



NOTICE OF MEETING

CABINET

WEDNESDAY, 24 JULY 2019 AT 12.00 PM

EXECUTIVE MEETING ROOM - THE GUILDHALL - FLOOR 3

Telephone enquiries to Joanne Wildsmith, Democratic Services Tel 9283 4057
Email: joanne.wildsmith@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Gerald Vernon-Jackson CBE (Chair)	
Councillor Steve Pitt (Vice-Chair)	
Councillor Dave Ashmore	Councillor Lynne Stagg
Councillor Lee Hunt	Councillor Matthew Winnington
Councillor Suzy Horton	Councillor Rob Wood
Councillor Darren Sanders	Councillor Tom Wood

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interests**
- 3 Record of a Previous Decision Meeting - 25 June 2019 (Pages 5 - 8)**

A copy of the record of previous decisions taken at Cabinet on 25 June 2019 are attached.

RECOMMENDED that the record of decisions of the Cabinet meeting held on 25 June 2019 are approved as a correct record and signed by the Chair.

- 4 Appointments to outside bodies**

Portchester Crematorium Joint Committee - to appoint a Cabinet Member to replace Councillor Jeanette Smith as one of Portsmouth's 2 representatives (who have to be members of the Council's Executive).

5 Local Plan and Tipner Consultation Response and Way Forward (Pages 9 - 102)

The purpose of the report of the Assistant Director of Planning & Economic Growth is to update Members on the outcomes of the consultation carried out in February and March on work to support the emerging Local Plan and specifically on work to promote a development option for Tipner. Key responses are highlighted and a way forward on the technical work is set out. In addition, progress on discussions with neighbouring authorities under the Duty to Cooperate is set out and a first stage Statement of Common Ground with Havant Borough Council is proposed.

RECOMMENDED that the Cabinet:

- (1) Note the issues raised in this report, and endorse the proposed approach the Local Plan set out in the Way Forward section of this report, including the work to address sustainability and ecological considerations and climate change; and**
- (2) Delegate to the Director of Regeneration, in consultation with the Leader and Cabinet Member for Culture and City Development, and the Director of Housing, Neighbourhoods and Buildings Services and Cabinet Member for Housing, authority to sign and keep updated a Statement of Common Ground with Havant Borough Council in line with this report.**

6 Houses in Multiple Occupation Supplementary Planning Document (SPD) (Pages 103 - 134)

The report by the Assistant Director Planning & Economic Development seeks permission to proceed with publishing, for public consultation, proposed changes to the Council's adopted Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD).

RECOMMENDED that

- (1) That the proposed changes to the HMO SPD are published for a period of 6 weeks of public consultation.**
- (2) The Assistant Director of Planning and Economic Development be authorised to make editorial amendments to the wording of the amended SPD prior to publication, in consultation with the Cabinet Member for Culture and City Development. These amendments shall not alter the meaning of the document.**

7 Greening the City Update (Pages 135 - 146)

The purpose of the report by the Assistant Director of Planning and Economic Growth is to update Members on the progress that has been made on the 2018-19 Green Infrastructure delivery plan project. Six months on from the approval of the plan, it is a good time to provide an update on the progress that has been made with this project, and set out the further planned work that is in place to be taken forward over the remainder of the year. A number of proposals are also made with respect to how the project should progress in relation to several new opportunities that have been identified.

RECOMMENDED that Cabinet:

- (1) Note the progress and ongoing work as set out in this report.**
- (2) Endorse the proposals set out in the appendix project update summary table.**

8 Responding to Climate Change (Pages 147 - 154)

The update report by the Chief Executive sets out how Portsmouth City Council will respond to the Notice of Motion adopted at Council on 19th March 2019, to declare a climate emergency in Portsmouth.

RECOMMENDED that Cabinet approve the proposals in section 4 (and specifically 4.1) to respond to the Notice of Motion adopted on 19th March 2019, to declare a climate change emergency in Portsmouth.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

This meeting is webcast (videoed), viewable via the Council's livestream account at <https://livestream.com/accounts/14063785>

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Agenda Item 3

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Tuesday, 25 June 2019 at 4.30 pm at the Guildhall, Portsmouth

Present

Councillors Steve Pitt (in the Chair)
Dave Ashmore
Suzy Horton
Darren Sanders
Lynne Stagg
Matthew Winnington
Rob Wood
Lee Hunt

62. Apologies for Absence (AI 1)

Apologies for absence had been received from Councillor Gerald Vernon-Jackson CBE and Councillor Jeanette Smith.

63. Declarations of Interests (AI 2)

There were no pecuniary interests but Councillors Darren Sanders, Matthew Winnington and Suzy Horton were members of some of the organisations involved in "Let Pompey Breathe". Councillor Rob Wood knew Mr Dobson who was making a deputation and Councillor Dave Ashmore as Cabinet member for Environment & Climate Change had met with Mr Dobson on various issues.

64. Assessment of Air Quality - Annual Statement Report 2019 (AI 3)

Richard Lee, Regulatory Services Manager, presented the report on behalf of the Director of Culture, Leisure and Regulatory Services, setting out the background to the statutory Local Air Quality Management process which required the Annual Statement Report to be published by 30 June 2019. He reiterated the key actions, as set out in section 4 of the report, which included delivering a new comprehensive plan to tackle air pollution by 31 October 2019 (a correction was noted that the ASR should be published by 30 June 2019 not 2018). The data being published was only used where at least 3 months monitoring had taken place. Whilst there had been no significant deterioration in air quality in Portsmouth as a whole, new areas of pollution which had not been monitored before were being found. Section 8 of the report set out the expectations of DEFRA which included benchmarking PCC action to bring these in line with EU directives on Clean Air Zones and work was taking place with colleagues in Transport on this. Priority was being given in tackling exceedances of NO₂ (monitored at 120 locations in the city), and there was regular engagement with DEFRA.

With regard to the publishing of required documents it was noted that some of these were already available on the PCC website. Section 10.1 set out the 5 key conclusions of the 2019 Annual Statement Report.

A deputation was made by Mike Dobson; this is not minuted in full but can be viewed as part of the webcast/livestream of the meeting:

<https://livestream.com/accounts/14063785/Full-Cabinet-25Jun2019/videos/192997260>

Mike Dobson supported the work of the officers to tackle and monitor air quality but wished to point out some disconnect between departments and the different models used and the social inequality issues raised.

The Cabinet Members thanked Mr Dobson for his detailed deputation and asked that a copy of this be made available to them, and they also thanked Richard Lee for this comprehensive report. Their concerns included:

- The wards of low car ownership have worse air quality
- Clogged roads and the air quality had an impact on life expectancy, with marked variances between wards
- There is a need for government funding to give PCC more control
- Public health issues such as the AQ impact on those with asthma, cyclists and potential child deaths
- The dramatic increase in car ownership in the city which is not sustainable and those on lower income have lower car ownership but oldest cars which have higher emission levels, including vans used by the self-employed who would feel the impact of a government imposed Clean Air Zone and the need to offer assistance to them
- The continued need to promote sustainable alternative transport and encouragement of public transport use, with bus usage being at low levels compared to other parts of the region

Councillor Pitt summed up the Cabinet Members' frustration at the targets being set for Portsmouth that did not reflect the island geography and restrictions.

Chris Ward, Director of Finance and Section 151 Officer, clarified that different models were used for different purposes.

Hayley Trower, the Air Quality Lead for Transport, responded to some of the points made regarding addressing low income groups and the need for the Air Quality Plan to be evidence based, such as in responding to a daily charge for drivers as part of an initial survey before a full consultation process was carried out.

DECISIONS The Cabinet approved:

- (1) The submission of the 2019 Annual Statement Report (as attached as Appendix 1 of the report) to DEFRA**
- (2) The publication of the documentation set out in Section 9.4**

- (3) That the relevant lead officers for Air Quality and Cabinet Members are given a copy of the deputation made by Mr Dobson; it is recognised that different models and modelling techniques are used by Local Authorities and Government for different purposes and inconsistencies can arise in the way that Government require the Council to assess, for example, traffic growth forecasts and the subsequent impacts upon Air Quality and other forecasts. Where such inconsistencies arise, the Council will endeavour to provide an explanation in reports and decisions.**

65. Southsea Flood Defences - Detailed Design Contract (AI 4)

Councillor Pitt, as Deputy Leader and chairing the meeting, varied the order of agenda items to take this item first.

Guy Mason, Infrastructure (Coastal and Drainage) Manager, presented the Director of Regeneration's report, explaining the approval sought to appoint the new designer, for which there was approved funding in the Capital Programme.

DECISIONS The Cabinet approved:

- (1) the appointment of the new designer, Haskoning DHV to continue to develop the project in the detailed design stages.**
- (2) Haskoning are internationally recognised design consultants with expertise in the delivery of coastal flood defence schemes both in the UK and abroad. This work is already fully funded through the Council approved Capital Programme, with £2m provided by way of Portsmouth City Council contribution and a further £3.5m of Capital Funding provided by the Environment Agency. Contract value is expected to out-turn at circa £3.6m.**

66. City of Sanctuary (AI 5)

Caroline Hopper, Armed Forces Covenant Programme, gave a brief introduction to the report before Councillor Steve Pitt announced that whilst the Cabinet would wish to voice its support, there was further work needed on how the project could be resourced. Chris Ward, Director of Finance and Section 151 Officer, confirmed that this should be a short exercise.

The Cabinet deferred making a decision, so that this report could be brought back with more detailed information on resource implications, to a forthcoming Cabinet meeting.

The meeting concluded at 5.34 pm.

Councillor Gerald Vernon-Jackson CBE
Leader of the Council

Title of meeting:	Cabinet
Date of meeting:	24 July 2019
Subject:	Local Plan and Tipner Consultation response and way forward
Report by:	Assistant Director of Planning & Economic Growth
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 The purpose of this report is to update Members on the outcomes of the consultation carried out in February and March on work to support the emerging Local Plan and specifically on work to promote a development option for Tipner. Key responses are highlighted and a way forward on the technical work is set out. In addition, progress on discussions with neighbouring authorities under the Duty to Cooperate is set out and a first stage Statement of Common Ground with Havant Borough Council is proposed.

2. Recommendations

- 2.1 Cabinet is recommended to

- 1. Note the issues raised in this report, and endorse the proposed approach the Local Plan set out in the Way Forward section of this report, including the work to address sustainability and ecological considerations and climate change; and**
- 2. Delegate to the Director of Regeneration, in consultation with the Leader and Cabinet Member for Culture and City Development, and the Director of Housing, Neighbourhoods and Buildings Services and Cabinet Member for Housing, authority to sign and keep updated a Statement of Common Ground with Havant Borough Council in line with this report.**

3. Background

- 3.1 The Local Planning Authority is preparing a new Local Plan for Portsmouth. The Plan will set out a planning strategy to meet future development needs in the city for the period to 2036. The Plan will set out details on the level of development which will take place in the city and where it will be located and identify the infrastructure needed to support this growth. It will contain planning policies that

will inform and influence the quality of development delivered in the city. These will be used to guide decision making on planning applications. Critical to this will be evidence to assess the impacts, viability and deliverability of development.

- 3.2 Members will be aware that Local Planning Authorities are required to prepare and keep updated a Local Plan which addresses the development needs of the area. Previous reports to Cabinet have outlined one key consideration for the Local Plan - the Government's Standard Methodology for assessing Local Housing Need. This has placed a new pressure on this and many other authorities to consider how a significant increase in new housing might be delivered. The following table sets out how that number derived from the government's methodology differs from the existing Local Plan figure and recent delivery -

**Comparison of housing numbers,
dwellings per annum and equivalent twenty year targets**

	Dwellings per annum	Twenty years (2016-2036)
Existing adopted Local Plan	584	11,680
Previous PUSH statement of need	740	14,800
Government Standard Method	867 ¹	17,340
Recent delivery (2012-2018)	543	10,860

- 3.3 The new Local Plan is not just about the delivery of housing. Nonetheless the onus has been placed upon the Council to do all it reasonably can to meet development needs within the city. Previous reports have noted that the Council already has evidence that the actual deliverable level of housing in Portsmouth is likely to be constrained by a number of factors, including the availability of land, impacts upon the environment, the capacity of infrastructure, deliverability of development and other site specific issues. That is still the case. However, Members should be aware that there is an ongoing expectation that Local Plans will consider such constraints and see if they can be overcome.

- 3.4 At the meeting of 5 February 2019 Cabinet noted progress being made on technical work for the Local Plan, and approved the publication of two sets of documents for concurrent 6 week consultations. They were-

A Tipner Strategic Development Area document. This set out the option of reclaiming land at West Tipner as part of the wider regeneration of Tipner and Horsea; and

A Local Plan Update paper which sets out some of the evidence on other issues across the city to inform the new Local Plan. The evidence studies and consultation documents (in no particular order) were as follows -

¹ As of April 2019

1. Consultation summary document
2. Housing Needs and Housing Targets Update
3. Housing and Economic Land Availability Assessment (HELAA)
4. Gypsy and Traveller Needs Assessment
5. Employment Land Study
6. Open Spaces Assessment
7. Transport Assessment Evidence Review
8. Retail Background Paper
9. Green Infrastructure Background Paper
10. An Assessment of Tree Cover in Portsmouth
11. Biodiversity Background Paper
12. Health Background Paper

3.5 The consultations ran from 11 February to Monday 25 March 2019.

4. The Consultation

4.1 The Local Plan evidence, and Tipner consultations ran from 11 February to 25 March 2019. The following measures were undertaken to publicise the consultation:

- a) Publication on the Council's website;
- b) Specific contact of statutory bodies, including neighbouring local authorities, Natural England, Highways England, Historic England and the Environment Agency ;
- c) Local press releases, and a formal notice in the Portsmouth News;
- d) Direct contact of all parties currently in the Planning Policy consultation database;
- e) Direct contact of all parties on the Action Portsmouth, Shaping Portsmouth and Portsmouth Together networks as well as the Council's Citizen's Panel; and
- f) Features on the Council's social media accounts (Facebook and Twitter).

4.2 In addition, paper copies of the main consultation materials were made available at all the libraries, community centres and housing offices within the city, and the civic offices.

4.3 The local plan evidence consultation was considered to be more technical in nature than the options for Tipner work. Therefore different approaches to engagement were undertaken.

- For the Local Plan evidence consultation, "drop in" sessions were held throughout the consultation period at Portsmouth Central Library, on 12 February, 20 February, and 14 March, 1pm - 5:45pm.
- To explain the Tipner consultation two exhibitions were held in the areas closest to the Tipner and Horsea area, at the Mountbatten Centre Function Room, and Port Solent Boardwalk, on 27 February and 9 March respectively.

4.4 Officers also met with neighbouring local authorities and key organisations such as Natural England. Finally, officers attended a meeting of the Milton Neighbourhood forum to explain the consultation.

4.5 Arrangements were made for comments to be submitted online, by email and by letter with the option of using a consultation form that could be downloaded from the Council's website or obtained from the Planning Policy Team and completed by hand.

5. Effectiveness of the consultation

5.1 As with previous rounds of the Local Plan process it is considered worth assessing the effectiveness of the process as we go along. Following feedback and consideration of the effectiveness of previous rounds of consultation, the following additional measures were taken as part of this round:

- Following a suggestion from the Portsmouth Residents Forum, materials were placed in Housing Offices in addition to libraries and community centres.
- Following the analysis of responses to the previous consultation, which highlighted a comparative lack of responses from younger people, schools were contacted and officers gave a presentation at the Portsmouth Academy, St Mary Road, with a view to developing an ongoing project to address planning the future of Portsmouth.

5.2 With regards to the Tipner consultation, in total, 169 persons attended the exhibitions. In total, 165 businesses, individuals and organisations responded during the consultation period. Given the fact that the consultation was at a high level discussion of the concepts, including the reclamation of land from Portsmouth Harbour, this is considered a reasonable outcome.

5.3 For the Local Plan technical evidence, less than 20 persons attended the "drop-in" sessions. In total, 26 businesses, individuals and organisations responded during the consultation period. This low level of response was expected, given the technical nature of the consultation. National Planning guidance recommends that local plan evidence is published as it becomes available. This has the advantage of enabling evidence to be tested before policies are proposed and can reduce the volume of material interested parties have to consider at any one time. However it is recognised that it is unlikely to attract as much interest - generally, people are more interested in what action the Council may take. Therefore the low level of responses to the technical evidence consultation is not necessarily an indication that the publicity arrangements were inappropriate. It is anticipated that future rounds of consultation, which propose council policy, will have wider relevance and lead to greater levels of participation.

5.4 Therefore the consultation process employed some new measures in an attempt to improve effectiveness. Overall the changes were considered positive.

5.5 The use of further "drop-in" sessions will need to be considered carefully. It is a resource-efficient way of ensuring people have access to officers should they wish consultation materials to be explained. However, the low level of numbers attending is noted. Future use of drop in sessions may be considered if it is appropriate to the materials which have been published.

6. Outcomes of the Tipner consultation

6.1 Some 344 individual representations were received from 165 respondents. A schedule summarising all the representations received is included in Appendix 1 of this report. The full representations (with personal details redacted) will shortly be placed on the Council's website.

6.2 Comments were received from a broad range of individuals and organisations. Although few people live in close proximity to the sites, factors such as the presence of two sailing clubs, the Harbour School, employment uses and the prominence and importance of Portsmouth harbour means that there were a number of responses from private individuals.

6.3 The summary sets out an initial council response to the comments received. However, some key responses to selected questions are set out below -

Issues and challenges - A number of respondents pointed out a wide range of issues and challenges relating to the sites, including environmental assets and constraints, flood risk, transport implications, land contamination, heritage assets and constraints, concerns over the received need for housing, infrastructure capacity, and development viability.

Super Peninsula Concept - While many saw the value in maximising the opportunity of the site, and noted previous reclamation schemes in the city, objections were received from ecologic groups. In particular, the impact upon the Portsmouth Harbour SAC and Ramsar site was highlighted and the legal tests required to justify any potential impact upon the site. Natural England objected to the Super Peninsula proposal and recommend that the Council progresses alternative options to meet housing need that are less environmentally damaging and more sustainable. It also explains the derogation and alternatives test which would be required to be met if the Super Peninsula option was to be pursued. The Environment Agency also raised a number of issues including the presence of contamination, and the potential impact upon the hydrology of the harbour

6.4 It should be noted that the Council is aware of the importance a relevance of ecological assets and constraints which are relevant to the future of the Tipner and Horsea sites. The issues was detailed in the Local Plan report considered by Cabinet on 5 February 2019. That report noted -

3.18 The significance of the impact land reclamation would have on the SPA should not be underestimated. Both European and domestic legislation afford the highest levels of protection to internationally designated sites, and the requirement to demonstrate "imperative reasons of overriding public importance"

(which applies in any case where a proposal is likely to adversely affect the integrity of a site) is a high hurdle. Whilst there have been a number of positive discussions around the principle of land reclamation there is no known national precedent for anything of this scale.

3.19 Ultimately, the question whether the statutory tests can be met is one which it may only be possible to answer once full details of the proposal are known. However, legal counsel has advised the Council should look to bring proposals forward through the Local Plan process rather by means of a speculative planning application. It is therefore considered necessary to consider the matter through the Local Plan process.

- 6.5 The issues raised in this consultation, and in particular the potential implications for the deliverability of the super peninsula concept including land reclamation from Portsmouth Harbour, are significant. Nonetheless it should be recognised that the Super Peninsula concept has emerged as a significant option to be considered in the Council's requirement to maximise the potential for development within the City to meet its own needs, but any development at this scale and location would need to meet the stringent legal and environmental requirements. On balance, it is considered that work should continue to address the deliverability of regeneration at Tipner, including any potential for land reclamation. Further work is required to address the complex issues, including legal and ecological considerations confirmed in the outcomes of this consultation before an appropriate strategy is determined. The ultimate shape, form and timing of the development of Tipner will evolve over time as the technical work progresses and the relative merits and deliverability of options are fully considered. Therefore it is likely this project will evolve in an iterative way with a range of possible outcomes.

7. Outcomes of the Local Plan Evidence consultation

- 7.1 In response to the consultation 64 responses were received from 26 respondents. A schedule summarising all the representations received is included in Appendix 2 of this report. The full representations (with personal details redacted) will shortly be placed on the Council's website.
- 7.2 Typically, responses were received from statutory bodies, such as Natural England, Sport England, and organisations such as the RSPB and Hampshire and Isle of Wight Wildlife Trust. Landowners of key sites also responded. The responses reflected the technical nature of this consultation.
- 7.3 Typically, the comments raised will feed into the evidence base and inform the drafting of the proposed new Local Plan. The summary sets out an initial council response to the comments received. However, some key responses to selected documents are set out below -

Employment land requirements - it is recognised there is a need to revisit the evidence on overall level of need for employment land, given the importance of this issue for the city.

Housing and Economic Land Availability Assessment - There is a need to consider further the deliverability of sites identified in this study, particularly since the revised statements in the National Planning Policy Framework.

Retail and Town Centres - though limited responses were received, it is recognised that the city centre in particular should be the subject of more focused work to set out a masterplan and vision for delivering it.

Health and Wellbeing - it is recognised that the new Local Plan will need a clear approach to air quality issues over the whole Local Plan period to 2036.

Biodiversity - There needs to be further discussion with Natural England regarding the potential for development to impact upon Solent Waders and Brent Geese sites.

7.4 In addition to the work set out above, there is also a need to develop the evidence base further, including specific work on development viability, infrastructure capacity and requirements. All of that further work will be the subject of future public consultation before the Plan is finalised.

8 Planning for Growth

8.1 Previous Cabinet reports on the new Local Plan have highlighted the need for cross-boundary working on strategic planning issues, and the requirement for Statements of Common Ground under the Duty to Cooperate. Statements of Common Ground document the extent to which progress has been made on cross boundary strategic planning issues, such as the delivery of housing, transport infrastructure, environmental impacts, and strategic infrastructure. They are intended to be published and updated on a regular basis. The Council will, where appropriate, seek to enter into Statements of Common Ground with neighbouring authorities and organisations such as Natural England, Marine Maritime Organisation, etc.

8.2 A PUSH Spatial Planning Position Statement was published in June 2016 which set out a development strategy for South Hampshire. At their meeting in February 2019, PUSH Joint Committee considered a report on the implications of the revised NPPF for the Position Statement and agreed that PUSH planners continue to work with the other planners within Hampshire and Isle of Wight on a Spatial Framework.

8.2 Therefore a review of the PUSH Position Statement is underway. Whilst it is considered this is the most appropriate mechanism for considering cross-boundary planning issues, it is the case that PUSH authorities are at different stages in their production of new Local Plans. Therefore it will be the case that statements of common ground will be required with individual authorities prior to the PUSH Position Statement refresh being finalised.

8.3 Given the close links between the City and Havant Borough, and the advanced progress of the Borough Local Plan, it is now appropriate time to prepare a Statement of Common Ground with Havant Borough Council. Officers are still negotiating the final form of wording, but the key aims are -

- The delivery of employment land at Dunsbury Park;

- The delivery of housing on land within Havant Borough owned by Portsmouth City Council to meet a range of housing needs, and clarifying wording in Havant's Local Plan to promote that;
- Agreeing that housing delivery in Havant over and above their local needs figure will go towards Portsmouth's unmet housing need; and
- A commitment to work together to consider how housing development can be brought forward to improve the housing supply position in both authority areas.

8.4 To enable this Statement to be finalised, Members are asked to delegate the signing of this and future Statements of Common Ground with other authorities to the Director of Regeneration, in consultation with the Leader and the Cabinet Member for Culture and City Development. Given the promotion of housing land in Havant, the Cabinet Member for Housing will also be consulted for this Statement. Once the Statement is signed it will be placed on the Council's website and kept updated as appropriate.

9. Way forward

9.1 In March 2019 the Council declared a climate emergency in Portsmouth. The Local Plan can be a key mechanism to address climate change mitigation and adaptation. Some of the evidence studies already published (e.g. Green Infrastructure Background Paper) set out significant measures to contribute towards those aims. The Plan itself will include policies to encourage moving to a low carbon economy.

9.2 Members should be advised, that when the draft Plan is prepared, it will be accompanied by a full Sustainability Appraisal and Habitats Regulations Assessment to demonstrate how sustainability considerations have informed the production of the Plan, and how the potential impact upon European designated sites for nature conservation have been addressed.

9.3 In line with the decision made by Cabinet in February 2019, a cross party Member working group has been established to feed into the production of the new Local Plan. Progress is being made, with technical evidence progressing and clear responses on the Tipner consultation highlighting the work required to be undertaken. Work is now underway to address the scope of work set out in this report. As the work progresses there may be a need to review the Local Plan timetable and Members will be kept informed.

9.4 In the short term, there is a recognised need to progress the thinking on the future of the city centre, including the Council's proposals for a new city centre road, the future of the former Tricorn site, a masterplan for the wider city centre and a strategy for delivering it. This is envisaged to be the next significant step in the production of the Local Plan and it is envisaged that it will be the subject of public consultation later this year.

10. Equality Impact Assessment

- 10.1 A preliminary Equality Impact Assessment (EqIA) was prepared to accompany the February cabinet paper. Following the results of the consultation, a full EqIA has been prepared, which forms Appendix 3 to this report.

11. Legal Implications

- 11.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), together with Part 2 of the Planning and Compulsory Purchase Act 2004 set out the principle procedure and substantive obligations in relation to the preparation and adoption of the Local Plan. These steps are reflected in the narrative of this report, including further Habitats Regulations Assessment work under the Conservation of Habitats and Species Regulations 2017.
- 11.2 The draft document may not be submitted to the secretary of state for independent examination unless it, and the procedural steps taken, complies with any relevant legal obligations, and the submitting authority thinks that the document is ready. On examination, the secretary of state, hearing representations and inquiring into the document, considers the soundness of the document. That is, that it is:
- i. Positively prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements (including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development).
 - ii. Justified: the most appropriate strategy when considered against the reasonable alternatives based on proportionate evidence.
 - iii. Effective: deliverable over its period and based on effective joint working and cross-boundary strategic priorities.
 - iv. Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.
- 11.3 In order to minimise the risk of any legal challenge to the process adopted by the Council for the preparation of the Local Plan, members must, and must be seen to, have carefully considered and reviewed all of the representations received in response to the consultations undertaken in the course of preparing the plan.
- 11.4 In preparing and conducting the consultation, regard must be had to the public sector equality duty. This requires that in carrying out their functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:
- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

- ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. Director of Finance Comments

- 12.1 The specific recommendations within this report to note the summary representations and endorse the approach to completing the Local Plan do not directly have an adverse impact on Council resources. However it is likely that the technical work and legal support required to inform the final production of the Local Plan and support it through Examination, may require additional one-off funding.
- 12.2 The budgetary implications of taking the Local Plan to adoption will be assessed and monitored by the Assistant Director of Planning & Economic Growth in conjunction with the Director of Finance & Section 151 Officer.

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Signed by:
Assistant Director Planning and Economic Development

Appendices:

- Appendix 1 Tipner and Horsea Island Consultation Summary
- Appendix 2 Local Plan Evidence Consultation Summary
- Appendix 3 Equality Impact Assessment on Local Plan consultations

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
Town and Country Planning (Local Planning) (England) Regulations 2012	http://www.legislation.gov.uk/uksi/2012/767/contents/made

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

.....
Signed by:

Portsmouth Local Plan The Future of Tipner and Horsea Consultation

Summary of Responses

June 2019

i. Abbreviations

BAP	Biodiversity Action Plan
BAR	Ben Ainslie Racing
DEFRA	Department of Environment, Food and Rural Affairs
HRA	Habitats Regulations Assessment
HIWWT	Hampshire & Isle of Wight Wildlife Trust
IROPI	Imperative Reasons of Overriding Public Interest
LEP	Local Enterprise Partnership
MoD	Ministry of Defence
MMO	Marine Management Organisation
NPPF	National Planning Policy Framework
PCC	Portsmouth City Council
PUSH	Partnership for Urban South Hampshire
RAPS	Residents Association of Port Solent
SSSI	Site Special Scientific Interest
SPA	Special Protection Area
SIFCA	Southern Inshore Fisheries and Conservation Authority
UXO	UnExploded Ordinates

i. Introduction

A consultation paper on the Tipner Strategic Development Area, including a new option to form a 'Super Peninsula' by reclaiming land from Portsmouth Harbour, was published for consultation from 11th February to 25th March 2019. A total of 344 comments were received from 165 respondents. This paper follows on from the previous *Portsmouth Local Plan Issues and Options consultation document* (August 2017).¹

Land at Tipner and Horsea Island, the largest area of partly undeveloped land in the city, has been identified as a potential strategic location to help meet the City's current and long term housing and employment needs. The consultation document outlined the Council's current thinking in relation to the options for this area and identifies where further evidence gathering work is required. Topics covered included the need the development (e.g. meeting housing needs), environmental issues, economic development, traffic and transport, flood risk, visual impact, viability and the possible mix of uses the site area(s) could provide. Respondents had the opportunity to comment on the information presented and make any other comments.

This report summarises the responses received. There is a chapter on each of the consultation questions as follows:

1. The Description of the Area
2. Main Issues and Challenges
3. The Proposed Vision for the Development Area
4. The Super Peninsula Concept
5. The Summary of Issues
6. The Proposed Strategy Plan
7. Further Work
8. Other Comments

This document focuses on the issues raised, and for that reason the respondents are not named. However, where the identity of the respondent is particularly relevant to the issue being discussed, the organisation is named in **bold**. A full list of respondents is set out in the appendix to this document and their full comments can be accessed from:

<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-local-plan>.

The document also sets out an initial response to the topics raised. While this does not represent Council's final view, it indicates how further work is intended to proceed at this time, and how consultation comments influence the development of proposals for the Tipner area.

¹A summary of the responses is available. PCC (Nov 2017) Portsmouth Local Plan Issues and Opportunities Consultation Summary of Responses. Available from: <https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-local-plan-summary-of-responses.pdf>

1. The Description of the Development Area

Question:	<i>Do you agree with the description of the area, the characteristics and the constraints? Have we missed anything? Would you describe anything differently?</i>
Topic outline	Gives an overview of the 'Tipner Strategic Development Area' including the need for the development and a description/ planning history of Tipner West, Tipner Firing Range, Horsea Island and the 'super peninsula' opinion
Number of responses:	50

A. Employment, with supporting residential
B. Marine Employment, including supporting residential
C. Community Uses, including school and local retail
D. Residential
E. Residential
F. Housing, Employment & Habitat Creation
— Proposed new road
- - - No through route for private vehicles
▨ Indicative potential land reclamation*
— Maximum extent of the area under consideration



Overall, 31 respondents generally agreed with the description of the site. 12 respondents had mixed feelings, with some concerns for certain information being left out or inaccurate and others were concerned that insufficient environmental consideration had been made. There were five respondents who were totally opposed to the description, largely based on concerns of overdevelopment. Two respondents made 'no comment' due to their unfamiliarity with the area.

Map of the Development Area: A few respondents were concerned that the widely drawn line boundary around the site is misleading and implied that land reclamation would make Portsea Island 'no longer an island'. This could be more clearly shown and better articulated.

Name for the Development Area:

- 'Tipner and Horsea Redevelopment' or 'Tipner and Horsea Super Peninsula'.
- Not sure it merits being a 'super' peninsular.

Existing Character of the Area: the "*largest area of undeveloped and underused land in the city*" (para. 1.1):

- Agree - an opportunity site for regeneration and new development.
- Disagree - suggest this description would better apply to the southern end of Eastern Road.
- 'Underdeveloped' is not a term that everyone is comfortable with and may be subjective.
- This description 'wilfully ignores' ecological significance of the area (**Butterfly Conservation Society**)
- The area should be described as one of the few remaining open, green areas left in the city.

The legacy of historical, industrial and military activities and the need for remediation should be included in the description of the site- including the former use of the site for 'wreckage' (scrapyard).

There is no reference to the area's historic significance or heritage assets (**Historic England**).

The Existing Environment:

- The ecological significance of the area, including official designations is understated. The description should highlight the environmental sensitivity of the site.
- The area should be referred to as a necessary wildlife corridor including its mudflats for geese, rare flounders (flatfish) of Portsmouth and Langstone Harbour and other wildlife (such as Kingfishers).
- Greater acknowledgement should be made for flooding and sea level changes due to climate change
- Include reference to Portsmouth Harbour as a Site of Special Scientific Interest (SSSI), as well as Special Protection Area (SPA) and Ramsar site (para. 3.5).

Existing uses:

- No reference to the two boat/ sailing clubs at Tipner West; the future of these facilities will need to be taken into account in the planning of the area.
- The description should better reflect that the school is a special school specifically for children with Social, Emotional and Mental Health (SEMH) needs. The school is located next to a lorry park and M275 slip road (**The Harbour School**).
- It should be acknowledged that the firing range is used by the public for target practice, not just the Ministry of Defence (MoD), and that these facilities would be lost.

The Need for the Development:

Some agree that the area presents a major opportunity to deliver housing for the city (3 comments) while others disagreed with the government's 'unrealistic' approach to housing numbers in constrained areas which forms a key part of the rationale for the development.

Description of the development Area – Initial Council response:

Overall it is considered that the document does highlight the sensitive environmental and ecological assets on the site. Nonetheless the feedback given here highlights the need for the Council to take these factors into consideration. The presence of the two sailing clubs, the heritage assets on site and the Harbour school are all acknowledged and are important factors for the future of the site going forward.

2. Vision

Question:	<i>Do you agree with the proposed vision for the Tipner Strategic Development Area?</i>
Topic outline	<p>The 'vision' details what development in this location would be expected to achieve. It includes:</p> <ul style="list-style-type: none"> - A sustainable and cohesive new community - A wide range of housing types and tenures - A wide range of employment opportunities - Net gains in environmental benefits and biodiversity - A linked network of open spaces - Flood risk mitigation strategy that integrates visual enhancements and biodiversity improvements. - Effective phasing of development to deliver the necessary social and physical infrastructure as needed.
Number of responses:	55

There were 24 responses who supported the proposed vision. A number of which highlighted the potential delivery of much needed housing and/or the need to address the existing poor state of the area as a desirable outcome for redevelopment. A couple of respondents also supported the principle of building or increasing landmass in a well-connected area, as opposed to building on greenfield sites.

19 respondents were more mixed in their views, for example some were receptive to the vision for the area as long as environmental and transportation related concerns are able to be addressed, or if land reclamation wasn't included. There were 12 respondents who opposed to the vision for the area, chiefly citing sustainability and overdevelopment concerns; four of which felt the vision was poor or 'ill-conceived', lacked ambition and/ or creativity.

Vision for New Community and Development Area:

- The importance of maintaining the original scope of the vision throughout the whole development process was noted.

- The key focus should be a well-balanced mix of housing types, employment provision and improved publicly accessible green-spaces and other environmental considerations.
- The ambition to have a 'cohesive community' is supported but it should be noted how difficult this can be to achieve in reality.
- Proposals should build upon the site's highly visible position as the 'gateway' to the city from the M275.
- The area should be 'special', rather than similar to surrounding redevelopment.
- Suggest the area could have a strong identity as a green village and carbon neutral exemplar development (to include solar panels, district heating, utilising sea power). Plus a focus on waste recycling and the potential to create energy from residual wastes.
- The vision for the area should evolve as more work is undertaken and the masterplan developed to reflect the mix of uses that would support a sustainable and well-connected new community (**PCC Strategic Development and Regeneration**).
- Heritage assets could be better articulated and enumerated in the Vision. Concern is expressed over a lack of historic significance being identified on the peninsula. A further explanation of listed structures and non-designated heritage assets is desired. Various archaeological items from the firing range and the remains of Great Horsea Farm could offer insight into the history of the site if properly identified (**Historic England**).

Opposition to Vision:

- Doesn't represent 'sustainable development'.
- There is an over-focus on housing at the expense of what makes a city and what makes Portsmouth unique.
- Opposed to any reclamation in Portsmouth Harbour. Includes concerns about the impacts of the hydrology of the harbours and their ability to 'self-dredge' with unintended consequences for existing commercial and military activity.
- Opposed to further housing in the city and the subsequent impacts on traffic etc.
- Opposed to development on contaminated land.
- Opposed to development on Horsea Island.
- The Council should look at alternative options for additional housing without reclaiming land.

Suggestions for Alternative Visions for the Development Area

- The scope of the project should include the rest of the Tipner area, including redevelopment the Park and Ride area to provide residential and retail above.
- Supportive of brownfield redevelopment of the area (e.g. the scrapyard and firing range) but not land reclamation of the harbour due to the environmental and ecological impacts.
- Maintain the current high tide line and encourage watersports or wildlife education (e.g. marine ecology with the University of Portsmouth), instead of more cafes and restaurants.
- Redevelopment to quality green space would be preferred.
- An area for leisure and employment, instead of housing.
- Present as location for watersports facilities, with potential for future Commonwealth Games / Olympics.

Biodiversity related comments

- Ignores the consequences of development for terrestrial ecology (focus on marine only) (**Butterfly Conservation**).
- Disagree with the rationale towards habitat designations behind the vision; such designations they should prevent development, not be viewed as a hurdle to be crossed.
- Vision should aim to conserve as much green space as possible.

Hampshire and Isle of Wight Wildlife Trust (HIWWT) object to the vision for the area for the following reasons:

- Loss of Ramsar, SPA, SSSI habitat likely to ensue from proposed development. The supporting land outside of the designated area (as identified by Solent Waders and Brent Goose Strategy) could also be degraded.
- The existing *Regional Habitat Creation Scheme* struggles to address the loss of saltmarsh habitats across the Solent; compensating habitats losses will therefore prove challenging.
- There is no detail of the proposed mitigation and compensation measures with only impacts on Brent Geese mentioned; the Portsmouth Harbour Ramsar site is designated for a range of important species and habitat types.
- The revised National Planning Policy Framework (NPPF) places significant weight on the protection and enhancement of biodiversity. In the end, it is likely that the use of an effective metric to evaluate the loss and proposed gain of biodiversity will conclude that the proposals are not deliverable due to the potentially 'significant and potentially irreplaceable impact on the environment'.
- They note that the Council will need to demonstrate the lack of feasible alternatives (as per para. 10.4 of the consultation document) and the Imperative Reasons of Overriding Public Interest (IROPI). Mitigation and compensation-related measures will also need to be delivered up front, with their efficacy proven before development occurs.

See Chapter 4 for **Natural England's** comments on the proposal.

Employment/ Leisure:

- Council should look to secure a major anchor tenant for the site (e.g. Ikea) to encourage visitors and visitor spend in the city.
- A modern indoor and outdoor rifle range worthy of being a regional level attraction.
- New grounds for Portsmouth Football Club.
- The actual need for marine employment is questioned.
- Supports further work to determine the feasibility of waterside marine employment. Phasing must be reasonable and conform to infrastructure costs and timing (**Premier Marinas**).

Transport:

- Residents are unlikely to give-up their cars unless Portsmouth has a much more reliable and functional public transport system.
- Difficult to imagine a greater focus on walking and cycling given the proximity of the development area and Tipner East to the motorway.
- It is a 'dead-end site', like Gunwharf Quays, so traffic/parking management will be essential to the success of the development.
- The location has potential; well located for access in and out the city.
- Bridge to Horsea Island could become a 'rat run'.

Other Comments:

- Need to consider 'Social clash' implications of new build house prices and affordable housing in the proposal
- What will happen to the Lorry Park?

Vision – initial Council response:	
<i>Responses to the Vision were mixed. Some comments were received relating to the Super Peninsula concept, but it is worth confirming the vision does not specifically relate to reclamation - more to a set of principles for the future of the sites.</i>	
<i>It is recognised that the potential need for marine and maritime employment at a suitable location, integrated with resident development requires further development and was not fully justified at this point in the supporting information and further work is needed to test this.</i>	
<i>Regarding biodiversity comments, it is acknowledged that the consultation document could have explained all biodiversity issues in a little more detail, though it is not considered the issue was "underplayed" in any way or that the responses were less well informed as a result. it is recognised that all biodiversity issues, including the full range of habitats and species will need to be taken into account when considering the future of the sites.</i>	

3. Issues and Challenges

Question:	<i>Q2. Do you agree with the main issues and challenges described in this document? What would you describe differently?</i>
Topic outline	The challenges facing the proposed Tipner Strategic Development Area were outlined, including the areas where

	further evidence will be needed. The main topics covered were environmental issues, meeting housing needs, economic development, traffic and transport, flood risk, community facilities, visual impact, key constraints and viability.
Number of responses:	56

12 respondents confirmed that they generally agreed with the description of issues.

One respondent voiced that whilst they thought the development was a good idea, it has been talked about for a long time with no results yet. Another insisted that the Council should try and ensure a high enough quality plan to bring in the investment to support the development.

Others were less positive, for example one felt that the proposal was inconsistent with sustainable development as well as the Council's recent climate change emergency declaration or that the plans are an expression of an 'obsession with growth' without regard for congestion or air pollution. There was also concern that the development would be adding further population to what was considered to be an already overpopulated island.

Respondents described a range of issues to overcome and voiced a variety of concerns which are summarised below.

Environment

Although it is recognised that the area represents a significant opportunity for new development, the environmental sensitivities and constraints of the area are acknowledged (**Gosport BC, Premier Marinas**). Comments on general environmental issues to be addressed include the:

- potential damage to the surrounding sea bed.
- the need to protect all remaining green areas.

One of the most commonly raised concerns were the potential impacts upon biodiversity in the area, including losses and degradation of local wildlife and their habitat. Comments included the following:

- There should be more respect for the Harbour's natural habitat, the loss of marine life and the overall harm to the SPA. Development should be focused elsewhere.
- Doubt that any proposed compensatory measures would mitigate the harm to the harbour.
- Reclaiming land for housing and building rather than using the open space to encourage well-being and wildlife seems at odds within the summary of issues (**The Harbour School**).
- Consultation document needs to acknowledge the need to deliver biodiversity net gains, a requirement expected to be mandated by government shortly (**PCC Strategic Development**).
- Concern that human development will have the bigger negative impact on wildlife and sea level rise than is referenced in the consultation document. Although rising sea levels will undoubtedly impact on migrating birds (and native seabirds and waders) it is human development and activity that pose the greater threat, so the challenge to maintain a balance between the two is likely to be more severe than perhaps the

Council believes in relation to IROPI tests (**Residents Association of Port Solent (RAPS)**).

- Potential impacts of dredging on the sensitive habitat.
- The declines in biodiversity should be addressed through the planning process.

Hampshire and Isle of Wight Wildlife Trust suggests that the site would be better suited as one of several sanctuary sites needed for coastal birds across the region as one of a network of permanent sanctuary sites due to its location and the fact that it is already utilised by SPA birds. Further enhancements and sensitive management at the site could improve its function and capacity, both as a feeding resource and high tide roost site. The scale of development along the Solent coast is resulting in the loss of sites identified as being of importance for waders and brent geese. The *Solent Wader and Brent Goose Steering Group* has developed a clear strategy for ensuring that a functioning network of sites is maintained across the Solent, this is detailed in the Guidance for Mitigation and Off-setting. Given the scale of the proposals and the likely adverse impacts that will result on the important and highly protected nature conservation sites, they do not consider that it would be possible to deliver net gains in biodiversity as a result of these proposals.

The **Environment Agency** welcome the commitment to achieve environmental net gain from any future development. They agree with the assumption that, under regulation 61 of the Conservation of Habitats and Species Regulations, the proposed Tipner Strategic Development Area has the potential to have a likely significant effect and could potentially adversely affect the integrity of the European site(s) within and adjacent to the development area (para. 10.2); also agree that a more detailed HRA and AA are required to fully identify the extent of the risks to the Natura 2000 sites. They highlight that compensatory measures must not be taken into account until the IROPI tests have been met. Any mitigation and/or compensation needs to demonstrate long term resilience to factors such as future development pressures and coastal squeeze. Any phased mitigation and/or compensation must be in place and functioning prior to any loss or damage occurring. Encourage early engagement with the Environment Agency, Natural England and others to develop an effective programme of coastal mitigation and/or compensation.

In terms of the water environment, the **Environment Agency** state that any works within the marine environment will require liaison with the Marine Management Organisation (MMO). In particular, many activities in the marine area, including construction and dredging, would be likely to require a marine licence from the MMO. Activities should be in accordance with the Marine Policy Statement and with the South Marine Plan. They recommend that a Water Framework Directive (WFD) assessment will be needed due to development potentially having an impact on the harbour environment. The WFD requires the development not to result in a deterioration of water body status or compromise achievement of the environmental objectives outlined in the River Basin Management Plan. A WFD assessment should focus on the development's potential for impacts on the status of the WFD quality elements, hydromorphology, specific pollutants, priority substances and protected areas (e.g. Shellfish Waters and Special Protected Areas). Consideration should also be given to the potential impacts to the geomorphology of the estuary local to the site, in particular impacts on the adjacent intertidal and subtidal habitats and designated sites. The significant reclamation proposed is likely affect the flow regime of the water body and the impacts of this will need to be considered.

Land contamination:

Concerns were raised over health impacts to people due to proximity of any development to contaminated land as well as poor ground conditions more generally:

- Pollution is a key issue that the Council needs to consider.
- Development could create new opportunities for polluting the environment in the future such as litter polluting the harbour.
- Land remediation should be integrated as part of any flood defence and protection works. (**PCC Strategic Development and Regeneration**).
- Need to consider the issue of contamination of unexploded ordnance (UXO) from former military use of the land and explosive remnants of war from WW2 (**Fellows International Limited**).

The **Environment Agency** observe that the site has significant areas of concern for land contamination; the impacts of historic land use (military, scrap yard, wharf) that would need to be investigated, risk assessed and addressed. They support the need for further investigations into the extent and nature on contamination on site (para. 17.2) and advise that initial investigations are carried out at the earliest possible stage.

The **Environment Agency's** principal concerns regarding land contamination would be the impact to underlying chalk principal aquifer (which is shown to outcrop in the northern section of the development area), and any impacts to shallow groundwater which may impact water quality in the SAC. Development would need to ensure that no contamination is mobilised into the chalk aquifer (i.e. as a result of inappropriate piling through areas with contaminated leachate into chalk). It is possible that the tidal sediment could also have contamination issues, which could create some contamination/waste issues if the material is reused on site. If the tidal extent is changed (i.e. through land formation), and there was contamination remaining in underlying sediment, then this could have groundwater issues. As the boundary of the implementation of regulatory controls on groundwater is the lower tidal extent such changes may effectively bring an area under different regulatory controls. Contaminated sediment may require remediation with respect to future protection of groundwater.

The **Environment Agency** also note that the access road between Port Solent and Horsea East will cross the Paulsgrove historic landfill site. Construction may be technically challenging due to settlement and stability issues within the landfill structure; this will need to be assessed in detail.

Sustainable Construction:

- Incorporate sustainable construction practices into the proposals that support climate change mitigation; promote low utility usage, install solar panelling and consider more innovative waste treatment technologies to reduced energy costs and reduce fossil fuel usage.
- Embed environmentally friendly construction and sustainability into new development particularly housing.

Housing

- Concern that the city is unable to meet the 'unrealistic' housing needs proposed by Central Government methodology and that local circumstances/constraints should be taken into account.

- The Council should ensure high quality housing that benefits people, including the delivery of well-designed affordable housing.
- Do not agree with the approach of trying to deliver unrealistic housing numbers in an environmentally constrained area that will inevitably be faced with challenges in the future. The delivery of new houses should be informed by robust and up-to-date information, (such as ecological network mapping) and delivered regionally rather than trying to squeeze more into already over-developed areas. To adopt this approach is the only way that the Government will be able to deliver on its promise to stop the decline in biodiversity (which should be considered on a strategic scale) and deliver net gains through the planning system (**HIWWT**).

Traffic and Transport

Transport was also a common topic raised. Highlighted issues include:

- Impacts (increased congestion) on traffic in and out of the area including added pressure on the M275.
- Disruption to local traffic from plant vehicles.
- Disrupting the traffic network of the wider city.
- The need for more buses.
- The need to ensure that this would be a cycle-friendly development (**Portsmouth Cycle Forum**)

Transport related suggestions:

- Extend the Park & Ride to be able cope with the additional pressures. Or a new park and ride to exclusively serve the Naval Base for 1000 vehicles.
- Enhance the shoreline as a walking and cycling route connecting key areas.
- Proposed bridge will only be successful if public transportation is enhanced so that residents will be less car dependent. Options should be planned for to avoid worsening congestion.
- Permitted parking for residents only on the site.

The **Portsmouth Cycle Forum** made the following comments:

- Ensure there is potential connectivity with surrounding areas. Address the overall effect on the motorway and extended local road network not only the junction.
- The roundabout should be made safer to navigate into Stamshaw and further afield; this should be done in a manner to slow vehicular traffic, ideally with segregated cycleways and narrower pedestrian crossing points.
- The bridge must be built in a way that allows cyclists to enjoy segregation from busses and pedestrians. An agreement could be sought from Port Solent developers to enhance the lock gates to permit cycling.
- Cycling parking facilities will be needed within the site. Should the potential for cycling infrastructure not be maximized, congestion will only worsen and another residential dormitory suburb will emerge.

Flood Risk

There was concern about rising sea levels and how these might relate to the development, as well as how drainage will be handled, and the need for flood defences (4 comments). One query over how insurance relating to flooding would be addressed for new development and whether insurance companies would cover them. With the uncertainty surrounding climate

change and in particular predicted sea level rise, it was thought that development proposals should be located in areas where they will not be at risk of such uncertainty in the future.

The **Environment Agency** welcomed the consideration of flood risk in the document, particularly the need to land raise, which will provide the most robust form of defence against sea flooding. They note that improvements to flood risk management infrastructure are therefore likely to be required from the outset, with consideration given to the most up to date sea level rise predictions in planning for future risk.

The Agency advised that the Council's own drainage team should be consulted for advice on Sustainable Drainage Systems. However, the Environment Agency advise that the focus should be on a drainage system that enhances biodiversity and recreation, whilst providing sufficient storage to contain the 1% annual estimated probability storm plus an appropriate allowance for climate change, taking into account the anticipated period of potential tide locking. Any type of infiltration system should also be mindful of potential contaminants that could be mobilised.

Service and Community Infrastructure

The following should be considered:

- Securing the delivery of affordable electricity and network heating.
- Additional pressures on infrastructure and services such as those relating to healthcare, education, emergency services (fire, police etc.) which might struggle to cope.
- Development should make use of the existing firing range and develop for wider public use (3 comments)
- Provision of shops, employment sport and leisure uses for the additional population.
- The importance of a mix of uses to support sustainability.
- Relocating Harbour School to a site supporting positive mental health, with green space and sky (**The Harbour School**).

Viability

- Several respondents noted the challenges around the viability of the project and the overall costs, particularly the upfront costs of land reclamation and initial stages of development such as the bridge.
- Concern that the legal tests will be too much of a challenge to overcome.
- Developers should contribute to funding the bridge; without this and without financial support to improve bus and cycle routes, then no development will be able to take place.

Heritage

- Ensure that the naval history is highlighted and brought out through the development. For example, build links with the Naval Base and Whale Island, as well as the magazine buildings and the role the area played in the War.

Historic England raised a number of heritage concerns relating to the area. Tipner has a range of assets that are of historic interest, including the nationally important Tipner magazine complex listed at Grade II; a late 18th century magazine, a mid-19th century magazine, shifting house, cooperage and boundary wall. Heritage should be given full consideration in its own right. Proposals for the development of Tipner, including the potential Super Peninsula suggestion, should be based on a detailed

assessment, investigation and understanding of the significance of the heritage assets on the site or which could otherwise be affected by the development. Other points made by Historic England include:

- The document fails to fully recognise the historic significance of the peninsula; no reference to heritage in the Vision nor a specific section on heritage and the main reference to historic interest is in a section headed “Visual Impact”.
- Need to retain the site's heritage assets and conserve and enhance their significance.
- No consideration of the significance of the listed structures, which derives from their intrinsic architectural and historic merit, from their relationship to each other as representative of the historic military uses of Tipner, and from their setting.
- There is inadequate consideration of the potential significance of the non-designated heritage assets on the site. There could be a range of other types of archaeological deposits both terrestrial and marine, from prehistoric to the present day.
- No recognition of the potential for inter-tidal and marine archaeology. A seaward land claim in particular has the potential to impact on marine and intertidal areas which can be rich in archaeology.
- They point to Policy S-HER-1 in the South Marine Plan which was published in July 2018 and which is intended to ensure that proposals do not have an adverse impact on marine and coastal heritage assets, regardless of their designation status.

They advise that the above is addressed work before the site is taken forward through the Local Plan, and that the results of this work should be deposited in the Historic Environment Record and used to inform in a Heritage Impact Assessment as part of the evidence base for the Local Plan.

Other Key Issues

- Security risk due to proximity to the HM Naval Base.
- Constraints by IBM and the military cabling in the area.
- The impacts of land reclamation upon shipping and navigation in the harbour.
- High risk of overdeveloping the site and creating a negative first impression to visitors arriving on the M275.
- Horsea Island is needed as the training school for naval divers, if this closes there will be the loss of jobs and other economic impacts.

Issues and Challenges – initial Council response:
<i>Generally speaking, the comments received in response to the description of Issues and Challenges are broadly accepted, in that the sites are subject to a range of issues and challenges which have prevented other development proposals from coming forward and continue to be relevant for the future of the site and any further plans for development here. The points raised here will be</i>

considered further as the proposals for the site are developed further. Any proposals for the future of these sites will need to pass the test of deliverability

4. The 'Super Peninsula' Concept

Question:	<i>What do you think of the Super Peninsula concept? What do you think of the potential advantages and impacts as described in the consultation document?</i>
Topic outline	The Super Peninsula concept looks at the potential to extend the Tipner development area through land reclamation, increasing the quantum of development which can be delivered and creating a new community for the City.
Number of responses:	52

16 comments supported the proposal for land reclamation to enlarge the Tiper Development Area into a 'Super Peninsula' subject to certain issues being satisfactorily addressed.

Support 'Super P' proposal:

- Could be a really exciting development for Portsmouth with potential long term advantages.
- All such opportunities should be investigated given the scarcity of land and population increases.
- Portsmouth has a historic of successfully developing reclaimed land.
- Potential benefits of increasing housing, jobs and retail provision
- The area could be a potential asset for Portsmouth and could allow people to enjoy the opportunity that the area offers.
- Connecting the two areas of land would utilise the whole space and increase land mass in a potentially well situated area (with the addition of the bridge and improved public transport connections), as opposed to building on green fields out of town.
- A larger land area would make this a more viable development overall with the benefits of the prospect of an attractive waterfront.
- The mixed development concept would reduce pressure on Port Solent, improve business prospects for the area (especially marine industry complementing BAR at the Camber and Port Solent itself) and will improve the character of neighbouring locations.
- Supportive of the Super P concept if the following can be addressed:
 - Financial feasibility.
 - Offsetting of the likely environmental damage by appropriate mitigation and compensation.
 - Environmental, historical, natural and economic issues.
 - Modelling of hydrodynamic implications.
 - There is infrastructure in place to support the plans.
 - All aspects of design and other aesthetic concerns.
 - Consideration is given to the material used for landfilling.

The Super-peninsula concept has the potential to deliver a more sustainable and self-contained development, with greater place-making benefits when compared with that which could be accommodated on the existing land areas at Tipner/ Horsea, or elsewhere within Portsmouth in order to deliver the City's needs. The proposal is of a scale that has the ability to bring about the protection and enhancement of the biodiversity of the SPA and SSSI, subject to deliverable and viable compensation to maintain biodiversity. The Portsmouth Harbour SPA is subject to current impacts from recreation disturbance, impacts from poor quality surface water runoff, impacts from coastal squeeze, long term significant impacts from sea level rise and loss of intertidal – the Super-peninsula concept has the potential to

redress these impacts, offer significant environmental advantages in line with current and emerging Government policy, alongside major community and economic benefits (**PCC Strategic Developments and Regeneration**).

Concepts for the Area:

Others (7 comments) felt the concept for the Super P area needed to be more ambitious or consider alternative approaches unique to the nature of the area:

- Lacks vision in the scale of proposed development - a large multi storey development would solve all of Portsmouth's housing needs.
- Should look to create something visually connected, high quality and 'forward thinking' as the gateway site to the city. A landmark building on the corner of the proposed section B should be strongly considered.
- Instead of a bridge, build a causeway with gates to allow the sea water to flush the Mountbatten basin to avoid stale water. It would provide a sea-water park whilst providing protection against sea rise when combined with a similar gated structure at Eastern Road.
- Provide more than a few local shops and a community centre, e.g. a pub and a proper precinct.
- Allow access to Hilsea through the new development on the Tipner Park & Ride side to access schools in Hilsea and Highbury College and to ease the pressure on the M275 and Western Road.
- More waterfront access is possible by creating a network of canals. This would give further opportunities for marine employment activity, as well as accommodation in houseboats.
- More emphasis is needed on green energy like electric bikes and push bikes for the area. Including consideration of a tram system linking the area to Port Solent, Fareham and Gosport.
- 'Think big' / 'make a statement'; an outer crescent and an inner star (like the Portsmouth emblem) would totally raise the profile of the city on the world stage. Similar to Palm Jumeirah in Dubai. The outer crest would be westward facing and benefit from fantastic sunsets towards Portchester Castle. The associated property prices (with deep moorings for super yachts) would attract more wealth and investment into the city. The inner 'star' could offer more affordable housing plus industry. The calmer, protected inner waters would then hopefully be conducive to a rich marine life.

Object to the Super Peninsula ('Super P') concept

10 comments objected to the proposal for land reclamation under this question, largely due to the potential environmental implications given the sensitive and high value setting of the proposal as well as the impacts of additional housing on the city. Comments included:

- Some expenditures (e.g. the Horsea bridge) out of all proportion to the economic benefits.
- The scheme does not have any potential advantages; any advantage is outweighed by the problems caused.
- As a concept, the idea of a new community on the fringes of the city is a good idea, but it is a bad idea at this location.
- Has the potential to be just as detrimental as the Vision for the existing Tipner Strategic Development Area.

- Portsmouth is already an overcrowded island with complex social needs. How will the balanced community develop, what schools and shops will be included in the development?
- The firing range or other side could be better used to create affordable recreational activities to attract visitors, create jobs and minimise housing as too many people already. Potential for facilities such as an ice rink, wall climbing to match other cities.
- Should be reserved for leisure and employment. There is no space in the city as a whole for extra housing and extra vehicles from new residents.

Environmental impacts

- The Super Peninsula initiative is inconsistent with sustainable development and the Council's 19th March 2019 Declaration of a Climate Change Emergency.
- The reclamation and rejuvenation of the land as projected in the document is not achievable. The national and international environmental designations assigned to the three harbours and the area intended for reclamation make the project unsustainable; as per the Portsmouth Football Club plan to develop Farlington Marshes in the early 90's.
- There will be a significant negative impact on the Portsmouth Harbour SPA and inevitable damage to the natural environment.
- Building more houses is not a sufficient justification of significant habitat losses.
- Full of severe geotechnical challenges.
- The area is too environmentally sensitive for it to be considered. The Primary Support Areas for Brent Geese and Waders, SPAs, SSSIs and Ramsar sites need to be protected; none of these designations should be built on or impacted negatively in the way that is proposed.
- The resulting habitat loss habitat critical for protected Brent Geese is unacceptable in the context of meeting conservation duties and adherence to Natura 2000 legislation.
- Any mitigation strategy for Brent geese that involves creating new foraging areas in terrestrial locations or somehow improving existing intertidal areas is unlikely to: a) work; b) be close enough for the geese to use and c) will not compensate for any impacts on other species.
- There will be many broader impacts on water quality, sedimentation as well as vulnerable species such as eel grass and other BAP species (e.g. seals and sea horses) that are regularly recorded within the harbour.
- Detrimental effects on businesses reliant on a healthy Solent including fishing and tourism.
- The Council should be looking to deliver their housing allocation in a more sustainable and less environmentally damaging location. Given the predicted increase in sea level, and the adverse effect that will have on the sensitive nature conservation sites, it will not be possible to demonstrate that the proposals can be mitigated or compensated, since there are no suitable areas in the region where new SPA habitat could be created. Impact on waders such as Curlew and Redshank which both feed in proposed reclamation area is not considered and there is no suitable alternative. Impact of reclamation on other parts of the harbour are not currently proposed to be studied (**HIWWT**).
- Potential to impact fisheries taking place in Portsmouth Harbour which include net fisheries, rod and line, whelk potting and the intertidal bivalve dredge fisheries which is known to overlap with the wider project area. A loss of intertidal area would restrict the area of fishable ground and as the proposal develops this should be assessed and compatibility determined with the above policy should be demonstrated. Proposals should be in line with policies S-Fish-2 and S-MPA-1 of the South Marine Plan. (**Southern Inshore Fisheries and Conservation Authority (SIFCA)**).

Natural England objects the Super Peninsula proposal. The Super Peninsula option is contrary to the conservation objectives of the Portsmouth Harbour SPA and Ramsar site and will damage or destroy the interest features for which Portsmouth Harbour SSSI has been notified. We strongly recommend that the Council progresses alternative options to meet housing need that are less environmentally damaging and more sustainable. Super Peninsula is a complex proposal that will result in a number of significant impacts on the environment, including:

- the loss of around 22 hectares of SPA and Ramsar habitat and loss of functionally linked land;
- changes to hydrodynamics and coastal processes as a result of the development's extension into the marine environment that could lead to further loss of habitat;
- requirements for further coastal defences potentially giving rise to further habitat losses;
- impacts upon water quality (in particular additional nutrient loads from sewage) that could lead to impacts on birds' prey availability (e.g. through the profusion of algal mats overlying mudflats) and additional loss of habitat (e.g. smothering of saltmarsh habitat from algal mats); and
- an increase in disturbance pressure to overwintering birds from recreational activities in the Solent as a result of additional residents.

The proposal is likely to have a significant effect on the Portsmouth Harbour SPA which is afforded protection under *The Conservation of Habitat and Species Regulations 2017*, as amended (under the 'Habitats Regulations'). The site is also designated as a Ramsar site and notified at a national level as the Portsmouth Harbour SSSI, the latter of which would need to be assessed in-line with the *Wildlife and Countryside Act 1981*, as amended.

Natural England explains the 'tests' the Super Peninsula proposal would need to address for this Option to progress:

Derogation Test: The tests in Regulation 64 must be passed and this involves confirmation that there are no feasible alternatives and the proposal must be carried out for imperative reasons of overriding public interest.

In order for the Super Peninsula to be legally compliant, the derogation tests would need to be met. It is Natural England's view that this would be extremely difficult in this case.

Alternatives test: The Super Peninsula will deliver an additional 1000 residential dwellings. The competent authority must be able to demonstrate objectively the absence of feasible alternative solutions to achieve the objectives of a plan. From the information provided, the objectives include meeting housing need and creating a more balanced community with a better mix of homes, jobs and facilities.

Any alternatives assessment should consider options including, inter alia, 'do nothing', neighbouring authorities delivering any shortfall in housing need under Duty to Cooperate, higher densities and taller buildings, improving links with existing mixed use development in the city. Consideration should also be given to alternative locations outside of the city that could deliver a similar development in a less environmentally damaging way.

It is Natural England's view that the stringent alternatives test would be very difficult to pass in this case.

Imperative Reasons of Overriding Public Interest (IROPI): If it can be established that there are no feasible alternative solutions, the competent authority must be able to identify “imperative reasons of overriding public interest” (IROPI) that justify the plan or project despite the environmental damage it will cause. These reasons include human health, public safety, beneficial consequences of primary importance to the environment and those relating to social or economic benefit.

When identifying IROPI, a competent authority must consider whether all three elements of IROPI are met:

- Imperative: the plan or project is necessary (whether urgent or otherwise) for one or more of the reasons outlined above.
- Overriding: the interest served by the plan or project outweighs the harm to the integrity of the site as assessed in light of the weight to be given to the protection of such sites under the directive.
- Public Interest: a public good is delivered rather than a solely private interest.

This assessment should assess the necessity and urgency of the project. The greater the harm to the designated site, the greater the overriding interest needs to be to outweigh this harm. It is Natural England’s view that the direct loss of 22 hectares of SPA habitat and other additional impacts would be a significant loss and the overriding interest must be sufficient to outweigh this harm.

Natural England’s view that the Super Peninsula option would be contrary to the conservation objectives of the internationally protected sites (and would not meet the revised NPPF’s requirements set out in paras. 170, 171 and 175) and that any Habitats Regulations Assessment (HRA) should conclude that it cannot be ascertained that the proposal will not adversely affect the integrity of the European site.

Super Peninsula Concept – initial Council response:
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<p><i>Overall comments were mixed regarding the Super Peninsula concept. Some saw the potential advantages of land reclamation as a way of meeting the city's needs and noted the previous reclamation which has been carried out.</i></p>
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<p><i>However, the significant objections received from environmental groups and Natural England are recognised. The Council accepts that it needs to demonstrate the clear justification for any land reclamation. Whilst this work has been underway for some time, there remains further work in order to come to a conclusion on the issues raised as to whether to further promote or dismiss this option. The advice from Natural England regarding the derogation test and the alternatives test is understood. The Council always anticipated that development of the sites would be difficult and that delivery of super peninsula concept would be subject to the most rigorous testing and requirements for justification. Nonetheless it should be recognised that the Super Peninsula Concept has emerged as a significant option to be considered in the Council’s requirement to maximise the potential for development within the City to meet its own needs, but any development at this scale and location would need to meet the stringent legal and environmental requirements. At present it is considered that technical work on the</i></p>
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potential of the sites should continue, with further consideration and evaluation of options before an appropriate approach to Tipner and Horsea is set out in the draft Plan.

Some of the comments received to the Super Peninsula concept (i.e. layout of specific uses) are too detailed to be fully addressed at this time. However others address fundamental issues regarding the appropriateness and deliverability of the super peninsula concept which will be further explored as the concept is examined up to the draft Plan.

5. Strategy Plan

Question:	<i>Do you have any comment on the Strategy Plan at this stage?</i>
Topic outline	The Strategy Plan diagram sets out the broad outline proposals for Tipner Development Area
Number of responses:	29



One response supported the Strategy Plan. Specific comments on proposed outline plan included:

- Exclude development on inter-tidal mud area; land reclamation following the Council's climate change emergency declaration 'would ridicule the Council'.
- The disposition of land uses appears to be appropriate but would need to be subject to environmental and feasibility testing. E.g. the area shown could be flooded at certain times of the year due to high tides and weather conditions.
- Do not build upon the wooded area on Horsea Island.
- Plan needs more human approach focusing on a city fit to live in and not cramming any more people in.

- The plan doesn't show clearly where the new road will be; it seems to go straight into the Defence Diving School lake instead of connecting to the road layout on the Country Park leading over to Port Solent. If a bridge is to be built to join the two areas it isn't clear from the plan.
- The red line on the plan should show Hilsea creek still complete and able to flow from Langstone to Tipner.
- A dotted or dashed red line across the channel separating us from the rest of England might make it clear that the Council doesn't intend to fully fill in the channel.
- Leave the water's edge for residential development instead of employment - is marine employment actually needed?
- The western side of Tipner should remain an open space to retain the aesthetically pleasing character of Portsmouth Harbour.
- Agree with limiting vehicle accessibility.
- Social housing should be included.
- It is questioned whether the proposal needs to be so large.

Other comments focused on the wider range of opportunities or alternative proposals for the site under the following topics:

Transport

- This scheme should be considered alongside a new transport system (light rail/monorail).
- A transport system linking the Hard with Commercial Road, the International Ferry Terminal, Tipner Development with an extended Park & Ride, Port Solent, a new station at Paulsgrove (to serve QA Hospital) and onto a new transport interchange at Cosham where it would join the existing rail system. The bridge is fundamental to both projects. The current focus on improving the air quality in the City could trigger supportive Central Government funding.
- Create a new town and transport hub to encourage out of town traffic to spring board into the rest of Portsea Island by frequent cheap 24/7 public transport. It is considered that the current public transport system is not fit for purpose and it is not safe or desirable to ride a bicycle in Portsmouth.
- Include a high quality sea view walk in the designs around the entire peninsula encouraging outdoor walking and views of the sea.
- A coastal cycle route from Fareham, Portchester, Port Solent, Horsea, Tipner to Portsmouth.

Environment

- Need to consider that Portsmouth is already the most densely populated island in the UK.
- Should aim to create environmentally friendly sustainable buildings especially housing, prevent more pollution, and enhancing shoreline as a walk to key areas
- Clear up the contamination.

Economic Development

- The breakers yard offers an opportunity for a first class architectural museum or similar. Its aspect facing Portchester Castle would complement a modern building. (e.g. Bilbao Guuggenheim and similar).
- The Council should look to promote a forward thinking approach similar to the Solent Local Enterprise Partnership (LEP) work with regard to Fort Blockhouse in Gosport

Points of clarity / comment

- It should be clarified that The Harbour School is a special school for SEMH needs (**The Harbour School**).
- The inclusion of a Primary School and community facilities will need to be coordinated by the Council given the significant viability challenges likely faced by the proposal.
- The plan doesn't show the recently constructed lorry park.
- There were positive and supportive thoughts expressed at the exhibition on 9th March.
- Updates on the project/ consultation are requested, particularly on environmental matters.

Strategy Plan – initial Council response:
<p><i>Many of the points raised on the Strategy Plan are more concerned with the future of the site and are also considered in other parts of this consultation. All comments will be considered further as work progresses.</i></p> <p><i>In response to some specific points raised in the consultation comments -</i></p> <p><i>There is no intention to block access to Tipner Lake.</i></p> <p><i>The diagram shows an indicative bridge link across to Horsea and a public transport corridor on through Horsea Country Park.</i></p> <p><i>The super peninsula concept does not currently include reclamation of land to the north of Tipner west in area "B" on the Strategy Plan. This should be made clear in future publications going forward.</i></p>

6. Further work

Question:	<i>Tell us what you think of the summary of issues to be considered. Have we missed anything? Would you describe anything differently?</i>
Topic outline	The consultation document broadly outlines the key issues that would need to be thoroughly assessed for any development proposals for Tipner/ Horsea Island and/ or the development of the Super Peninsula. This included the need the development (inc. meeting housing needs), environmental issues, economic development, traffic and transport, flood risk, visual impact, viability and the possible mix of uses the site area(s) could provide.
Number of responses:	44

11 responses considered that the consultation document broadly covered the issues that would need to be address by the potential development proposals for Tipner. Other comments focused on the more detailed considerations under the following topic areas:

Land reclamation/ development and the Portsmouth Harbour environment:

- The Marine Management Organisation's South Marine Plan marine policies S-Fish-2 and S-MPA-1 are of relevance to the project and should be considered against any future application.
- **Southern Inshore Fisheries and Conservation Authority (SIFCA)** can help the Council to ensure that the local fishing activities are understood so effective consultation with the industry can be undertaken and where appropriate mitigation can be considered.

More information needed on:

- The feasibility of land reclamation and dredging associated with potential further marine development prior to determining the capacity and the extent of the development area.
- The high level principles for the SPA reclamation mitigation options and SSSI/ Ramsar mitigation as well as more details on proposed mitigation scheme itself.
- Impacts on the Portchester Conservation shoreline with suitable flood protection measures for this part of the coastline (instead of the proposed sheet piling).
- Impacts upon the main navigation channel to the upper harbour.
- The impacts of development and changes in sea flows / currents, the deposition of material into existing channels and coastal erosion - including impacts on tidal flow into Paulsgrove Lake and beach erosion issues at Hayling Island.
- Impacts on flood defence requirements.
- Impacts of dredging on the hydrodynamics of the river, and the subsequent impacts on this on the feasibility of the proposed land uses and Super P proposal (**Premier Marinas**).

- As the loss of intertidal area would restrict the area of fishable ground (net fisheries, rod and line, whelk potting and the intertidal bivalve dredge fisheries) the impact of this should be assessed and compatibility determined with South Marine Plan policy S-Fish-2, which follows a 'avoid, minimise and mitigate' hierarchy (**SIFCA**).
- The assessment of impacts on the conservation objectives of the designated sites (under South Marine Plan Policy S-MPA-1) in combination with the protection afforded by the SIFCAs management of the area (**SIFCA**).

Alternatives uses for the area:

- Development as public open space instead; to meet the deficit in the city and encourage well-being and wildlife.
- Alternative plans for the area (currently wasted land) if current proposals are not successful

Housing:

- More details required overall.
- Houses need to be affordable with integrated parking.
- Consider 'floating homes' (modern house boats); a low cost, innovative solution for flood prone, sensitive and constrained areas as seen in Holland.

Employment:

- Consider the impact of the employment/ commuting requirements of additional dwellings in this location.

Traffic and Transport:

- Even if the new development is walkable and well linked to the city, a lot of people commute out of Portsmouth for work and will have to drive.
- Situation will be exacerbated by increased traffic using the junction of the M275; more consideration towards how this will impact the flow of traffic in and out of the city during busy periods.
- Needs an integrated transport strategy with links for cycles/ pedestrians into Portsmouth.
- The park and ride is too small and located too close to the city centre
- A cheaper bridge design, supporting pedestrians and cycles only, might deliver benefits sooner and reduce traffic volumes entering Port Solent from neighbourhoods such as Tipner. (**RAPS**).
- Further investigation of the bridge link will be essential to determining the capacity specifically of Horsea Island (**Premier Marinas**).
- Consider an additional train station.
- More information on how resident and business parking will be managed.
- Need to further analyse the proposed bridge capacity and feasibility; this will be essential to determining the capacity Horsea Island (**Premier Marinas**).
- More detail needed on transport proposals overall.

Visual impact:

- Consideration of improving the appearance of Tipner West as one of the 'gateway' entrances to the city.

Sense of Place/ Leisure:

- Develop area as a location where people would want to visit from outside of the area for picnics and walks. E.g. an appealing harbour side promenade that continues to the new Horsea Island Country Park.
- Opportunities for leisure and sport for local, national and international competition; suggestions include space for recreational target shooting to continue and a new ground for Portsmouth Football Club.

Heritage

- Absence of a separate heritage section in this proposal is a 'massive oversight' in a harbour with as much history as Portsmouth. Listed buildings are only referenced in a section on visual appearance, and heritage does not receive due weight in the proposal.
- The importance of the area to naval history should be highlighted (the links to the Naval base and Whale Island), and the role the area played in World War II including how it was used before and after this event. E.g. a heritage walk to Magazine buildings with signage.
- The most significant heritage omission is considered to be the landing craft maintenance and repair facility on Horsea Island (and its three corresponding 'dolphins'); a Second World War landing craft repair site, known for the turnaround of landing craft damaged at Normandy in the summer of 1944. Much of the concrete behind this site dates to a Second World War wireless station. Similar sites (inc. the Mylor site in Cornwall) have been scheduled by Historic England. The view is that although it not yet been listed by Historic England this should not be a reason to assume it is not significant. It is requested that no development should be permitted at this location unless the site is preserved and incorporated into the development and/ or development is sympathetic to its setting.
- A formal Heritage Impact Assessment is vital requirement if these plans are to be taken forward.

Community infrastructure

- In addition to a new school, the additional medical facilities and other emergency services (e.g. Police) should be considered. Otherwise the existing surgeries surrounding Tipner are likely to become oversubscribed.
- Youth activities included opportunities suitable for Portsmouth's low income families.

Other Comments

- Hopefully the financial challenges of delivering such a difficult site can be overcome.
- The next steps identified are comprehensive, but do not include the bridge link as a specific item of consideration, which it should as this is a clear consideration in phasing, capacity and viability.
- The water channel to Port Solent should be made deeper.

Strategy Plan – initial Council response:

The comments raised here are largely concerned with requests for additional information and recognition of certain issues. Broadly speaking, these comments are accepted. It is envisaged that as work on the Tipner project continues, additional detail and clarity on proposals will be made available for the public and others to comment upon in due course. In the meantime, the comments here will be reflected upon and will inform the project as it progresses.

7. Other Comments

Question:	<i>Do you have any other comments at this stage?</i>
Number of responses:	48

Support for the Proposals:

- A 'wonderful opportunity' to deliver much needed housing and employment; the right move for the city (two comments).
- Support and welcome the development of Tipner and Horsea which looks well thought out (one comment).

Object to the proposal for the following reasons:

- The significant harm this will cause to Portsmouth Harbour and the internationally and nationally important habitat sites (SPA, SAC, Ramsar and SSSI) including the significant habitat loss from land reclamation. Such areas should be protected for future generations.
- Portsmouth is fortunate in that it is located in an area teeming with wildlife and internationally renowned avifauna; this should be celebrated and protected by the Council rather than destroyed (**HIWWT**).
- Reclaiming land would worsen existing losses to wetlands from climate change, sea level rise and coastal squeeze.
- Proposals indicate little concern for our natural environment and the habitat of the harbour.
- Given the scale of current and future environment issues, the logic as to why the proposal is even being considered is questioned.
- Wildlife (nationally and locally) is already in decline and the proposal further contribute to habitat and wildlife losses, particularly:
 - Impacts on food sources for breeding fish (small fry, mullet and shoal bass).
 - Tipner cockle, winkle and large ragworm and lug worm beds, harbour sand hoppers and breeding areas for shore crabs.
 - Further losses to already reduced shore-life, including marshland losses from the motorway and North Harbour.
- Disbelieve that mitigation programmes, which allow house building to continue across the Solent, are successful. E.g. continued disturbance to wildlife despite the Bird Aware strategy. Any 'secondary areas' provided for wildlife would not be equal to the natural habitat in which they thrive, causing disruption for many years.
- Land reclamation would displace water.
- The proposal isn't considered to be 'sustainable development'.
- The site is unsuitable for housing.
- Too many new homes are proposed and there are already too many people in the city.
- Housing with waterside views will not be affordable housing.
- Proposals will add to overcrowding, less open space, traffic and parking problems. The use of the park and ride should not be relied upon to mitigate traffic impacts as it is believed that people don't use it.

- Council tax for residents will increase due to the additional pressure on services
- The cost of the scheme could spiral uncontrollably with unexpected problems from building and flood management.
- The loss of the view out to historic Portchester Castle from Alexandra Park would take away the views of the land have been around for 100 years. Coastal views provide a 'sense of freedom' and a 'healthy outlook' some of which has already been lost to sea defences around the north of the island.
- Adverse impacts on health and well-being. Lessons should be learnt from the poor results of health and well-being surveys from other part of the city that are overpopulated with little green space. The open space and walk along the Lido in Hilsea should be protected; extra development in this location would add stress and pressure.
- Fears that in future even more of the harbour could be reclaimed if this proposal was to be allowed.

Suggestions for the Tipner Development Area

- Create a public harbourside promenade round the whole site like on Southsea Seafront.
- Create a landmark gateway to the City.
- Prioritise design outcomes that provide for the best quality of life.
- Development should have a strong emphasis on an exemplar green, carbon neutral development including: solar panels on all rooftops to power homes, use of district heating and utilising possibilities to make use of the sea to generate power (e.g. sea water powered district heating scheme in Norway).
- Design as a 'destination' and new green 'lung' for the sub-region.
- Take advantage of its harbour-side location; a 'new waterfront district' for business, housing, leisure, culture and local shopping with a creative design and clear identity.
- Create something of great leisure/ amenity value to the area and the city. E.g. the coastal perimeter could be wide landscaped promenade area, shared with walkers and cyclists, with opportunities to stop and enjoy the views and bird life (similar to the new Tipner Lake cycle path area).
- Green play areas for children away from traffic noise and pollution.
- Include a park for dog walkers.
- Include social enterprise uses.
- Maritime residential theme incorporating both Traditional and Quayside housing and floating homes. E.g. of Ljburg in the Netherlands.
- Requests that the southern (non-shooting range) part of the Tipner peninsular, which is the old Stampsey (or Stamshaw) common (a historic asset) is retained as open space/ drainage if possible.
- Landscaping will be important; preference for Plane trees expressed.
- Retain the thickly wooded eastern end of Horsea Island to enhance the setting of the new country park, rather than developing for marine related employment uses, or retain the woodland as part of a high quality housing development.
- There needs to be access to the sea for small boat users - such as a good public slipway, ideally into deep water (there are none available locally) with good parking. Such facilities could attract sea-front retail, cafes etc and enhance the area.
- Suggested name: 'Saxon Harbour' to promote its special cultural identity. Promote and enhance the Saxon heritage and cultural identity of the northern harbour; possibly including an iconic landmark symbol at the top of the hill to promote the city's cultural identity.

- Create a diverse "village" community, instead of the 'common dormitory housing estate'. Include affordable housing, housing for the elderly and housing for families and community buildings.
- Make Tipner Portsmouth's answer to Poundbury in Dorset
- Build using latest design in prefab type housing, financed by on-going income from the International Port.
- The site is visually sensitive. Consideration should be given towards the visual impact of the proposal from Gosport, ensuring that all frontages facing the harbour will be of the highest quality (**Gosport Borough Council**).

Alternative locations for additional homes / alternative uses for the Tipner Area

- Leave as open space or other type of facility for the city e.g. new greyhound stadium
- Use some of the area for the relocation of Portsmouth Football Club and build new dwellings in Fratton instead.
- Consider alternative locations for housing that don't involve filling in the harbour. E.g. the old tip at the end of the Eastern Road.
- Build more on the land you already have (higher densities and taller buildings) before land reclamation is considered.
- Utilise the Tipner Lake area for the Tipner and Hilsea communities; aquatic sports venue e.g. waterskiing, canoeing, rowing, sailing, paragliding, paddleboarding and sporting events.

Approach to Housing targets and Affordable Housing

- Council need to make a stronger case to Central Government to make clear how little land there is in Portsmouth to be developed, so they don't set unrealistic targets.
- Portsmouth's road infrastructure is already over congested, the city is overpopulated and services are overcrowded - it doesn't have capacity for extra homes.
- Housing 'need' and targets should take account of the fact that Portsea Island is overpopulated and services are overcrowded.
- To provide truly affordable housing, energy costs would also need to be considered.

Biodiversity comments:

- Appropriate mitigation should be provided for any impacts upon Brent Goose sites, in line with the Solent Waders and Brent Goose Strategy. Any proposals should strive to deliver biodiversity net benefits (**Gosport Borough Council**).
- Too much focus on the impacts upon Brent geese, what about the fish, bird feeding worms, shrimps, crabs, and macrobiotic life that live in the tidal marshland.
- Horsea (area A) is home to a DEFRA BAP Priority species (No. 945) of butterfly, now also on the IUCN Red List, and over 30 species of bird, including the Song Thrush (BAP Priority). Tipner Ranges, last surveyed circa 2000, hosted the Small Heath butterfly, another DEFRA BAP Priority species². (**Butterfly Conservation**).
- Carry out a survey of the seashore life that would be lost from the proposal, including the spring/ summer period.
- Increase the biodiversity of sea defences; put dredged sea ballast and large rocks outward from the sea wall for at least 5 meters to encourage bladderwrack seaweed.

² See: <http://jncc.defra.gov.uk/page-5161>

Transport related suggestions/ comments:

- The site has potential for good connectivity.
- The new bridge should have a cycle/ walking route plus taxi access and perhaps other types of light transport.
- Allow all residents in the new area parking in the Park & Ride
- The new bridge should be well connected well to wider cycle-routes between Portchester and the wider City area.
- Support the creation of high-quality walking and cycling routes around Tipner, which will help provide sub-regional health and wellbeing benefits. Such routes would also benefit from interpretation panels, explaining areas of interest around Portsmouth Harbour, including in Gosport. There is scope to link these elements together in a around-the-harbour cycle trail (**Gosport Borough Council**).
- Consider having a much cheaper pedestrian bridge as part of the first stage of the development as part of the new country park (possibly a rustic style or temporary pontoon) in order to establish a network of walking routes as early as possible, rather than wait indefinitely for a very expensive road bridge.
- Re-orientate the country park towards Tipner via a pedestrian bridge rather than establishing the main access via a large car park at Port Solent which would draw in extra traffic via the A27 and Port Way.
- Include a pedestrian link under Tipner Bridge from potential development of old Pounds scrapyard/ greyhound stadium site east of M275 west to new road link.
- Reduce the proposed country park car park in size and cost; the money saved could help to fund a cheaper pedestrian bridge and car park at Tipner in the short term. This would better serve the needs of the people of Portsmouth.
- The impact of additional cars in the city would need to be addressed.
- Make the new development a car free zone.
- Providing good car parking and road access would be challenging for the proposed number of new residents. While it may be possible to reduce car dependency, cars will still be needed and will need to be accommodated.
- Support new public transport options between Gosport and Tipner/Portsmouth. This could include exploring the viability of new waterbus services (**Gosport Borough Council**).

Community Infrastructure:

- The city infrastructure is already under served; consider the addition needs for transport, parking, healthcare, schools.
- Support the retention of the Harbour School in the current building (**Harbour School**).
- Opportunities for sports and leisure must be incorporated.
- There would be a need for extra medical facilities to serve the development, certainly another doctor.

Economic Development, Employment and Tourism:

- Consider how to add to, and incorporate, the City's tourism and heritage offer alongside the proposed residential development.
- An international standard concert hall and/ or art gallery to support Portsmouth as a recognised City of Culture?

- Providing maritime employment would be desirable, if there is the demand for it. The UK has many under-used marine-side industrial areas - what kind of industry or employment is envisaged? Are there any companies making enquiries about possible locations and facilities here?
- Create a high-tech park; hi-tech industry is the way forward and the site would have excellent access to the motorway.
- The scale and nature of new employment floorspace should be considered (beyond what is set out at para. 12.4). This represents an outdated consideration of 'marine-related' employment and does not consider emerging and changing businesses in the industry and sector, including the need for leisure and tourism in relation to marine business as a complementary offer for users and visitors, and how technology is affecting marine retail services for example. The need for flexibility is supported (para. 12.5) and we would emphasise that this clearly reflected in the policy approach (**Premier Marinas**).

Gosport Borough Council support the aims of the Tipner Strategic Development Area in providing new homes and employment floorspace, which will help meet local and sub-regional needs. With particular for support additional marine and maritime employment space, and deep-water access to Portsmouth Harbour, which will strengthen the harbour's position as an area of marine excellence. However, the Council has concerns about the environmental impacts of the proposal and the considerable uncertainty over the deliverability of the scheme due to:

- the partial loss of, potential detrimental impacts the SPA / Ramsar / SSSI, which is already under significant pressure. It may be difficult to meet the IROPI Test in this instance; and
- the cost of land reclamation and likely mitigation/ compensation measures.

For Statement of Common Ground with the other PUSH authorities it will be important to consider an option which includes the Super Peninsula project, and one that doesn't, to ensure that other options are considered for potential housing development in the sub-region. It will also be important to understand the potential phasing of the development to assist the PUSH work.

The protection and enhancement of the listed historic assets at Tipner are of importance to the 'Portsmouth Harbour story', supporting the inter-connected local visitor and heritage economy.

Other comments on the proposed scheme:

- Scheme unlikely to go ahead given the constraints of protected habitat.
- The scheme should be progressed as quickly as possible as costs will rise if there is too long a delay.
- Reclaiming land is worth investigating, preferable to increasing density on the island.
- Land contamination issues will be a constraint on development.
- Fellows International have previously been involved in the Tipner regeneration programme and would welcome the opportunity to discuss how we could assist identify and mitigate any unexploded ordnance (UXO) risk.
- The Marine Management Organisation's (MMO) South Marine Plan was published on the 17th July 2018, becoming a material consideration for public authorities with decision making functions. All public authorities taking authorisation or enforcement

decisions that affect or might affect the UK marine area must do so in accordance with the *Marine and Coastal Access Act* and the *UK Marine Policy Statement* unless relevant considerations indicate otherwise. For more information see the MMO's online guidance and the Planning Advisory Service soundness self-assessment checklist.

- Request information on next stages with a timeline once further information is gathered.

Landowner John Pounds:

- Would strongly object to any land reclamation in the small amount of land identified to the west of the proposed new road within Area B which adjoins a working quay.
- Comments are made on the assumption that the proposed areas of reclamation will not be significantly changed from that shown on the strategy plan, and more importantly will not be extended to include land within Area B or interfere in any way with John Pounds' navigation rights.
- No objection in principle to the development of the Tipner Super Peninsula subject to sufficient highway capacity being retained to allow for the future development of my John Pounds' land within Area B.
- The consultation document (para. 13.2) notes that the capacity of this junction is likely to limit the development achievable at Tipner; evidence is therefore required to demonstrate that the roundabout providing access to the M275 has sufficient capacity to accommodate the comprehensive redevelopment of land to the east and west of the M275 alongside that proposed on the Super Peninsula.
- John Pounds' land to the west of the M275 is currently underutilised in development terms and it is therefore requested that sufficient capacity needs to be preserved for its comprehensive redevelopment.
- Given the proposed direct link to and from the motorway to the land in the control of the Tipner Regeneration Company (TRC) to the east of the M275, any assessment of junction capacity must also take into account development on this land. Whilst planning permission exists for development to the east of the M275, the quantum of development was constrained by the access onto Twyford Avenue. Any future assessment of junction capacity should therefore take into account a more efficient use of the site to contribute towards the significant housing requirement in Portsmouth. As well as ensuring that the capacity of the junction is sufficient to accommodate traffic from the comprehensive redevelopment of the strategic development area, account must also be taken of the need to ensure that it allows for sufficient emergency access points.
- John Pounds' land is currently accessed via a road under the M275. This will no longer be suitable for emergency vehicles once the land is raised and therefore an additional emergency access route will be required to Area B which must be considered in any transport assessment.
- The strategy should not preclude a residential led development on Area B (identified in the consultation for marine employment); request that it is amended to allow for marine development and/or residential development.
- Clarity needed on how the significant costs of the reclamation will be funded, how much compensatory habitat will be required to offset the impact on the SPA, where it is to be located or how it is to be secured.
- Any policy for the future development of Tipner and Horsea needs to be drafted in such a way so as not to prevent any development on the wider Tipner site coming

forward until these critical issues relating to the Super Peninsula have been resolved."

Other comments:

- Pollution is caused by traffic jams created by cul-de-sacs, roundabouts and traffic lights.
- Portsea Island is small so it should be possible to have a clearway ring road around it and one way systems with no right turns and a 500 metre maximum walk to frequent public transport loop.
- Focus should instead be on building a huge overnight car park with park and ride facilities and investing in the city centre.
- Concern about environmental vandalism from a proposed bridge like trolleys etc being thrown into the harbour like at Ports Creek etc.
- Too much building work in the city.
- Have a toll bridge between Portsmouth and Gosport
- Concerns that the City Council is also considering Horsea Island, Farlington Marshes and Great Salterns for more housing.
- Concerns that the MoD will not vacate the remaining parts of Tipner as quickly or completely as planned.
- The questions in the consultation survey should link better with the consultation document published, use the same terminology and have numeric pointers to the relevant sections.

Other Comments – initial Council response:

Many of the comments raised concern environmental and ecological impacts which will require careful consideration and further work before an appropriate way forward on the sites can be finalised.

Some other comments concern issues which are too detailed to be addressed at this time but will feed into the consideration of options and opportunities as work progresses.

The comments on behalf of landowner John Pounds are noted. The Council is undertaking ongoing discussions and negotiations with John Pounds and other landowners in both Tipner West and Tipner East which will inform the final development strategy. Regarding specific points -

It is confirmed there are no current proposals to reclaim land identified to the west of the proposed new road within Area B which adjoins a working quay, and this will be made clear in further work.

Further technical work on the capacity of the M275 junction is currently being undertaken. This will inform further consideration of how access to that junction will be managed, and the extent to which it might constrain development.

Appendix 1: Index of Consultation Respondents and Consultation Questions

The following table sets out the names of individuals and organisations who responded to the consultation.

ID	Respondent	Topics commented on
9	M Dye	
10	M Loveless	
11	I Craig	3,6
12	R Bailey	1,2,3,4,5,6
13	K Edwards	1,2,3,4,5,6,7,8
14	J Radmall	
15	Darren	
16	J Macklin	1,2,3,4,5,7
17	The Harbour School - L Taylor	1,2,3,4,5,6,7
18	Josie	
19	G Dean	
20	S Davies	
21	M Early	
22	R Wilkinson	
23	3rd Portchester Scout Group (EM) - J Luxton	
24	Believe And Achieve - R Piggott	
25	C Mcneil	
26	Raps - C Clark	1,2,3,4,5,6
27	T Owens	
28	S Fisher	2,3,4,5,6
29	A Wright	1,2,3,4,5,6,7
30	L Gatrell	1,2,3,4,5,6,7
31	G Allibone	7
32	S Green	
33	Butterfly Conservation - A Brookes	1,2,3,4,5,7
34	J Lloyd	1,2,3,4,5
35	G Park	
36	Fellows International Limited - J Webb	2
37	P Lendrum	1,2,3,4,7
38	I Sene	
39	S Colbey	
40	N Bennett	
41	A Hounam	
42	S Jacobs	
43	C Graydon	
44	B Jackson	1,2,3,4,5
45	H Carter	
46	J Pakos Briggs	

ID	Respondent	Topics commented on
47	A Aldridge	
48	H Sinclair	
49	D Caddick	
50	L Jerome	
51	D Price	
52	J Chamberlain	
53	S Finney	1,2,3,4,5,6,7
54	K Raby	1,2,3,4,5,6,7,8
55	A Robjohns	1,3,4,7
56	M Hagan	1,2,3,4,5
57	A White	
58	S Wilkie	
59	M Wellspring	
60	Gordon	1,2,3,4,5
61	R Sims	
62	G Chalk	1,2,3,4,5
63	J Edmonds	
64	J Thompson	
65	K Downer	
66	Portsmouth City Council - P Pennekett	1,2,3,4,5,6,7
67	Portsmouth Cycle Forum - R Inkpen	
68	M Burchell	
69	A Croft	1,2,3,4,5
70	T Harrison	1,2,4,5,6,7
71	J Mcisaac	1,2,3,4,5,7
72	R Astor	1,2,3,4
73	Elephant In Scarlet CIC - S Turner	
74	A Cole	
75	Kim	
76	T Brown	
77	B Clark	1,2,3,4,5,6,7
78	J Edwin Porter	1,2,3,4,5,7
79	Rspb - T Lamour	
80	C Stevens	
81	C Lloyd	
82	A Garrone	1,2,3,4,5,7
83	J Parsons	
84	Y Draper	
85	M Short	1,2,3,4,5,6,7
86	F Knight	
87	R Gregory	1,2,3,4
88	L Verrier	
89	M Mullinger	2,3

ID	Respondent	Topics commented on
90	N Moore	
91	M S Grayson-Smith	1,2,3,4,5,7
92	R Boyce	2,7
93	J Dellow	
94	D Wildman	1,2,3,4,5,7
95	K Brady	
96	A Isaac	
97	D Wall	
98	G Reed	
99	J Sewell	1,2,3,4
100	S Dorey	1,2,3,4,5,6
101	M Allen	
102	A Starr	1,2,3,4,6
103	S Dodd	1,2,3,4,5,7
104	P Tilley	2,3,,46
105	W Huitchin	
106	M Whittaker	1,2,3,4,5,7
107	D Porter	
108	B Jones	
109	R Treloar	1,2,3,4,5,6,7
110	S Marshall	
111	Brad	
112	N Groome	
113	M Burns	1,2,3,4,5,6,7
114	J Lovibond	
115	Harwin PLC - J Dancy	
116	L Fryer	
117	M Bryan	
118	R Denyer	
119	E Piwowarczyk	
120	R Wynn	
121	Lisa-Marie	
122	A Ana	
123	L Mason	3
124	P Twine	1,2,3,4,5,6,7
125	J Taylor	
126	L Chappell	
127	T Luce	
128	Chris	
129	Richard	
130	Ab	1,2,3,5
131	A Harding	
132	A Hodgetts	

ID	Respondent	Topics commented on
133	G Gwilliam	
134	S Walburn	
135	Arron	
136	Olaf	
137	A Waugh	1,2,3,4,5,6,7
138	G Wilkerson	1,2,3,4,5,7
139	D Woodward	
140	M Ross	
141	Danielle	1,2,3,4,5,6,7
142	M Anderson	
143	A Mccallum	1,2,3,4,5,6,7
144	R Bluff	
145	J Rowe	1,2,3,4,5,6,7
146	A Bilsby	
147	C Boyett	
148	Melanie	1,2,3,4,5
149	B Burr-Lonnon	
150	Phil	
151	M Smith	1,2,3,4,5,6,7
152	C Allansson	
153	M Gottig	2,3,4,,67
154	B Clark	8
155	B Jackson	7,8
156	Environment Agency - L Lax	8
157	Fellows International - J Webb	7,8
158	Gosport Borough Council - J Grygiel	7,8
159	Historic England - M Small	2,8
160	J Chamberlain	7,8
162	J Pounds	7,8
163	The Marine Management Organisation (Mmo) -	7,8
164	Natural England - R Jones	5,8
165	P Davies	5
166	Portsmouth Cycle Forum - R Inkpen	1,2,3,4,5,6,7,8
167	Premier Marinas - P Bradshaw	1,2,3,4,5,6,7,8
168	Residents Association Of Port Solent (RAPS) - C Clark	7
169	J Bamforth.	7,8
170	Rspb - T Lamour	7,8
171	Portsmouth City Council Strategic Developments And Regeneration -	1,2,3,4,5,6,7,8
172	Southern Inshore Fisheries And Conservation Authority - P Cooper	5,7,8
173	Hampshire & Isle Of Wight Wildlife Trust - T Codlin	1,2,3,4,7,8
174	M Bernard Clark	7,8
175	D Hayday	7,8
176	M & Mrs Richards	1,2,3,4,5,8

ID	Respondent	Topics commented on
177	M S Forest	7,8
178	R Lovett	7,8
179	H Shaw	7,8
180	M S Green	7,8

Consultation Questions

1	Tell us what you think of the description of the area and if you would describe it differently?
2	Tell us what you think of the main issues and challenges described in this document and if you would describe anything differently?
3	What do you think of the proposed Vision for the Tipner Strategic Development Area?
4	What do you think of the Super Peninsula concept and the potential advantages and impacts as described in this document?
5	Tell us what you think of the summary of issues to be considered in more detail. Have we missed anything? Would you describe anything differently?
6	If you have any comment on the Strategy Plan diagram at this stage, please leave them in the box below
7	Do you have any comments at this stage?
8	Do you wish to upload a document in support of your response to this consultation?

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Portsmouth Local Plan Evidence Base Consultation (Feb 19) Summary of Responses

July 2019

Introduction

Numerous new evidence studies have been prepared to support the development of new Portsmouth Local Plan. These documents were published for consultation from 11th February to 25th March 2019, receiving a total of 64 comments from 26 respondents. This evidence base consultation follows the previous the *Portsmouth Local Plan Issues and Options consultation document* (August 2017)¹; the comments received during this previous consultation helped to inform the development of the evidence base documents.

The following evidence studies and consultation documents published in February 2019 (in no particular order):

1. Consultation summary document
2. Housing Needs and Housing Targets Update
3. Housing and Economic Land Availability Assessment (HELAA)
4. Gypsy and Traveller Needs Assessment
5. Employment Land Study
6. Open Spaces Assessment
7. Transport Assessment Evidence Review
8. Retail Background Paper
9. Green Infrastructure Background Paper
10. An Assessment of Tree Cover in Portsmouth
11. Biodiversity Background Paper
12. Health Background Paper

This report summarises the responses received. There is a chapter on each document, plus an additional section to capture other comments received.

This consultation summary focuses on the issues raised, and for that reason the respondents are not named. However, where the identity of the respondent is particularly relevant to the issue being discussed, the organisation is stated in **bold**. A full list of respondents is set out in the appendix to this document and their full comments can be accessed from: <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-local-plan>

The document also sets out an initial response to the topics raised. While this does not represent Council's final view, it indicates how further work to be undertaken for the new Local Plan is intended to proceed at this time, and how consultation comments influence the development of the Plan.

¹A summary of the responses is available. PCC (Nov 2017) Portsmouth Local Plan Issues and Opportunities Consultation Summary of Responses. Available from: <https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-local-plan-summary-of-responses.pdf>

Housing

Document:	Housing Needs and Housing Targets Update
Question:	<i>Do you have any comments regarding housing needs or the contents of the background papers on Housings Needs and Updated Housing Targets?</i>
Author & Date:	Portsmouth City Council, February 2019
Paper overview:	Sets out the national, sub-regional and local context of assessing housing need, and then discusses the current progress in calculating housing need in the city. In this context, the need for housing refers to the scale and mix of housing and the range of tenures that are likely to be needed in the housing market area over the plan period.
Number of responses:	13

Disagree with rationale for providing more housing

Four respondents considered that the assumptions made in the assessment of housing need does not sufficiently account for local circumstances including:

- Uniquely, Portsmouth is the only island city in the United Kingdom, and is the only city whose population density exceeds that of London. Nationally produced projections are unhelpful in determining what the appropriate level of local housing need really is.
- Needs to reflect the para 72b of the NPPF and refer to the constrained nature of development as a caveat for producing lower levels of development.
- If the current Plan identified a potential supply of 11,484 new homes from 2006 to 2026 and we managed 6,082, including 2,116 "Affordable" additional homes, to 2018 then we are almost balancing supply and delivery on an annual basis.
- The assessment of housing need does not take into account environmental or policy constraints or infrastructure or land capacities. The standard methodology must be questioned.
- The has been change in the nature of the city since it last had a population higher than it is now in the mid-20th century, car ownership was much lower and the levels of employment in the city related to the Royal Navy was much higher.
- Assessment of housing needs should take account of subdivision of existing housing stock and the pressure it puts on residential areas.
- Housing need should take account of the provision of student accommodation.
- Housing is being occupied by people moving to the city rather than residents and their children.
- New dwellings will have a negative impact on air quality in the city through increased human activity. The target for housing is unrealistic particularly given the recent on-going air quality issues.
- Support the Council's position of the 26th of March on replacing the government's artificial housing target with one that's takes account of air pollution and the climate emergency.
- Students are transitory and should not be included in housing needs (detailed calculation provided).

- Building tens of thousands of new homes along the M27 corridor during the plan period will generate huge volumes of additional vehicles onto an already overloaded highway network. Land use and transportation must be planned together, rather than having a separate Transport Plan to deal with the consequential traffic problems of uncoordinated and unsustainable land use planning.
- A lack of parking and environmental space in the older residential areas, will be aggravated by building the 17,000 extra homes.
- The resident population in the city is increasing at a faster rate than the working population with a growth in population of 4.5% since the 2011 Census; this is higher than the rest of Hampshire and the UK. With resident's wages lower than the Solent average, then the implications for our resident population will face increase housing costs suggesting we need to adjust the "Affordable Housing" Ratio to 40%. The correct procedure is for every site to be qualitatively assessed in terms of what it can deliver to meet balanced housing and other needs and promote a progressive and sustainable future. There must be a carefully balanced judgement taking into account community aspirations, housing and other needs.
- There was a letter, dated 19th December 2014, from Planning and Housing minister Brandon Lewis to the Chief Executive of the Planning Inspectorate. In this letter Mr Lewis states that SHMAs are untested and "should not automatically be seen as a proxy for a final housing requirement in local plans". It continues: *'Councils will need to consider Strategic Housing Market Assessment evidence carefully and take adequate time to consider whether there are environmental and policy constraints, such as Green Belt, which will impact on their overall final housing requirement'*.²
- The result of the 2016 referendum is likely to reduce levels of immigration compared with the 2014 OAN projections.
- A plan should really have a joined up approach so that the loss of trees, the increase in housing and development, the increase in traffic, the increase in pollution, the strain on society, and the shortage of hospital and school places are all considered together as one problem.

Disagree with approach to provision of more housing in the city

The **RSPB's** reiterated their previous comments to the 2017 Issues and Options consultation, which are summarised as follows:

- The housing options do not consider housing density. Increasing the density of development would reduce the land take required for housing and could be a possible means for reducing impacts on the SPAs and their supporting habitats, dependent on the location of housing sites in relation to the SPAs and supporting habitat.
- Whilst the pressure the council is under to deliver housing numbers that have been imposed on them by the Government is understood, they do not agree with the approach that is used to determine these numbers, particularly where an area is so tightly constrained by space and the presence of highly designated features of nature conservation value. Also disagree with the approach of trying to deliver unrealistic

² Capita Objectively-Assessed Housing Need Update Partnership for Urban South Hampshire Final Report
April 2016 Pg10 1.8

housing numbers in areas that will inevitably be faced with challenges going forward. With the uncertainty surrounding climate change and in particular predicted sea level rise, development proposals should be located in areas where they will not be at risk of such uncertainty in the future. (HIWWT)

Price of housing

- The cost of social housing is ridiculous at over £250,000 per 2 bed unit, is in excess of anything the private sector would pay.

Agree with the standard methodology calculation

The Council is using the correct basis for the calculation of its standard methodology; and agree with the Council's assessment that the housing requirement of the new Local Plan should be 17,620 dwellings, 863 per annum, using the standard methodology. (Gladman, Homes Builders Federation (HBF), Fareham BC, Persimmon Homes).

- The Council should look to ensure that as much of its housing target is met within the Portsmouth City Council area (Fareham BC, Premier Marina's and CBRE, Gladmans).
- The Council should ensure a sufficient buffer to meet any changes throughout the Plan preparation period, so that the Plan strategy is resilient and flexible. (Premier Marinas and CBRE).
- The Council has identified undersupply of housing and needs to work with the neighbouring authorities to ensure this is taken into account through the duty to cooperate (HBF, Persimmon)
- Whilst the Council has worked with its partners authorities in preparing the PUSH Spatial Planning Position Statement there has been a collective inability to from the start to ensure that the unmet needs of Portsmouth are met. It is essential that the Council engages with its neighbours through the duty to co-operate to ensure those needs that not met in Portsmouth are delivered elsewhere. (HBF)
- Given that it is a requirement of national policy to prepare, publish and maintain Statement of Common Ground (SoCG) these should be part of the Council's evidence with regard to the duty to co-operate. (HBF)
- **Fareham Borough Council** (FBC) notes the local housing need for the city of 863 homes per annum using the standard methodology resulting in 17,260 new homes over whole plan period and ledge to continue to work with Portsmouth City Council as part of the Duty to Co-operate and as members of the Partnership of Urban South Hampshire (PUSH) in developing statements of common ground

Housing Need and the new Local Plan – Initial response:
<i>The comments raised regarding the difficulty in delivering high numbers of new dwellings are understood. However, it should be made clear there is a difference between local housing <u>need</u> (which is derived using the government's standard methodology) and what is then the housing <u>target</u> in the new Local Plan. Clearly, national housing and planning policy places great emphasis on the delivery of new housing but other factors, including many of those raised in the consultation</i>

response regarding issues such as pressure on infrastructure, physical constraints and environmental impacts are all relevant and will be taken into account when determining the final housing target set in the Local Plan.

It should be noted that following publication of this background paper Cabinet at their meeting of 25 March endorsed the Administration's view that the Government's housing target of 863 homes per year be replaced by a local housing target that reflects the desire to cut the city's air pollution, the City Council's resolution to declare a Climate Emergency and the need for relevant transport infrastructure.

However, when considering the calculation of housing need only, the responses received have not raised any significant new issues and therefore it is considered that without any change in national planning policy, the starting point for considering housing need for the emerging Local Plan should be the government's standard methodology.

Comments regarding the Duty to Cooperate and the need for Statements of Common Ground are broadly accepted. The Council is working on bringing forward Statements of Common Ground with key parties as quickly as possible.

Gypsy & Travellers

Document:	Gypsy and Traveller Needs Assessment
Question:	<i>Do you agree with the methodology and conclusions of the Gypsy and Traveller Accommodation Assessment?</i>
Author & Date:	Opinion Research Services for Portsmouth City Council, November 2018
Paper overview:	The findings of an investigation into the need for gypsy travellers and travelling show people for permanent pitches and plots in the Portsmouth. The overall conclusion that was at present there is no current or future need for additional pitches or plots in Portsmouth over the period to 2036.
Number of responses:	Five

Two respondent agreed with the findings of the report that no additional pitches are needed.

One respondent would be against the introduction of any permanent gypsy/traveller sites, but suggested that temporary sites could be located in the north of eastern road industrial estate and Cosham.

While the findings are noted, the Council should be cautious of enabling sites by accident or oversight. E.g. the southern edge of Marina Keep at Port Solent has barriers to prevent vehicular access. **(RAPS)**

The **RSPB, Premier Marinas and CBRE Global Investors** had 'no comment' on the approach and findings of the report.

Gypsy and Travellers and the New Local Plan - Initial response:

Overall the consultation responses have not led to any significant new issues being raised or concerns over the findings of the evidence study.

Housing and Economic Land Availability Assessment (HELAA)

Document:	Housing and Economic Land Availability Assessment (HELAA)
Question:	<i>What do you think of the methodology and conclusions of the HELAA?</i>
Author & Date:	Portsmouth City Council, February 2019
Paper overview:	The document sets out the housing and economic land supply position for Portsmouth City Council's area. The document provides a context for the position in regard to sites in the city and for emerging Local Plan policies.
Number of responses:	18

Housing mix

The future housing mix in the city must take account of demographic trends:

- Most of the population growth will be driven by the 65 years plus age cohort, although the traditional working age population is also projected to increase by 5,700 persons.

Balance of housing with other uses

- It is important the right housing mix is settled on so we minimise any further erosion of green space.
- With regards to employment, the Council recognises that the updated Employment Land Study evidence has not yet been included in the current version of the HELAA in terms of the identified employment need, and will welcome the updated need figures in further iterations of the HELAA as the Local Plan progresses. (**Fareham BC**).

Number of sites identified

- The assessed capacity of the city is less than the identified requirement using the Government's standard methodology and would be interested to find out how the City Council intends to address the identified shortfall of around 2,800 homes. (**Fareham BC**)
- It is important to stress the importance of having realistic delivery expectations within any allocations to ensure the deliverability of the plan across its lifetime. This is particularly important where there is a reliance on strategic sites to deliver the majority of new homes within the plan period and where there is an expectation that strategic sites will deliver as part of the five-year housing land supply. (**HBF**)
- The consultation document and HELAA note that there may be potential higher density development to be achieved in certain locations. In some areas significantly higher densities may be sustainable but it must also be recognised that were this development involves multi-storey flatted schemes it will require the necessary property values for it to be considered a viable development opportunity. Such development is more expensive to develop due to need for use of more extensive foundations, under-croft parking, increased need for steel, provision of lifts, services charges etc. So, whilst the Council may identify where it is considered desirable to

have higher density development the level of density that can be achieved in such locations may be tempered by what can actually be viably developed. (HBF)

- Having completed a HELAA, the Council has identified a likely shortfall of 2,800 dwellings over the plan period. This is currently a best-case scenario and it is unlikely that all sites identified within the HELAA will come forward for a multitude of reasons. In preparing the Local Plan it may be suitable to apply a discount rate to the identified HELAA figure to establish what may realistically be delivered in terms of HELAA capacity of the plan period. (Gladman)
- In applying a windfall rate to this calculation, the Council should also be looking at the likelihood of sites identified in the HELAA delivering. The Council should undertake research to determine how sites have delivered against identification in the HELAA in the past but Gladman would suggest in the interim a 15% discount rate could be applied to this figure. Applying this would result in a likely unmet need of around 4,700 dwellings over the plan period. Likewise, when allocating sites for development the Council should be applying a flexibility factor to account for any non-delivery of proposed allocations. (Gladmans)

Other Comments:

- Too complicated.

Specific sites

The following comments relate to specific sites in the HELAA.

St James' and Langstone Campus

- Object to the levels of development proposed at St James and Langstone. (four individuals)
- The site is currently providing a key link in a 'green corridor' across the city between Milton Common, the hospital grounds, Milton Cemetery, Milton Park and Bransbury Park. Without this area of high tree cover the large numbers of birds which live there now, would not be able to move between the sites.
- Since the city's failure to meet air quality standards has been publicised (March 2019) a programme to increase green spaces and numbers of trees is emerging. This plan must not remove those which are assisting with air quality. How much worse will the levels be when the tree cover has been decimated and 350 new car-owning residents - approx. 700 cars - join the local traffic flow.
- No-one has investigated the option of one high-rise block in St James' Hospital with underground car parking, or ground floor level for parking, leaving the remainder of the parkland totally as at present for public access as a park rather than trying to develop private garden space on the site.
- If Portsmouth residents under achieve educationally compared to national standards by 12.5% at Key Stage 2 and by almost 15% at Key Stage 4 and we also have poor access to health facilities then it is counter-intuitive to include school and health facilities in a Housing Availability Assessment irrespective of the disclaimer. By including for example existing community/employment sites such as St James'

Hospital (340) other objectives around deprivation factors such as poor healthcare and education provision are undermined. (Two individuals).

- Include a new school on Langstone Campus to better serve the SE Quadrant of Portsea Island.

In addition to the above, Cllr Dowling submitted a copy of the responses received to the consultation carried out in 2014 on the potential allocation of the land for development of up to 480 dwellings in total.

- The responses to that consultation were considered by the Cabinet Member for *Planning, Regeneration and Economic Development* at the meeting of 2 December 2014. The main issues raised by residents were - sadness / anger at the potential loss of the St James's site; impact on wildlife; impacts of the development on infrastructure; calls for independent assessments of the infrastructure impacts; significant changes to the character of Milton; the driver of development being the maximisation of the receipt for the NHS; the desire for the land to be put to best use for local people. These resulted in respondents objecting to any development at all, or seek a reduced amount of development, or a form of development which could have fewer impacts, including social/care uses such as retirement homes or educational uses. (**RSPB**)

Port Solent

- **RAPS** notes that the amount of new homes indicated for building here during the next ten years has been reduced to between 150 and 500, although even a 150-dwelling footprint equates to a development twice the size of The Anchorage, near to which, we are led to believe, it could be sited. The position of Premier is all-important to this: at the drop-in session on March 25th it was claimed that Premier could be interested in such a development at the expense of marina facilities (e.g. winter parking for boats) but any responses from Premier to RAPS questions about their intentions have been denials. A better shared understanding about "who decides who decides" is needed when it comes to land availability at Port Solent. Needless to say, anything that stands to diminish Port Solent's ability to operate as a working marina or its character will be opposed by RAPS. The facility to keep a boat ashore during the winter is a fundamental requirement for a marina.
- The Port Solent site is capable of delivering at least 500 residential units, which would be a key contribution to PCC's housing land supply. Port Solent is a brownfield site which is deliverable and developable and therefore in the context of the NPPF 2019 represents the type of land supply that PCC should be allocating in the Local Plan. It is also noted that Port Solent is capable of accommodating higher densities including potential for a tall building subject to further sensitivity testing. (**Premier Marinas and CBRE**)
- Given the proximity of the proposed Port Solent and Horsea Island site to Portsmouth Harbour SPA / SSSI we have serious concerns regarding impacts on the designated features of the adjacent wildlife sites from development in this location. We note that 'Impacts upon ecologically sensitive Portsmouth Harbour and Brent Goose feeding sites'; has been identified as an issue that will require addressing as part of this plan. (**RSPB**)

Other sites

Loss of education and community facilities:

- If Portsmouth residents under achieve educationally compared to national standards by 12.5% at Key Stage 2 and by almost 15% at Key Stage 4 and we also have poor access to health facilities then it is counter-intuitive to include school and health facilities in a Housing Availability Assessment irrespective of the disclaimer. By including for example existing community/employment sites such as Eastney Health Centre (50 dwellings), and King Richard School (100), other objectives around deprivation factors such as poor healthcare and education provision are undermined. (Two individuals)
- The loss of an employment site and replace with 50 homes is Eastney Health Centre, affects health facilities for local people.
- It is also misleading to include sites such as Fraser Range (130) and Langstone Campus (120) for your calculations if the sites are unsuitable and would better meet wider deficiencies such as green infrastructure. The inclusion of these sites raise an expectation housing is acceptable notwithstanding the obvious restrictions and constraints (most of which undermine every other Plan Objective). (Two individuals).
- Whilst it is noted that this document does not allocate sites for development, and will be revisited prior to the finalisation of the Local Plan, we are concerned that the following sites are included in the 'Broad locations with potential for development' category in Stage 2 of the assessment: Tipner (BL1). Particularly concerned about the inclusion of Tipner West and Tipner Firing Range, both of which are immediately adjacent to the Portsmouth Harbour Special Protection Area (SPA). See the RSPB's response to the Tipner Strategic Development Area Consultation (Feb 2019) for further detail. (RSPB)

Housing and Economic Land Availability Assessment - Initial Response:

The comments regarding the overall number of sites identified and potential dwellings which could be delivered are noted and broadly agreed. There will be a need as the Plan progresses to ensure that sites allocated in the Plan are shown to be deliverable. The comments regarding mixture of housing types are noted. The council is bringing forward a specialist study to look at the types of housing required in the city and this will be published in due course.

The comments raised on individual sites (St James/Langstone Campus, Port Solent, and others) are noted. It is reasonable to assume from the response received that those responding understood that the HELAA document itself does not allocate land for development. The comments raised regarding individual sites are noted and warrant further consideration before any site is proposed to be allocated for development in the emerging new Local Plan.

Employment

Document:	Approach to Employment Land Study
Consultation Question:	<i>What do you think of the methodology and conclusions?</i>
Author & Date:	BE Group for Portsmouth City Council (February 2019)
Paper overview:	A review of the existing economic evidence base to provide employment land forecasts for the new Local Plan. The report also considers key strategic employment sites, six small sites not covered by the previous Employment Land Review and the overall relationship of employment need to the city's housing needs. The report's recommended employment land target is based on an analysis of past land and floorspace take-up within the context of land supply realities in Portsmouth.
Number of responses:	Four

Approach to Employment Land:

- The evidence suggests a good existing supply/ demand for employment land, but highlights the underachievement in educational qualifications by residents, leading to lower wages compared to 'in-commuters'. For an efficient and sustainable city in the long-term, the needs of residents and the needs of city businesses should be linked. An in-commuting reduction would also reduce pressure on the city's transport infrastructure and create more opportunities for Portsmouth residents (**Milton Neighbourhood Planning Forum**).
- The report recommends substantial new employment floorspace for the plan period, particularly for mixed employment use which is much higher than the recommended quantities in the PUSH Spatial Position statement of 2016. The evidence base needs to be much clearer on the justification for this recommended approach and the associated impacts on Portsmouth's ability to meet housing need (**Fareham Borough Council**).
- The approach to employment land should maintain a degree of flexibility to meet changing market needs, working practices and economic circumstances and allow for economic diversification to avoid vacancies and economic turndown (**Premier Marinas and CBREGI**). Therefore disagree with the approach of para. 6.7:

"a strong argument demonstrating that employment uses are no longer appropriate on the sites should be required to release employment areas for other uses."

Approach to Strategic Employment Sites:

Port Solent: Premier Marinas and CBREGI act as landlords on their site and want to ensure longevity of Port Solent as a place for work and play. The Site Allocation for Port Solent should therefore:

- be flexible to accommodate the need for renewal and a shift in the way in which the property is considered as tenant's businesses change;
- include tourism and leisure as acceptable uses (inc. visitor accommodation) in addition to marine employment; and
- enable the marina and Boardwalk to be capable of further enhancements to secure the existing position as a 'destination' and to diversify economic activity.

Tipner West/ Horsea Island: landowner **John Pounds** representative requests that residential development is not precluded within the identified areas for employment uses at this stage given that there is still further technical work to be undertaken on the viability/ appropriateness of the significant employment allocation at Tipner West and Horsea East³; and that John Pounds is acknowledged as one of the landowners of Tipner West alongside the other parties mentioned in the report.

Employment and the New Local Plan - Initial Response:

The limited number of comments on this evidence base are noted.

Striking the right balance between employment and other key uses, including housing and open space, is an essential task of the emerging Local Plan. The call for flexibility on some sites is noted. Careful consideration however will need to be given to ensure that opportunity sites for new and expanding employers exist.

Comments received regarding Tipner are noted and are commented on more fully in the document summarising that consultation. Nonetheless John Pounds ownership of land at Tipner West should be recognised in all relevant planning documents.

One respondent noted asked for the justification of the employment needs figure to be much clearer. Given the importance of this issue, it is intended to revisit the employment needs figure to ensure that it is robust and justifiable in light of existing targets and emerging Local Industrial Strategy for the Solent being brought forward by the Local Enterprise Partnership.

³ See Tipner consultation for further comments on this matter.

Retail and Town Centres

Document:	Portsmouth Retail and Town Centres
Question:	<i>Comments on other support documents</i>
Author & Date:	Portsmouth City Council, February 2019
Paper overview:	A review of Portsmouth's existing retail policies to inform a retail and town centre strategy for the new Local Plan, taking account of wider market trends, national planning policy guidance, local monitoring data and previous public consultation responses.
Number of responses:	Two

Approach to Retail and Portsmouth Centres:

- The background paper is already considered to be becoming outdated as there are 'clear signs' that the success of Outlets Centres is reversing. E.g. Gunwharf Quays is hard to access, not used by locals or 'millennials' and is compromised by worsening traffic conditions.
- The approach to retail and town centres should build on the recommendations of the Grimsey Report⁴, rather than being limited by the NPPF guidance⁵.
- There are clear examples that there is 'no appetite' for comparison retail in Portsmouth (the unimplemented Northern Quarter scheme, vacancies in Cascades, closure of Knight & Lee (John Lewis) in Southsea.
- More should be done to promote 2nd and 3rd tier shopping areas so that localities can become more sustainable.

Port Solent should be identified as a district centre (**Premier Marinas and CBRE Global Investors**). Reasons for an upgrade from local to district centre include:

- the significant increase in housing supply on the Western Corridor and at Port Solent itself;
- the unmet retail comparison floorspace requirements;
- to meet the needs of future residents and employees in the area; and
- to enable the growth of a supporting leisure and tourism role (see related comments on employment background paper regarding Port Solent).

⁴ See: Grimsey, B. (July 2018) *The Grimsey Review 2* 'It's time to reshape our town centres' available from: <http://www.vanishinghighstreet.com>

⁵ See: MHCLG (Feb 2019) *National Planning Policy Framework*, Chapter 7: Ensuring the vitality of town centres

Retail and Town Centres and the New Local Plan - Initial Response:

The very low number of responses to this technical evidence paper are noted. Nonetheless, the views set out here are key for the city. Given the importance of the future of the city centre, it is intended there will be further work and consultation on the future of the city centre to better inform both the emerging local plan and other council initiatives.

The proposal that Port Solent is identified as a District Centre will be considered further as the retail policies in the emerging Plan are brought forward.

Health and Well Being

Document:	Health and Wellbeing Background Paper
Question:	<i>Do you have any comments on other supporting documents or any other comments in general?</i>
Author & Date:	Portsmouth City Council, February 2019
Paper overview:	This paper focuses on the needs of Portsmouth's residents with regards to public health (as opposed to clinical health) and takes a population level approach to promoting health and preventing disease. It considers the current picture of health and wellbeing in Portsmouth, health themes for the new Local Plan and the development of a Wellbeing Impact Assessment Framework for the assessment of plan policies.
Number of responses:	Four

There were four responses that related to the general topic of health and wellbeing and the Local Plan.

Concern was raised at the implications of additional development on the city's air quality. The point was raised that the plan should be tailored towards improving people's health and avoiding negative impacts of air pollution.

A respondent from the **Milton Neighbourhood Forum** highlighted that the plan needs to address the range of health issues in the city including childhood obesity, mental health, cultural development and access to free play activities.

It was raised that there is a need for a joined up approach so that the loss of trees, the increase in housing and development, the increase in traffic, the increase in pollution, the

strain on society, and the shortage of hospital and school places are all considered together as one problem.

Several respondents from the **Milton Neighbourhood Forum** raised a range of other comments:

- The Council has a responsibility to better use planning policies to prohibit a further widening of (health) differences irrespective of political will (both nationally as well as locally).
- The Council should take a longer term view, quantifying in monetary terms the long-term costs and benefits of land-use options so we can make more informed judgments on sustainable development objectives including human health; too long there has been focus on short term objectives rather than longer term ones.
- More effort should be made to enable walking and cycling to be easier, safer and healthier.
- The Plan should have a greater emphasis on improving Portsmouth for residents.
- Should make better use of derelict coastal sites for the benefit of the many and not just a minority of landowners.

Health and the New Local Plan – Initial Response:
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<p><i>The comments raised here on health issues are all relevant for the emerging local plana. Overall, no particular concerns were raised about the proposed Health Impact Assessment tool set out in the Background Paper and its potential use in helping in drafting the emerging Local Plan. Regarding air quality, it is clear that the new Local Plan will need a clear approach to air quality issues over the whole Local Plan period to 2036.</i></p>

Transport

Document:	Transport Assessment Evidence Review
Question:	<i>Do you agree with the methodology and conclusions of the Transport Evidence Review?</i>
Author & Date:	SYSTRA Ltd for Portsmouth City Council, October 2018
Paper overview:	High level analysis of existing transport evidence to support assessment of strategic sites in the city and identification of key issues, constraints and opportunities. It is the first stage in a full Transport Assessment to accompany the new Local Plan.
Number of responses:	Four

Overall the respondents were supportive of the report's recommendations, but had some reservations. The underlying concern from all respondents was a perceived need for more comprehensive, up-to-date evidence. Traffic congestion and air quality were mentioned by most of the responses on the report.

The Milton Neighbourhood Forum believes that the study is insufficient to be used in an Evidence Review. Concerns are raised about varying demographic projections with growth by 2026 differing from previous estimates. They also raise concerns that inadequate consideration is paid to air quality issues and traffic congestion. Furthermore, they contend that a reference is made to a *2015 Strategic Housing Land Allocation Assessment* which was never adopted. They assert that a comprehensive report based on reliable evidence of highway capacity is required, with proper reference to growth projections. Analysis should also include an understanding of Ferry Operators and Commercial Dock operators' projections. They also call for an updated assessment of rail and freight capacity. They point to the *2018 National Infrastructure Commission's Report's* conclusion that Portsmouth observes the 4th worst congestion rate outside of London as reason for requiring a new strategic approach. Furthermore, they add that the NPPF mandates that infrastructure be in place to accommodate development - which will need to be addressed in light of traffic volume. Additionally, they discuss air quality concerns, referring to a Public Health Report which purportedly identifies road traffic pollution as contributing to the 19% higher incidences of premature deaths from cardio-vascular disease and nearly 30% higher cancer-related deaths above the national average. Thus, they conclude that sustainable transport improvements and traffic reduction measures are imperative in future development considerations. They express concern that there is only one reference in the paper to active travel and call for more to be done to assess potential sites against sustainable development objectives.

Premier Marinas and CBRE Global Investors (on behalf of USF Nominees Ltd) Their representative believes the transport background work needs further study. They would like the City to proactively determine solutions and coordinate with consultees and relevant stakeholders. In particular, congestion hotspots near to Port Solent need to be addressed. In the absence of this, they believe the Plan will fail to be 'deliverable'. Going forward, they expect that previous solutions and proposals will be reassessed, especially in light of further housing development and potential strategic work at Tipner and Horsea.

One respondent disagreed with the Transport Assessment for St James Plot 1 development, which for 107 residential dwellings, concluded that there is no expected change in traffic flows in comparison to the former hospital buildings, and that mitigations to the surrounding road network are not required. (detailed reasons provided including, accuracy of former hospital related journeys, non-hospital admissions related journeys, non-hospital related journeys, assumed capacity of hospital use, miscalculation of trip generation of ancillary buildings, peak hours calculations, walk to work rates).

Specifically in relation to information and possible mitigation options for Tipner, Port Solent and Horsea Island, the representative for **John Pounds** felt that the evidence was outdated. The representative concluded that their client would only support the development proposal for Tipner area⁶ should there be sufficient proof that highway capacity would allow for the comprehensive redevelopment of Area B in addition to land in TRC control east of the motorway.

Transport and the New Local Plan - Initial response:
<i>The low number of responses to this document is understandable, given that it is a compendium of previous transport evidence rather than a document setting out an approach to transport for the new Local Plan (which will follow). There will be a need to ensure that the identified transport “hot spots “ set out in the document are tested and confirmed before technical work proceeds.</i>

⁶ See the consultation on the Tipner Strategic Development Area (Feb 19) and summary of responses available from: <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-local-plan>

Open Space, Green Infrastructure and Tree Cover

Document:	Open Space Needs And Opportunities Assessment (Nov 2018); Green Infrastructure Background Paper (Feb 2019); An Assessment of Tree Coverage in Portsmouth (Feb 2019).
Question:	<i>What do you think of the methodology and conclusions of the Open Spaces Assessment? Also any comments on other supporting documents or any other comments in general?</i>
Author & Date:	Portsmouth City Council (dates as above)
Paper overview:	Together this trio of papers helps to present a picture of the current condition of green infrastructure and open space provision in the city. They help to identify current and future needs and set out recommendations to help inform the relevant policies in the Local Plan.
Number of responses:	Nine

Open spaces assessment

There were a number of comments relating to the open spaces assessment. The majority of the comments voiced positive feedback on the content of the report including that it appeared well researched, or that it made good recommendations for improving wellbeing in the city. There was generally little surprise or disagreement with the assessment's findings.

One resident raised that they felt it important that the Council consider provision of other types of communal spaces (such as pubs, clubs, halls), and their protection from being lost to other forms of development to encourage socialising amongst people to help address social wellbeing.

Milton Neighbourhood Forum considered that the document was too conservative on population growth predictions. One respondent from the forum also raised a point of clarification that in the document *'It is not 'a lack' of green space in Central Southsea and North End - it should say 'none'*.

Green Infrastructure (GI) background paper/ Tree Cover Assessment

There were several comments relating to these pieces of background evidence. Again these were generally positive and did not raise disagreement with the content.

One respondent felt that it usefully expressed positive aims to create, protect, enhance and manage Portsmouth's green infrastructure to balance development needs and highlighted various positives of the document including inclusion of the term Blue-Spaces and the recognition of the city's unique coastal setting, as well as the Green-Grid initiative and the

reference to Green-Roofs and Green-Walls. The link to improvements in physical and mental health and well-being was also welcomed.

It was highlighted that it will be important for people to have an opportunity to comment on the green grid approach again at a later date as this is developed.

The **Woodland Trust** did raise that there was no reference to the Ancient Woodland Inventory or Ancient Tree Inventory (ATI) that Natural England recommend should be consulted. They found one veteran tree and two notable trees listed on the ATI within the city.

The Trust also went on to suggest new paragraphs of wording to enhance the content of the papers, these were in relation to: development near veteran trees, positives of trees in new development, trees and flood risk (including their role in Sustainable Drainage Systems, trees and air quality, trees and urban heat, trees and climate change as well as trees and health. They also pointed out a number of pieces of research and evidence to back up the text and inform ongoing policy formulation.

Natural England had a wide ranging response which included a number of comments in relation to green infrastructure. Most of these comments were supportive of the content of the consultation documents, though they also provided some additional thoughts and examples for consideration.

In summary, they fully support having a stand-alone green infrastructure policy to achieve net gain in green infrastructure across the city and prevent any net loss from new development. They welcomed recognition of the various multi-functional benefits of green infrastructure and open space in Portsmouth, and support the proposal to secure better access to high quality open space that is also designed to maximise opportunities for biodiversity enhancement. They also welcomed the proposal to encourage innovative design of green infrastructure in the urban environment (e.g. green roofs/walls) - one example given for consideration related to coastal locations and related to encouraging shingle roofs that may benefit waders, as well as supporting wider coastal habitats.

Natural England strongly recommended that opportunities are identified for all greenspace to be more wildlife friendly and cited a range of examples including:

- creating a new pond as an attractive features on the site;
- planting native trees characteristic to the local area;
- using native plants in landscaping schemes for better nectar and seed sources for bees and birds;
- planting additional street trees and or providing gardens with native trees;
- creation of new species rich grasslands on road verges and amenity areas. The stripping of topsoil to reduce fertility prior to appropriate seeding has been demonstrated to produce attractive biodiverse grass verges that have significantly lower annual maintenance costs than the more typical improved amenity verges;
- the use of cut and collect machinery on road verges and amenity areas to improve biodiversity; and
- designing lighting to encourage wildlife.

Natural England also give their support for the two new emerging approaches for green infrastructure policy set out in the background evidence: the green corridor approach across the city, as well as the adoption of an 'Urban Greening Factor' Tool within Portsmouth as a mechanism to help address the current deficit in green infrastructure within the City and to address pressures from future development. A secondary stage to the UGF tool was suggested as having potential within the background paper and in response to this **Natural England** 'strongly encourages that the second stage of the tool is also adopted to help secure biodiversity gain in-line with *National Planning Policy Framework* paragraphs 8, 118, 170, 174 and 175d and Section 40 of the *Natural Environment and Rural Communities Act (2006)*.'

Finally **Natural England** welcomed the background paper on tree cover within the City that has identified areas of the City where targeted tree plan planting should be focused, for example areas of greatest need and within the ecological networks.

Other general comments

Sports England noted that the Council have undertaken a robust and up to date assessment of its outdoor sports facilities in the form of a Playing Pitch Strategy (PPS). This has been carried out in accordance with Sport England's guidance. Sport England strongly recommends that the assessment and strategy is used to inform the development of the Local Plan and makes up a key component of the supporting evidence base.

Milton Neighbourhood Forum raised a number of points relating to the consultation documents and to the wider topic:

- The limitations on school-playground/games areas, and deficits in children's play-spaces exposed in the Open-Space document, illustrates a lack of regard for the needs of residents and the needs of our future generations. There are known issues with child obesity and current schools and play spaces near areas of poor air quality.
- Aspirations are good but ensuring deliverability is more important.
- The Council should consider identifying more specific opportunity areas around the city that could meet deficits and focus GI delivery in the future - not just identify challenges that need to be overcome in delivering GI/ open space.
- Whilst the recommendations appeared acceptable, it was unclear how they're to be evaluated in contributing to meeting health improvements
- Greening such as new trees must target public spaces.
- There is a continued uneven distribution of open space in the city, with the development of Horsea Country Park serving an area which benefits from open space already. There are wards in the city that are not well connected to it by public transport and which will benefit less from this space e.g. North Southsea/ Fratton residents.
- Residents need more closely accessible "wild-spaces" they can safely get to.
- Natural England's Objectives in making the British coastline more accessible would also be better respected with an enhanced publicly accessible coastal fringe.

They also raised some more specific queries:

- How will the council find extra allotment space in the future to meet future needs?
- Where will additional cemetery space come from?

Specific locations

A few specific areas of the city were raised by respondents for the Council to consider as part of its GI/open space planning:

- Fraser Range and Fort Cumberland (highlighted as opportunities to increase coastal fringe type space for public benefit).
- Inland Revenue Office at Hilsea.
- The vacant Portsmouth University site at Langstone Campus.

Open Space, GI and Tree Cover and the New Local Plan - Initial Response:

The comments received from all parties raised helpful points which will be reflected upon and in many cases incorporated into the evidence as the Plan progresses. The Playing Pitch Strategy referred to by Sports England, previously approved by the Council, will be placed on the Local Plan Evidence page on the Council's website, so its role is clear.

In addition, to the Local Plan work the Council is progressing a Greening the City agenda with a report to the Cabinet Member for Planning Regeneration and Economic Development in October 2018. An update will set out progress since then.

Finally, people will have an opportunity to comment on the green infrastructure approach in the Plan, including any "green grid" proposals, before the Plan is finalised.

Biodiversity

Document:	Biodiversity and Portsmouth background paper
Question:	<i>Comments on other support documents</i>
Author & Date:	Portsmouth City Council, February 2019
	A review of the available evidence to develop an approach to biodiversity for the new Portsmouth Local Plan 2016-2036, taking account of national planning policy guidance, relevant legislation and case law, local and regional monitoring data and public consultation responses.
Number of responses:	Four

The following aspects of the background paper are supported:

- The approach of the paper including the identification of the Portsmouth ecological network, detailed information on the sites that will be protected and identified actions for the Local Plan in Chapter 7 (**Natural England; RSPB**)
- The commitment to supporting sub regional strategic solutions for habitat protection including the Solent Recreation Mitigation Strategy and the protection of habitat replacement sites and strategic reserves in the Local Plan (**Natural England**).
- The proposal to require all development to achieve net gains in biodiversity and the Council's intention to produce additional guidance in a Supplementary Planning Document at a later date (**Natural England; RSPB; Hampshire Swifts**). However, the **RSPB** consider that Tipner Super Peninsula proposal in Portsmouth Harbour would contradict such commitments to biodiversity net gain.
- The commitment to joint-working with the South Hampshire local planning authorities to develop a strategic approaches to:
 - water quality: including the potential requirement to develop a nutrient neutral approach in due course; and
 - air quality: to ensure that in-combination air quality impacts are addressed.

Biodiversity Net Gains

Good examples of net gain related SPDs were mentioned: *Basingstoke & Deane* and *Cornwall*. While *Warwickshire*, *Coventry* and *Solihull* were specifically mentioned for their approach to biodiversity off-setting and ensuring net gain.

Hampshire Swifts encourage the provision of Swift bricks to be fitted into all new build properties. Swift bricks are maintenance free, contribute to biodiversity net gains and would specially address the decline of Swifts (whose numbers have reduced by 50% in the last 25

years) and support House Sparrows (60% decline in numbers in last 20 years). House Sparrows are a red-listed species of conservation concern and Swifts are expected to be notified as red-listed at the next review.

Natural England advises that the funding of conservation projects that deliver biodiversity benefits projects could be appropriate for development with limited opportunities for biodiversity net gain on-site and/ or other development that requires offsite compensation or additional enhancements to achieve net biodiversity gain. Consideration should therefore be given to developing a suite of projects that development within the City can contribute to, thereby ensuring the biodiversity within the authority area is protected and enhanced. E.g. encouraging the submission of proposals from those involved with the management of local habitat sites, open spaces or green infrastructure to enhance the ecological value of these sites and/ or strengthen existing ecological corridors and networks.

Protecting Designated Sites

The **RSPB** request that the objectives for the new Local Plan recognise for the sites of nature conservation importance, particularly those of international and national importance, with the aim of protecting and enhancing these features.

The **RSPB** refers to their major concerns with the Tipner Super Peninsula consultation⁷ which involves direct land take from the SPA, the development of a SWBGS Primary Support Area and significant direct and indirect effects on the Portsmouth Harbour SPA and Ramsar site. They expect the next stage of the Local Plan to be accompanied by a comprehensive analysis of the emerging development proposals as part of a robust draft HRA, with any sites which fail to meet the Habitat Regs legal tests to be removed from the Plan.

Biodiversity Mitigation and Enhancement Plans

Natural England recommends that the Local Plan requires all development that involves the provision of additional dwellings or employment uses and/ or proposals will lead to the loss of >0.1 ha (1000 sq m) of greenfield land (or known biodiversity interest), are accompanied by a Phase 1 Extended Habitat Survey' and a 'Biodiversity Mitigation and Enhancement Plan' (BMEP) (or "Biodiversity Net Gain Plan"). The BMEP should be informed by the Phase 1 surveys and set out clearly the biodiversity mitigation, compensation and enhancement measures that will be implemented in order to achieve a net gain in a format that can be secured by a planning condition.

In-line with NPPF guidance on pre-engagement, Natural England recommend the Local Plan encourages the agreement of the BMEP at the pre-application stage; an agreed BMEP, submitted upfront with an application, can help address issues at an early stage and reduce the risk of costly delays further down the line. Similarly, if development affects statutory sites and European Protected Species, the Local Plan should encourage applicant's to take advantage of Natural England's Discretionary Advice Service to agree necessary mitigation measures at the pre application stage.

⁷ A summary of the responses to the Tipner Development Area Consultation is available from: <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/the-local-plan>

Sub-regional projects: Solent Waders and Brent Goose Strategy

In reference to the likely impacts on the Solent Waders and Brent Goose Strategy network from the proposed strategic site allocations (except the city centre) as outlined in the background paper, **Natural England** recommends that:

- The Local Plan includes a stand-alone policy to ensure the protection of the network of SWBGS sites.
- The Local Plan HRA appropriately addresses the impact of development allocations on the network of SWBGS sites.
- Site allocations on or near SWBGS Core Areas and Primary Support Areas should identify mitigation and offsetting replacement habitat, and agree the approach with Natural England at the earliest stage; this is in order to ensure that the replacement habitat can offset any loss and that it can be delivered and secured with the required level of certainty for the Habitats Regulations.
- Consideration is given to any direct or indirect impacts to SWBGS Secondary Support Areas and Low Use sites; primarily focusing on on-site mitigation, offsetting and/or enhancement. Where this has been demonstrated to not be practical or feasible and impacts cannot be avoided or adequately mitigated on-site, off-site options and / or compensation funding should be considered.
- Any compensation funding could include payment towards the management and enhancement of the wider waders and brent geese ecological network, including strategic bird reserves and / or enhancement projects.
- Identification of any strategic compensation funded projects within the Local Plan to ensure that development allocations can be delivered with appropriate offsetting secured with the required level of certainty for the Habitats Regulations.

Sub-regional strategic projects: Water quality and resources

Whilst work is on-going on the Integrated Water Management Strategy (IWMS)⁸, there is currently uncertainty as to whether there is sufficient capacity to accommodate new housing growth as well as issues arising from recent case law decisions, **Natural England** recommends the following:

- the impact of new development on the water quality of the designated sites needs to be thoroughly addressed in appropriate assessments, including strategic appropriate assessments;
- the Local Plan includes a policy to commit to a nutrient management plan or similar strategy to offset the delivery of increased nutrients from local plan development;
- Larger development, including all EIA development and all development over 50 houses on greenfield sites, should calculate a nutrient budget and achieve nutrient neutrality. However, It may be difficult for developments smaller than 50 units and non-EIA developments on brownfield land to achieve nitrogen neutrality;

⁸ PUSH authorities, Natural England (NE) and Environment Agency (EA) have been jointly working to develop an Integrated Water Management Strategy (IWMS). This examines the potential for the PUSH region to accommodate future housing growth without having a detrimental effect upon the water environment. The purpose of this work is to provide a key strategic report to inform the preparation and soundness of the PUSH local plans with regard to both the Habitats Regulations and the Water Framework Directive. A Water Quality Working Group has been set up to identify and analyse the existing evidence gaps, agree a strategic interim solution and evaluate longer term strategic mitigation measures.

- an interim approach that developments can contribute to is adopted urgently to ensure ensuring that this uncertainty is fully addressed by all applications and meets legal requirements until a wider PUSH IWMS strategy can be developed;
- Local authorities seek and rely upon their own legal advice on the interpretation of the Habitats Regulations and case law;
- the Local Plan should ensure that all new development adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres per head/ per day including external water use) and re-use in line with best practice; and
- consideration should be given to the use of grey water recycling systems and waster efficient appliances.

Biodiversity and the Local Plan – Initial Response:

Overall the comments received in response to this document are extremely helpful and will be reflected upon and in many cases incorporated into ongoing technical work as the Plan progresses.

It should be noted that the comments received from Natural England summarised in this document were made in March 2019 and the position regarding nitrates in the Solent has developed since then. Nonetheless the comments regarding securing improved water efficiency standards in new development are acknowledged and are part of the Council's current approach to development.

It is acknowledged that there needs to be further discussion with Natural England regarding the Solent Waders and Brent Geese Strategy sites regarding any potential impact.

Individual proposals for improving biodiversity will be investigated for potential inclusion in the Plan or supplementary planning documents.

Concerns raised about the potential for the Super Peninsula proposal at Tipner are noted and are set out more fully in the Tipner consultation summary document.

Other Comments

Local Plan Process:

The next publication of evidence papers should show how we can plan more positively towards sustainable goals and properly appraise and evaluate the costs and benefits associated with them (**Milton Neighbourhood Forum**).

Heritage:

Historic England commented that there is no reference in the consultation documents to any heritage-related evidence, and queries at the Issues and Options in 2017 on developing a more detailed evidence base remain. The NPPF requires that:

“Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

a) assess the significance of heritage assets and the contribution they make to their environment; and

b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

The following research may need to be undertaken to provide a robust evidence base for the new Portsmouth Local Plan:

- visual impact assessments, considering the potential impact of allocations upon the setting of important heritage assets;
- seeking the views of the local community about what they value about the historic environment of their local area; and/or
- an appropriate archaeological assessment to consider whether heritage assets with archaeological potential are likely to be present in areas where the HER indicates that there has been little or no previous investigation.

Initial Response:

Whilst this consultation was on technical evidence studies, the draft Plan consultation will be accompanied by a Sustainability Appraisal setting out how social environmental and economic factors have been assessed and taken into account in the preparation of the Plan.

The response from Historic England is noted. There is a need for an ongoing dialogue with Historic England on these issues and officers will be discussing further with Historic England what further technical work may be appropriate as the Plan progresses.

Appendix 1: Index of Consultation Respondents and Questions Answered

The following table sets out the names of individuals and organisations who responded to the consultation.

ID	Respondent	Topics Commented on
1	A Rundle	8
2	MILTON NEIGHBOURHOOD FORUM - J Burkinshaw	1,5,6,7
3	P O'Hara	1,5,6,7,8
4	S Mackie	
5	Sport England	7
6	D Dod	5
7	Hampshire Swifts - D Warner	7
8	Hampshire Swifts - D Warner	
9	D Dod	
10	Hampshire Swifts - A Broadhurst	7
12	Milton Neighbourhood Planning Forum - R Bailey	
13	RSPB	1,6,7
14	RAPS	26
15	RAPS	
16	A Broone	1,2,5,6,7
17	R Rogersman	
18	J Bamforth	1,7,8
19	B Dowling	6,7,8
20	Fareham Borough Council	1,3,6,8
21	Gladman	1,6,7,8
22	HOME BUILDERS FEDERATION	1,6,,78
23	Historic England	7,8
24	J Pounds	3,4,8
25	K Doyle	7,8
26	Milton Neighbourhood Planning Forum - R Bailey	1,3,4,5,6,7,8
27	P Docking	1,3,4,5,6,7,8
28	Persimmon Homes South Coast	1,8
29	Premier Marinas and CBRE Global Investors (on behalf of USF Nominees Ltd)	1,3,4,5,6,7,8
30	Natural England	7,8
31	Woodland Trust	7,8

Consultation Questions

1	Do you have any comments on the section regarding housing needs or the contents of the Background Paper Housing Needs and Housing Targets Update?
2	What do you think of the methodology and conclusions of the Gypsy and Traveller Accommodation Assessment?
3	What do you think of the methodology and conclusions in the Employment Land Study?
4	What do you think of the methodology and conclusions of the Transport Evidence Review?
5	What do you think of the methodology and conclusions of the Open Spaces Assessment?
6	What do you think of the methodology and conclusions of the Housing and Economic Land Availability Assessment?
7	Do you have any comments at this stage?
8	Do you wish to upload a document in support of your response to this consultation?

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Equality Impact Assessment

Full assessment form 2018

www.portsmouthccg.nhs.uk

www.portsmouth.gov.uk

Directorate:

Regeneration

Service, function:

Planning

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

Local Plan Evidence and the Future of Tipner

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

- Existing
- New / proposed
- Changed

Lead officer

Toby Ayling

People involved with completing the EIA:

Toby Ayling

Introductory information (Optional)

The Council is preparing a new Local Plan for Portsmouth. This document will set out a planning strategy to meet future development needs in the city for the period to 2036. The Plan will set out details on the level of development which will take place in the city and where it will be located. It will contain planning policies to guide decision making on planning applications.

The process of reviewing the Local Plan is expected to take two years and will include various stages of public consultation. The timetable for the production of the Plan is set out in the Local Development Scheme. The publication of these two consultations, on the Local Plan Evidence and on the future of Tipner, is part of that review process.

A preliminary Equality Impact Assessment was prepared to accompany the Cabinet report proposing the consultations. This assessment has been prepared in light of the consultation responses.

Two concurrent consultations were undertaken to inform the new Local Plan. They were -

- A Tipner Strategic Development Area document. This set out the option of reclaiming land at West Tipner as part of the wider regeneration of Tipner and Horsea; and

- A Local Plan Update paper which sets out some of the evidence on other issues across the city to inform the new Local Plan. The associated evidence studies were as follows -

1. Consultation summary document
2. Housing Needs and Housing Targets Update
3. Housing and Economic Land Availability Assessment (HELAA)
4. Gypsy and Traveller Needs Assessment
5. Employment Land Study
6. Open Spaces Assessment
7. Transport Assessment Evidence Review
8. Retail Background Paper
9. Green Infrastructure Background Paper
10. An Assessment of Tree Cover in Portsmouth
11. Biodiversity Background Paper
12. Health Background Paper

Ultimately the options chosen and the strategy set out in the new Local Plan will be informed by national planning policy framework and relevant legislation; technical evidence base documents; the sustainability appraisal and habitats regulations assessment. The purpose of this document is to record possible impacts on the basis of current knowledge.

Step 1 - Make sure you have clear aims and objectives

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

Ultimately, to develop a strategic plan for meeting the future development needs of Portsmouth.

The Issues and Options document sets out a vision for Portsmouth - "To make Portsmouth the premier waterfront city with an unrivalled maritime heritage - a great place to live, work and visit." and a series of key objectives -

- O1. To provide a range of housing in locations where people want to live
- O2. To develop a successful and diverse economy with employment opportunities for all
- O3. To promote the viability and vitality of the city centre, Southsea town centre and other smaller

centres in the city

O4. To protect and enhance the historic character, arts and culture of Portsmouth

O5. To provide supporting infrastructure for Portsmouth's residents, businesses and visitors

O6. To support the health and wellbeing of residents by providing access to health care, protecting/enhancing open spaces, providing sports and leisure opportunities, reducing air pollution and providing for biodiversity

O7. To make Portsmouth accessible with a range of sustainable and integrated travel options

O8. To provide high quality design and an attractive, sustainable and safe city

Delivering these objectives should have beneficial impacts for all residents. Some objectives, for instance the aim to "provide a range of housing in locations where people want to live" have implications for particular groups.

This EqIA relates to the Future for Tipner and Local Plan Evidence consultations which are being reported to Members. No decisions have been taken yet on the Local Plan. The purpose of this stage is to understand the views of residents and appropriate organisations at an early point in the Local Plan-making process and to inform the work to be undertaken in bringing forward the next stages of the new Local Plan.

Who is the policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

A new Local Plan covering Portsmouth will provide a framework for decisions on planning applications and therefore provide for meeting the development needs of residents, businesses and other organisations with an interest in Portsmouth and development within it. As such it will affect all residents.

The development strategy contained in the new Local Plan will impact upon the natural and built environment of the city, including the amount and type of housing available, the amount and type of employment sites developed and safeguarded, transport around the city, the protection of open spaces and ecological assets, and the provision of social infrastructure.

What outcomes do you want to achieve?

The deliver a sound Local Plan which delivers the proposed Vision for Portsmouth
That the duties under the Equality Act 2010 are fully complied with.

What barriers are there to achieving these outcomes?

The Plan is required to be justified by evidence and meaningful engagement with communities and interested parties. It must comply with all relevant legislation and be found sound at independent Examination.

Step 2 - Collecting your information

What existing information / data do you have? (Local or national data) look at population profiles, JSNA data, surveys and patient and customer public engagement activity locally that will inform your project, national studies and public engagement.

Existing information regarding the existing population of the city is set out below -

RACE
British - 84.00% ONS and HCC data

White Irish - 0.50% ONS and HCC data
Other White Background - 3.80% ONS and HCC data
Mixed White & Asian - 1.20% ONS and HCC data
Other Mixed Background - 0.50% ONS and HCC data
Indian - 1.40% ONS and HCC data
Bangladeshi - 1.80% ONS and HCC data
Other Asian Background - 1.30% ONS and HCC data

GENDER

Male - 50.30% ONS and HCC data
Female - 49.70% ONS and HCC data

AGE

0-15 - 17.32% ONS and HCC data
16-24 - 18.88% ONS and HCC data
25-34 - 15.05% ONS and HCC data
35-44 - 13.49% ONS and HCC data
45-54 - 12.57% ONS and HCC data
55-64 - 9.33% ONS and HCC data
65-74 - 6.76% ONS and HCC data
75+ - 6.61% ONS and HCC data

The ageing factsheet produced by Hampshire County Council notes the number of very old people has increased as each decade passed, as has the proportion of the population occupying the very oldest age groups. However, the number of older people has declined overall. There was a small increase between 1981 and 1991 and then a consistent decline over the next two decades

DISABILITY

The Council's Equality and Diversity Strategy notes that in 2013 over 15000 of residents have a long-term health problem or disability that limits their day-to-day activities, almost 3500 adults in Portsmouth were registered as having a physical disability, and over over 2000 residents are registered as having a hearing or visual impairment. The percentage of residents have a long-term health problem or disability that limits their day-to-day activities is approximately 7% of the total population.

Using your existing data, what does it tell you?

The existing data shows that Portsmouth is a city which Portsmouth has a relatively young population compared to adjoining areas. The biggest share of the population is in the 20-24 age group which is mainly due to the students studying at the University of Portsmouth. Population forecasts show that further changes in the population structure are expected, with a decline in the 40-54 years age group and increasing numbers of people aged 65 or over.

The majority of Portsmouth's households are one family households (55.85%), significantly lower than the surrounding areas and one person households comprising 32.1% which is higher than surrounding area. Average household size has changed very little standing at 2.3 persons per household, slightly higher than most other Hampshire districts

Step 3 - Now you need to consult!

Who have you consulted with?

All residents in the city.
Community Associations
Resident and community groups

If you haven't consulted yet please list who you are going to consult with

Voluntary and business groups
Other relevant organisations

Please give examples of how you have or are going to consult with specific groups or communities e.g. meetings, surveys

The Local Plan evidence, and Tipner consultations ran from 11 February to 25 March 2019. The following measures were undertaken to publicise the consultation:

- a) Publication on the Council's website;
- b) Specific contact of statutory bodies, including neighbouring local authorities, Natural England, Highways England, Historic England and the Environment Agency ;
- c) Local press releases, and a formal notice in the Portsmouth News;
- d) Direct contact of all parties currently in the Planning Policy consultation database;
- e) Direct contact of all parties on the Action Portsmouth, Shaping Portsmouth and Portsmouth Together networks as well as the Council's Citizen's Panel; and
- f) Features on the Council's social media accounts (Facebook and Twitter).

In addition, paper copies of the main consultation materials were made available at all the libraries, community centres and housing offices within the city, and the civic offices.

The local plan evidence consultation was considered to be more technical in nature than the options for Tipner work. Therefore different approaches to engagement were undertaken.

- For the Local Plan evidence consultation, "drop in" sessions were held throughout the consultation period at Portsmouth Central Library, on 12 February, 20 February, and 14 March, 1pm - 5:45pm.
- To explain the Tipner consultation two exhibitions were held in the areas closest to the Tipner and Horsea area, at the Mountbatten Centre Function Room, and Port Solent Boardwalk, on 27 February and 9 March respectively.

Officers also met with neighbouring local authorities and key organisations such as Natural England. Finally, officers attended a meeting of the Milton Neighbourhood forum to explain the consultation.

Step 4 - What's the impact?

Is there an impact on some groups in the community? (think about race, gender, disability, age, gender reassignment, religion or belief, sexual orientation, sex, pregnancy and maternity, marriage or civil partnerships and other socially excluded communities or groups)

Generic information that covers all equality strands (Optional)

The Local Plan evidence consultation was largely technical in nature and received relatively few total responses. It would not be sensible to draw conclusions from the responses to that consultation used on the equalities information received. A total of 165 individuals and organisations responded to the Future of Tipner consultation. This compares to an estimated total population of 210,000 individuals. The consultation has been prepared to capture the views of people across the city to Local Plan evidence and the Future of Tipner. The final Plan will take into account of a range of factors, including technical evidence, national legislation and regulations. The responses to this consultation have been used to consider any significant differences in the responses made by persons of different characteristics.

The equalities data of those individuals who provided it, compared to the known breakdown in the city, is as follows:

Ethnicity or race

140 respondents provided this information. The breakdown of respondents compared to the city wide total is as follows -

White British - 84.00% ONS and HCC data - 87.2% 177 responses
White Irish - 0.50% ONS and HCC data - 0.7% 1 response
Other White Background - 3.80% ONS and HCC data - 1.4% 2 responses
Mixed White & Asian - 1.20% ONS and HCC data - 0% 0 responses
Other Mixed Background - 0.50% ONS and HCC data - 1.02% 2 responses
Indian - 1.40% ONS and HCC data - 0% 0 responses
Bangladeshi - 1.80% ONS and HCC data - 0% 0 responses
Other Asian Background - 1.30% ONS and HCC data - 5.0% 7 responses

Therefore in general the ethnicity or race of those who responded to the consultation and gave their personal information broadly matches the known profile of the city population as a whole. However Indian and Bangladeshi communities were under represented.

Gender reassignment

No specific issues have been raised with regard to gender reassignment in the consultation results. It is not envisaged that the Local Plan will have a negative impact due to gender reassignment.

Age

141 respondents provided this information. The breakdown of respondents compared to the city wide total is as follows -

0-15 - 17.32% ONS and HCC data - 0% 0 I&O responses
16-24 - 18.88% ONS and HCC data - 6.4% 9 responses
25-34 - 15.05% ONS and HCC data - 17.7% 25 responses
35-44 - 13.49% ONS and HCC data - 22% 31 responses
45-54 - 12.57% ONS and HCC data - 12.1% 17 responses
55-64 - 9.33% ONS and HCC data - 22.7% 32 responses
65-74 - 6.76% ONS and HCC data - 14.9% 21 responses
75+ - 6.61% ONS and HCC data - 4.3% 6 responses

Those who responded to the consultation and gave their personal information covered a range of ages. Those under 25 were under represented. With the exception of those over 75, older groups were over represented.

However, it should be noted that this profile is closer to the city average than the previous Issues and Options consultation - more younger people responded. It may be that the greater use of social media in this consultation helped in this regard.

Disability

137 respondents provided this information. In the city, 7% have a long-term health problem or disability that limits their day-to-day activities. The breakdown of respondents who provided this information is as follows -

Yes - 5.8% 8 responses
No - 94.2% 129 responses

Therefore in general the proportion of those people who responded to the consultation and gave their personal information broadly matches the known profile of the city population as a whole.

Religion or belief

No specific issues have been raised with regard to religion or belief in the consultation results. It is not envisaged that the Local Plan will have a negative impact due to religion or belief. We do not collect this equality data.

Sexual orientation

No specific issues have been raised with regard to sexual orientation in the consultation results. It is not envisaged that the Local Plan will have a negative impact due to sexual orientation. We do not collect this equality data.

Sex

145 respondents provided this information. The breakdown of respondents compared to the city wide total is as follows -

Male - 50.30% ONS and HCC data - 56.6% 82 responses
Female - 49.70% ONS and HCC data - 43.4% 63 responses

Therefore in general the gender of those who responded to the consultation and gave their personal information broadly matches the known profile of the city population as a whole, though men were slightly over represented.

Marriage or civil partnerships

No specific issues have been raised with regard to married status in the consultation results. It is not envisaged that the Local Plan will have a negative impact due to married status. We do not collect this equality data.

Pregnancy & maternity

No specific issues have been raised with regard to pregnancy and maternity in the consultation results. It is not envisaged that the Local Plan will have a negative impact due to pregnancy and maternity. Unknown as currently no data held.

Other socially excluded groups or communities

The addresses provided by respondents was aggregated to provide an overview of what part of the city they lived in. The results by postcode were as follows -

PO1 - roughly corresponding to Charles Dickens, Fratton and part of St Thomas wards - 4 responses
PO2 - roughly corresponding to Nelson, and parts of Hilsea and Copnor wards - 38 responses
PO3 - roughly corresponding to Baffins, and parts of Copnor and Hilsea wards - 18 responses
PO4 - roughly corresponding to Milton, Eastney and Craneswater, and Central Southsea and parts of Baffins wards - 29 responses

PO5 - roughly corresponding with St Jude, part of St Thomas Ward - 15 responses

PO6 - roughly corresponding with Drayton and Farlington, Cosham, and Paulsgrove wards - 30 responses

PO7 - north of the city - 2 responses

Outside this area - 29 responses

All postcodes contain areas with varying characteristics and communities. However, broadly speaking, the areas which rank most highly on the government's Indices of Multiple Deprivation fall in postcodes PO1, PO2 and PO6. Taken together, the number of responses from addresses within those postcodes was not significantly lower than those from other parts of the city, providing some evidence that those communities were not as a whole excluded from the consultation. The disparity between the number of responses received from different postcode areas is thought more likely to be due to the interest of residents closer to Tipner and Horsea.

Note: Other socially excluded groups, examples includes, Homeless, rough sleeper and unpaid carers. Many forms of exclusion are linked to financial disadvantage. How will this change affect people on low incomes, in financial crisis or living in areas of greater deprivation?

Health Impact

Have you referred to the Joint Needs Assessment (www.jsna.portsmouth.gov.uk) to identify any associated health and well-being needs?

Yes No

What are the health impacts, positive and / or negative? For example, is there a positive impact on enabling healthier lifestyles or promoting positive mental health? Could it prevent spread of infection or disease? Will it reduce any inequalities in health and well-being experienced by some localities, groups, ages etc? On the other hand, could it restrict opportunities for health and well-being?

Although no decisions for the new Local Plan have yet been taken, the development strategy has the potential for a range of impacts upon health and wellbeing.

It is considered that a number of technical evidence studies published to date have the potential to make a significant positive impact on health, including the Health Background Paper and implementation of Health Impact assessment in the production of the Plan.

Health inequalities are strongly associated with deprivation and income inequalities in the city. Have you referred to Portsmouth's Tackling Poverty Needs Assessment and strategy (available on the JSNA website above), which identifies those groups or geographical areas that are vulnerable to poverty? Does this have a disproportionately negative impact, on any of these groups and if so how? Are there any positive impacts?, if so what are they?

For more help on this element of tackling poverty and needs assessment contact Mark Sage: email:mark.sage@portsmouthcc.gov.uk

The consideration of responses from various parts of the city is set out earlier in this assessment. The proposals for Tipner, given its proximity to some of the city's more deprived communities, has the potential to impact upon those communities quite significantly.

Step 5 - What are the differences?

Are any groups affected in a different way to others as a result of your policy, service, function, project or strategy?

Please summarise any potential impacts this will have on specific protected characteristics

At this stage no decisions have been taken on the future Local Plan. There is the potential for specific groups to be affected. This will need to be considered as the emerging Plan policies are drafted.

Does your policy, service, function, project or strategy either directly or indirectly discriminate?

Yes No

If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

Not applicable

Step 6 - Make a recommendation based on steps 2 - 5

If you are in a position to make a recommendation to change or introduce the policy, service, project or strategy clearly show how it was decided on and how any engagement shapes your recommendations.

The recommendation is to continue with the technical work to inform the new Local Plan. Individual projects, such as the assessments of types of housing need and air quality, should be undertaken with interests of groups taken into account.

What changes or benefits have been highlighted as a result of your consultation?

As a result of considering the previous consultation results, efforts have been made to broaden the reach of this consultation to younger people. Social media has been used more widely and some initial work has been undertaken with Portsmouth schools.

The results of this consultation indicate that that approach needs to be continued and developed further to ensure the interests of all groups are taken into account in the new Local Pkan.

If you are not in a position to go ahead what actions are you going to take?

(Please complete the fields below)

Action

Timescale

Responsible officer

How are you going to review the policy, service, project or strategy, how often and who will be responsible?

Future reports prepared on the Local Plan process will include EqIA assessments to inform the process.

Step 7 - Now just publish your results

This EIA has been approved by: Toby Ayling

Contact number:

7863

Date:

01/07/19

PCC staff-Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789, Email: equalities@portsmouthcc.gov.uk

CCG staff-Please email a copy of your completed EIA to the Equality lead who will contact you with any comments or queries about your full EIA. Email: sehccg.equalityanddiversity@nhs.net

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Title of meeting: Cabinet

Date of meeting: 24 July 2019

Subject: Houses in Multiple Occupation Supplementary Planning Document

Report by: Planning Policy Manager

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 Houses in Multiple Occupation (HMO) are an important planning and housing issue for the city. The Council uses its planning powers to ensure that communities are not imbalanced by too many HMOs, and that the amenity of neighbours is maintained. The measure to prevent communities being unbalanced (the 10% rule) has been successful, but there is a need to review other elements of the SPD, to better set out how the Council will consider proposals to enlarge existing HMOs.
- 1.2 The purpose of this report is to seek permission to proceed with publishing, for public consultation, proposed changes to the Council's adopted Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD).

2. Recommendations

- (1) That the proposed changes to the HMO SPD are published for a period of 6 weeks of public consultation.**
- (2) The Assistant Director of Planning and Economic Development be authorised to make editorial amendments to the wording of the amended SPD prior to publication, in consultation with the Cabinet Member for Culture and City Development. These amendments shall not alter the meaning of the document.**

3. Background

- 3.1 Houses in Multiple Occupation are a key planning and housing issue for Portsmouth. They provide accommodation for a significant proportion of the City's inhabitants and form an important part of Portsmouth's housing market. The benefits brought by HMOs include the delivery of relatively low cost, flexible accommodation to meet certain housing needs.

- 3.2 However, HMOs do present a range of challenges for the Council in managing the issues that they can bring. The Council, through its licensing and planning function has sought to maintain decent standards of accommodation for occupiers; managing the impacts of new HMOs on the amenity of nearby residential properties; and ensuring balanced and mixed communities.
- 3.3 Planning permission is required for both large HMO in *sui generis* use (seven or more people sharing amenities), and smaller *Class C4* properties (between three and six unrelated people sharing amenities). The smaller C4 properties require permission because on 1st November 2011, a city wide Article 4 Direction came into force in the city which removed permitted development rights for such changes.
- 3.4 When considering planning applications for new HMOs, two policies in the adopted Portsmouth Plan are particularly relevant. Policy PCS20 (*HMOs: Ensuring mixed and balanced communities*) seeks to ensure that applications for changes of use to a House in Multiple Occupation (HMO) will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance. This has led to the "10% rule" as explained further in the SPD. Policy PCS23 (*Design and Conservation*) seeks to ensure, amongst other aims, the protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development. This has led to other considerations being included in the SPD, including the "sandwiching" rule which seeks to prevent new proposals resulting in a non-HMO properties becoming sandwiched between two. Other adopted planning policies are also relevant, but the focus of the SPD is the two listed here.
- 3.5 The Council receives a steady stream of planning applications for new HMOs, both larger and smaller ones. Through the planning applications process, including appeal decisions by Planning Inspectors, both the adopted policies and the SPD are tested for robustness and appropriateness in operation.

4.0 Applications for Larger HMOs

- 4.1 Larger (*sui generis*) HMOs are occupied by seven or more people sharing amenities. The size and use of these properties has led to concerns regarding their potential to impact on neighbourhoods. A report was considered by PRED in September 2017 which sought authority to consult on amendments to the HMO SPD including a new position that planning permission should be refused for change of use from C4 to Sui Generis HMOs where there was already over a 10% concentration. Following consultation the changes were adopted in November 2017.
- 4.2 In February 2019 a report was considered by Planning Committee which set out a number of recent planning appeal decisions which indicated that a review of the SPD should be considered. The report stated -

There have now been a number of planning applications for change of use from a C4 HMO to a Sui Generis HMO that have been refused since the amended SPD

was adopted on the grounds that the change of use would result in an imbalance in the community. Unfortunately a number of the appeals have been allowed as the Inspector was not persuaded that there was harm to the balance of the community.

- 4.3 The committee report listed five appeals which were allowed by Inspectors. It should be noted that each planning application should be determined on its own merits. Nonetheless, these appeal decisions displayed a common theme, namely the difficulty of ruling out the expansion of smaller HMO properties, as a *matter of course*, in areas which were over the 10% threshold for balanced and mixed communities.
- 4.4 Therefore it is proposed that the SPD is amended to address this point and improve the SPD to give clarity for all parties who the council will address these applications. The blanket restriction on proposals for expanding existing HMOs in areas which are already over the 10% threshold, which is not receiving support in appeal decisions, should be replaced with a clearer, stronger articulation of concerns and matters the council is seeking to address when considering larger HMOs. In this matter the amendment is more related to policy PCS23 (which seeks to preserve amenity of neighbourhoods) rather than PCS20 (which seeks balanced communities), although the overall proportion of HMOs in the neighbourhood is clearly relevant.
- 4.5 The main amendments proposed to enact this change are as follows -
- a) Deleting paragraph 1.15 of the adopted SPD which rules out larger HMOs in areas above the 10% threshold.
 - b) A clearer articulation of matters which should be considered when addressing HMO applications and impact on amenity (paragraph 1.22a).
 - c) New paragraph 1.22b setting out factors considered relevant for considering expansion of existing HMOs where the 10% threshold is exceeded.
- 4.6 While some parties may be dismayed that the blanket ban on larger HMOs in areas which exceed the threshold is proposed to be removed, this change is considered necessary given Planning Inspectors decisions. Overall it is considered these amendments will give clarity for all parties on how the council will determine planning applications, and to provide a more robust basis for decision making.

5. Other amendments

- 5.1 In addition to the main points raised in this report, there are a number of further amendments suggested to the HMO SPD. They are considered factual updates, such as -
- Updating to reflect that planning applications for C4 or mixed C3/C4 uses require a fee;
 - Updating the SPD to reflect advice from the Council's Private Sector Housing Team regarding the circumstances in which licensing is required, and space standard sought;

- Clarifying the evidence sought from those seeking to confirm existing lawful use of a property; and
- Highlighting the role of the Parking Standards SPD.

5.2 The "sandwiching" of properties between existing HMOs has been reported as an issue by residents. Similarly, the potential for a further restriction of permitted development rights for built works has been suggested. Later in the year a report will come to the Member for culture and city development to look at those issues further and set out options.

6. Consultation Arrangements

6.1 The intention is for the proposed revisions to be published for a formal consultation period from 29 July. As a Supplementary Planning Document, the statutory requirement is for a consultation period of no less than four weeks. However, since the consultation period runs over the summer holiday period it is proposed that it is extended by two weeks for a six week period, to ensure people have the opportunity to respond.

6.2 It is proposed that the changes to the HMO SPD are advertised in the usual way for planning documents and in accordance with the Council's Statement of Community Involvement, with hard copies in libraries, community centres and housing offices; formal notice in the Portsmouth News; full details on the council's website; notice on social media; and direct notification to all respondents to previous planning policy consultations.

7. Reasons for recommendations

7.1 Permission is sought to publish the proposed changes to the HMO SPD set out in Appendix 1 of this report, subject to any further minor presentational update. This will enable the proposed amendments to be tested through public consultation before a final decision on the amendments is made. The results of the consultation will be presented back to Members in due course along with a recommendation how to proceed.

8. Equality impact assessment

8.1 A full Equality Impact Assessment (EIA) has been carried out on the Portsmouth Plan (Core Strategy), including Policy PCS20: Houses in multiple occupation: ensuring mixed and balanced communities and Policy PCS23: Design and Conservation. This exercise did not highlight any specific issues relating to equalities groups in the city. As this supplementary planning document amplifies existing policy, no further EIA is considered necessary.

9. Legal implications

9.1 The interpretation of planning policy is a complex legal exercise. An emphasis on a more qualitative assessment of HMO impacts while maintaining the 10% density as a reference point is to be welcomed in light of Planning Inspectorate decisions. It is

proposed that Counsel's view is sought on the SPD prior to consultation to ensure that the aims described in this report are articulated in the best possible fashion.

10. Director of Finance's comments

10.1 The recommendations within this report to publish the consultation document do not directly have an adverse impact on Council resources. It is anticipated that the cost as presented within this report will be met from the existing cash limited budget.

.....
Signed by:
Assistant Director Planning and Economic Development

Appendices:

1. Proposed revisions to HMO SPD document

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

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Houses in multiple occupation (HMOs)

Ensuring mixed and balanced communities

Supplementary Planning Document (SPD) - revised July 2018 published for consultation

www.portsmouth.gov.uk



Houses in multiple occupation (HMOs) - Ensuring mixed and balanced communities
Supplementary Planning Document (SPD) (as amended in July 2018)

[Revisions proposed for consultation June 2019](#)

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Foreword

It is essential that we work towards creating mixed and balanced communities in Portsmouth. Part of creating those communities is ensuring we have the right housing mix in order to both meet the demand for certain types of accommodation as well as ensuring we do not have a saturation of any one type of accommodation in one location or community.

Houses in Multiple Occupation (HMO) are an important type of accommodation for Portsmouth residents. However, the geographic constraints of Portsmouth streets consisting of densely built Victorian terraced housing mean that the conversion of these terraces to HMOs can create problems for a community's cohesion and sustainability. Furthermore, the increase in HMOs in the city has led to lower availability of much needed family housing in the city.

This SPD seeks to prevent an over saturation of HMOs in Portsmouth's communities by setting guidance for applications for change of use class to C4 and/or Sui Generis use as well as ensure those living in HMOs are doing so under good standards of living by setting space standards for bedroom areas and communal living areas.

Councillor Steve Pitt

Cabinet Member for Culture and City Development & Deputy Leader ~~Cabinet Member for Planning, Regeneration and Economic Development~~

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Purpose and scope of the SPD

- 1.1 This Supplementary Planning Document (SPD) sets out how Policies PCS20 (Houses in multiple occupation (HMOs): Ensuring mixed and balanced communities) and PCS23 (Design and Conservation) of the Portsmouth Plan¹ will be implemented. This document amends the SPD adopted in November 2017. It details how the City Council will apply this policy to all planning applications for HMO (C4) 3-6 occupants use and for large HMOs in *Sui Generis* use for more than 6 people. The SPD will be accorded significant weight as a material planning consideration in the determination of such applications. It is supported by an assessment of the need for, and supply of, shared housing in Portsmouth and the impacts on local communities of high concentrations of HMOs².
- 1.1 a This SPD is intended to inform planning applications and planning decisions. It should be noted that the standards set out in this SPD are separate from those required by licensing legislation. Guidance on licensing requirements for HMOs should be sought from Portsmouth City Council's Private Sector Housing Team.
- 1.1b This document is to be read alongside other documents such as the Parking Standards and Transport Assessments SPD.

What is a house in multiple occupation (HMO)?

- 1.2 The Government's Circular 08/2010³ notes that the C4 (HMO) use class covers:
- small shared houses or flats occupied by between three and six unrelated people who share basic amenities such as a toilet, personal washing facilities or cooking facilities.
- 1.3 For the purposes of Class C4, a 'house in multiple occupation' has the same meaning as in section 254 of the Housing Act 2004⁴, with the exception of section 257 which applies to converted block of flats (and those buildings listed in schedule 14 of the Act). Further explanation is set out in Appendix 1.
- 1.4 Where there are more than six unrelated individuals sharing amenities, this is termed an HMO in *Sui Generis* use because it is not in any particular planning use class.
- 1.5 Where there is to be a material change of use to either type of HMO (small Class C4 or *Sui Generis*), planning permission will be required.

¹ Portsmouth City Council (2012) *The Portsmouth Plan: Portsmouth's Core Strategy*. Portsmouth: PCC <https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

² Portsmouth City Council (2012) Shared housing in Portsmouth – an assessment of demand, supply and community impacts. Portsmouth: PCC <https://www.portsmouth.gov.uk/ext/documents-external/pln-hmo-research-report.pdf>

³ The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010. www.legislation.gov.uk/uksi/2010/653/pdfs/uksi_20100653_en.pdf

Further guidance can be found in Circular 08/2010 - Changes to Planning Regulations for Dwellinghouses and Houses in multiple occupation

www.communities.gov.uk/documents/planningandbuilding/pdf/1759707.pdf

⁴ The Housing Act 2004 www.legislation.gov.uk/ukpga/2004/34/contents

- 1.6 In the city of Portsmouth, this includes the need for planning permission for change of use from a Class C3 (dwelling house) to a Class C4 HMO. On 1st November 2011, a citywide Article 4 Direction came into force which removed permitted development rights for such changes⁵.

The need to ensure mixed and balanced communities

- 1.7 The contribution of HMOs to meeting Portsmouth's current and future housing need is recognised, particularly as a source of accommodation for people on low incomes and benefit payments, young professionals, students and the growing number of one-person households. The negative impacts of high concentrations of HMOs on local communities must also, however, be considered.
- 1.8 Policy PCS19 (Housing mix, size and the provision of affordable homes) of the Portsmouth Plan¹ identifies a need for a variety of housing types throughout the city in order to deliver a choice of homes and to create inclusive and mixed communities. This includes a need for family housing (of three or more bedrooms), the opportunities for which are limited in a densely developed city such as Portsmouth. supply of which has declined in the city in recent years.
- 1.9 The Portsmouth Plan notes a predicted increase in the number of people who will require larger, family sized properties in the future as well as a growth in the number of one person households for which HMOs may provide a suitable housing choice. Policy PCS20 seeks to ensure that the future supply of family housing is not jeopardised by its unchecked conversion to shared accommodation and that communities are not negatively impacted by HMO development.
- 1.10 In order to avoid high concentrations of HMOs in the city, and to ensure the future provision of mixed and balanced communities in accordance with national planning policy⁶, Policy PCS20 of the Portsmouth Plan will be the key local planning policy against which applications for HMO use will be assessed (see below).

PCS20 Houses in Multiple Occupation (HMOs): Ensuring mixed and balanced communities*

In order to support mixed and balanced communities, and to ensure that a range of household needs continue to be accommodated throughout the city, applications for changes of use to a House in Multiple Occupation (HMO) will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance.

For the purposes of this policy, dwellings in use as Class C4, mixed C3/C4 use and HMOs in *Sui Generis* use will be considered to be HMOs.

* See Appendix 2 to this SPD for full text contained in the Portsmouth Plan.

⁵ For more information about this Article 4 Direction see <https://www.portsmouth.gov.uk/ext/documents-external/pln-hmo-article4direction-plan-nov10.pdf>

⁶ See National Planning Policy Framework: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Implementation of Policy PCS20

- 1.11 Policy PCS20 of the Portsmouth Plan¹ (see above) will be used to determine applications for:
- Class C4 HMOs (between three and six unrelated individuals sharing amenities);
 - mixed C3/C4 use (this type of permission allows a property to be used in either way, overcoming the need for a new planning permission each time a change of use from Class C3 to C4 is required), it should be noted that 10 years from the permission the flexibility ceases and the use at that time becomes the lawful use.
 - HMOs in *Sui Generis* use (seven or more unrelated individuals sharing amenities).

Other policies set out in the Portsmouth Plan will also form material considerations in respect of such applications.

How will planning applications for HMO use be determined?

- 1.12 In accordance with policy PCS20, the City Council will seek to refuse planning applications for HMO uses (Class C4, HMOs in *Sui Generis* use and mixed C3/C4 use) where a community is already 'imbalanced' by existing HMO uses or where granting the application would create an 'imbalance'.
- 1.13 A community will be considered to be 'imbalanced' where:
- more than 10% of residential properties within a 50m radius of the area surrounding the application property are already in HMO use
- 1.14—The 'development' (proposed HMO use) that is the subject of the planning application will create an imbalance where:
- granting the application would 'tip' the ratio of HMOs to Class C3 residential uses within the area surrounding the application property over the 10% threshold

~~1.15~~1.14 Where planning permission is sought to change the use of a Class C4 or mixed C3/C4 use to a HMO in *Sui Generis* use, in areas where concentrations of HMOs exceed the 10% threshold the Council will consider the potential harm to amenity caused by an increase in the number of bedrooms in an already unbalanced community the City Council will seek to refuse applications 'in areas where concentrations of HMOs already exceed the 10% threshold.'

Living conditions / quality of living environment

- ~~1.16~~1.15 In order to secure a good standard of living accommodation within HMOs (C4 and *Sui Generis* HMOs), and in accordance with Policy PCS23, the City Council will seek to refuse applications for HMO development where proposals would fail to protect the amenity of, and the provision of a good standard of living environment for future occupiers.

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4.171.16 All planning applications must be supported by a full set of floor plans that include details of the bathroom sanitary ware and kitchen fittings and white goods; clearly identify whether rooms are intended to be single or double; and show the internal measurements for each room, including areas of reduced ceiling height. Whilst acknowledging that the National Described Space Standard (NDSS) relates to new dwellings, nevertheless the City Council will require that bedrooms comply with this space standard, as set out below, or any subsequent standard replacing the NDSS⁷. In addition, the NDSS requirement that the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area will be sought. Planning permission will be refused for all HMOs that fail to provide adequate community or amenity space for occupiers in accordance with the standards set out below. Where proposals meet the required space standards and levels of amenity, there will be a condition on the planning permission requiring the development to accord with the approved floor plans.

Bedroom space standards

4.181.17 Single bedrooms must have a minimum Gross Internal Floor area (GIA) of 7.5m² with a minimum width of 2.15m.

4.191.18 Double bedroom or twin bedrooms must have a minimum GIA of at least 11.5m² and be at least 2.75m wide.

4.201.19 For both single and double rooms any area with a head room of less than 1.5m is not counted within the GIA unless used solely for storage (if an area under the stairs is to be used for storage assume a general floor area of 1m² with the GIA). Any other area that is used solely for storage and has a headroom of 900-1500mm is counted as 50% of its floor area and any area lower than 900mm is not counted at all.

4.21.20A built-in wardrobe counts towards the GIA and bedroom floor area requirements but should not reduce the effective width of the room below the minimum widths set out above.

⁷ Nationally Described Space Standards (2015): <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Amenity Space

Room	Metric ³
Dining Room (3 to 6 persons)	11m ²
Dining Room (7 or more persons)	14m ²
Living Room (3 to 6 persons)	11m ²
Living Room (7 or more persons)	14m ²
Kitchen (3 to 6 persons)	7m ²
Kitchen (7 or more persons)	11m ²
Combined living space (3 to 6 persons) ¹	24m ²
Combined living space (7 or more persons) ¹	27m ²
Bathroom ²	3.74m ²
1-4 persons	At least 1 bathroom and 1 WC (can be combined)
5-6 persons	1 bathroom; and 1 separate WC with WHB (WC could be contained in second bathroom)
7-10 persons	2 separate bathrooms; and 2 separate WC's with WHB (one of WCs can be contained with one bathroom)
11-15 persons	3 bathrooms; and 3 separate WCs and WHB (two of WCs can be contained within 2 bathrooms)

NOTE: 1: Combined living space is defined as a single, typically open plan space, usually containing a kitchen, dining area and living area, laundry and utility space.

2: A pod bathroom which complies with the current Building Regulation will be accepted.

3: Areas based on bedrooms of 7.5m²

Amenity of neighbours and local occupiers

- 1.21a The National Planning Policy Framework (NPPF) notes that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The Framework goes on to say that planning policies and decisions should ensure that developments "will function well and add to the overall quality of the area" and "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."
- 1.21b The Portsmouth Plan seeks the delivery of a range of housing types and tenures to meet the varying needs of the community. Whilst it is acknowledged that HMOs meet the housing needs of many in the city, it is important that the amenity and standard of living environment of neighbours and local occupiers is protected.

PCS23 design and conservation(extract)*

All new development must be well designed and, in particular, respect the character of the city.

The following will be sought in new development:

- Protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development

* See Appendix 2a to this SPD for full text contained in the Portsmouth Plan.

Implementation of Policy PCS23

- 1.21c In order to consider whether an application accords with Policy PCS23, once an application is received the location of the application property will be checked against a database holding all existing HMOs. This will determine if the proposed HMO would impact upon the amenity and/or standard of living environment of neighbouring and local occupiers.
- 1.21 d Applications will be required to include a full set of floor plans that include details of the bathroom sanitary ware and kitchen fitments and white goods; clearly identify whether rooms are intended to be single or double; and show the internal measurements for each room, including areas of reduced ceiling height. This will enable the application to be assessed against the PCS23 requirement for new development to protect amenity and provide good standards of living environment for future residents and users of the development.
- 1.22 In accordance with Policy PCS23, the City Council will seek to refuse applications for HMO development where such development would fail to protect the amenity, and the provision of a good standard of living environment, for neighbouring and local occupiers. For the purpose of assessing applications for the change of use to C4 HMOs and *Sui Generis* HMOs, planning permission will only be granted where the proposal would not result in an over intensive use of the property.
- 1.22 a An application for HMO development would be deemed to be failing to protect the amenity, and the provision of a good standard of living environment, for neighbouring and local occupiers where:
- granting the application would result in three or more HMOs being adjacent to each other; or
 - granting the application would result in any residential property (C3 use) being 'sandwiched' between two HMOs.
 - it would cause material nuisance to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Matters to be considered include changes in overlooking, privacy, daylight, sunlight, disturbance and outlook. Disturbance includes factors such as volume and type of traffic, noise, artificial lighting, smell and other pollution, and flooding.
- 1.22b When considering the impact of proposals for larger sui generis HMOs under policy PCS23, the Council will take into consideration the impact of

the proposal in the context of the concentration of HMOs already in the neighbourhood as defined using the 50m radius as set out in this SPD. Relevant factors include -

- The existing proportion of properties which are in HMO use within a 50m radius, and the extent to which it exceeds the 10% threshold; and
- The increase in the number of bedrooms sought by the proposal; and
- Impact the proposed intensification of the use will have upon the residential character of the area in the context of a mixed balanced community.

Please refer to Appendix 4 for worked examples.

Identifying 'the area surrounding the application property'

- 1.23 Points i) to viii) below and Figures 1 and 2 set out the method that the City Council will use when it is calculating the percentage of dwellings in HMO use in the area surrounding the application property (see also the worked example contained in Appendix 3).
- i) Where the application property is a house - an area with a radius of 50 metres will be identified from the mid-point of the application property's frontage (see ii and Figure 1).
 - ii) A property's frontage comprises the width of that building as it faces directly onto the street and generally includes the entrance to the property. A 'street' is defined here as any highway (including footpath) or public area which contains a property's frontage.
 - iii) Where the application property is a flat - an area with a radius of 50 metres will be identified from the mid-point of the main entrance door to the flat (see Figure 2).

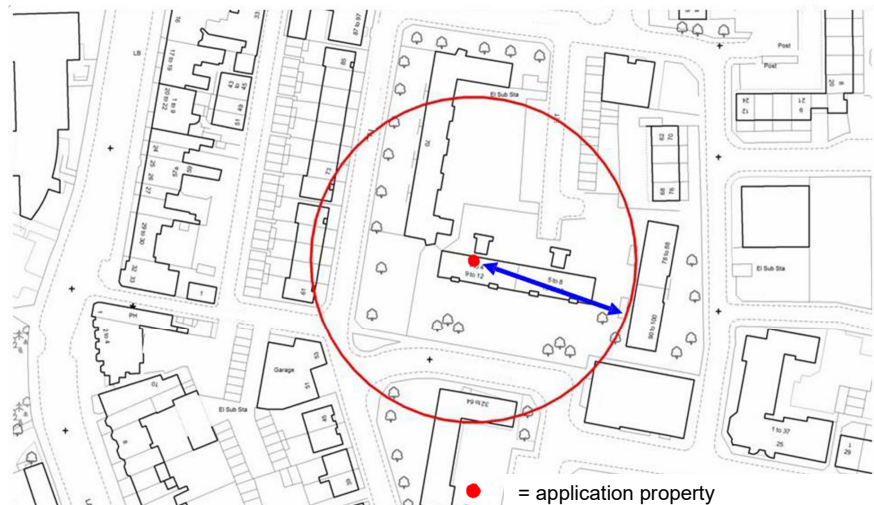
Figure 1: Houses - identifying 'the area surrounding the application property'



Map not to scale

- = application property
- ↔ = 50 metre radius
- = area surrounding application property

Figure 2: Flats- identifying 'the area surrounding the application property'



Map not to scale

- = application property
- ↔ = 50 metre radius
- = area surrounding application property

- iv) For the purposes of implementing Policy PCS20, this area with a radius of 50 metres will be known as 'the area surrounding the application property'.
- v) A 'count' will be made of residential properties that fall within the area surrounding the application property⁸ and their addresses will be checked against the council's 'HMO database' in order to identify which, if any, are in HMO use (see paragraphs 1.16 – 1.20 and worked example using a 10% threshold in Appendix 3).
- vi) Only residential properties will be counted (i.e. the count will exclude properties in, for example, retail or commercial uses).
- vii) Where any part of the curtilage of a residential property (house), including the property boundary falls within the area surrounding the application property, this property will be included in the 'count' (see Figure 1 and worked example in Appendix 3).
- viii) Where the 50m radius captures any part of a building containing residential flats, the City Council will endeavour to establish the number of flats that fall, in part or whole, within the 50m radius, if this proves impossible then all properties inside of this building will be included in the 'count'.

Identifying properties in HMO use

- 1.24 When identifying the number of HMOs in the area surrounding the application property, the City Council will include:
- All properties continuously in HMO use since 1 November 2011.
 - All properties with Class C4 HMO planning permission.
 - All properties with *Sui Generis* HMO planning permission.
 - All properties with planning permission for mixed C3/C4 use (regardless of whether they are in C3 or C4 use at the time of the application).
 - All Section 257 Houses in Multiple Occupation properties.
- 1.25 A list of all addresses that have been identified as being in the area surrounding the application property, which will also highlight those that the council considers to be in HMO use, will be made publicly available during the determination period of the planning application.
- 1.26 In order to identify properties in HMO use, the council will use data held on its 'HMO database'⁹ at the time of the planning application. The database is made up of records of properties with planning permission for Class C4 use, *Sui Generis* HMO use and mixed C3/C4 use, records of Class C4 HMOs submitted to the council by property owners, HMOs that have been issued a licence by the council and council tax records. A list of addresses held on this database will be published on the City Council's website and updated on a regular basis.

⁸ In some instances, a complex street pattern or arrangement of buildings may require the City Council to use judgement in determining which properties are captured by the 50 metre radius, based on the guidance set out in paragraph 1.17

⁹ A copy of addresses held on the City Council's HMO database can be found at:
<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-houses-in-multiple-occupation>

However the City Council acknowledges that it may not have captured all of the HMOs in an area and therefore will consult Ward Members and local residents to capture further local knowledge about the way properties are being occupied in their neighbourhood.

- 1.27 Those wishing to confirm the existing lawful use of a property should not rely on the database as evidence but should seek to establish whether planning permission for HMO use has been granted or where appropriate, to secure evidence that the property was in Class C4 use prior to the 1st November 2011 when the Article 4 Direction came into force (see paragraph 1.6) and has been in continuous use since then. An application could also be made to the City Council for a Certificate of Lawful Use. A fee is required for making this type of application together with supporting evidence to support the application.

Making a planning application for HMO use

Forms and fee

- 1.28 Detailed guidance about making a planning application for change of use, including relevant application fees and information required as part of the application, can be found on the City Council's website <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-apply-view-or-comment>

Alternatively, applicants can visit the Planning Portal directly at www.planningportal.gov.uk to make an application online.

~~4.29~~ The City Council has made an Article 4 Direction removing permitted development rights which would otherwise allow changes of use from Class C3 to Class C4, ~~consequently there will be no fee for the following types of application:~~

- ~~4.30~~ ~~change of use from Class C3 (dwellinghouse) to Class C4 (HMO), or~~
- ~~• change of use from Class C3 or C4 to a mixed Class C3/C4 use.~~

~~4.34~~4.29 An application fee will be payable for:

- change of use from any other use class other than Class C3 to a Class C4 or mixed C3/C4 use, and
- change of use from any use class to an HMO in *Sui Generis* use (to accommodate seven or more unrelated people sharing amenities).
- change of use from Class C3 (dwellinghouse) to Class C4 (HMO), or
- change of use from Class C3 or C4 to a mixed Class C3/C4 use.

Parking and the storage of refuse and recyclables

~~4.32~~4.30 Planning applications for HMO use must meet the parking standards set out in the City Council's Parking Standards and Transport Assessments Supplementary Planning Document (SPD 2014) and any subsequent update¹⁰.

¹⁰ Portsmouth City Council (2014) Parking Standards and Transport Assessment Supplementary Planning Document (SPD). Portsmouth: PCC <https://www.portsmouth.gov.uk/ext/documents-external/pln-parking-standards-transport-assessments-spd.pdf>. See also map showing public transport accessibility throughout the city <https://www.portsmouth.gov.uk/ext/documents-external/trv-74.185-public-transport-map-aug-2017-web-final.pdf>

~~4.33~~4.31.31 Planning applications for HMO use will also be expected to demonstrate that adequate storage for refuse and recyclables will be provided at the property.

Monitoring and review

~~4.34~~4.32 The monitoring and review of Policy PCS20 will be carried out as part of the city's Authority Monitoring Report which it is required to produce as part of its Local Plan. The indicators that will be used to monitor this policy are contained in the full policy wording attached as Appendix 2.

Other issues to consider

~~4.35~~4.33 In addition to the need for planning permission, those wishing to establish an HMO should consider if they need an HMO licence in accordance with the Housing Act (2004) and are also encouraged to join the City Council's Landlord Accreditation Scheme (LAS); Rent it Right.

Licensing under the Housing Act (2004)

~~4.36~~ Landlords and property managing agents who intend to let large houses in multiple occupation (HMOs) may need to apply to the City Council for an HMO licence. An HMO licence will be required if the property ~~is:~~

~~4.37~~ ~~over three or more floors, and~~

- will be used to accommodate five or more tenants belonging to two or more households.

~~4.35 a~~ ~~In August 2013, a new additional licensing scheme was introduced meaning that all other HMOs with postcodes in PO1, PO4 and PO5 areas for properties with 3 or more unrelated tenants are subject to additional licensing.~~

~~4.36~~4.35

~~4.37~~4.36 In these circumstances, it is a criminal offence not to have an HMO licence and an unlimited fine could be issued upon successful proceeding, or Portsmouth City Council could issue a civil Penalty up to £30,000.

~~4.38~~4.37 For more information about licensing, please visit the City Council's website <https://www.portsmouth.gov.uk/ext/housing/shared-houses---mandatory-licensing-of-houses-in-multiple-occupation>
You can also contact the Housing Standards team on (023) ~~9284 16599243 7944~~.

Portsmouth City Council Landlord Accreditation Scheme

~~4.39~~ The City Council's Landlord Accreditation Scheme aims to improve both the physical and management standards of the private rented sector within Portsmouth. Whilst it is a voluntary scheme, all private landlords who own and rent out properties in the city (~~PO1-PO6~~) are encouraged to join the LAS. For more information, and to join the scheme, visit <https://www.rentitright.co.uk> ~~or contact the Housing Standards team (see above).~~

[1.401.38](#)

Appendix 1 – Definition of Class C4 HMO (Housing Act 2004)

- A1.1 The Government's Circular 08/2010³ notes that the C4 use class covers small shared houses or flats occupied by between three and six unrelated people who share basic amenities (see A1.4 below).
- A1.2 For the purposes of Class C4, a 'House in Multiple Occupation' does not include a converted block of flats (to which section 257 of the Housing Act 2004 applies) but otherwise has the same meaning as in section 254 of the Housing Act 2004.
- A1.3 An HMO is defined by the Housing Act 2004 as a building or part of a building (i.e. a flat) which:
- is occupied by persons who do not form a single household, and
 - is occupied as the only or main residence, and where
 - rents are payable or other consideration is provided in respect of at least one of those occupying the property, and where
 - more than two households share one or more basic amenities (or lack such amenities).
- A1.4 The meaning of basic amenities as defined by the Housing Act 2004 is:
- a toilet,
 - personal washing facilities, and/or
 - cooking facilities.
- A1.5 Schedule 14 of the Housing Act 2004 lists buildings (or parts of buildings) which are not defined as HMOs and includes those that are:
- controlled or managed by a registered social landlord or local authority;
 - controlled or managed by a fire and rescue authority, police authority or health service body;
 - occupied by students and controlled and managed by an education establishment i.e. halls of residence;
 - occupied for the purposes of a religious community whose main occupation is prayer, contemplation, education or the relief of suffering;
 - occupied solely by one or more persons who are owners (with either freehold or leasehold interest granted for more than 21 years);
 - occupied by two persons who form two households.
- A1.6 The Government's Circular 08/2010³ may also provide helpful guidance on what does and does not constitute a Class C4 use (in accordance with the Housing Act 2004). It highlights that:
- small bedsits will be classified as C4 use;
 - students, migrants and asylum seekers who do not occupy the property all year will be considered as occupying the property as their main residence;
 - properties containing the owner and up to two lodgers will be in Class C3, and
 - to be classified as a house in multiple occupation a property does not need to be converted or adapted in any way.

³ [The Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Order 2010, www.legislation.gov.uk/ukxi/2010/653/pdfs/ukxi_20100653_en.pdf](http://www.legislation.gov.uk/ukxi/2010/653/pdfs/ukxi_20100653_en.pdf)

Appendix 2 – Policy PCS20 of the Portsmouth Plan

Houses in Multiple Occupation (HMOs): ensuring mixed and balanced communities

- A2.1 National planning policy guidance (PPS1 and PPS3) provides the context for local planning policy to ensure that mixed and balanced communities are developed in the future and to avoid situations where existing communities become unbalanced by the narrowing of household types towards domination by a particular type, such as shared housing (HMOs).

The Portsmouth Plan approach to Houses in Multiple Occupation:

- A2.2 PPS1 encourages development that 'supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities' (p.3). It also requires that development plans 'ensure that the impact of development on the social fabric of communities is considered and taken into account' (p.7). PPS3 supports the role of development plans in promoting mixed communities and ensuring that a wide range of household needs are catered for.
- A2.3 While the contribution of HMOs to meeting the city's accommodation needs is recognised, particularly as a source of housing for people on low incomes, those on benefit payments and those starting off in the economy as young professionals, the potential negative social, environmental and economic impacts of high concentrations of HMOs on communities have been widely discussed.
- A2.4 The City Council's private sector house conditions survey (2008) notes that HMOs occur at a significant rate in Portsmouth, driven by the student population and residents on low incomes. In 2007/8, it was estimated that 5.1% of dwellings in the city were HMOs compared to 2.5% nationally. It is likely however, given recent economic challenges and the continuing growth of the city's university that numbers of HMO properties in the city have increased in the past two years.
- A2.5 In order to continue to accommodate the need and demand for houses in multiple occupations, while ensuring the future balance of established communities, policy PCS20 provides guidance for developers and prospective landlords with regard to the appropriateness of future HMO schemes in the city.

PCS20 houses in multiple occupation (HMOs): Ensuring mixed and balanced communities

In order to support mixed and balanced communities, and to ensure that a range of household needs continue to be accommodated throughout the city, applications for changes of use to a House in Multiple Occupation (HMO) will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance.

For the purposes of this policy, dwellings in use as Class C4, mixed C3/C4 use and HMOs in *Sui Generis* use will be considered to be HMOs.

- A2.6 This policy will be implemented through planning decisions taken in the development management process. Once an application is received, the location will be checked against a database holding all existing HMOs in order to determine if the proposed location would fall within an area of concentration. The City Council will produce an SPD setting out in greater detail how this policy will be applied. In the meantime, further advice to applicants is available on the planning pages of the City Council's website.
- A2.7 The City Council will continue to work with the University of Portsmouth to promote appropriate development of purpose built student accommodation.

monitoring framework for PCS20 houses in multiple occupation (HMOs): ensuring mixed and balanced communities	
Policy Outcomes	Key Indicators
<ul style="list-style-type: none"> To avoid concentrations of HMOs within the city 	<ul style="list-style-type: none"> Change in number of homeless (particularly the 25 - 34 year old age group who will be affected by changes to the Local Housing Allowance which will mean they can no longer afford to rent whole properties and will increasingly turn to HMOs) Changes in the concentration of HMOs across the city Number of planning applications received for HMOs and whether approved or refused Any appeal decision relating to HMOs
Where else to look	
<ul style="list-style-type: none"> Article 4 Direction: Houses in Multiple Occupation https://www.portsmouth.gov.uk/ext/documents-external/pln-hmo-article4direction-plan-nov10.pdf 	

Appendix 2a – Policy PCS23 of the Portsmouth Plan

Design and Conservation

A2a.1 Portsmouth has been shaped and characterised by its maritime history and defence role. However, recent development in the city, such as Gunwharf Quays, has begun a new chapter in the life of Portsmouth as a desirable place to live which epitomises contemporary waterfront living.

The Portsmouth Plan approach to design and conservation

A2a.2 Portsmouth should continue to develop in this way but new development must also recognise the unique historic maritime characteristics of the city. To this end, only the highest standards of architectural quality will be sought in new development. Furthermore, the city council will work proactively to ensure the valuable elements of the city's history are preserved and enhanced.

PCS23 design and conservation

All new development must be well designed, and in particular, respect the character of the city.

The following will be sought in new development:

- Excellent architectural quality in new buildings and changes to existing buildings
- Delight and innovation
- Public and private spaces that are clearly defined, as well as being safe, vibrant and attractive
- Development that relates well to the geography and history of Portsmouth, particularly the city's conservation areas, listed buildings, locally listed buildings and scheduled ancient monuments
- Protection and enhancement of the city's historic townscape and its cultural and natural heritage, in particular its links to the sea
- Appropriate scale, density, layout, appearance and materials in relation to the particular context
- Protection and enhancement of the city's views important views and settings of key buildings across the sea, harbours and from Portsdown Hill
- Creation of new views and juxtapositions that add to the variety and texture of a setting
- Flexibility to responds to future changes in use, lifestyle and demography
- Promotion and encouragement of public art
- Car parking and cycle storage should be secure, well designed, integral to the scheme and convenient to the users
- Active street frontages in town centre uses
- Consideration of how to reduce crime through design
- Accessibility to all users
- Protection of amenity and the provision of a good standards of living environment for neighbouring and local occupiers as well as future residents and users of the development.

Implementation, delivery and monitoring

- A2a.3 The design and conservation policy will be implemented through decisions made during the development management process.
- A2a.4 It is acknowledged that it will not be possible to fulfil all of the criteria in the policy in every development. Applicants are therefore encouraged to engage in pre-application discussions with the planning authority in order to address any potential issues before an application is made. This will result in a smoother and timelier planning process.
- A2a.5 The planning authority has produced an Urban Characterisation Study which provides information on the different areas of the city and will help to ensure new development respects the character of its surroundings. A web-based design guide will be produced which will collate the latest national design guides and locally distinctive design characteristics for ease of reference.
- A2a.6 The “Reducing crime through design” SPD should be used to ensure new development reduces opportunities for crime, as well as the fear of crime.
- A2a.7 The documents listed above are valuable tools for producing well designed buildings in Portsmouth. Applicants should take note of the guidance and advice available and, where design and access statements are required, should show how they have taken them into account in the design process.
- A2a.8 Good design is extremely important for development on prominent sites in the city. As part of the design process for these sites, applicants should consider staging a design competition to produce locally distinctive buildings and/or public art to complement the development.
- A2a.9 The city council will continue to seek advice from design review panels on applications for sites likely to have a significant impact on the locality. Generally these will be major development applications and those of citywide importance. This advice will be a consideration in the determination of the relevant planning application.
- A2a.10 The council will continue to encourage new development to be built to Building for Life standards.

Monitoring framework for PCS23 design and conservation

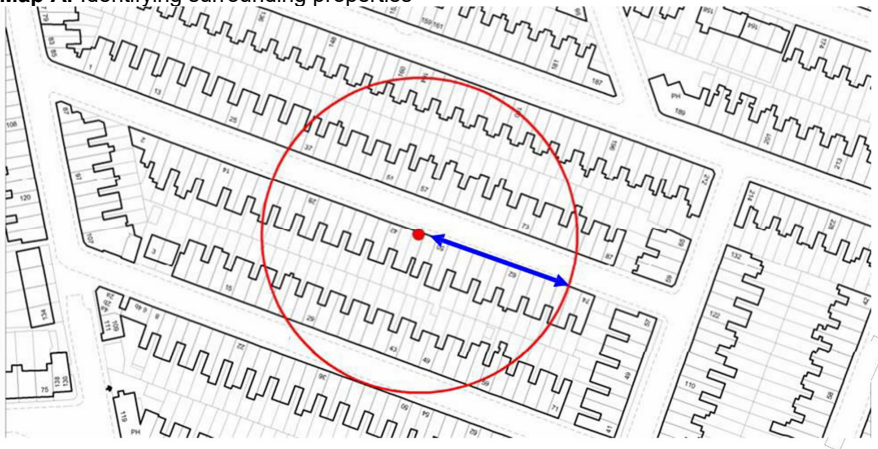
- | | |
|--|--|
| <ul style="list-style-type: none"> • To create an attractive living environment • To achieve the highest quality of design standards and development across the city • Protecting and enhancing the city's conservation areas, listed buildings and other heritage assets | <ul style="list-style-type: none"> • Percentage of people satisfied with their local area as a place to live • Improvements in design quality of development • New developments meeting Buildings for Life standards • Area of the city designated as conservation areas |
|--|--|

Appendix 3 - The 10% threshold - worked example

Worked example

- A3.1 A planning application is received for the change of use of a dwellinghouse from Class C3 to Class C4. In order to assess whether the area surrounding the application property is currently 'imbalanced' by HMO uses, or whether granting the application would create an 'imbalance', the council will first calculate how many residential properties (in total) fall within this area. (See paragraph 1.23 for full details of the method that will be used.)
- A3.2 Map A shows that, in this instance, the total number of properties in the area surrounding the application property is 93.

Map A: Identifying surrounding properties

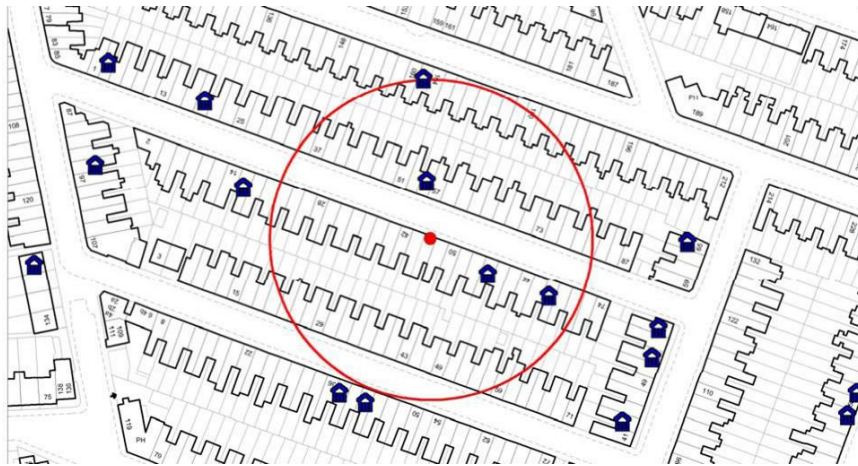


Map not to scale

- = application property
- ↔ = 50 metre radius
- = area surrounding application property

- A3.3 The City Council will then check its 'HMO database' in order to identify which of these properties it considers to be in HMO use. Map B shows that, in this instance, there are four HMOs in the area surrounding the application property.

Map B: Identifying properties in HMO use



Map not to scale

● = application property
 🏠 = properties in HMO use

A3.4 The number of HMOs as a percentage of all properties in the area surrounding the application property will then be calculated:

$$(4 \div 93) \times 100 = 4.3\%$$

So in this case, the percentage of HMOs in the area surrounding the application property is 4.3%.

A3.5 In accordance with Policy PCS20, applications for HMO use will only be allowed if the number of HMOs (as a percentage of all properties in the area surrounding the application property) is calculated to be less than 10% and wouldn't go above 10% if the application were to be granted.

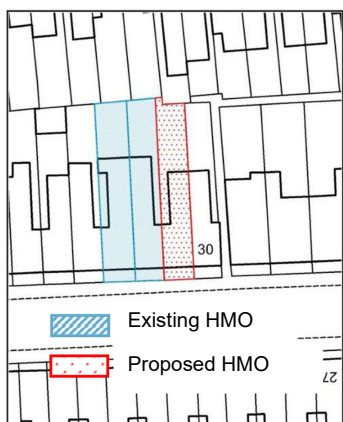
Appendix 4 - Identifying local impacts- 3 or more in a row or sandwiched properties

The worked examples detail how the 'sandwiching' approach is applied to HMO applications and show how impacts on adjacent properties are considered in HMO applications.

It should be noted that the approach is not applied where the properties are separated by an intersecting road or where properties have a back to back relationship where properties have their primary access in different streets. Subdivided units will be considered on a case by case basis.

In all cases, permission will not be recommended where the community is already imbalanced, or the proposal would lead to it being imbalanced in accordance with the calculation set out in A3.4 of Appendix 3.

Worked example 1: Risk of 3 adjacent HMOs



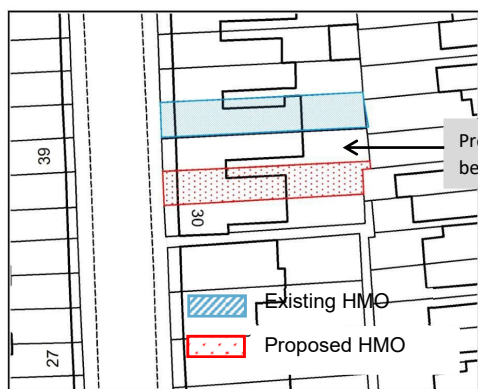
Recommend refusal of HMO application due to the effect of causing 3 adjacent HMOs

Worked example 2: 3 adjacent HMOs with primary accesses in different streets



Where less than 10% of residential properties within a 50m radius of the area surrounding the application property are already in HMO use:
Recommend approval of HMO application as although this will create 3 adjacent HMOs the primary access for the application property is located in a different street from the existing adjacent HMOs

Worked example 3: Property at risk of 'sandwiching'



Recommend refusal of HMO application due to 'sandwiching' of property between existing and proposed HMO.

Property at risk of being 'sandwiched'

www.portsmouth.gov.uk

Title of meeting:	Cabinet
Date of meeting:	24th July 2019
Subject:	Greening the city update
Report by:	Assistant Director of Planning & Economic Growth
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 The purpose of this report is to update Members on the progress that has been made on the 2018-19 Green Infrastructure delivery plan project. Six months on from the approval of the plan, it is a good time to provide an update on the progress that has been made with this project, and set out the further planned work that is in place to be taken forward over the remainder of the year. A number of proposals are also made with respect to how the project should progress in relation to several new opportunities that have been identified.

2. Recommendations

- 2.1 Cabinet is recommended to:

1. **Note the progress and ongoing work as set out in this report.**
2. **Endorse the proposals set out in the appendix project update summary table**

3. Background

- 3.1 Green infrastructure such as trees, shrubs and greenspaces like parks, have an important role in providing the city with a range of valuable benefits beyond simply the aesthetic. Green infrastructure, is a key means of mitigating and building resilience to climate change helping to shade and cool the environment in high heat, as well as slowing water runoff, thus reducing the risk of flooding during heavy rainfall. Green infrastructure can also promote physical health and wellbeing through encouraging people to take up more active lifestyles, and has

been associated with better mental health including reductions in stress, anxiety and depression. Incorporating high quality green infrastructure within the public realm can also make a positive contribution to improving air quality through absorbing some of the harmful pollutants that contribute to poor quality air with subsequent health benefits for people as a result. Beyond health and wellbeing, greening urban areas can bring about gains in biodiversity and contribute to economic development by encouraging greater investment in an area.

- 3.2 There is a range of greening going on around the city and it is worthwhile noting that a significant amount of tree planting has occurred over the last year at various sites (figure 1 over the page demonstrates the spread of locations). To highlight a few examples of specific tree planting that has happened:
- More than 50,000 trees and shrubs have now been planted at Horsea Island Country Park, it should be noted that as with any planting, there may be some losses during establishment.
 - 20 elm trees on Ladies mile (including 9 large semi-mature trees); 15 Oaks on Pier Road and 19 Oaks around the D-Day landing craft project.
 - 45 native trees at Kingston Recreation Ground last year, and another 15 planted this spring at Fred Francis Close play area.
 - Up to 10 new semi-mature trees planted on Eastern Road housing land, and 10 on two small parking improvement projects in Somerstown and Fratton.
 - On the Tipner Lake coastal defences last year around 12 semi-mature specimens with more planned this winter.
 - 100 fruit trees in youth and adventure centres last season. 30 fruit trees in North Portsea and around the John Pounds Centre in Portsmouth and around 20 around Somerstown Hub. Over 30 around Landport and Buckland as part of the Charles Dickens community orchards.
- 3.3 To support the initiative of greening the city, the Cabinet Member for Planning, Regeneration and Economic Development (PRED) approved a short term green infrastructure delivery plan for the city on the 6th November 2018. The objective of this document was to set out a means for delivering new green infrastructure in the city over the short term alongside the longer term work of the Local Plan. The document set out several approaches to be pursued, including tree planting and enhancements to local green spaces, as well as a detailed street level analysis of tree cover in the city to get a better understanding of the spatial distribution of trees in Portsmouth and areas of greatest need to inform additional planting in the future.
- 3.4 The updates covered in the following report are summarised in the appendix table. In addition to achievements to date, the work on the project has continued to explore different means by which additional beneficial greening might be delivered around the city and as such this report makes a number of proposals for Members to consider.



Figure 1 - Map displaying key locations of tree planting across the city in the last year, note that markers denote only broad locations, and this is only a selection of sites (other planting has occurred elsewhere around the city).

Achievements to date

- 3.5 The project has achieved a number of worthwhile things in its first six months. A detailed piece of research into tree cover across the city has been undertaken using satellite imagery of tree canopy coverage for Portsmouth and analysed using GIS software. The findings from that research piece have been published for consultation as part of the evidence base underpinning the new Local Plan¹.
- 3.6 To summarise the findings presented in the report, it was found that there were over 86,000 trees in the city but that canopy cover compares unfavourably with cities like Plymouth, Southampton and London at just 9.8%. There is a clear north-south differentiation in amount of trees, with wards in the north benefitting from highest numbers of trees per hectare and per head of the population, compared with those in the south. The wards with the lowest numbers of trees

¹ <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/new-local-plan-evidence>

per person were Central Southsea, Fratton and St Thomas. Apart from Southsea, many of the wards with the least amounts of trees also tended to be the most deprived wards in the city.

- 3.7 The project began at a relatively advanced stage in the tree planting season last year (which typically runs from around September to March), this made identifying and planting during that first season challenging. Whilst discussions were initiated with a range of stakeholders in the Council as soon as possible, it was determined that it would not be feasible to achieve tree planting within the highways before the end of the current season due to the variety of obstacles and complexity of planting trees successfully in the urban areas of the city, (due to matters such as the presence of services etc.).
- 3.8 Nevertheless, in conjunction with members of the Parks team, a number of opportunity locations were identified within council owned green spaces that would benefit from additional tree planting to help improve the quality of these areas and that could be delivered before the end of the planting season. The Parks team planted a total of 68 trees across four parks in the city at: Kingston Rec in Fratton Ward, College Park in Copnor Ward, Milton Park in Milton Ward and Watersedge Park in Paulsgrove Ward. These trees were all native species and have included species of Lime, Flowering Cherry and Field Maple. Amongst various environmental benefits, the trees have particular value for supporting local wildlife including birds, bees and other insects thus are hoped to contribute to biodiversity in these areas.
- 3.9 In addition to the above, a social media campaign was initiated across the Council's social media channels and went on for a number of weeks with several objectives.
- First to highlight what green infrastructure the city currently benefits from and touch upon some of the multiple benefits that this infrastructure provides in support of people's health and wellbeing.
 - Second to draw people's attention to some of the city's green spaces including lesser known areas that they might want to visit - this was considered beneficial because anecdotal evidence suggests many residents are not aware of the whole range of greenspaces that are nearby to where they live, and can help to draw their attention to these areas as places to visit in the future.
 - Finally the social media posts included a call for feedback on places that residents considered might benefit from tree planting in the future and a summary of these is included in the appendix. These help to demonstrate that there is an ongoing potential for greening the city which is likely to require a sustained commitment from the Council to achieve change. It will be for the Council to consider the rate of investment in green infrastructure it can accommodate as and when opportunities arise.

Further work ongoing and/or proposed

- 3.10 Work has been ongoing investigating the process for planting street trees with a view to getting trees in the ground for the upcoming season. The intention is that

this exercise will be recorded in detail to serve us to inform future discussion and delivery of future plans, so that further rounds of planting can be put into place more efficiently in the future.

- 3.11 A number of locations have been selected in the city to be explored as part of an initial tranche of street planting. These locations have been guided by the tree analysis set out in paras 3.3 and 3.4, as well as other factors including data on deprivation, access to available green space and physical site visits. A range of physically different sites have been selected which will serve as case studies to better understand the challenges of planting in Portsmouth's urban environment, from vacant tree pits where the pit has since been filled in, to pockets of amenity green space, road buildouts and areas of particularly wide pavement where it is considered that there are opportunities for trees to be supported. A council landscape architect has been enlisted to progress detailed feasibility studies of each site which includes investigations into services below the ground; liaison with key services (including the PFI team and Highways Contractor, arboriculture officers, transport); and produce landscaping designs and this should confirm which sites are deliverable and which are not (and the reasons why), before progressing to an initial consideration of sites for final feasibility and planting.
- 3.12 In conjunction with the above, officers have liaised with the parks team's Arboricultural Officer and members of the HRA team in order to identify a number of opportunities for further rounds of tree planting that can be undertaken to enhance existing council green spaces such as parks and housing land, over the next planting season (2019-20). The result of these discussions has been the identification of a host of locations around the city with some initial thoughts on scope of tree planting that could be accommodated in each place subject to funding being found.
- 3.13 The research and feasibility work set out in paras 3.9 and 3.10 above have highlighted a range of tree planting opportunities across the city which can deliver new green infrastructure for the benefit of local residents. The relative merits need to be considered before final feasibility work is undertaken. This is envisaged in the first instance to be undertaken by the Cabinet Member for Culture and City Development.
- 3.14 Furthermore, it was previously communicated that officers should create a resource that addresses common points a local resident might want to know about trees in Portsmouth. This has led to the production of a concise resource which can be published on the website and which is coming to a point where it is ready to publish online.

Green corridors

- 3.15 In addition to the above, in the interests of pursuing a range of opportunities for greening the city, a separate project has been identified along the north of Copnor Road for trialling the creation of a 'pollinator friendly corridor' which if successful could be replicated in other parts of the city. A pollinator friendly

corridor would tie into several sustainability benefits for the city. The project offers the opportunity to encourage active travel through attracting additional pedestrians and cyclists through the environmental enhancements it could offer. In addition, and perhaps more importantly, it would create a length of new habitat for pollinator species and better encourage movement between several greenspaces with benefits for biodiversity in the middle of the city.

- 3.16 The project would involve changing the management of a number of sections of the grass verges either side of the Copnor Road between John Wesley Gardens and College Park (also linking up Gatcombe Gardens in the process). Rather than the current management practice of mowing the grass short, areas would be reseeded with a mix of native wildflower seedlings at regular intervals in order to create a corridor. The route is considered a good opportunity for this trial due to the spread of green verges already present down the road and the chance to link up several green spaces in the north of the city.
- 3.17 The suggestion is that this is initially managed as a trial for 12 months with the opportunity to extend based upon feedback from how the project is received. The reason for this suggestion is that there is the potential that outside of flowering seasons the way the pollinator habitat is necessarily managed (only intermittent cutting) could lend to the verges looking 'untidy' compared with the surrounding grass verges, and this could draw negative responses. It is suggested that a programme of awareness raising and education, perhaps via informative signposting and social media, would be helpful in explaining the reasoning and potential benefits for the change of management. A trial period would allow for a timely assessment as to how successful the project has been and for consideration as to whether the trial should continue and/or be extended to other parts of the city.

Additional considerations of greening the city

- 3.18 There is a growing motivation to develop new green infrastructure such as planting trees, and this can have a wide range of benefits for the city and its residents (as detailed in background papers on green infrastructure published on the Council's local plan webpage²). Whilst officers consider this to have significant benefits, it is considered prudent to highlight that to ensure the high quality and ongoing benefits from such greening, there is a financial implication beyond that of the initial planting of each new tree. Each new tree that is planted requires an initial period of regular watering for the first few years to ensure its establishment (particularly during the summer months). Further into a tree's life, it is necessary to undertake regular inspections, and maintenance/management to ensure the tree remains healthy and safe. It has been estimated that each new tree in a greenspace can impose an additional lifetime cost (in addition to the planting costs) of between £800 - £1,500 to the Council, depending on its location and consequent average life expectancy. Whilst this point is in no way intended as a deterrent to further tree planting, it is considered useful to highlight

² <https://www.portsmouth.gov.uk/ext/development-and-planning/planning-policy/new-local-plan-evidence>

here as it will naturally have a long term implication for funding these areas of the Council into the future.

- 3.19 The work summarised in this report has identified a range of greening opportunities at a variety of scales and contexts. Some of these opportunities will be lower cost and able to be met within existing budgets, whilst others will require funding potentially from a range of sources (such as neighbourhood CIL, a capital bid, or external funding). Appropriate mechanisms for funding will be used and approval will be sought as appropriate.
- 3.20 It should be stressed that this report focusses on short term greening opportunities. For the longer term, the measures included in the new Local Plan will secure local benefits such as new tree planting and other forms of greening from developers.

Concluding remarks

- 3.21 This document has provided an update on the progress of the 2018-19 Green Infrastructure Delivery Plan as approved by the Member for PRED in November 2018. It has highlighted the achievements made to date and framed the ongoing and future work planned. The document alongside the attached appendix has also made a number of proposals that would further support the development of short term, targeted green infrastructure delivery around Portsmouth. A further project update is planned to be given to Members towards the end of the year as the original schedule for the delivery plan comes to an end.

4. Equality impact assessment

- 4.1 An equality impact assessment is not required as the recommendations do not have a disproportionately negative impact on any of the protected characteristics as described in the Equality Act 2010. However, once specific locations have been identified for significant new planting (such as locations for new street trees) the need for an EIA is planned to be revisited, though the position is not expected to change as any measures proposed will be designed to avoid negative impacts.

5. Legal implications

- 5.1 There are no legal implications arising directly from the recommendations in this report. Site-specific legal issues may need to be considered once details of specific improvements are identified and further advice will be sought when this is necessary.

6. Director of Finance's comments

- 6.1 There are no financial implications as a result of approving the recommendation within this report.
- 6.2 If the approach is approved a funding source will need to be identified in order to deliver any measures that contribute to this initiative.

.....
Signed by:

Appendices:

Appendix 1: Summary table of progress to date and proposals for ongoing work

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

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

.....
Signed by:

Appendix A - Project update summary table

	Project tasks	Timeline	Progress	Action required
1.	<p>Portsmouth canopy cover assessment</p> <p>A detailed piece of research into tree cover across the city using satellite imagery of tree canopy coverage for Portsmouth and analysed using GIS software. The findings from that research piece detail tree cover across the city including areas of particular deficit and have been published for consultation as part of the evidence base underpinning the new Local Plan¹.</p>	Nov 2018 to Jan 2019	Completed and published - further more focused analysis has now also been completed and can update the published report at a later date.	None
2.	<p>2018/2019 tree planting</p> <p>Due to the timing of the delivery plan's approval the project began at a relatively advanced stage in the tree planting season which made tree planting within highways challenging. However, planting within Council greenspaces was more achievable, and a selection of parks were chosen across the city where improvements through new tree planting were deliverable before the end of the season.</p>	Nov 2018 to March 2019	Completed - 68 trees were planted across four parks in the city at: Kingston Rec in Fratton Ward, College Park in Copnor Ward, Milton Park in Milton Ward and Watersedge Park in Paulsgrove Ward. These trees all native species and have included species of Lime, Flowering Cherry and Field Maple.	None
3.	<p>Street tree planting 'Greening the grey' across the city</p> <p>A number of locations have been selected on Portsea Island for investigation for an initial tranche of street planting. These locations have been guided by the street tree analysis and other factors including data on deprivation, access to available green space and physical site visits. A range of physical locations have been selected, from vacant tree pits where trees have been removed and the pit since filled in; to pockets of amenity green space; road buildouts; and areas of particularly wide pavement where it is considered that there are opportunities for trees to be supported. The intention is that this exercise will be recorded in detail to serve us to inform future discussion and delivery of future plans, so that further rounds of planting can be put into place more efficiently in the future.</p>	Throughout 2019 with a view to delivery during the 2019/2020 planting season	Ongoing - a variety of sites have been selected by officers based upon visual investigations. Detailed feasibility studies of each site are being prepared to confirm which sites are deliverable and which are not (and the reasons why), before progressing to an initial consideration of sites for final feasibility and planting.	<p>A first stage appraisal is expected shortly, this should include indicative costings to progress to full feasibility and delivery. From that point, consideration will need to be given to:</p> <ul style="list-style-type: none"> - Which areas of tree planting to pursue in this tranche. - Identification of funding to deliver the planting - this could come from a capital bid, neighbourhood CIL pots, charity grants. - Appropriate community engagement - particularly the streets where more intensive planting is envisaged. - Officers to agree appropriate strategy in respect of the above with Cabinet Member for Culture and City Development.

¹ <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/new-local-plan-evidence>

Appendix A - Project update summary table

4.	<p>Additional greenspace planting 2019/2020</p> <p>The delivery plan was intended to cover the entire year, thus whilst the street tree planting is being pursued, there is the option to carry out another round of additional tree planting to improve the quality of the city's existing greenspaces (in addition to the standard maintenance/management plans of the parks team).</p> <p>It is suggested that the locations are focused around areas of need as identified by the canopy cover research picked up in item 1. to ensure resources are best utilised.</p>	2019/20 tree planting season (October to March).	<p>Not yet commenced - Officers have been working to identify a number of green spaces in the city which could benefit from new tree planting this year.</p>	<ul style="list-style-type: none"> - Members to confirm they are happy to pursue this subject to funding being identified. - Need to identify funding to help resource this planting, e.g. capital bid, neighbourhood CIL. - Need to confirm numbers/scope of planting. - Officers to agree appropriate approach in respect to the above with Cabinet Member for Culture and City Development.
5.	<p>Trialling 'pollinator friendly corridors'</p> <p>A separate project has been identified along the Copnor Road for the trialling creation of a pollinator friendly corridor which if successful could be replicated in other parts of the city.</p> <p>The project would involve changing the management of a number of sections of the grass verges either side of the Copnor Road between John Wesley Gardens and College Park (also linking up Gatcombe Gardens in the process). Rather than the current management practice of mowing the grass short, areas would be reseeded with a mix of native wildflower seedlings at regular intervals in order to create a corridor.</p> <p>A pollinator friendly corridor would tie into several sustainability benefits for the city. The project offers the opportunity to encourage active travel through attracting additional pedestrians and cyclists through the environmental enhancements it could offer. In addition, and perhaps more importantly, it would create a length of new habitat for pollinator species and better encourage movement between several greenspaces with benefits for biodiversity in the middle of the city.</p>	A trial period of 12-24 months Commencing spring planting season 2020	<p>Not yet commenced - provisional discussions have taken place with the PFI team to identify feasibility and any implications for the Council and the PFI contract. In principle it appears feasible, though if the go ahead is received from Members, a further in depth conversation is needed with COLAS to understand how it could work in practice.</p>	<ul style="list-style-type: none"> - Need confirmation from Members that they are happy to pursue. - Need to consider how this is promoted and the scope for engagement with community that might be needed. There is a risk that if not handled properly, the wildflowers (when not in flower) could be negatively received (i.e. by looking less 'tidy' than mown grass particularly when not in flower). It is suggested that some publicity would be of benefit to overall success of trial. - Officers to agree appropriate strategy in respect to the above with Cabinet Member for Culture and City Development.
6.	<p>Social media campaign</p> <p>With support from comms we have been putting out regular social media posts across the social media channels with several objectives: First to highlight what green infrastructure the city currently benefits from and touch upon some of the multiple benefits that this infrastructure provides in support of people's health and wellbeing. Second to draw people's</p>	Initial posts ran for several months between March and June	<p>Complete but with scope to do more</p> <p>We initially ran a series of weekly posts using available imagery, stats and content to understand how this was received. We could recommence the campaign for a further period to further highlight the city's existing green</p>	<ul style="list-style-type: none"> - Members to confirm this campaign should be continued. - Members to confirm additional design work and photography to illustrate the content of the social media can be commissioned, subject to funding being identified.

Appendix A - Project update summary table

	<p>attention to some of the city's green spaces including lesser known areas that they might want to visit. Finally the social media posts included a call for feedback on places that residents considered might benefit from tree planting in the future, which the Council can consider in the future as part of subsequent tree planting initiatives. There were about 15 different locations that were picked up through this engagement process so far - a summary has been compiled for reference at the end of this table.</p>		<p>infrastructure and inform about its benefits for the city.</p>	<ul style="list-style-type: none"> - Officers to agree appropriate strategy in respect to the above with Cabinet Member for Culture and City Development.
7.	<p>Trees in the city resource It was previously communicated that officers should try to pull together a resource that addresses everything a local resident might want to know about trees in Portsmouth. This has led to the production of a concise resource which can be published on the website.</p>	<p>No specific deadline</p>	<p>Ongoing Some initial work from comms/design team has produced a one page resource using content we have previously pulled together. This is coming to a point where it is ready to publish online.</p>	<ul style="list-style-type: none"> - Members to confirm they are happy with the approach taken. - It has been suggested by comms that we may want to look at refreshing the content of the wider website as much of what is in the document can be found across various pages. Members to confirm this should be pursued. This would need input from parks team as well as planning.
	<p>Additional opportunities for tree planting Other opportunities for greening in the city will be investigated including in schools, and underutilised car parks and parking spaces. Opportunities will also be investigated for making additional Tree Preservation Orders (TPOs) to protect existing trees in key locations around the city.</p>	<p>An initial review of opportunities to be undertaken over the summer.</p>	<p>Not yet commenced - initially an exercise should be undertaken to identify all available opportunity locations, subsequently discussions will need to be had with landowners to determine feasibility and costs for new planting.</p>	<ul style="list-style-type: none"> - Members to confirm this approach should be taken.

Appendix A - Project update summary table

Summary of public engagement on social media - tree planting location suggestions

1. Corner of Albert Road and Victoria Road South: There is a screen glass sculpture however there is enough space on that road-island to include some trees/plants.
2. Isambard Brunel Road (southside pavement): there is space around the new student accommodation block (Unite Chaucer House).
3. Aston Road, Southsea: By the pavement of Aston Road.
4. Canal Walk and Sydenham Terrace alongside the railway could be used to include planting to make the area more attractive.
5. Additional planting along Devonshire Avenue— the westerly end has very few trees and could benefit environmentally, visually and also to help deaden some of the traffic noise along this route.
6. Additional trees could be planted in Fawcett Road, Lawrence Road, Albert Road, Goldsmith Avenue, Priory School, Lawson Road, Standsted Road, Britannia Road & North Heyward Road, Victoria Road North, Addison Road, Bramble Road, & Bramble Road Infant School, Wheatstone Road, Northcote Road, Wheatstone Road, Delamere Road, Talbot Road.
7. Additional Tree Planting as you enter the Eastern Road from the Motorway and then further down the road along the common on the left hand side of the road.
8. Introduce street planters which are common in London and Holland.
9. Create new "green" spaces & enhance existing "green" spaces where natural habitats can develop, especially north of Albert Road where there is a lack of Green spaces.
10. Albert Road generally.
11. Wildflower planting on the grass at the corner of Holbrook Road and Summers Road North
12. Havant Rd is a good example in Farlington with all the trees arching over the road. First Ave in Farlington could be looked at.
13. Suggest the commons first such as Southsea common & the Great Salterns Recreation Ground. Also the little unofficial path throughout Tamworth Park.
14. Kent Street modal filter has planters where two small trees could be planted.
15. Sections of Francis Avenue e.g. between Wheatstone Road and Edmund Street
16. Fawcett Road could accommodate new trees and other greening measures amongst wider public realm improvements.

Agenda Item 8



Portsmouth
CITY COUNCIL

Agenda item:

Title of meeting: Cabinet

Date of meeting: 24th July 2019

Subject: Responding to climate change

Report From: Chief Executive

Report by: Kelly Nash, Corporate Performance Manager

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 To set out how Portsmouth City Council will respond to the Notice of Motion adopted on 19th March 2019, to declare a climate emergency in Portsmouth.

2 Recommendations

2.1 The Cabinet is recommended to:

- i. Approve the proposals in section 4 (and specifically 4.1) to respond to the Notice of Motion adopted on 19th March 2019, to declare a climate change emergency in Portsmouth.

3 Background

- 3.1 On 19th March, the Council adopted a Notice of Motion, "Proposal to Declare a Climate Emergency in Portsmouth." This resolution included 7 asks of the Cabinet:

- Declare a 'Climate Emergency' then ask partners to sign up, including local business, schools and community groups
- Pledge to achieve net zero carbon emissions in Portsmouth by 2030, considering both production and consumption of emissions according to the Standard provided by the Greenhouse Gas Protocol.
- Require the Leader of the Council to report back to the Council within six months with an action plan, detailing how the Council will work with partners across the city and with central government to ensure that Portsmouth's net carbon emissions (Scope 1, Scope 2 and Scope 3 emissions as defined by the GHG Protocol) are reduced to zero by 2030

- Provide an annual report on Portsmouth GHG emissions, what is working and what is more challenging and progress towards achieving net zero-carbon emissions
- Require the Chief Executive to establish a "Portsmouth Climate Change Board" before the end of July 2019, equivalent to that of Manchester, to underpin our efforts to decarbonise Portsmouth.
- Write to the government requesting a) additional powers and funding to make the 2030 target possible, and b) that ministers work with local government and other governments to ensure that the UK maximises carbon reduction by 2030 in line with the overriding need to limit global warming to a maximum of 1.5°C.
- Develop and implement a community engagement plan to i) fully inform residents about the need for urgent action on climate change ii) offer a vision of a healthier, more child friendly and greener city that is a model of best practice iii) mobilise residents in the delivery of the action plan.

3.2 These actions amount to a significant programme of work, and a plan to deliver these has been developed.

4. Implementing the requirements of the Notice of Motion

4.1 The Notice of Motion is clear that there are two levels of response on this issue - the wider city and partners piece; and the response of Portsmouth City Council as an organisation. In order to implement the requirements of the Notice of Motion, the following actions will be undertaken:

- Significant partners in the city will be asked to sign-up to the Climate Emergency declaration
- Previous work undertaken on the organisation's carbon reduction plan will be refreshed to ensure that this is aspirational, realistic and covers the full breadth of PCC's activity, including the operational footprint (for example, staffing, waste, administrative buildings), housing and commercial stock, and policies (such as planning and procurement). The Carbon Reduction plan has not been actively monitored since 2015, so the refresh will be timely and the plan should be presented for adoption by the Cabinet in autumn 2019.
- Ensure that the refreshed carbon reduction plan includes specific, measurable, achievable, realistic and timely targets, which can be monitored regularly and reported on an annual basis - it is important to recognise that lots of work is happening, or has happened, that can be the building blocks of the plan (for example, work on clean air, single-use plastics, waste stream reduction, vehicle fleet improvements, home energy efficiency).
- Use the process of refreshing the plan to identify asks, in terms of additional powers and specific funding, that will be pursued with ministers and with other organisations
- Alongside the development of the organisation's Carbon Reduction Plan, facilitate the development of a Portsmouth Climate Change Board in support of this work, with a specific role to develop community engagement.

4.2 The Portsmouth Climate Change Board will not be a decision-making body of the local authority, but will instead have a role to promote issues relating to climate

change in the city, lobby and raise awareness, and provide a forum for issues relating to climate change on a city wide basis to be shared, discussed and co-ordinated. It could be that the board can commission specific pieces of work to be undertaken on a "task and finish" basis by working groups. Such a Board would be cross organisational and non-political (in terms of leadership) with chairmanship to be held on a revolving basis across member organisations.

- 4.3 In order to launch this group, some start-up resource will be required from the organisation, including officer time and some limited budget, for example, to develop a brand and identity for the Board, or support some events. It is proposed that officer time is found from within existing resource, and an initial start-up budget of £20,000 allocated to this. Partner organisations will be asked to consider what contributions they can make (in terms of in-kind support and funding) and the Terms of Reference for the Board will include a specific mandate to seek funding from all sources to support work in aid of the Portsmouth climate emergency.

5. Reasons for recommendations

- 5.1 The Council has signalled commitment to addressing the issue of climate change by adopting the Notice of Motion to declare climate emergency. The proposals set out in section 4 represent a comprehensive programme to implement this measure in Portsmouth, within the local authority and with partners and residents.
- 5.2 The proposals recognise that much is already happening to support this priority, but that this activity is in need of co-ordination and promotion to ensure that the impact is optimised.

6. Equality impact assessment (EIA)

- 6.1 A preliminary EIA has been completed, indicating that there is no requirement for a full EIA at this stage.

7. City Solicitor comments

- 7.1 Whilst the declaration of a Climate Change Emergency and the requirements of the Notice of Motion as adopted are distinct from the legally binding UK climate change target set by the Climate Change Act 2008, they represent a statement of intent by the Council to take action on climate change working with local partners and the community.

8. Head of finance's comments

- 8.1 As stated in paragraph 4.3 it is proposed that a one off sum of £20,000 is required to support this motion. This money will be funded from the Environment and Community Safety Portfolio Reserve.

.....
Signed by: David Williams, Chief Executive

Appendices:

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

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

.....
Signed by: Name and Title

Equality Impact Assessment

Preliminary assessment form 2018

www.portsmouthccg.nhs.uk

www.portsmouth.gov.uk

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

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
 - negative, positive or no impact on any of the equality groups
 - How are going to mitigate or remove any potential negative impacts
 - opportunity to promote equality for the equality groups
 - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

Directorate:

Executive

Service, function:

Strategy Unit

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

Responding to climate change

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

- Existing
- New / proposed
- Changed

Q1 - What is the aim of your policy, service, function, project or strategy?

To set out how Portsmouth City Council will respond to the Notice of Motion adopted on 19th March 2019, to declare a climate emergency in Portsmouth

Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

The proposals will not have a detrimental effect for anyone.

Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: Other excluded groups examples includes, Homeless, rough sleeper and unpaid carers. Many forms of exclusion are linked to financial disadvantage. How will this change affect people on low incomes, in financial crisis or living in areas of greater deprivation?

If the answer is "negative" or "unclear" consider doing a full EIA

If there are any potential negative impacts on any of the protected characteristics, What have you put in place to mitigate or remove the negative impacts/barriers?

Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups? e.g. A new service has been created for people with a disability to help them gain employment this would mean that this helps promote equality for the protected characteristic of disability only.

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?

Please add in the text boxes below what feedback / meetings you have attended for each specific protected characteristic

Group	Positive or negative feedback
Age	n/a
Disability	n/a
Race	n/a
Sex	n/a

Gender reassignment	n/a
Sexual orientation	n/a
Religion or belief	n/a
Pregnancy and maternity	n/a
Marriage & civil partnership	n/a
Other excluded groups	n/a

Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?

yes No

PCC staff-If you have to complete a full EIA please contact the Equalities and diversity team if you require help Tel: 023 9283 4789 or email:equalities@portsmouthcc.gov.uk

CCG staff-If you have to complete a full EIA please email: sehccg.equalityanddiveristy@nhs.net if you require help

Q7 - How have you come to this decision? Summarise your findings and conclusion below

This is a change to a corporate and administrative function and will at this stage not directly impact on delivery - changes to policy or service delivery resulting from the new ways of working proposed and the climate change strategy will be subject to individual assessments.

Q8 - Who was involved in the EIA?

Kelly Nash, Corporate Performance Manager, PCC

This EIA has been approved by: David Williams

Contact number: 02392 688157

Date: 14th July 2019

PCC staff-Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789, Email: equalities@portsmouthcc.gov.uk

CCG staff-Please email a copy of your completed EIA to the Equality lead who will contact you with any comments or queries about your preliminary Email: sehccg.equalityanddiversity@nhs.net