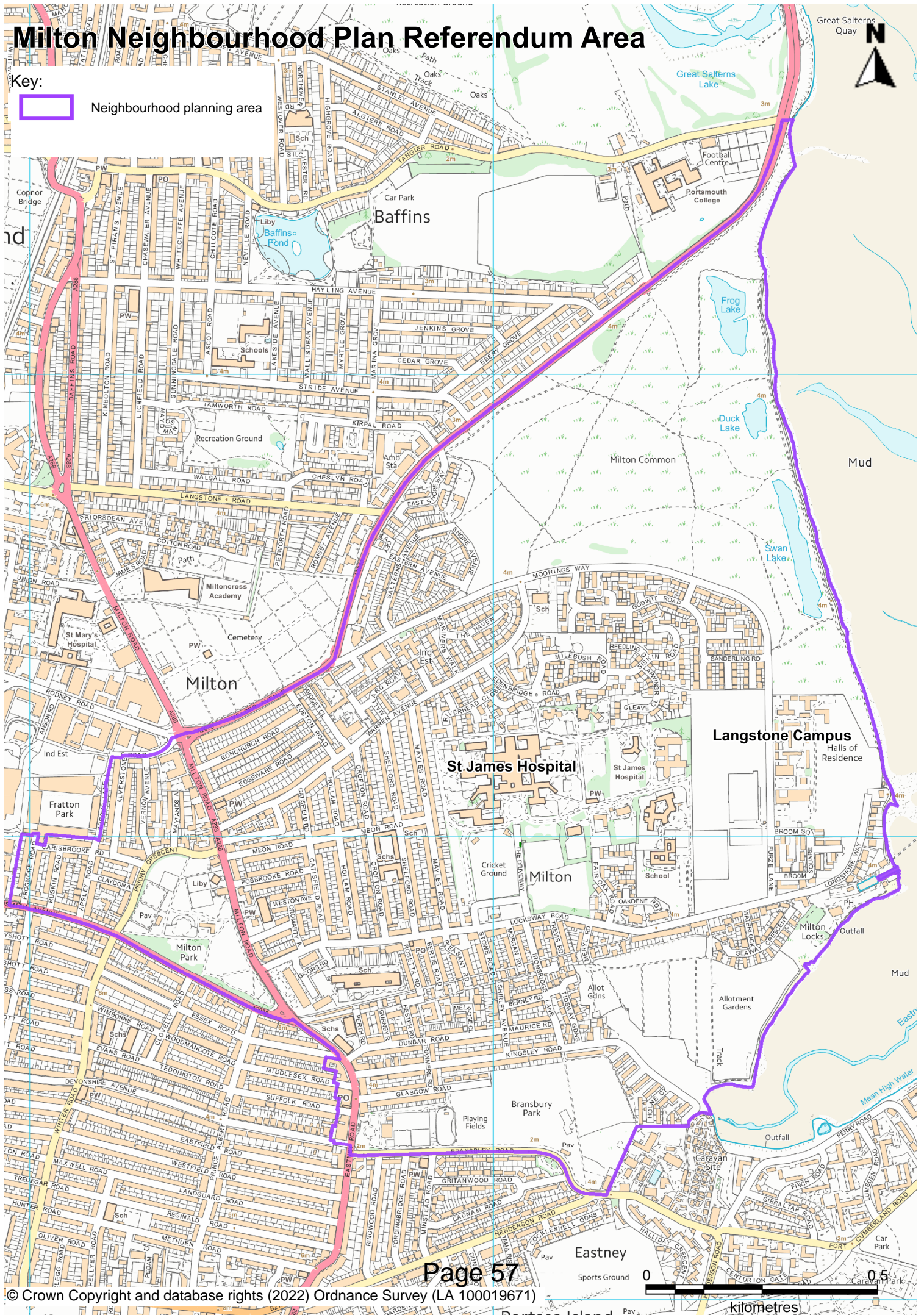
.....  
Signed by:

This page is intentionally left blank



# Milton Neighbourhood Plan Referendum Area

Key:  
 Neighbourhood planning area



This page is intentionally left blank

# **Milton Neighbourhood Development Plan**

## **Submission Version 2021 – 2036**

**Report of Examination**

**May 2022**

**Undertaken for Portsmouth City Council with the support of Milton Neighbourhood Forum on the submission version of the plan.**



**Independent Examiner:**

Liz Beth BA (Hons) MA Dip Design in the Built Environment MRTPI

## Contents

Summary .....	3
1. Introduction and Background .....	4
1.1 Neighbourhood Development Plans.....	4
1.2 Independent Examination.....	4
1.3 Planning Policy Context.....	6
2. Plan Preparation and Consultation .....	7
2.1 Pre-submission Process and Consultation .....	7
2.2 Regulation 16 Consultation Responses.....	8
3. Compliance with the Basic Conditions Part 1 .....	9
4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan.....	11
5. The Referendum Boundary .....	26

### **Abbreviations used in the text of this report:**

The Milton Neighbourhood Development Plan is referred to as ‘the Plan’ or ‘MNDP’.

Milton Neighbourhood Planning Forum is abbreviated to ‘the Forum’ and is the ‘Qualifying Body’.

Portsmouth City Council is abbreviated to ‘PCC’ and as the Local Planning Authority ‘LPA’.

The National Planning Policy Framework is abbreviated to ‘NPPF’.

The National Planning Practice Guidance is abbreviated to ‘NPPG’.

The Portsmouth Local Plan 2012 is abbreviated to ‘PLP2012’.

The Portsmouth City Local Plan 2006 (saved policies) is abbreviated to ‘PCLP2006’.

The Draft Local Plan 2038 is abbreviated to ‘DLP2038’.

Regulations 14 and 16 are abbreviated to ‘Reg14’ and ‘Reg16’ respectively.

Local Green Space is abbreviated to ‘LGS’.

Habitats Regulation Assessment is abbreviated to ‘HRA’.

Strategic Environmental Assessment is abbreviated to ‘SEA’.



## Summary

- I have undertaken the examination of the Milton Neighbourhood Development Plan (MNDP) during February – April 2022 and detail the results of that examination in this report.
- The Neighbourhood Forum have undertaken extensive consultation on this Plan, and it complies with legislative requirements. The Plan is a considered response to development opportunities and challenges in Milton. The Portsmouth development plan offers a strategic policy framework, and the Local Plan Review an indication of future thinking.
- I have considered the comments made at the Regulation 16 Publicity Stage, and where relevant these have to an extent informed some of the recommended modifications. A hearing was held to properly investigate some confusion around Local Green Space issues. All participants to the well-attended hearing offered helpful suggestions and information that helped me address the issue in this report.
- Subject to the modifications recommended, the Plan meets the basic conditions and may proceed to referendum.
- I recommend the referendum boundary is the designated neighbourhood plan area.

**Acknowledgements:** Thanks to Local Authority and qualifying body staff for their assistance with this examination and hearing. My compliments to the local community volunteers and Milton Neighbourhood Forum, who have produced a well-evidenced and focused Plan.

# 1. Introduction and Background

## 1.1 Neighbourhood Development Plans

1.1.1 The Localism Act 2011 empowered local communities to develop planning policy for their area by drawing up neighbourhood plans. For the first time, a community-led plan that is successful at referendum becomes part of the statutory development plan for their planning authority.

1.1.2 Giving communities greater control over planning policy in this way is intended to encourage positive planning for sustainable development. The National Planning Policy Framework (NPPF para 29) states that:

“neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can ... help to deliver sustainable development”.

Further advice on the preparation of neighbourhood plans is contained in the Government’s Planning Practice Guidance website:

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

1.1.3 Neighbourhood plans can only be prepared by a ‘qualifying body’, and in Milton that is the Milton Neighbourhood Planning Forum. Drawing up the Neighbourhood Plan was undertaken by the Forum, with organisation undertaken by a committee set up under a constitution approved by the LPA.

## 1.2 Independent Examination

1.2.1 Once the Forum had prepared their neighbourhood plan and consulted on it, they submitted it to Portsmouth Council (PCC). After publicising the plan with a further opportunity for comment, PCC were required to appoint an Independent Examiner, with the agreement of the Forum to that appointment.

1.2.2 I have been appointed to be the Independent Examiner for this Plan. I am a chartered Town Planner with over thirty years of local authority and voluntary sector planning experience in development management, planning policy and project management. I have been working with communities for many years, and have recently concentrated on supporting groups producing neighbourhood plans. I have been appointed through the Neighbourhood Plan Independent Examiners Referral Service (NPIERS). I am independent of any local connections to Milton and PCC, and have no conflict of interest that would exclude me from examining this plan.

1.2.3 As the Independent Examiner I am required to produce this report and recommend either:

- (a) That the neighbourhood plan is submitted to a referendum without changes; or
- (b) That modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
- (c) That the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.2.4 The legal requirements are firstly that the Plan meets the 'Basic Conditions', which I consider in sections 3 and 4 below. The Plan also needs to meet the following requirements under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990:

- It has been prepared and submitted for examination by a qualifying body;
- It has been prepared for an area that has been properly designated by the Local Planning Authority;
- It specifies the period during which it has effect;
- It does not include provisions and policies for excluded development;
- It does not relate to land outside the designated neighbourhood area.

The Milton Neighbourhood Development Plan (MNDP) has been submitted and prepared by a qualifying body and people working to that qualifying body. The Neighbourhood Area was designated on the 23<sup>rd</sup> June 2015 by PCC, with the Forum designated at the same time. The Forum designation was renewed after five years, as required. The Plan does not include policies about excluded development; effectively mineral and waste development or strategic infrastructure. However the Plan as submitted does not clearly specify the period during which it has effect. Remedying this is dealt with in Modification 1, and with this recommended change the Milton Neighbourhood Development Plan will comply with the requirements of Paragraph 8(1). The plan does not relate to land outside the designated Neighbourhood Area.

1.2.5 I made an unaccompanied site visit to Milton to familiarise myself with the area and visit relevant sites and areas affected by the policies. This examination has been dealt with by written representations and a hearing. The latter was needed to allow me to examine effectively issues relating to the designation of Local Green Spaces.

1.2.6 I am also required to consider whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to a referendum. I make my recommendation on this in section 5 at the end of this report.

## **1.3 Planning Policy Context**

1.3.1 The Development Plan for Milton and Portsmouth, not including documents relating to excluded mineral and waste development, is the Portsmouth Local Plan adopted 2012 (PLP2012), and saved policies from the Portsmouth City Local Plan adopted 2006 (CPLP2006). A Local Plan Review is underway (DLP2038), with a Reg18 consultation on the draft Local Plan undertaken at the end of 2021. The DLP2038 is not included in the development plan as yet, and there is no legal requirement for policies within the MNDP to be in general compliance with emerging policies in the DLP2038. There is guidance (NPPG ID:41-01—20140306) advising that emerging policy should be taken into account when preparing a neighbourhood plan. The PLP2012 is a Core Strategy, and all policies are strategic. The saved policies from the 2006 plan are not considered strategic by the LPA.

1.3.2 The National Planning Policy Framework 2021 (NPPF) sets out government planning policy for England, and the National Planning Practice Guidance (NPPG) website offers guidance on how this policy should be implemented.

1.3.3 During my examination of the MNDP I have considered the following documents:

- National Planning Policy Framework (NPPF) 2021
- National Planning Practice Guidance 2014 and as updated
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004
- The Localism Act 2011
- The Neighbourhood Planning Regulations 2012 (as amended)
- Submission version of the Milton Neighbourhood Development Plan (MNDP)
- The Basic Conditions Statement submitted with the MNDP
- The Consultation Statement submitted with the MNDP
- The SEA Environmental Report for the MNDP
- The HRA Assessment Report for the MNDP
- Neighbourhood Area Map – Proposals Map MNDP
- Evidence Annex MNDP and Local Green Spaces Map
- Portsmouth Local Plan: Adopted January 2012
- Portsmouth City Local Plan 2006 – saved policies
- Draft Portsmouth Local Plan to 2038
- Whitfield, D (2020) Solent Waders and Brent Goose Strategy 2020 Hampshire and IoW WT.
- Statement by Hampshire and Isle of Wight Wildlife Trust 6<sup>th</sup> April 2022
- Representations received during the publicity period (reg16 consultation)

## 2. Plan Preparation and Consultation

### 2.1 Pre-submission Process and Consultation

2.1.1 The Milton Neighbourhood area mainly includes the ward of Milton. It is a suburb of Portsmouth, on the SE corner of the island of Portsea. It is bounded by the Solent to the South, and Langstone Harbour, a Special Protection Area (SPA) to the east. The area is mainly residential, with the university site and other minor industry and retail offering some employment options. A large former hospital site is being progressively developed mainly for housing.

2.1.2 Portsmouth City Council (PCC) is a unitary authority, and an application from local residents for designation of Milton as a neighbourhood planning forum was made to PCC on the 30<sup>th</sup> March 2015 and approved by PCC on the 23<sup>rd</sup> June 2015. The forum designation was renewed on the 27<sup>th</sup> August 2020, as required by section 61f of the Town and Country Planning Act 1990. The neighbourhood area designation was approved at the same time as the Milton Neighbourhood Forum, and unlike the forum designation does not expire after 5 years.

2.1.3 The Forum developed from a Neighbourhood Forum that had been meeting for 15 years. A constitution was agreed and application made for designation as a Neighbourhood Planning Forum, which was agreed by the LPA. The first task of the Forum was to undertake surveys of residents and local businesses, responses being gathered in hard copy and online. There were 559 responses from residents, 18 from local businesses. An Open Day was organised in April 2016, at which residents and statutory consultees and stakeholders were represented. The Open Day offered ideas for policies and gathered views from attendees on what the Plan should address and how. The Open Day was repeated in 2017 and 2018 as it had proved an effective communication and feedback tool.

2.1.4 The Consultation Statement sets out the nature and form of consultation prior to the formal Reg14 six week consultation. Minutes of the committee meetings were available online. Continuous dialogue took place with local landowners including Portsmouth University, NHS Property Services and Homes England. Regular updates were given in a local free magazine delivered to all homes in the Plan area. An evening open forum for the public was held every quarter, and a use was made of a local Facebook page for consultation that had 11,000 members as at June 2021.

2.1.5 As required by regulation 14 of the Neighbourhood Planning Regulations 2012, the formal consultation for six weeks on the pre-submission draft MNDP ran from the 3<sup>rd</sup> April 2019 to the 17<sup>th</sup>

May 2019. It was advertised on the MNDP website and Facebook, and via notices on lampposts. Paper copies were available to view at several local venues with response forms, and the draft Plan was available to view online. Statutory Consultees were contacted by email on the 3<sup>rd</sup> April 2019.

2.1.6 Representations were received from 13 residents and 6 statutory bodies and developers including the LPA, during the Reg14 consultation period. Several amendments have been made to the Plan as a result of constructive suggestions for changes. I am satisfied that due process has been followed during the consultation undertaken on the Plan. The Consultation Statement details all consultation activities, and the record of comments and objections received during the regulation 14 consultation shows that these were properly considered, and where appropriate resulted in amendments to the plan to accommodate points raised.

2.1.7 As required, the amended plan, together with a Basic Conditions Statement, a Consultation Statement, An Environmental Report and Habitats Assessment and a plan showing the neighbourhood area was submitted to PCC on the 27<sup>th</sup> July 2021.

## **2.2 Regulation 16 Consultation Responses**

2.2.1 PCC undertook the Reg 16 consultation and publicity on the MNDP for six weeks, from the 6<sup>th</sup> September 2021 to the 18<sup>th</sup> October 2021. 15 Representations were received during this consultation, 8 from residents and 7 from statutory bodies including the Public Health section of PCC. Issues they raise that are pertinent to my consideration of whether the Plan meets the basic conditions are considered in sections 3 and 4 of this report below.

2.2.2 I am specifically limited by legislation to correcting with recommended modifications the Plan's compliance with the Basic Conditions and other legal requirements. Comments in the Reg16 responses suggesting significant additions, such as new sites, are not something this examination is authorised to consider. Notification of minor corrections needed to the text are very useful, but again cannot be the subject of any modifications I recommend. The LPA will be aware however that it is authorised to correct minor errors that may have been missed so far [Town and Country Planning Act 1990 Schedule 4B section 12(6)]. I will also expect this power to be used to correct those parts of the text that need to reflect changes recommended in my modifications.

### 3. Compliance with the Basic Conditions Part 1

3.1 General legislative requirements of the 1990 Town and Country Planning Act (TCPA) other than the Basic Conditions are set out in paragraph 1.2.4 above. The same section of this report considers that the MNDP will have complied with these requirements with the recommended Modification 1. What this examination must now consider is whether the Plan complies with the Basic Conditions, which state it must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations and comply with human rights law; and
- Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (*prescribed basic condition since December 2018*).

3.2 The Basic Conditions Statement (page 6) explains how the Plan promotes the social, economic and environmental goals of sustainable development. I accept that the Plan does contribute to sustainable development in line with the Basic Conditions with the alterations proposed in Modification 9.

3.3 An Environmental Report and HRA Report have been submitted with the MNDP as both Strategic Environmental Assessment (SEA) and an appropriate assessment under the Habitats Regulations were required for the Plan. Milton borders Langstone Harbour SSSI, which is also part of a Special Area of Conservation (SAC), a Ramsar site and a Special Protection Area (SPA). The Environmental Report states that as the MNDP does not allocate any sites for development it is unlikely to have any significant negative effects on the environment. There are some positive impacts likely.

3.4 The HRA Report has considered the site allocations and policies for likely significant effect on the European sites, and found that policies EER1; STJ1 and LAN1 had potential impacts. Recommendations were made for safeguarding policy wording for these and other policies (ENV2; ENV3). These recommendations have not been fully implemented. Where I consider that they

should be, in order that the MNDP complies with the Basic Conditions and has due regard to EU obligations, I have dealt with this in my report with the recommended modifications for Policies ENV2, STJ1 and LAN1.

3.5 The MNDP in my view complies with Human Rights Legislation. It has not been challenged with regard to this, and the consultation statement showed that the need to consult with a wide cross-section of the community and stakeholders was appreciated. An Equalities Assessment was also undertaken that indicated the Plan would have positive impacts for people with protected characteristics.



## 4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan

4.1 The final and most complex aspect of the Basic Conditions to consider is whether the MNDP meets the requirements as regards national policy and the development plan. This means firstly that the Plan must have regard to national policy and guidance, which for this neighbourhood plan is the NPPF 2021 and the NPPG. Secondly the Plan must be in general conformity with the strategic policies of the development plan. The phrase ‘general conformity’ allows for some flexibility. If I determine that the Plan as submitted does not comply with the Basic Conditions, I may recommend modifications that would rectify the non-compliance.

4.2 The Plan and its policies are considered below in terms of whether they comply with the Basic Conditions as regards national policy and the development plan. If not, then modifications required to bring the plan into conformity are recommended.

Modifications are boxed in this report, with text to *remain in italics*, new text **highlighted in Bold** and text to be deleted ~~shown but struck through~~. Instructions for alterations are underlined.

4.3 The MNDP has included a separate evidence document, with the policies set out in a document with justification included for each one. The policies are clearly delineated, although they sometimes read across pages, which is not ideal. As stated in paragraph 1.2.4 above, the Plan does not clearly specify the period during which it has effect as 2021 – 2036. There is a reference to a finish date in the MNDP (page 4) of 2036, and the Plan is stated to cover a 15 year period on the Foreward of the previous page and in the Evidence Document. That this is stated clearly is a legal requirement, and thus in order that the MNDP meets legal requirements and the Basic Conditions, I recommend it is amended as set out in Modification 1.

**Modification 1:** The Cover Page of the MNDP to state clearly that the period the Plan has effect from 2021 – 2036.

4.4 **Policy COM1: Safeguarding Community Facilities** The accompanying text includes a list of community facilities, and in order to make the policy clear to a decision-maker, as required by the NPPF (para 16d), this should be included within the policy. The list includes an allotment area, which

is also proposed for protection as a Local Green Space (LGS 11), and inclusion within this policy as well will provide an internal contradiction in the Plan, and the level of protection is not the same. This also applies to the Bowling Club at Milton Park. The Bransburn Park amenities are also included within LGS 5 now, (para 4.13.5 of this report and Modification 7) and so they should be excluded from the list of community facilities to be protected by this policy as well. In order that Policy COM1 complies with the Basic Conditions and has due regard to national policy, I recommend it is amended as shown in modification 2.

**Modification2:** Policy COM1 to be amended as follows:

1. *Proposals involving the loss of local community facilities will only be supported where:*

- *a similar or better facility is provided in close proximity ; or*
- *it can be demonstrated that the community use is no longer viable*

**2. Development of new Community Facilities will be encouraged. Existing community facilities include the following:**

- **Beddow Library**
- **Eastney Community Centre and Community café**
- **Gisors Road ‘ Walled Garden’**
- **Langstone Church and Hall with Nursery**
- **Meon Middle & Infants School with Nursery**
- **Milton Park Middle & Infants School with Nursery**

~~Milton Piece Allotments~~

- **Milton Village Hall and Pure Ground Community café**
- **Moorings Way Primary School**
- **St James Church (C of E) and Hall**
- **The Barn in Milton Park**
- **United Reform Church and Hall with Nursery**
- ~~Brandsbury Park Amenities~~
- **Wind in the Willows Nursery**
- ~~Milton Park Bowling Club and Green~~

**4.5 Policy COM2: New Community Facilities** The policy implies that it deals with all community facilities, although in fact it is only concerned with development at public houses. The addition to policy COM1 recommended in modification 2 above, deals with the general case. To ensure that Policy COM2 is clear about what development is intended to be covered, I recommend that the title is amended as shown in Modification 3 so that the Policy has paid due regard to national policy and complies with the Basic Conditions.

**Modification 3:** The title of Policy COM2 to be amended to read “Development at Public Houses”.

**4.6 Policy HSG1: Housing Mix** The policy has been criticised for being too prescriptive at bullet point 4 of the first paragraph. The NPPG does require that plans should be prepared positively and be deliverable (ID:41-005-20190509). I consider bullet point 4 to be too prescriptive, and not always appropriate. Bullet point 3 requires accommodation be provided for the elderly and disabled, but there is no mention elsewhere of single person flats. The wording of the first paragraph to be positive and flexible should not suggest that all of the options are always to be provided. In order that Policy HSG1 meets the Basic Conditions and has due regard to national policy and guidance, I recommend it is amended as shown in Modification 4.

**Modification 4:** Policy HSG1 to be amended as follows:

*1. Residential development must include a balanced mix of house types to meet documented local need. The mix of housing is encouraged to ~~should~~ include:*

- *3 bed, family houses suitable for local families to move into;*
- *1 and 2 bed homes suitable for first-time buyers and those wishing to downsize;*
- *accommodation suitable for the elderly, vulnerable or disabled persons;*
- ~~*mixed purpose elderly or accommodation for single people. person ground floor flats with 2 or 3 bedroom maisonettes above.*~~

*2. Particular support will be given to self-build or community-led housing schemes.*

4.7 **Policy HSG2: Housing Standards** Complies with the Basic Conditions.

4.8 **Policy EER1: Warren Avenue and Mallard Road Industrial Estate** The second paragraph of this policy needs to be worded differently in order to not pre-empt decisions on planning permissions and their conditions. In order that Policy EER1 meets the Basic Conditions in that it has due regard to national policy (NPPF para56) and does not pre-empt planning decisions on what conditions may be necessary, I recommend it is amended as shown in Modification 5.

**Modification 5:** The second paragraph of Policy EER1 to be amended as follows:

.... 2. **Development for Commercial and light industrial uses falling into Use Class E at the Warren Avenue and Mallard Road Industrial Estate will not normally be permitted to include retail use.** ~~should be conditioned to prevent retail use outside of existing centres. ....~~

4.9 **Policy EER2: Employment** Complies with the Basic Conditions.

4.10 **Policy EER3: Eastney Road Retail and Commercial Area** Complies with the Basic Conditions.

4.11 **Policy EER4: Connectivity** Complies with the Basic Conditions.

4.12 **Policy PLD1: Sustainable Design** Paragraph 4 of Policy PLD1 has been criticised as being too inflexible, and I agree that it will not always be reasonable to require a hard surface to be permeable. The NPPG requires that plans should be prepared positively and be deliverable (ID:41-005-20190509), and the requirement for hard surfaces to always be permeable is likely to not be

deliverable. In order that Policy PLD1 has due regard to national policy and guidance, and thus complies with the Basic Conditions, I recommend that it is amended as shown in Modification 6.

**Modification 6:** The fourth paragraph of Policy PLD1 to be amended as follows:

.... 4. *Development must have no adverse impact on surrounding land or properties from surface water run-off. **Wherever possible, hard surfaces must be permeable and sustainable urban drainage systems should be used** ~~where possible.~~ .....*

**4.13 Policy ENV1: Local Green Space** The policy designates twelve Local Green Spaces (LGS), shown on a separate 'Green Space Map'. There were problems of clarity with this map however, including the exact boundaries of LGS proposals and designations in the legend. Additionally some LGS sites, or part of them, were proposed for possible development. This is contrary to the requirement in the NPPF (para 101) that an LGS is special and its designation is capable of enduring beyond the plan period, and thus does not comply with the Basic Conditions. A further problem with the Green Spaces Map was a designation of some land to be "Proposed Publicly Accessible Open Space" where the land in question was in private ownership. This designation in a planning policy is not acceptable, as ownership and public access rights are not directly a land-use issue. The NPPG requires policies in neighbourhood plans to deal with land-use issues only (ID: 41-004-20190509). Finally, objections at Reg16 stage to the LGS designations had been the subject of further negotiation after that consultation had finished. I therefore called a hearing to consider additional evidence to clarify points at issue.

4.13.1 Two of the proposed designations are on sites that I do not consider have qualities that are intrinsically special enough to warrant designation as an LGS. They are LGS 10; Land between Broom Square and Longshore Way and LGS 12; Land at Kingsley Road. The Milton Locks site was shown on the Green Space Map as a green space, but not specifically identified as a LGS. The Forum stated at the hearing that this was on oversight, and the owner of the site, PCC, and the Local Wildlife Trust who manage it, both agreed that it should be designated. I therefore accept that for ecological reasons, as set out by the Wildlife Trust in their statement of the 6<sup>th</sup> April 2022, it should be designated in this Plan as an LGS, and an entry justifying this be added to the Evidence Base (page34-

35). As the evidence base does not include justifications for LGS 10 and LGS 12, no alteration with regard to these proposals no longer being designated is needed.

4.13.2 The boundary for **LGS 1, St James' Green**, was not clear, as a submission at Reg16 commented. A designation on the 'Green Space Map' showed a part of the area the Forum wanted to designate as 'Proposed Publicly Accessible Open Space'. As discussed in para 4.13 above, this designation in a planning policy is not acceptable. As this part of the proposed site was not handed over to the LPA for public open space when the rest of the site was, and is clearly marked off and not publicly accessible at present, I do not accept that it should be included in the LGS designation. It is however currently open green space, and this designation in the Green Space Map should be used instead. The current planning application that includes the site may negotiate what areas of open space are finally agreed, but that is not for this examination to engage with.

4.13.3 **Site LGS 2 – Portsmouth and Southsea Cricket Club Ground** – also had a lack of clarity in the exact designation boundary on the Green Spaces Map. The Forum indicated that it was intended to include a narrow tree belt just to the west of the cricket ground, also designated in the Green Spaces Map as open space to be publicly accessible. This had been disputed by the owner in Reg16 submissions, although the designation of the cricket ground was not. The tree belt is shown on the current planning application as open space, and is a useful landscaping frame to the cricket pitch and its access lane. It is also a useful physical and visual buffer between the ground and housing on Mayles Road which backs onto the cricket ground site. I accept that this part of the site should be included within the LGS designation and is a legitimate part of the cricket ground.

4.13.4 **LGS 3, St James' Hospital Grounds East**, is designated as LGS and publicly accessible open space in the Green Spaces Map, a designation objected to by the owner of the site. Negotiations with the LPA and Forum has reached a compromise that the site be designated as 'Greenspace/Healthcare use' – allowing for potential development of all or part of the site if required for healthcare related development. Neither of these proposed designations is compatible with LGS designation for the reasons given above in para 4.13 of this report. At the hearing it was generally accepted that the western strip of the site proposed for LGS designation has a heritage importance as open space in relation to the setting of the listed chapel and hospital building. A belt of mature trees indicates this particularly sensitive area of the site. I accept the revised designation of the site as being open space available for healthcare related development to the east of this belt of trees therefore, but not the western strip to the west of the belt of trees. This should remain

designated as open green space. I cannot see that it is currently of a quality to justify designation as a LGS, but its potential heritage value as setting for listed buildings should be protected from an indication that it is available for development in this Plan.

4.13.5 **LGS 5 Bransbury Park** had an area shown as excluded from designation in the Green Spaces Map. It is currently a multi-use games area, but as the Forum stated, this is also part of the recreational use of the wider park and should therefore be included within the designation of the LGS. PCC do have plans to develop this part of the site for a built leisure centre, but I consider that were this to happen it would also augment the use of the site for recreation and be consistent with 'very special circumstances' for development on an LGS. I agree therefore that for consistency the boundary of LGS 5 should include the whole of Bransbury Park.

4.13.6 **LGS 8, Furze Lane Sports-Fields**, as currently designated was also partly offered for development with the proviso that any development should be part of a land swap arrangement. As discussed above, it is not possible for land designated as an LGS to be also offered for development. The hearing heard that the LPA, the Forum and the University as owners of the site all accepted the principle of a land swap. The hearing also considered Policy LAN1, which has misrepresented the intentions of the Forum with regard to possible development and land swap arrangements. It was agreed that the northern section of the current designation of LGS 8 would be retained, and the southern section that had been indicated as a potential development site, would be removed from the designation. A revised policy LAN1 was circulated to interested parties immediately after the hearing for comment. Recommendations regarding alterations to this policy are dealt with in Modification 11 below.

4.13.7 **Eastney and Milton Allotments**. The designation of the allotments is agreed, but the Green Spaces Map needs to show them clearly as designated with the boundary determined by the allotment shading area.

4.13.8 There is a general requirement that development on LGS should comply with Green Belt restrictions generally (NPPF para 103). The wording of points 2 – 4 in the policy could result in this national policy requirement being met. The use of the phrase 'very special circumstances' is consistent with allowable development in Green Belt policy, and I consider the policy should replace points 2 -4 with this phrase.

4.13.9 In order that the Green Space Map and Policy ENV 1 have due regard to guidance in the NPPG and national policy in the NPPF, and therefore comply with the Basic Conditions, I recommend they are amended as shown in Modification 7 below.



**Modification 7:** Policy ENV1 to read as follows:

**The following spaces are designated as Local Green Space:**

**LGS1 - St James' Green**

**LGS2 - Portsmouth and Southsea Cricket Club Ground**

~~LGS3 - St James' Hospital Grounds East~~ Milton Locks

**LGS4 - Milton Park**

**LGS5 - Bransbury Park**

**LGS6 - Milton Common**

**LGS7 - Edenbridge Park**

**LGS8 - Furze Lane Sports-Fields**

**LGS9 - Langstone Campus Fields**

~~LGS10 - Land between Broom Square and Longshore Way~~

~~LGS11~~ **10 - Eastney & Milton Allotments**

~~LGS12 - Land at Kingsley Road~~

**Development on Local Green Space will only be allowed in very special circumstances.**

**Land between Broom Square and Longshore Way, the western section of St James' Hospital Grounds East, the area to the north of St James' Green and Land at Kingsley Road are designated as Open Green Space.**

The Green Spaces Map to be amended as follows:

A separate site colour be allocated for LGS designations in the legend and used for each site as indicated in this report. The Allotment site to be clearly shown as also LGS in the legend.

LGS 1 to not include the crossed-hatched portion of the hospital site to the north.

LGS2 to include the tree band to the west of the cricket ground shown cross-hatched.

The former LGS 3 St James' hospital grounds east be designated with a separate 'Open Green Space' site colour in the legend to the west of the tree belt on site. To the east of the site the designation to be shown hatched and indicated on the legend that it is 'open space available for health-related development'.

LGS 5 Bransbury Park to include the former community leisure facilities to the west of the Park within the LGS designation.

LGS 8 to exclude the potential development site B and be revised as shown in Modification 11. This excluded land to be designated as 'open space: may be available for development complying with Policy LAN1'.

The designation 'Proposed publicly accessible open space' to be removed, and the former LGS 10 and LGS 12 and land north of St James' Green to be re-designated as 'Open Green Space'.

The Milton Locks site to be designated as LGS 3.

**4.14 Policy ENV2: Green Environment and Biodiversity** The policy is offering protection to green environment in the neighbourhood area, and identifies the national and internationally designated sites. The policy needs to allow for the hierarchy of protection as set out in the NPPF (para 175), and the caveat in bullet 3 specifying only some circumstances where nationally protected sites will be protected is not therefore acceptable. The general protection for all green spaces in bullet 1 needs to allow for some flexibility in order that sites of local importance are not offered similar protection to nationally designated sites. The correct phrase for protection of the natural environment is that it should be protected and enhanced (eg NPPF para 174).

4.14.1 The HRA report undertaken on the MNDP (page 42) recommended that the policy should include wording about avoiding adverse recreational impact, and also (page 40) that the sensitivity of the water within nationally designated sites needed to be recognised. In order that Policy ENV2 has paid due regard to national policy, and complies with EU obligations, and thus meets the requirements of the Basic Conditions, I recommend it is amended as shown in Modification 8 below.

**Modification 8:** Policy ENV2 to be amended as follows:

1. ~~Development should wherever possible~~ **must protect and enhance** ~~or have no adverse impact on Milton's local green environment including wildlife habitats and corridors, green spaces, trees and woodland spaces.~~
2. *Development must achieve biodiversity net gain.*
3. *Development affecting national and european designated environmental areas and landscapes and their setting must protect and enhance and cause no harm to the characteristics underpinning the designation them. Designated landscape include:*
  - *Chichester and Langstone Harbours Special Protection Area /Ramsar;*
  - *Solent Maritime SAC;*
  - *Solent and Dorset Coast Special Protection Area*
  - *Portsmouth Harbour Special Protection Area /Ramsar.*
4. *Landscaping schemes for development proposals should utilise native species.*
5. *Existing landscape features including trees and hedges should be retained and incorporated into the design, layout and landscaping of development schemes. Where loss of trees or hedges is unavoidable, replacement trees or hedges of native species should be provided, to create an equal level of amenity.*
6. **Development proposals should ensure recreational opportunities do not result in adverse effects of integrity to European designated wildlife sites. Water pollution is a particular concern as an adverse effect in this regard.**

4.15 **Policy Heritage Assets MH1** Complies with the Basic Conditions.

4.16 **Policy TSP1: Highway Capacity and Impacts** Complies with the Basic Conditions.

4.17 **Policy TSP2: Balanced Transport Provision** Complies with the Basic Conditions.

**4.18 Policy TSP 3: Footpaths and Cycling Routes** Criteria 1 of this policy has been criticised for being too inflexible. I accept that sustainable development is often possible with acceptable alteration to the routes of footpaths and cycle routes, and that the current policy is too restrictive and may hinder otherwise sustainable development. In order that Policy TSP3 promotes sustainable development and thus complies with the Basic Conditions, I recommend it is amended as shown in Modification 9.

**Modification 9:** Criteria 1 of Policy TSP 3 to be amended as follows:

1. *Development should not result in an adverse impact on footpaths or cycle routes, and any proposed alterations to them should not result in any reduction in setting, safety, amenity or accessibility.*

....

**4.19 Policy STJ1: St James' Hospital Site** The policy deals with the on-going development of a large former hospital site in the middle of the neighbourhood area. The hospital building is listed, and residential development and some health-related development has already taken place on the site. Several responses were received during the Reg16 consultation from developers and owners of the site objecting to aspects of the policy's requirements.

4.19.1 Criteria 4 of this policy is not dealing with land-use issues, and as required by government guidance (ID: 41-004-20190509), and cannot therefore form part of the policy requirements. Criteria 3 needs to acknowledge that the design guidance in the Plan is not a policy requirement, but guidance that development should pay due regard to. Comments at Reg16 pointed out that it has not been consulted on with all stakeholders, and the NPPF (paras 126-8) emphasises that this should occur. It is legitimate for the community to set out their view of good design and development principles, but the Plan also needs to be viable and deliverable (NPPG ID: 41-005-20190509). The guidelines should not therefore be rigid prescriptions.

4.19.2 Modification 7 above has made recommendations concerning revised proposals for the St James' Hospital Grounds East, land within this site and originally proposed as a LGS. For consistency this Policy needs to reference these changes as well, which were discussed and agreed at the hearing. The MNDP will now require that this site is designated as open space, with the eastern

portion of the site potentially available for health-related development if a need for this can be demonstrated. For internal consistency in the MNDP and with Modification 7 of this report, my recommendation includes reference to this where the policy needs to reflect it.

4.19.3 The HRA report undertaken on the MNDP (page 41) recommended that the policy should include wording on the need for nutrient neutrality calculations with any development with increased sewage production impact. In my view this is more appropriate to be included in the Design and Development brief for any future developer to be made aware of.

4.19.4 In order that Policy STJ1 and its development brief have due regard to government policy and guidance and EU obligations, I recommend that they are amended as shown in Modification 10.

**Modification 10:**

Policy STJ1 to be amended as follows:

Criteria 3 to read: *The design and layout complement the local distinctiveness of the site and parkland landscape **should have due regard to** ~~meeting the requirements of~~ the following design and development brief.*

Criteria 4 to be deleted.

New Criteria 6 (will be numbered '5') to read as follows:

**“Open space designated at St James’ Hospital Grounds East and shown on the Green Spaces Map will be available for health related development on that part of the site so designated if need for the development is demonstrated to the satisfaction of the LPA.”**

The Development Brief for the site on pages 26-28 of the MNDP to include recommended text from the HRA for the MNDP:

**“Development proposals must undertake nutrient neutrality calculations for development that would result in increased sewage production and demonstrate that there is current headroom at receiving wastewater treatment works in line with Natural England’s Advice on achieving Nutrient Neutrality for new development in the Solent Region”**

**4.20 Policy LAN1: Langstone Campus** The policy is proposing a land swap within the site that all parties accept in principle, but site details may vary and are not yet the subject of development proposals. The policy as proposed had a number of errors, including the designation of a proposed LGS site for potential development, and that proposed development site being shown covering a larger area of LGS 8 than was intended or acceptable in terms of wildlife impact. The policy was therefore discussed at the hearing, and draft amendments to the policy circulated afterwards by me to the site owners (University of Portsmouth), the Qualifying Body and the LPA. I have taken comments received on the draft into account in drawing up this recommended modification to the policy, and thank all concerned for their assistance.

4.20.1 As explained in para 4.13 above, an LGS cannot also be suggested for possible development. All are agreed that the northern section of LGS 8 has an important wildlife value with particular regard to Brent Geese. This area should remain designated as an LGS therefore, with no development potential indicated. There is some disagreement as to where the Site B referred to in the policy should be shown. I propose therefore that the rest of the original playing fields LGS 8 be shown an 'open space: may be available for development as permitted by Policy LAN1'.

4.20.2 The HRA undertaken on the MNDP recommended that additions to this policy be made to the effect that a project level HRA would be required for any development proposal. In this way any likely significant effects could be properly assessed and mitigation and avoidance implemented.

4.20.3 In order that Policy LAN1 complies with the Basic Conditions in that it does not breach EU obligations and has due regard for government guidance and policy, I recommend it is amended as shown in Modification 11 below.

**Modification 11: .**

1. Development of the Langstone Campus ~~Site B~~ will be supported, providing:

- There is no adverse impact on the coastal landscape;
- Any development on open space as shown on The Green Spaces Map is balanced by new open space provision on reclaimed land on Site A (Figure 12), the new open space to link LGS 8, LGS 9 and LGS 6 and thereby increase the grazing resource for Brent Geese. ~~increase in ground coverage or floorspace provided is balanced by reclamation of land on Langstone Campus Site A as open landscape, so that there is no overall intensification of use on the campus as a whole;~~
- The scheme includes details of how Langstone Campus Site A will be restored as open landscape.
- All new development proposals submit a Project Level HRA to consider the effects of development on the European Sites. Permission will not be granted for those that would lead to adverse effects to the integrity of European Sites.

2. Reclamation on ~~of~~ Site A could include:

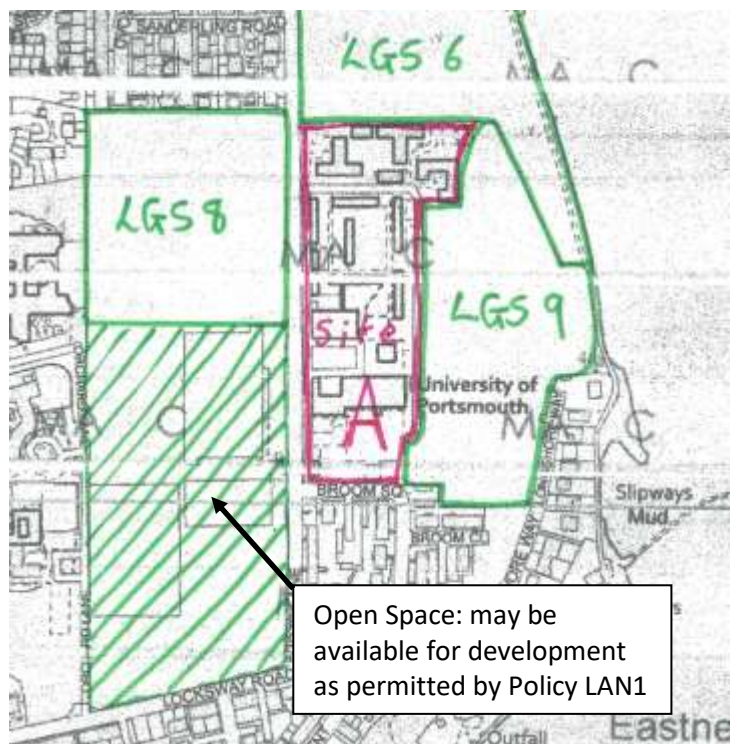
- Recreational and sports facilities or green spaces ancillary to an educational use or as independent facilities.
- Returning the entire site as part of the coastal environment.
- Community uses that maintain the open character and wildlife value of the site.

3. Development and reclamation works must ~~not harm or will~~ **protect and enhance** the Local Nature Reserve and the **Chichester and Langstone Harbour SPA, Ramsar and SSSI within the Solent Maritime SAC including wildlife habitats for birds and have due regard to the policy and guidance in the Solent Waders and Brent Goose Strategy 2020.**

4. Development proposals must respond to the following brief for the Langstone Campus ~~Sites A and B (see plan).~~

The Development Brief to substitute the words 'playing field open space' or 'any development on playing field open space' for 'Site B' as appropriate.

A revised Figure 12 to show the following detail (sketched here: NTS):



## 5. The Referendum Boundary

5.1 The Milton Neighbourhood Development Plan(MNDP) has no policy or proposals that have a significant enough impact beyond the designated Neighbourhood Plan Boundary that would require the referendum boundary to extend beyond the Plan boundary. Therefore I recommend that the boundary for the purposes of any future referendum on the MNDP shall be the boundary of the designated Neighbourhood Area for the Plan.





Milton Neighbourhood  
Development Plan  
Submission Version  
2021 - 2036



[www.miltonplan.org.uk](http://www.miltonplan.org.uk)

MILTON NEIGHBOURHOOD PLANNING FORUM

# Contents

Foreword .....	3
Policies .....	4
Overall Growth Strategy for Milton .....	4
Community .....	5
Community Facilities Policies COM1, COM 2. ....	6
Housing .....	7
Housing Policies HSG1, HSG2.....	8
Economy, Employment and Retail .....	9
Economy, Employment and Retail Policies EER1, EER2, EER3, EER4 .....	9
Place and Design .....	11
Place and Design Policies PLD1.....	12
Natural Environment.....	14
Natural Environment Policies ENV1, ENV2. ....	17
Heritage Assets.....	19
Milton Heritage Policy MH1.....	19
Transport .....	20
Transport Policies TSP1, TSP2. ....	22
Special Policy Area - St James' Hospital Site .....	24
Policy STJ1.....	26
Special Policy Area - Langstone Campus .....	29
Policy LAN1 .....	

Following amendments made by the examination process, references to page numbers in this document from other documents may differ marginally.

# MILTON NEIGHBOURHOOD PLAN

## Foreword

Welcome to the Neighbourhood Plan for Milton, outlining a way forward for our area for the next 15 years.

Milton is an attractive place to live with much to enjoy including the Common, the Shoreline, Milton Market, the Village Hall, Milton and Bransbury Parks, the Beddow Library and the allotments. Its community spirit is one of the best in the City. We have a lot to be proud of and a lot to preserve.

There is pressure on the area to accommodate more development. We need a Neighbourhood Plan which will encourage development that meets the needs of residents, is benign on the local environment, wildlife and on our health and well-being whilst being economically beneficial to landowners and the City in the long term. We want to encourage development contributing to a sense of place which adopts high-quality designs in keeping with what already exists.

Too many residents and young families cannot afford a decent home. Our local population is ageing and requires more of the National Health Service and more in terms of specialised housing. We cannot travel freely, especially at peak times and weekends, and the chronic traffic congestion is compromising air quality and damaging our health.

We have two main sites for future development here in Milton, St James' Hospital and Portsmouth University's Langstone Campus. This long-term plan includes policies for these sites dealing with the major issues facing our area and our City; providing homes for all ages, families, single people, senior citizens and those with supported-care needs, school-places for children and preserving and enhancing the green spaces, whilst protecting the Internationally Designated Langstone Harbour. This plan tries to meet these objectives.

Volunteers who care about the future have put it together. It is a community vision formed out of consultation, evidence, and a shared experience and a desire to improve Milton's future.

Rod Bailey  
Chair Milton Neighbourhood  
Planning Forum

Janice Burkinshaw  
Chair Milton Neighbourhood  
Forum

# Policies

This Neighbourhood Plan contains policies for development management and will apply until 31 December 2036. Most of the policies apply across the neighbourhood area. The exceptions to this are the special policy areas, which apply to specific areas and buildings as shown on the proposals map.

The recommendation of the Independent Panel on Climate Change requires effective action to be taken within the next 10 years and the Council's Zero Carbon Emissions Target of 2030 going further than the Climate Change Act of 2008. The urgency is underlined by the fact that planning permissions can be implemented within 3 years and completed at any time thereafter and in these circumstances, policies are needed to prevent carbon intensive developments being built well into the next decade and to avoid undermining the fundamental purpose of recognising this emergency situation. The earlier the necessary steps are taken the less traumatic will be the transition and a tonne of carbon saved this year would be avoided for ever, and a tonne emitted will be causing global heating for ever.

The emergency declared by the Council implies a commitment that the Neighbourhood Plan Policies must achieve this reduction in emissions for which it could be held responsible. This places an additional responsibility on housing/buildings where the means are known whereby these could become carbon negative. There can be no justification for delay in reducing carbon from transport (a sector where carbon emissions are still increasing) or in the increase of renewable energy sources.

**The NPPF in Section 14 “Meeting the challenge of climate change, flooding and coastal change”** under para 148 requires the planning system to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, encourage the reuse of existing resources, including the conversion of existing buildings, and support renewable and low carbon energy and associated infrastructure.

Paragraphs 150 and 151 of the NPPF deal with strategies for greenhouse gas emissions and renewable and low carbon energy and are relevant here.

## Overall Growth Strategy for Milton

One of the basic conditions for a neighbourhood plan is to help achieve sustainable development. A key principle of the National Planning Policy Framework is the presumption in favour of sustainable development. This means planning for growth, but taking account of the interests of future generations. Sustainability has social, economic and environmental dimensions. **This principle aims to ensure the presumption in favour of sustainable development is recognised as a long-term objective, not to be mitigated by short-term remedies, but in Portsmouth generally, and Milton especially, that Presumption is disapplied by the presence of the Langstone Harbour Special Protection Area for Habitat Conservation as it forms the Milton Plan coastal boundary".** This means for the Neighbourhood Plan purposes, planning for growth is constrained by the Habitats Directive to ensure the long-term objective of securing uses complementing the wildlife habitats rather than harming them.

Growth in Milton will be concentrated around the redevelopment of part of the St James' Hospital site and possibly part of Langstone Campus. This will be augmented by the usual smaller-scale incremental development that is typical of urban areas.

To ensure that growth is sustainable, general policies are included on:

- Community Facilities
- Housing
- Economy, Employment and Retail
- Place and Design
- Natural Environment
- Local Heritage
- Transport

These are augmented by special policies for the main strategic sites, as follows:

- Special Policy Area – St James' Hospital Site
- Special Policy Area – Langstone Campus

## **Community**

### ***Purpose***

To maintain a balanced mix of uses, including a mix of community facilities to meet local need. This will reduce the need for car journeys, create a sustainable neighbourhood and maintain the present feel of Milton as a village within the City of Portsmouth.

### ***Rationale***

Community facilities are clustered around the southern and western edges of the plan area. Heavy use indicates a lack of suitable accessible meeting space. (see page 29 of Evidence Annex)

The NPPF in paragraphs 91-94 articulates the need for a balanced mix of uses to be maintained. This includes health, educational, leisure, retail and employment facilities within walking distance where possible. Adherence to these policies will ensure that Milton is a sustainable community and one that reduces the need for car journeys.

## Community Facilities Policies COM1, COM 2.

### COM1: Safeguarding Community Facilities

1. Proposals involving the loss of local community facilities will only be supported where:
  - a similar or better facility is provided in close proximity; or
  - it can be demonstrated that the community use is no longer viable.
2. Development of new Community Facilities will be encouraged. Existing community facilities include the following:
  - Beddow Library
  - Eastney Community Centre and Community café
  - Gisors Road 'Walled Garden'
  - Langstone Church and Hall with Nursery
  - Meon Middle & Infants School with Nursery
  - Milton Park Middle & Infants School with Nursery
  - Milton Village Hall and Pure Ground Community café
  - Moorings Way Primary School
  - St James Church (C of E) and Hall
  - The Barn in Milton Park
  - United Reform Church and Hall with Nursery
  - Wind in the Willows Nursery

### Interpretation

This policy seeks to ensure that the range of community facilities in the area remains undiminished. A list of local community facilities is below

### COM2: Development at Public Houses

1. Development to diversify the use of public houses will be supported, providing:
  - the use as a public house continues as part of the scheme.
  - there is no significant adverse impact on the amenities of any nearby residential properties;
2. Development involving the loss of a public house will only be supported where it can be shown that the use is no longer viable.

### Interpretation

This is an enabling policy for diversification of public houses. The policy looks to support public houses and their future use.

# Housing

## *Purpose*

In compliance with PCC's retained housing allocations and NPPF paras 59 – 72 the following policies will seek to deliver a supply of housing appropriate to local need.

Site allocations and infill policies will provide a mix of housing that will meet those needs and address deficiencies in the area. In addition to housing, mixed-use developments, that includes employment and community facilities will be supported. In an area with poor transport links this will help reduce the need for travel to access employment and community facilities.

## *Rationale*

The AECOM Housing Needs Analysis identifies a deficiency in housing supply at both ends of the demographic of Milton. (see page 14 of [Evidence Annex](#))

Of note is an entry level property is valued at £154,222, a figure that excludes roughly 70% of the local demographic. There is clearly a need for 3-5 room houses suitable for young families. There has been a 10.3% increase in one-person households, indicating a demand for smaller housing units.

There are growing numbers of people living on their own and a one bedroom flat priced at £105,000 is unaffordable to those on an income lower than £30,000 salient given the proportion of low wage earners in Milton.

Elderly people would prefer to remain in the area among their friends and family<sup>1</sup>. This not only contributes to improving health outcomes and downsizing has the potential to release family housing back to the market.

Elderly people would prefer to remain in the local area among their friends and family<sup>2</sup>. This contributes to improving health outcomes.

These policies are compliant with existing PCC policies PCS10, PCS19 and PCS21.

---

<sup>1</sup> Comments on many consultations and public events attended by the Forum

<sup>2</sup> Comments on many consultations and public events attended by the Forum

## Housing Policies HSG1, HSG2.

### **HSG1: Housing Mix**

- 1. Residential development must include a balanced mix of house types to meet documented local need. The mix of housing is encouraged to include:**
  - **3 bed, family houses suitable for local families to move into;**
  - **1 and 2 bed homes suitable for first-time buyers and those wishing to downsize;**
  - **accommodation suitable for the elderly, vulnerable or disabled persons.**
  - **accommodation for single people**
- 2. Particular support will be given to self-build or community-led housing schemes.**

### **Interpretation**

The proportions of each will need to be based on evidence of documented local housing need such as the AECOM Housing Needs Assessment (Milton Neighbourhood Planning Forum, 2017)

In considering housing mix, the requirements for room sizes and storage are set out in the Government's *Technical housing standards – nationally described space standard*, March 2015 (or any equivalent standard superseding and replacing that document).

This policy seeks to encourage integrated communities by requiring development to be tenure blind.

### **HSG2: Housing Standards**

- 1. Housing development must include screened storage space for bins and recycling, located away from road frontages.**
- 2. Housing, including apartments, must have access to external amenity space in the form of gardens, shared private space, shared open space in close proximity, and/or external balconies.**
- 3. Housing must include adequate parking and cycling provision, meeting the requirements of Policy TSP2.**

### **Interpretation**

This policy seeks to encourage the use of high-performance and low-carbon design and construction.

Storage for cycles and bins may be provided for each property or as a shared facility, depending on the nature of the development.



The inclusion of a need to be water efficient discourages wastage of water and encourages and supports individual and innovative designs through use of high-performance and low-carbon design and construction.

Housing Density policies are contained in the Portsmouth Plan adopted 24 January 2012 PCS 21 (maximum of 40 dph for Milton).

Schemes that incorporate sustainable construction and low carbon use, and renewable energy sources especially solar PV on south facing roofs are encouraged.

## **Economy, Employment and Retail**

### ***Purpose***

To enable and promote sustainable economic development in Milton and to protect and enhance retail provision, in the interests of maintaining and providing a balanced mix of uses in Milton.

### **Rationale**

To remain sustainable, Milton will retain and diversify its local economy to benefit local inhabitants and reduce reliance on car travel. Policies in keeping with NPPF 85 will support the growth of local retail centres. When a change of use is proposed, policies will promote uses that provide employment opportunities and anchor the local retail offer. (see pages 15-17 of Annex A)

These policies are compliant with existing PCC policies PCS11, and PCS18.

## **Economy, Employment and Retail Policies EER1, EER2, EER3, EER4**

### **EER1: Warren Avenue and Mallard Road Industrial Estate**

- 1. Development in the Warren Avenue and Mallard Road Industrial Estate (see proposals map) will be supported where the proposed uses complement and do not compromise other commercial and light industrial uses.**
- 2. Development for Commercial and light industrial uses falling into Use Class E at the Warren Avenue and Mallard Road Industrial Estate will not normally be permitted to include retail use.**

### **Interpretation**

Development means both operational development and material changes of use. Residential and retail uses would be likely to cause conflict with established industrial and commercial uses.

## **EER2: Employment**

1. Development to create light industrial or office uses will supported, subject to:
  - Loading and servicing areas being located away from main street frontages and being suitably screened from view.
  - Having no significant detrimental impact on the amenities of any nearby residential properties, including from additional traffic movements;
  - Meeting the requirements of Policies TSP1 and TSP2 in terms of traffic impacts.
2. Commercial and light industrial uses falling into Use Class E should be conditioned to prevent retail use outside of existing centres.

### **Interpretation**

This is an enabling policy for employment uses, subject to impacts (environment, residential, traffic safety and capacity). Requires active frontages to street (service areas to the rear).

## **EER3: Eastney Road Retail and Commercial Area**

1. Development in the Eastney Road Retail Area (see Proposals map) will be supported where the proposed uses would complement or enhance and not harm the viability of the area as a retail centre. Suitable uses could include retail, cafes, restaurants and cultural, recreational, community and other uses that are open to the public.
2. Betting shops and takeaways will only be approved where:
  - there is no harmful impact on the viability of the centre;
  - there is no significant adverse impact on the amenity of the centre and of other uses;

### **Interpretation**

The policy enables diversification of the retail centre and recognises the importance of complementary uses. At the same time, it recognises that loss of retail frontages to betting shops and takeaways can undermine the viability of the retail area, making it less sustainable.

## **EER4: Connectivity**

**New development must incorporate infrastructure to accommodate superfast broadband internet connectivity.**

### **Interpretation**

This policy ensures that development is sustainable, recognising the importance of appropriate internet connectivity to supporting economic development and home-based working.

# Place and Design

## *Purpose*

To ensure new development incorporates sustainable urban design, creating a sense of place, supporting sustainable communities and adding to the distinctiveness of the area.

## *Rationale*

Milton's transition to an urban landscape is best characterised by the Edwardian grid plan terraces that dominate the townscape west of St James Hospital, as described in the Evidence section.

The existing look and feel of Milton is best served by taking design cues that reflect the local urban vernacular.

High regard should be given to sustainable development that creates a permeable network of foot/cycle paths and encourages a modal shift away from motorised transport.

These objectives are in line with NPPF paras 125-130 which in summary guide as follows.

Plan policy will ensure that future development reacts to a clear design vision and expectations as to what will be acceptable. New development will be of good architecture, layout and appropriate and effective landscaping and will add to the overall quality of the area. Design policies should be developed with local communities so that they are grounded in an understanding of local character. An appreciation for the surrounding built environment and landscape setting will establish a strong sense of place.

The arrangement of streets, spaces, building types and materials will create attractive, welcoming and distinctive places to live, work and visit.

There is a clear link between quality of environment and an area's ability to attract investment, population and visitors. For Milton, and its wider hinterland its coastal setting is especially important. The Langstone Harbour Coastal Area policies continued into the current local plan from 2001-2011 describe the importance of the Eastern Seaboard.

These policies are compliant with existing PCC policies PCS15, PCS16 and PCS23.

## Place and Design Policies PLD1.

### **PLD1: Sustainable Design**

Development must be well designed and sustainable, meeting the following requirements of this policy.

1. Development must complement the character of Milton, including:
  - a) Comprising creative, site-specific design solutions, based on analysis of the coastal, townscape and landscape and townscape character and setting of Milton;
  - b) Complementing the established character of the immediate context and wider character of Milton in terms of urban form, spacing, enclosure and definition of streets and spaces, scale, massing, height and degree of set-back from streets;
  - c) Designing buildings, streets, spaces, landscaping and planting to create a safe, locally distinctive and well-functioning environment;
  - d) Clearly distinguishing between public and private spaces, thereby avoiding the need to create dead frontages with high walls or fences adjacent to streets and public spaces;
  - e) Responding to views and landmarks visible from within sites in the design and the layout of the development
2. Development must provide a positive environment for pedestrians and cyclists, including:
  - a) Creating attractive, safe and convenient environments for pedestrians, with streets and spaces overlooked by active building frontages, to create natural surveillance;
  - b) Providing streets that encourage low vehicle speeds and which can function as safe spaces for pedestrians;
  - c) Providing for a balanced range of transport options, and convenient pedestrian paths and links, including links to surrounding public transport services and community facilities;
3. Development must use high quality durable materials, to complement the site and context. This includes local vernacular materials, recycled materials and materials and construction with superior environmental performance.
4. Development must have no adverse impact on surrounding land or properties from surface water run-off. Wherever possible, hard surfaces must be permeable and sustainable urban drainage systems should be used.
5. Development must achieve biodiversity net gain. Landscaping, layouts and the design of the public realm should take opportunities to support wildlife, including wildlife corridors linking areas of green spaces.
6. Development must include positive design features to reduce carbon impact.

## Interpretation

Pedestrian and cycle permeability are crucial elements in reducing car trips and making Milton sustainable.

To reduce fuel poverty and environmental impact, development that supports the use of sustainable technologies is encouraged. Innovative design with high environmental performance is particularly welcomed, as set out in the NPPF.

Well-designed public and private space means designing layouts so that rear gardens are away from road frontages. This avoids the need for high fencing or walls next to highway.

Design and access statement submitted with planning applications should make clear how the requirements of this policy have been met.

In terms of high-quality materials, the policy would be met by authentic local materials and other durable materials with a high standard of finish and durability. The policy would not be met by poor quality imitation of traditional materials, such as plastic fascia boards.

The creation of linked wildlife corridors will both enhance biodiversity and improve visual amenity.

It will certainly be necessary to use a capable and skilled professional team in order to respond to this policy, including skills such as:

- architectural design
- urban design analysis and place-making
- landscape analysis and design
- historic environment analysis and adaptation

Planning applications should make clear how NPPF's encouragement for community engagement has been met, recognising that this is a material consideration. Community engagement should be focused on the pre-design stage, so that the community's knowledge informs the design process. Late-stage engagement, focused on narrow and subjective aesthetic matters, offers little opportunity to influence the fundamental characteristics of a scheme

New developments are designed to achieve compliance with the City Council's Zero Carbon Emission Target for 2030 declared on 19 March 2019 to mitigate Climate Change and help increase the use and supply of renewable and low-carbon energy, new developments will be required to fully embrace new renewable technologies and where possible design new roof structures towards a south facing orientation to maximise solar gain.

New developments will also be required to embrace new and emerging energy efficiency measures to improve standards in reducing the depletion of finite global resources.

Where larger scale developments and re-development proposals come forward during the Plan period, it will be necessary to fully consider opportunities for development-wide renewable energy generation.

This Policy aims to ensure the presumption in favour of sustainable development is recognised as a long-term objective not to be mitigated by short-term remedies.

Design features to reduce carbon impact could include:

- use of efficient heating and cooling systems, or design to reduce dependency on heating and cooling systems.
- superior insulation properties and airtightness;
- natural ventilation and air flow (for warmer months) to help avoid over-heating;
- use of local, low-embodied energy, recycled and recyclable materials;
- living (green) walls or roofs;
- orientation to maximise passive solar gain;
- rainwater capture, storage and reuse (grey water);
- flexible housing spaces and layouts to accommodate changing demands;
- retention of existing landscape features;
- use of traditional hedges for boundary treatments.
- Use of native species in planting.
- Incorporating bat boxes and bird boxes or hedgehog gaps in fences
- Use of micro-generation.

## Natural Environment

### *Purpose*

To preserve and enhance the natural environment, including protected sites, and to maintain and develop a green corridor through Milton.

### *Rationale*

The Government has issued a statement of intent that this generation will be the first to leave the natural environment of England in a better state than that in which we found it. <sup>3</sup> Achieving this means looking after the environment we have, our natural capital, and making the most of opportunities to protect and improve it.

**Throughout history, parks and open spaces have been an essential part of successful towns and cities. They provide a range of functions, including: -**

- opportunities for formal sport, informal leisure and play activities for all age groups
- supporting health and wellbeing by offering space for tranquillity and reflection, and importantly space where you can be alone whilst also feeling part of a community
- places to meet and interact with others, supporting community cohesion and cultural endeavours
- a breathing space and escape from air pollution; parks as 'green lungs'
- offering places to 'cool off' during hot summers, especially for those without gardens
- affording space for wildlife and giving people access to nature

Sadly, it has taken a global pandemic to remind us of the importance of parks. Parks have been referred to as 'circuit breakers'- to prevent the spread of the disease. The crisis has also shown that parks provide an 'emergency service'; a place that people resort to in times of crisis.

---

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/693158/25-year-environment-plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf)

Evidence shows that living in a greener environment can promote and protect good health, and aid in recovery from illness and help with managing poor health. People who have greater exposure to greenspace have a range of more favourable physiological outcomes. Greener environments are also associated with better mental health and wellbeing outcomes including reduced levels of depression, anxiety, and fatigue, and enhanced quality of life for both children and adults. Greenspace can help to bind communities together, reduce loneliness, and mitigate the negative effects of air pollution, excessive noise, heat and flooding. Disadvantaged groups appear to gain a larger health benefit and have reduced socioeconomic-related inequalities in health when living in greener communities, so greenspace and a greener urban environment can also be used as an important tool in the drive to build a fairer society. However, population growth and consequent urbanisation combined with competing demands for land use and budgetary constraints, are putting much of our existing local, accessible greenspace under threat.<sup>4</sup>

Portsmouth is the UK's only island city and some 30% is covered by statutory nature conservation designations in recognition of its value to international, national and local biodiversity. The intertidal areas around Portsmouth, particularly the mudflats, shingle and saltmarsh provide ideal feeding and roosting grounds for overwintering bird species which are especially adapted to feeding in such habitats. Locally the Plan area includes four terrestrial Brent Goose sites, two on Milton Common a (SINC) and two on the Langstone Campus Site (see map).

Portsmouth is the most densely populated city in the UK apart from London. There are health inequalities across the City, with a seven-year life expectancy difference between the richest and poorest wards.<sup>5</sup> This reinforces the need for protection of open space for the health and well-being of residents and control of pollution and flooding. A network of high quality and accessible open spaces offering a range of outdoor recreational opportunities can address these issues.

The Planning System requires that development should support habitat conservation and enhancement and deliver net gains for biodiversity. Habitats and biodiversity underpin the provision of ecosystem services including air, water, noise and soil quality, climate regulation and environmental resilience, outdoor recreation, active travel, cultural benefits, energy and natural products.

NPPF Paragraph 100 says that Local Green Space designations that they should only be used where the green space is in reasonably close proximity to the community it serves; is significant for recreational value or tranquillity or wildlife richness; and is not extensive.

NPPF Paragraph 123 requires planning policies to identify and protect areas of tranquillity that have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Section 15 of the NPPF Conserving and enhancing the natural environment is also relevant particularly Paras 170 to 177 relating to Habitats and Biodiversity and paragraph 180(b) in connection with identifying tranquil areas.

PCC's Green Infrastructure paper to the emerging Portsmouth Plan acknowledges coastal areas offer a release from the densely developed nature of parts of the city, providing open vistas, undeveloped areas and amenity that is vital to residents and visitors of Portsmouth alike.<sup>6</sup>

---

<sup>4</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/904439/Improving\\_access\\_to\\_greenspace\\_2020\\_review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904439/Improving_access_to_greenspace_2020_review.pdf)

<sup>5</sup> <https://www.portsmouth.gov.uk/ext/documents-external/pln-local-plan-health-and-wellbeing-background-paper.pdf>

<sup>6</sup> <https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-green-infrastructure-background-paper.pdf>

The Biodiversity paper for the Portsmouth Plan shows Milton Common and Langstone Harbour as Biodiversity Opportunity Areas. Opportunities have been identified for targeting Coastal Grazing Marsh, Purple Moor Grass and Rush Pasture, Coastal Salt Marsh and Vegetated shingle.<sup>7</sup>

The 2016 State of Nature<sup>8</sup> report identified a couple of trends of significance to urban areas like Portsmouth. Urbanisation was highlighted as a significant driver of change in nature encompassing various negative factors from loss of green space and wildlife rich brownfield sites, to loss of habitat in general. The report also noted additional pressures upon the wildlife of the UK's coastal spaces due to increased development, disturbance from people and rising sea levels. A well-managed network of green infrastructure can help address this.

This Plan aims to maintain and enhance the Natural Environment in Milton not only so that future generations can improve their life expectancy, but also provide opportunities to increase biodiversity and green corridors through new greening. This will also assist in meeting the Council's Climate Change target.

The Existing and Proposed Publicly Accessible Open Spaces as shown on the Proposals Map shall therefore be required to remain as Open Spaces

---

<sup>7</sup> <https://www.portsmouth.gov.uk/ext/documents-external/pln-local-plan-biodiversity-background-paper-final-draft-feb-2019.pdf>

<sup>8</sup> <https://www.rspb.org.uk/globalassets/downloads/documents/conservation-projects/state-of-nature/state-of-nature-uk-report-2016.pdf>



## Natural Environment Policies ENV1, ENV2.

### **ENV1: Local Green Space**

1. The following spaces are designated as Local Green Space:

- LGS1 - St James' Green**
- LGS2 - Portsmouth and Southsea Cricket Club Ground**
- LGS3 – Milton Locks**
- LGS4 - Milton Park**
- LGS5 - Bransbury Park**
- LGS6 - Milton Common**
- LGS7 - Edenbridge Park**
- LGS8 - Furze Lane Sports-Fields**
- LGS9 - Langstone Campus Fields**
- LGS10 - Eastney & Milton Allotments**

Development on Local Green Space will only be allowed in very special circumstances.

Land between Broom Square and Longshore Way, the western section of St James' Hospital

Grounds East, Land North of St James' Green, known as Matron's Garden and Land at Kingsley Road are designated as Open Space.

### **Interpretation**

Examples of development that would be allowed by the policy are set out in Paragraph 149 of the NPPF on exceptions to building in the Green Belt. Policies for managing development within a Local Green Space should be consistent with those for Green Belts as set out in paragraph 103 of the NPPF. :

Proposals impacting the designated open spaces will be considered in line with Policy PCS13 of the Portsmouth Plan (Core Strategy, 2012 and superseding documents)

## **ENV2: Green Environment and Biodiversity**

- 1. Development should wherever possible protect and enhance Milton's local green environment including wildlife habitats and corridors, green spaces, trees and woodland spaces.**
- 2. Development must achieve biodiversity net gain.**
- 3. Development affecting national and European designated landscapes and their setting must protect and enhance them. Designated landscape include:**
  - Chichester and Langstone Harbours Special Protection Area /Ramsar;**
  - Solent Maritime SAC;**
  - Solent and Dorset Coast Special Protection Area**
  - Portsmouth Harbour Special Protection Area /Ramsar.**
- 4. Landscaping schemes for development proposals should utilise native species.**
- 5. Existing landscape features including trees and hedges should be retained and incorporated into the design, layout and landscaping of development schemes. Where loss of trees or hedges is unavoidable, replacement trees or hedges of native species should be provided, to create a similar level of amenity.**
- 6. Development proposals should ensure recreational opportunities do not result in adverse effects of integrity to European designated wildlife sites. Water pollution is a particular concern as an adverse effect in this regard.**

### **Interpretation**

This policy aims to protect against inappropriate development increasing stresses on already fragile habitats. The policy aims to uphold the principles underpinning the Government's 25 Year Environment Plan in relation to green infrastructure including providing more and higher quality Green Index (GI) in towns and cities, with particular mention of encouraging more planting of trees in and around our urban areas.

Biodiversity Mitigation and Enhancement Plans (BMEP) would be a way of demonstrating compliance with the policy. These could include:

- Opportunities for new tree planting.
- Enhancements of green spaces, wildlife corridors and woodland spaces.
- Creation and long-term management of areas of species eg rich grassland.
- Creation of a community orchard (using traditional varieties) and/or the provision of fruit trees within allotment plots or gardens.
- Provision of new bat roosting and bird nesting opportunities within new builds located adjacent to green infrastructure, including the provision of nesting opportunities for swifts and other birds.
- Provision of additional bat roosting opportunities within established areas of trees.

A well-managed network of green infrastructure can help address biodiversity losses through the provision of valuable habitats for a range of native flora and fauna in order to help counter losses, as well as through joining up these habitats, to help ensure that the built environment

of the city is as permeable to wildlife as possible. In addition to ensuring that Portsmouth is as diverse in its wildlife as it can be, this can lead to the additional benefit of bringing nature into the city to help expose people to the natural environment who might not be able to experience it in the same way as those living in more rural parts of the UK.

Development may respond to the policy by incorporating physical measures to support the known and established wildlife in the area. Examples include:

- incorporating gaps to allow hedgehogs to move between gardens without hindrance
- avoiding the use of gravel board bases to fencing
- building bat roost tiles into roofs to allow roosting
- incorporating swift boxes in all new buildings

Protected trees should not to be removed unless diseased or damaged. When replacing these trees, details should be agreed by Portsmouth City Council's Arboriculture Officer.

This policy complements PCC policy PCS13.

## **Milton Heritage Policy MH1.**

### ***Purpose***

Milton contains four Grade II listed buildings and six locally listed buildings. (pages 12-13 of Evidence Annex) These policies are to ensure that identified and potential heritage assets are appropriately conserved or enhanced.

### ***Rationale***

The Neighbourhood Plan includes a survey of designated and non-designated heritage assets that are of particular importance to the local character of Milton. These assets should be conserved or enhanced in a manner proportionate to their significance.

The NPPF at paragraph 185 says that "a positive strategy for the conservation and enjoyment of the historic environment.... Paragraph 189 of the NPPF gives guidance on assessment of significance of a site.

These policies are compliant with existing PCC policies PCS23 Design and Conservation.

### **MH1: Heritage Assets**

- 1. Development to refurbish or reuse designated and non-designated heritage assets will be supported, providing it preserves or enhances the assets and their settings.**
- 2. The original features and details of buildings should be retained where they contribute to:**
  - a) the special architectural or historic interest of listed buildings;**
  - b) the special architectural or historic interest of conservation areas;**
  - c) the architectural or historic interest of non-designated heritage buildings.**

## Interpretation

This policy is to enable the conservation and enhancement of national and local heritage assets and their settings.

## Transport

### Purpose

To provide Milton with a people centred travel network to prioritise safer walking and cycling, and improve public transport to help deliver a safer and healthier community.

To adapt existing road layouts with improved cycling infrastructure and prioritise pedestrians and cyclists in the design of new road layouts within and surrounding new developments (NPPF para 110) and DfT Cycle-Infrastructure Design Guide 2020.

To avoid exacerbating further the congestion on the local highway network, particularly those junctions described as “severely congested” in the PCC's Local Transport Plan (see evidence section) from new developments, it will be necessary to assess all development proposals for their cumulative effect on junctions at Moorings Way/Velder Avenue; Velder Avenue/Milton Road and Milton Road/Goldsmith Avenue.

The policies below are designed to help promote sustainable transport and are guided by NPPF paras 102-111 requiring transport issues to be considered at the earliest stages of plan-making and development proposals (para 102) in order that growth is directed towards more sustainable locations through limiting the need to travel and offering a genuine choice of transport modes (para 103). Of note is the local topography and the existing built environment which preclude improvement to the highway network serving Milton east of Milton Road.

To maximise their potential to contribute toward a modal shift away from fossil fuel car dependency, developments will require a comprehensive supply of EV charging points. (NPPF para 110c).

To ensure that new development is appropriate for its location, account must be taken of the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development (para 180 a, b, and c); and should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones (para 181). Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

### Rationale

High levels of Car-dependency in Portsmouth is one of the biggest impediments to achieving a Zero-Carbon Emissions Target<sup>1</sup> and the air pollution generated therefrom contributes to reducing life-expectancy.

Portsmouth City Council has been served with three ministerial directions to improve air quality.

The City is both small and flat but the major challenge of traffic restraint is accessibility. As the Council has commented, there are delays at peak-times on the main routes through and around the Plan Area. The proposed development areas are poorly served by local highways, public transport and safe cycling access to the City Centre.

The Director of Regeneration reported to the 6<sup>th</sup> Sept 2019 Cabinet for Traffic and Transport deciding on residents parking *“the transport network is reaching and exceeding capacity, negatively impacting in particular on productivity, economic growth, and air quality. There is a dominance of trips, including shorter intra island trips, being undertaken by private car, with public transport accounting for a small mode share. Bus travel, particularly, for such shorter distance trips, is often costly and time-consuming. Portsmouth was identified by Government as one of eight ‘third wave’ local authorities required to develop an Air Quality Local Plan aimed at identifying measures to ensure compliance with air quality statutory annual limits for NO<sub>2</sub> in the shortest possible time”*.

Traffic, and especially short car trips, have long been recognised as an issue for Portsmouth: *“Commuter distances are short compared with the rest of the South East, and there is a high reliance on the car for short trips. 16% of all car trips starting and finishing in Portsmouth are ‘short trips’ of less than 3kms in length (i.e. 9,352 out of a total of 57,691 trips)”* (PCC Sustainable Transport bid to DfT for 2016/17).

Children suffer a 50% higher casualty rate on local roads in Portsmouth than the national average <sup>2</sup>.

The Milton Neighbourhood Plan must enhance sustainable transport options with pedestrian and cycle friendly street design in new developments and through safeguarding and improving the existing Sustrans network. There is also an awareness of major policy changes in the coming decades, such as phasing out of fossil fuel powered engines and electric power becoming more widespread. The Plan must therefore require new developments to provide electric vehicle charging points and contribute to reducing car-dependency.

If our cities were designed around walking, not cars, the walking trips we take should increase. This would have added benefits of reducing air pollution; reducing road injuries; creating stronger social reactions, creating a stronger sense of community; reducing crime rates and improving mental and physical health<sup>3</sup>.

To see this change we must commit to making walking a priority, ensure walking features strongly in town plans, create a walking network and design streets as places for children to enjoy (Creating Walking Cities a Blueprint)<sup>4</sup>.

These policies are aimed at helping shift the balance towards sustainable transport and simultaneously reducing air pollution attributable premature deaths and contributing to meeting the Council's aspirations to achieve a Zero Carbon Target by 2030,

To respond to climate emergency any future planning policies must have at their core a commitment to a step change in reducing NO<sub>2</sub> emissions.

Car pollutants are a significant health risk and a reduction in car dependency will also bring other health benefits.

An active lifestyle improves mental and physical well-being which in turn will help to alleviate the increasing pressures on our health-care system.

## **Services around the main sites**

The high expansion in new housing and lack of investment to support it over recent years creates accessibility problems for Langstone Campus and the residue of the St James' Hospital surplus land. (see the Development and Character of Milton's Housing in the Evidence Section for development history)

The main development areas of St James' Hospital and Langstone Campus should be provided with improved pedestrian and cycle infrastructure and with better bus services to

Southsea, Fratton and the City Centre. Improvements should comply with the DfT Cycle-Infrastructure Design Manual July 2020<sup>5</sup>

The Sustrans National Cycle Route 222 from Petersfield to Southsea is a variation of Route 22 from London to Portsmouth and both link with the strategic South Coast Route 2 from Dover to St Austell running along Southsea Sea-front.

The Neighbourhood Plan will prioritise route 222 via Furze Lane by ensuring its retention as a bus and cycle only route to avoid “rat-running” and provide a safe passage to Locksway Road from Milton Common. Opportunities to improve the 222 route from Ports Creek to Furze Lane along the Harbour Edge will be sought from the planned sea-defence scheme.

A pedestrian and cycle north/south route through St James' Hospital will also be promoted to serve residents in Warren Avenue and north of the Hospital with an easy and safe passage to Ironbridge Lane. Bransbury Park and the Seafront.

The link with the Eastern Rd Cycle Route 222 across Milton Common is shown on Map 7 on page 25 of the Evidence Section.

Both St James' Hospital and Langstone Campus are employment sites with the former benefiting from Local Plan Policy MT4 which includes re-use for health-care, education and residential training. These uses are all helpful in retaining a local workforce reduce their travel distances and the Neighbourhood Plan will seek to retain these. See the special policies section for St James' Hospital and Langstone Campus.

The following transport policies together with the design policies and special area policies in this Neighbourhood Plan all emphasise pedestrian and cycle priority.

These policies are compliant with existing PCC policy PCS17.

## **Transport Policies TSP1, TSP2.**

### **TSP1: Highway Capacity and Impacts**

- 1. Development that generates significant additional traffic movements will be supported only where it can be demonstrated that the highway capacity of roads linking the Milton Area to the wider Portsmouth area is adequate to accommodate any additional vehicle movements generated.**
- 2. Development must demonstrate that it would have no significant detrimental impact on air-quality, including incorporation of features to improve air quality.**
- 3. Development must have no severe impact on traffic safety or congestion and should provide any highway improvements necessary to accommodate additional traffic generated.**
- 4. Street layout should include sufficient widths to allow for access of service and emergency vehicles.**

## **Interpretation**

Developers should model traffic impacts in and around the neighbourhood area to demonstrate that existing infrastructure is adequate.

Traffic generated by a proposed development will need to be considered in conjunction with other approved developments. Proportional contributions towards any necessary highway improvements should be considered where schemes are approved, to ensure that there is no significant detrimental impact on traffic safety, congestion or air quality.

## **TSP2. Balanced Transport Provision**

- 1. Development that generates additional journeys must include balanced transport provision, including sustainable modes of transport, proportionate to the scale and nature of the scheme.**
- 2. The design and layout of development should give priority to the needs and convenience of pedestrians and cyclists and include links to surrounding paths, community facilities and public transport facilities.**
- 3. Development must provide secure, weatherproof and convenient facilities for storage of cycles, including for all new dwellings.**
- 4. Electric vehicle charging points must be provided as part of parking provision.**
- 5. Parking Standards will be set at 0.75 spaces/1 bed unit; 1.25 spaces/2 & 3 bed units and 1.75 spaces/4 bed unit and above**

## **Interpretation**

The policy seeks to ensure that a range of transport options is provided, rather than over-reliance of motor vehicles

Safe pedestrian and cycle routes should be maintained and enhanced, particularly around schools and community facilities. Sustainable transport plans should support development proposals, identifying such routes, and highlighting how this policy has been addressed.

Cycle storage may be provided through shared facilities or within the curtilage of each dwelling.

## **TSP 3 Footpaths and Cycling Routes**

- 1. Development should not result in an adverse on footpaths or cycle routes, and any proposed alterations to them should not result in any reduction in setting, safety, amenity, or accessibility.**
- 2. Development around or adjacent to footpaths and cycle routes should take opportunities to enhance their setting, safety, amenity or accessibility and to improve links to them.**

## **Interpretation**

The policy protects footpaths and cycle routes and requires impacts of development to be considered.

# Special Policy Area - St James' Hospital Site

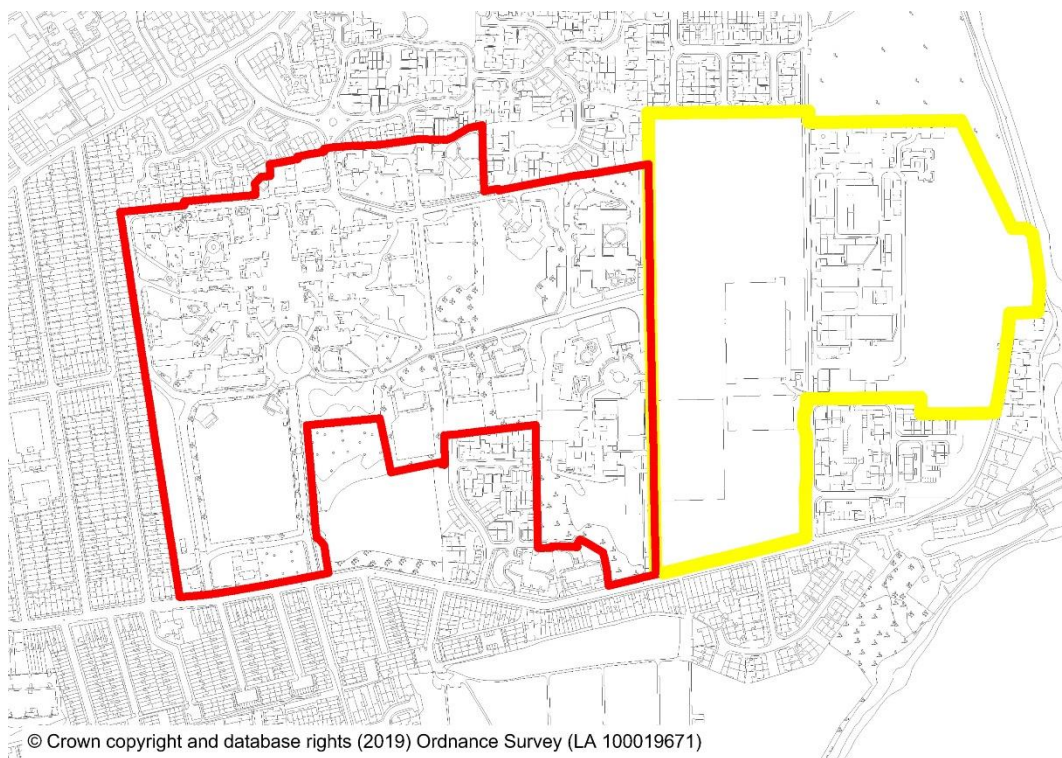
## *Purpose*

Strategically important within the Milton area, the former St James' Hospital site is well placed to deliver a high-quality mixed-use development that meets local needs.

This policy requires that further development enhances the historic core of the hospital and chapel its attendant ancillary buildings and the wider historic landscape within which it sits. High quality and sustainable design solutions are required to complement the local distinctiveness of the area. To that end all new applications should be accompanied by a heritage assessment and include measures which will mitigate or compensate for the loss of any heritage values identified.

House building on the former hospital farmland has proceeded with no regard to infrastructure. To redress this imbalance, community facilities should be included to service local needs, create employment opportunities and reduce car dependency. Portsmouth is very densely populated and green space is at a premium and any further loss must be minimised.

The vision is to create a distinctive mixed development, a jewel within a city environment that the local community, present and future, can enjoy.



*Map 11: St James' Site (Red Border)*



## ***Rationale***

At the heart of the site is the Byzantine Gothic hospital complex and to the SE the chapel in the Early English style; designed by George Rake both date to 1879 and are listed at Grade II. These buildings along with Edwardian villas are set within a sylvan landscape and are the key contextual features for development to respond to.

Attached to Rake's practice was the local architect, A. E. Cogswell, who on Rake's death in 1883 took on the practice. In the next four decades, he became Portsmouth's foremost architect, during the city's period of greatest expansion. War damage and development zeal removed much of Cogswell's work, but at St James his extensions to the hospital's middle wards of 1897 survive as do his four Edwardian villas of 1907. Placed as they are within the landscape, they follow internationally accepted best practice in patient care. England clung to a more conservative and formal approach choosing to incarcerate the 'feeble minded'. It is not until well after World War 1 that the colony plan was adopted. These fine Edwardian villas are rare national survivals and stand as a testament to civic pride and are of obvious local significance. Clearly connected to hospitals original function, contained within the curtilage of the grounds, and as such are considered curtilage listed, in accordance with Historic England Advice Note 10, dated .February 2018.

In the 1930's the imposing castellated water tower was replaced by the landmark Lancaster House well documented by the renowned artist Edward King, a long-term resident in one of the villas. Sited in the service area to the north of the hospital this area is poorly understood, and great care should be exercised if any development is proposed in this area. The re-use of Lancaster House should be a prime consideration for a combined heat and power source for the Main Hospital Building.

Hard against the hospital are three flat roofed buildings from the second half of the twentieth century and soon to be surplus to NHS requirements. Their demolition would make a positive contribution by opening up views into and out of the main hospital façade and is to be encouraged.

The surrounding context includes large areas of housing. To the south and west predominantly two-storey red brick bay fronted terraced housing set back behind shallow front courts. The earlier phase is Edwardian the 2<sup>nd</sup> phase inter war Tudorbethan.

To the east, the former common grazing and the salt marshes fringing Langstone Harbour were incorporated into the final phases of the Inclosure Acts of 1845, and have long since disappeared. However, the University playing fields and the low density of the now mothballed campus leave an open aspect toward Langstone Harbour. The Harbour benefits from its own protection but with sensitive planning the development at St James can play its part in enhance the harbour's setting.

To the north, the former hospital farmlands have since the late 1960s been developed for housing. The utilitarian style favoured by the volume house builders and layouts based on highway standards predominate. Later developments featuring flint detailing are a welcome nod to the regional vernacular.

At the same time, it is necessary to protect the green parkland character of the area and respond to the setting of the listed and related unlisted buildings. The vision is to create a distinctive mixed development in a parkland setting - a unique jewel within a city environment that the local community, present and future, can enjoy. Healthcare, Elderly or care related uses on the remaining area of the site will reduce the impact on the constrained local highway network and are more consistent with achieving Sustainable Development.

Paragraph 170 of the NPPF is relevant here, speaking of contributing to and enhancing the natural and local environment. Paragraph 185 of the NPPF also speaks of setting out a positive strategy for the conservation and enjoyment of historic assets.

## Policy STJ1.

### **STJ1: St James' Hospital Site**

- 1. Development of St James' Hospital site will be supported for the following uses:**
  - Residential, including houses and apartment or flats;
  - Specialist residential accommodation, including schemes for the elderly or dementia care;
  - Healthcare and other community facilities;
- 2. Development must retain and incorporate the Grade II Listed Hospital, the Grade II Listed Chapel and the ancillary villa buildings within the curtilage of the site.**
- 3. The design and layout complement the local distinctiveness of the site and parkland landscape should have due regard to the following design and development brief.**
- 4. Open space designated at St James' Hospital Grounds East and shown on the Green Spaces Map will be available for health-related development on that part of the site so designated if need for the development is demonstrated to the satisfaction of the LPA.**
- 5. The requirements of this policy apply in addition to other policies in this plan, especially Environmental and Transport policies.**

### **Interpretation**

The policy and brief apply in addition to other policies in the Neighbourhood Plan.

The policy complements the existing Portsmouth Plan policies MT3 & MT4 explain the constraints of the site and MT4 specifically refers to the need for preserving the integrity of the Grade II Hospital Building and Chapel and for the surrounding highway network to accommodate satisfactorily the additional traffic generation.

Design and Access Statements supporting future planning applications provide an opportunity to demonstrate how development proposals address the requirements of the policy and brief.

For a site of this importance, independent design review is essential, as described in Paragraph 126 of the NPPF. This is suggested at a relatively early and conceptual stage, and then to test detailed design proposals at a later stage.

# St James's Hospital Site Design and Development Brief

## Masterplanning

Given the importance of the site and the need to avoid fragmented development, a comprehensive masterplan for the site should be prepared in advance of and to accompany planning applications. This ensures that if the site is developed in phases or incrementally, each scheme forms part of a wider development framework.

## Urban Form

Three specific models for townscape and urban form are suggested to respond to this:

Buildings freestanding in the landscape (responding to the historic hospital complex). This would be appropriate adjacent to the hospital buildings.

Terraced blocks, responding to the traditional Victorian and Edwardian context, though designed to address current needs and sustainability considerations.

Perimeter blocks, with central courtyard areas providing amenity space and with active frontage to the surrounding streets.

## Landscape

Development should complement the high-quality landscape setting, including retention and incorporation of existing trees protected by Tree Protection Orders (TPOs). The planting of new trees of a suitable species to complement existing trees will be encouraged in future development proposals to help contribute the City Council's zero carbon emissions target by 2030.

Development may be high density (three storeys) in the developed parts, responding to the surrounding urban context. This is a means to ensuring that development is viable, whilst retaining a significant landscape setting.

Development must take account of topography (mainly flat), landscape, trees and plants, wildlife habitats, existing buildings, site orientation and microclimate. Sustainable Drainage should be incorporated into development. Trees, boundary lines and pathways should be incorporated into the design and layout of any scheme.

## Historic Buildings

The grade II listed chapel and central building, together with the surrounding villas, should be retained and incorporated into the layout of the new development. It would be inappropriate to support a scheme that damaged or destroyed the local historic environment. Past harmful alterations and additions should be reversed.

New development should complement, but not imitate, the historic buildings. Imitation is especially harmful to the setting of the listed buildings, which must retain their distinctive and individual identity. New development should have due regard to the listed status of the Main Hospital Building and Chapel. In determining planning applications, there are special statutory duties relating to the impact of development on listed buildings and their setting.

## **Permeability and Movement**

Pedestrian convenience should take priority in the design of the scheme. The scheme should link to surrounding footpaths and provide a safe, attractive, permeable and convenient environment for pedestrians within the site.

Car parking and highways should be carefully integrated into the development, recognising that they are not just about transport, but also form part of the public realm.

Cycle facilities should be provided and there should be easy access to surrounding public transport facilities through convenient pedestrian links. Convenient east-west movement across the site should be designed into the layout.

As part of the contextual analysis for any new development, it is necessary to identify community facilities around the site and to ensure that the layout allows for convenient pedestrian access.

## **Sustainable Construction**

Design solutions that incorporate superior environmental performance will be expected, in line with Paragraph 131 of the NPPF.

## **Renewable and Low Carbon Energy**

To help increase the use and supply of low carbon energy as prescribed in Paragraph 151 & 153 of the NPPF, particularly para 151c) states new Plans should identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. The Main Hospital Boiler House known as “Lancaster House” provides an opportunity to preserve a well-designed historic building and the embedded carbon therein to utilise existing service ducts and pipes in and through the Main Hospital Building.

## **Nutrient Neutrality**

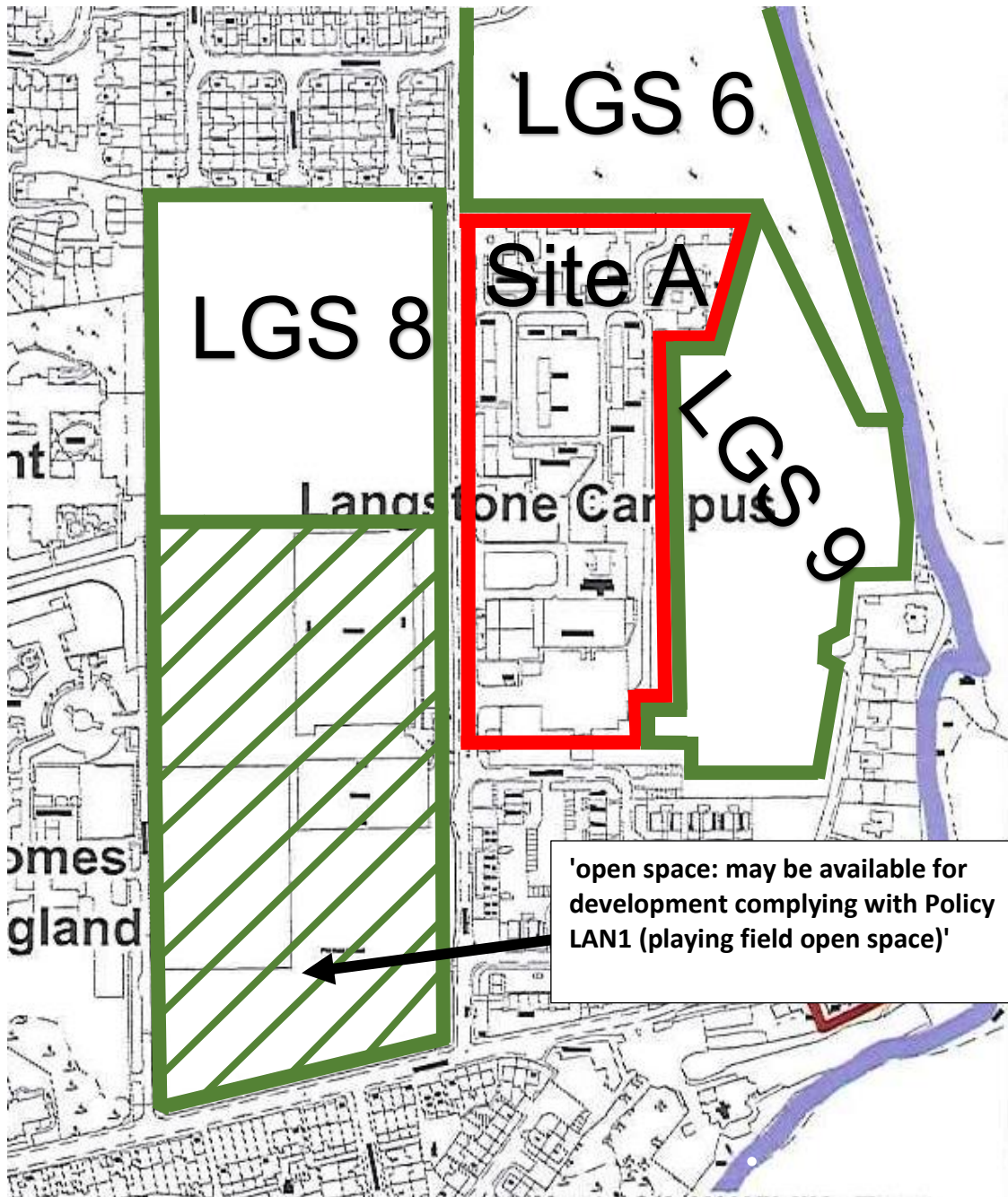
Development proposals must undertake nutrient neutrality calculations for development that would result in increased sewage production and demonstrate that there is current headroom at receiving wastewater treatment works in line with Natural England’s Advice on achieving nutrient neutrality for new development in the Solent Region

## **Special Policy Area - Langstone Campus**

### **Purpose**

Future development of the Langstone Campus offers an opportunity to provide an extension to Milton Common enhancing open space provision for Milton and Portsmouth by bringing the developed edge of the city to the west of Furze Lane on the existing University playing fields (shown as “playing field open space” on map 12) in line with the existing development to the north of the site.

By removing the existing built footprint of the University Campus (Langstone A) and replacing with new open space provision in the form of grass and local shrub areas with close links to Milton Common, an enlarged and visually enhanced, continuous, Local Green Space can be created.



Map 12 – Langstone site

This will bring benefits to the coastline as it clears the vista from any new development, enhances the approach to the coastline, and creates an extended habitat for wildlife from Milton Common. It would improve the recreational space, particularly here, as it removes a bottleneck that funnels users along a narrow part of the coastline and would give users more space to enjoy.

## Rationale

The land is in the ownership of the University of Portsmouth and is within the existing Langstone Harbour Open Coastal Area. There are significant environmental constraints; an SSSI, an SPA and within a SAC, these designations are overlapped by the 1987 inscription of Chichester and Langstone Harbours as a RAMSAR site.

The Local Plan Policies LH1 and LH2 say that “favourable consideration will only be given to proposals which specifically require a coastal location. Any such proposals will need to show that they do not have an adverse effect upon the coastal landscape, public access to the waterfront, navigation within the harbour, or nature conservation interests”.

Development on Site A largely predates these conservation designations.

The site and its context are of high sensitivity in terms of ecology, nature conservation, wildlife and biodiversity. This is clearly not a site for intensive over-development, and any redevelopment should take the opportunity to reduce the harmful impact caused by the existing campus and to enhance the various values of the coastal area. Proposals for redevelopment, should improve the visual amenity from within and outside of the site, especially from the coast, and clearly demonstrate how Brent Geese grazing can be retained, managed and protected. A starting principle should be that new development must be balanced by demolition of existing development, in terms of floor space and intensity of use.

A re-use of the Langstone Campus Site A for the existing education/residential institutional use to enable the site to accommodate a school over the Plan period was considered at the Regulation 14 Stage but deemed non-compliant with the Habitat Regulations without offsetting or mitigation. So that these uses could survive, provision has been made for these to be transferred to the “playing field open space”.

It is especially important to recognise the part the open nature of eastern coastal fringe has in balancing the highly developed and restricted nature of the western seaboard to assist the health and well-being objectives for all Portsmouth residents.

Portsmouth is the most densely populated City in the UK with very low provision of amenity open play-spaces (February 2019 City Council Open Space Needs Assessment<sup>2</sup> and Green Infrastructure Background Papers<sup>3</sup> to the new City Plan identify a 77% deficit in amenity open space using the Council's own standards and a deficit of 60% using the “Fields-In-Trust guidelines rising to 93% and 76% respectively in 2034). The stresses on physical and mental health and well-being are acknowledged as being relieved by a good supply of open spaces (City Council Health Background Paper Feb 2019)<sup>4</sup>. The 2019 Environment Audit Committee Report “Our Planet Our Health”<sup>5</sup> suggest that “the lack of green space costs over £220 per person per year due to mental health problems alone”<sup>5</sup>.

The paucity in Natural and Semi-Natural Green Spaces in Portsmouth rises to 32% in 2034 (or 22% using the F-I-T guidelines) justifying the vision to expand Milton Common into the Campus for the wider health and well-being of Portsmouth residents and to permit “Biodiversity Gain” in accordance with the Council's 2019 Biodiversity Paper 6 also proposes seeking Biodiversity Net Gain from development proposals accordance with NPPF paras 170, 174 and 175. The Council's 2019 Biodiversity Paper 6 also proposes seeking Biodiversity Net Gain from development proposals.

Following 19 March 2019, Full Council declaration of a Climate Emergency setting a Zero Carbon Emissions Target for 2030, this site has potential to offset carbon emissions elsewhere by its use as a solar power generation source on the redundant hard-standing areas.

The policies below allow for alternative uses compliant with nature conservation and the visual amenity of a coastal setting and landscape.

## **Policy LAN1.**

### **LAN1: Langstone Campus**

**1. Development of the Langstone Campus will be supported, providing:**

- **There is no adverse impact on the coastal landscape**
- **Any development on the open space shown as 'open space: may be available for development complying with Policy LAN1 (playing field open space)' on the Green Spaces Map and Map 12 is balanced by new open space provision on reclaimed land on Site A (Map 12), the new open space to link LGS 8, LGS 9 and LGS 6 and thereby increase the grazing resource for Brent Geese.**
- **The scheme includes details of how Langstone Campus Site A will be restored as open landscape.**
- **All new development proposals submit a Project Level HRA to consider the effects of development on the European Sites. Permission will not be granted for those that would lead to adverse effects to the integrity of European Sites.**

**2. Reclamation on Site A could include:**

- **Recreational and sports facilities or green spaces ancillary to an educational use or as independent facilities.**
- **Returning the entire site as part of the coastal environment.**
- **Community uses that maintain the open character and wildlife value of the site.**

**3. Development and reclamation works must protect and enhance the Local Nature Reserve and the Chichester and Langstone Harbour SPA, Ramsar and SSSI within the Solent Maritime SAC including wildlife habitats for birds and have due regard to the policy guidance in the Solent Waders and Brent Goose Strategy 2020.**

**4. Development proposals must respond to the following brief for the Langstone Campus..**



## **Interpretation**

The policy allows the area marked as “playing field open space” on map 12 to be developed, in parallel to reclamation of Langstone Site A. The policy and brief apply in addition to other policies in the Neighbourhood Plan. The “playing field open space” area indicates the boundary of the equivalent area of development, should development be transferred from Site A to the “playing field open space” area.

In the event of an extension of Milton Common into Site A, the land will be managed in accordance with the principles of the Milton Common Restoration and Management Framework avoiding compromising the integrity and function of the Core Brent Geese Grazing Area and, where possible, enhancing it.

Design and Access Statements supporting future planning applications provide an opportunity to demonstrate how development proposals address the requirements of the policy and brief.

For a site of this importance, independent design review is essential, as described in Paragraph 126 of the NPPF. This is suggested at a relatively early and conceptual stage, and then to test detailed design proposals at a later stage.

## **Langstone Campus Site Design and Development Brief**

Design and Access Statements supporting future planning applications should set out how development proposals address the requirements of the brief.

### **Masterplanning**

A comprehensive masterplan should be prepared to ensure that if the site is developed in phases each element will adhere to a wider development framework.

### **Environment**

Proposals for redevelopment, should improve the visual amenity of the site from the shoreline and views from within the site. It should clearly demonstrate how Brent Geese grazing can be retained, managed and protected.

The Unitary Authority Declared a Climate Emergency in 2019 with the need to reduce carbon emissions across the City to achieve a “Net Zero” Target by 2030. This site is ideally suited for solar power generation on redundant hard-standing areas.

### **Mixed Use**

Existing Langstone Harbour policies, national and international designations alongside a poor transport network preclude Site A as suitable for any significant level of housing. There could however be potential to re-use Student Accommodation Blocks for Residential Care thus avoiding demolishing otherwise serviceable buildings. Any such re-use would be dependent on a Project Level HRA affirming that there would be no adverse effects to the designated sites.

The area identified as “playing field open space” has also been identified as a significant wildlife habitat. Any changes to the site should take account of its wildlife habitat and there should be no further use of artificial turf. Small-scale development on this part of the site may be considered, providing it supports the wildlife and community value of the site and does not compromise the open quality of the site.

### **Pedestrians and Cyclists**

Pedestrian and cycle convenience should take priority in the design of the scheme. The scheme should link to surrounding footpaths and cycle routes to Milton Common and the coastal area, providing a safe, attractive, permeable and convenient environment for both pedestrians and cyclists.

## **Traffic**

It is envisaged that access to the “playing field open space” site will be from Locksway Road.

To assess the likely transport impacts of proposed development for residential institutional or education uses further detailed work will be needed to support and inform planning applications for this site to understand existing highway capacity and the collective impact of development proposals for the site, together with all other approved development on the island. Similarly, the effects on air quality should be accounted for, especially the impacts of pollution on human health and on the areas’ protected landscapes and habitats.

## **Sustainable Construction**

Design solutions that incorporate superior environmental performance will be expected, in line with Paragraph 131 of the NPPF.



















This page is intentionally left blank

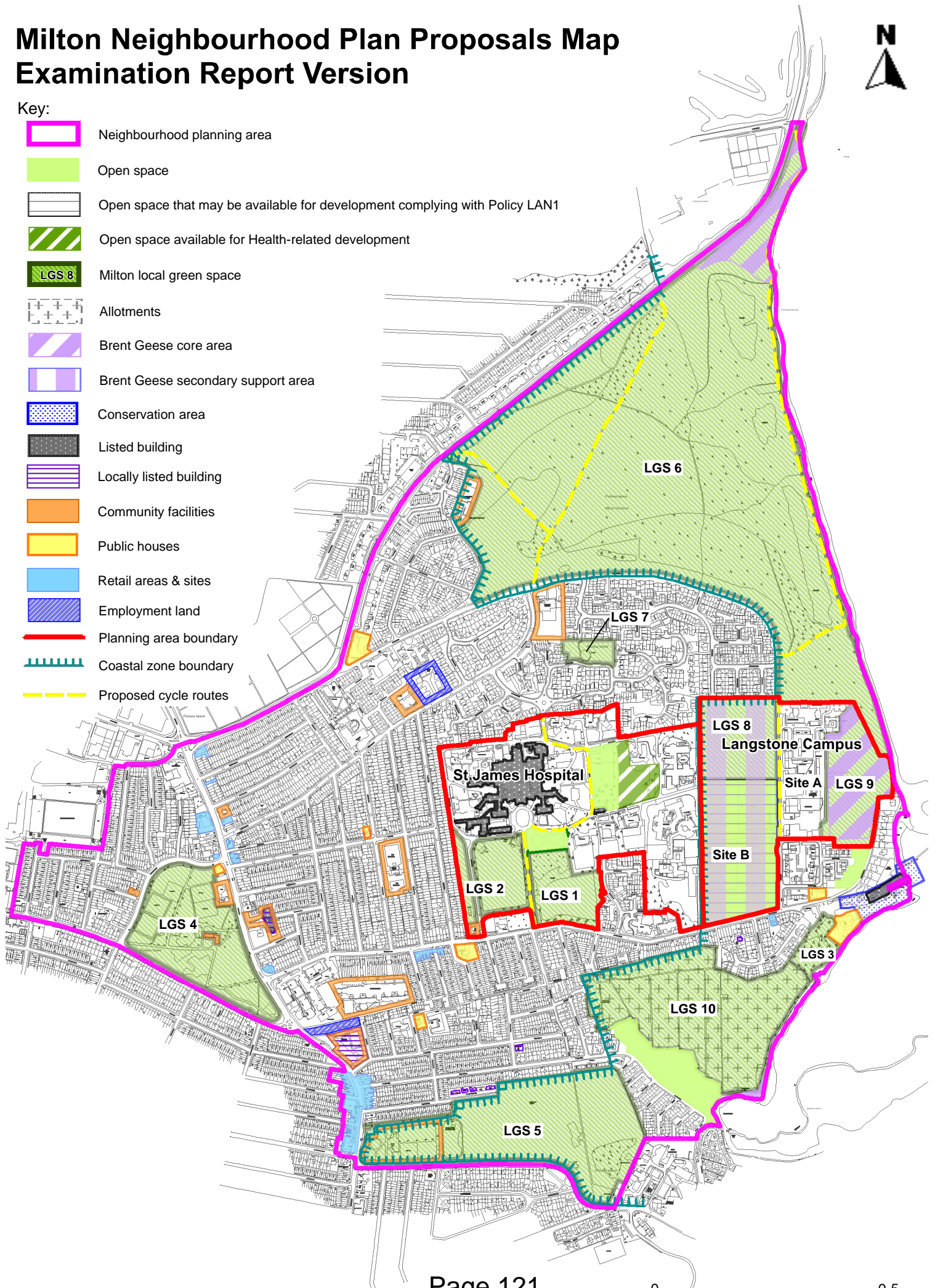
# Milton Neighbourhood Plan Proposals Map

## Examination Report Version



Key:

-  Neighbourhood planning area
-  Open space
-  Open space that may be available for development complying with Policy LAN1
-  Open space available for Health-related development
-  Milton local green space
-  Allotments
-  Brent Geese core area
-  Brent Geese secondary support area
-  Conservation area
-  Listed building
-  Locally listed building
-  Community facilities
-  Public houses
-  Retail areas & sites
-  Employment land
-  Planning area boundary
-  Coastal zone boundary
-  Proposed cycle routes



This page is intentionally left blank










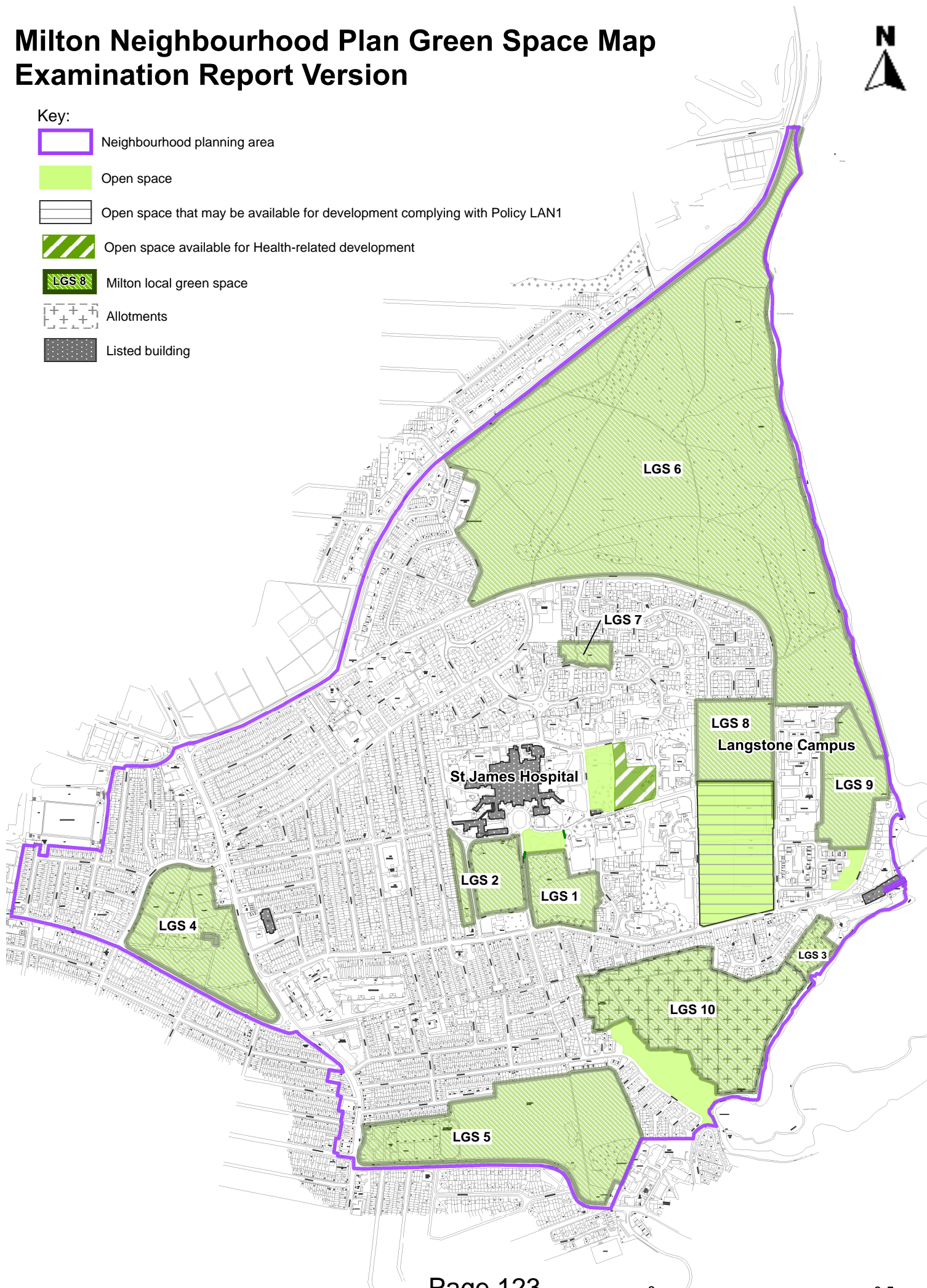
# Milton Neighbourhood Plan Green Space Map

## Examination Report Version



Key:

-  Neighbourhood planning area
-  Open space
-  Open space that may be available for development complying with Policy LAN1
-  Open space available for Health-related development
-  Milton local green space
-  Allotments
-  Listed building



This page is intentionally left blank