



NOTICE OF MEETING

PLANNING COMMITTEE

TUESDAY 9 MARCH 2021 AT 3PM
(PLEASE NOTE THE LATER START TIME)

VIRTUAL REMOTE MEETING

Telephone enquiries to Democratic Services 023 9283 4870

Email: Democratic@portsmouthcc.gov.uk

Planning Committee Members:

Councillors David Fuller (Chair), Judith Smyth (Vice-Chair), Matthew Atkins, Chris Attwell, Lee Hunt, Donna Jones, Terry Norton, Lynne Stagg, Luke Stubbs and Claire Udy

Standing Deputies

Councillors Hugh Mason, George Fielding, Jo Hooper, Suzy Horton, Frank Jonas BEM, Gemma New, Robert New, Scott Payter-Harris, Steve Pitt and 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

Representations by members of the public may be made on any item where a decision is going to be taken. The request needs to be made in writing to the relevant officer by 12 noon 7 working days preceding the relevant meeting, and must include the purpose of the representation (e.g. for or against the recommendations). Email requests to planning.reps@portsmouthcc.gov.uk or telephone a member of the Technical Validation Team on 023 9283 4826.

A G E N D A

- 1 Apologies**
- 2 Declaration of Members' Interests**
- 3 Update on previous applications.**

Planning Applications

The planning application report was published on 23 February.

- 4 20/00457/OUT Tipner Interchange M275 Junction 1 off slip from Junction 12, M27 Portsmouth (Pages 3 - 90)**
- Outline application for the construction of a multi-storey transport interchange (up to 34.8 m aod) incorporating a park and ride facility for up to 2,650 cars and 50 bicycles; taxi rank; car and bicycle rental facility; public conveniences; landscaping; ancillary offices and units within use classes A1, A2, A3, D1 and D2, with access from junction 1 on the M275 (principles of access to be considered). The proposal constitutes EIA development.
- 5 20/01483/FUL The Registry, St Michael's Road, Portsmouth**
- Change of use from student halls of residence (class C1) to interim accommodation for the homeless (sui generis).
- 6 20/01482FUL - 155-157 Elm Grove Southsea**
- Change of use from student halls of residence (class C1) to interim accommodation for the homeless (sui generis).
- 7 20/01484/FUL - Kingsway House, 130 Elm Grove Southsea**
- Change of use from student halls of residence (class C1) to interim accommodation for the homeless (sui generis).
- 8 20/00470/HOU - 12 Blake Road, Drayton and Farlington, Portsmouth**
- Construction of front extension, following demolition of existing front porch. Construction of part two-storey, part single storey rear extension, following demolition of existing extension, addition of raised decking, including external alterations (amended plans and description)

Agenda Item 4

PLANNING COMMITTEE 9 MARCH 2021

3 PM VIRTUAL MEETING

REPORT BY THE ASSISTANT DIRECTOR - PLANNING AND ECONOMIC GROWTH ON PLANNING APPLICATIONS

ADVERTISING AND THE CONSIDERATION OF PLANNING APPLICATIONS

All applications have been included in the Weekly List of Applications, which is sent to City Councillors, Local Libraries, Citizen Advice Bureaux, Residents Associations, etc, and is available on request. All applications are subject to the City Councils neighbour notification and Deputation Schemes.

Applications, which need to be advertised under various statutory provisions, have also been advertised in the Public Notices Section of The News and site notices have been displayed. Each application has been considered against the provision of the Development Plan and due regard has been paid to their implications of crime and disorder. The individual report/schedule item highlights those matters that are considered relevant to the determination of the application

REPORTING OF CONSULTATIONS

The observations of Consultees (including Amenity Bodies) will be included in the report by the Assistant Director - Planning and Economic Growth if they have been received when the report is prepared. However, unless there are special circumstances their comments will only be reported VERBALLY if objections are raised to the proposals under consideration

APPLICATION DATES

The two dates shown at the top of each report schedule item are the applications registration date- 'RD' and the last date for determination (8 week date - 'LDD')

HUMAN RIGHTS ACT

The Human Rights Act 1998 requires that the Local Planning Authority to act consistently within the European Convention on Human Rights. Of particular relevant to the planning decisions are *Article 1 of the First Protocol- The right of the Enjoyment of Property*, and *Article 8- The Right for Respect for Home, Privacy and Family Life*. Whilst these rights are not unlimited, any interference with them must be sanctioned by law and go no further than necessary. In taking planning decisions, private interests must be weighed against the wider public interest and against any competing private interests Planning Officers have taken these considerations into account when making their recommendations and Members must equally have regard to Human Rights issues in determining planning applications and deciding whether to take enforcement action.

Web: <http://www.portsmouth.gov.uk>

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**TIPNER INTERCHANGE M275 JUNCTION 1 OFF SLIP FROM JUNCTION 12 M27
PORTSMOUTH**

OUTLINE APPLICATION FOR THE CONSTRUCTION OF A MULTI-STOREY TRANSPORT INTERCHANGE (UP TO 34.8 M AOD) INCORPORATING A PARK AND RIDE FACILITY FOR UP TO 2,650 CARS AND 50 BICYCLES; TAXI RANK; CAR AND BICYCLE RENTAL FACILITY; PUBLIC CONVENIENCES; LANDSCAPING; ANCILLARY OFFICES AND UNITS WITHIN USE CLASSES A1, A2, A3, D1 AND D2, WITH ACCESS FROM JUNCTION 1 ON THE M275 (PRINCIPLES OF ACCESS TO BE CONSIDERED). THE PROPOSAL CONSTITUTES EIA DEVELOPMENT.

Application Submitted By:

Savills (UK)

FAO Mr Simon Fife / Mr Andrew Fido

On behalf of:

.

Portsmouth City Council

RDD: 24th April 2020**LDD:** 17th August 2020**1.0 SUMMARY OF MAIN ISSUES**

- 1.1 This application is brought to the Planning Committee for determination as the applicant is Portsmouth City Council and it is in the interest of the public for the application to be determined by the Planning Committee.
- 1.2 The main issues for consideration in the determination of this application are as follows:
- The principle of the development
 - Need for the development (reduce car use in city centre, air quality, etc.)
 - Encourage modal shift
 - Consideration of the reserved matter - access
 - Consideration of the other matters reserved for consideration at a later date:
 - Appearance
 - Landscaping
 - Layout
 - Scale

2.0 SITE AND SURROUNDINGS

2.1 The 3.13ha site is located approximately 3 km north of the city centre of Portsmouth east of and adjacent to Junction 1 of the M275 motorway, from which it has access. The site and surrounding area falls within the administrative area of Portsmouth City Council within the Nelson Ward.

2.2 The site is currently used as a Park and Ride facility with a capacity of 665 car parking spaces and as such, it is largely dominated by hardstanding with a centrally located bus shelter comprising a small single storey waiting room with attached canopy and benches. There are also peripheral landscaping and habitats including introduced shrub, species rich hedgerow and amenity grassland located within the Site boundary.

2.3 The site levels vary slightly across the Site, with the highest point of the Site located along the western boundary with the M275 at approximately 5.83m Above Ordnance Datum (AOD). Generally, the higher points on the Site are located towards the centre and vary from 4.6m AOD to 3.9m AOD. The Site then slopes away towards the boundaries, before increasing in height at the boundaries themselves. There are also a number of isolated high points across the Site itself. The site lies directly to the east of junction 1 of the M275 which runs in a north-south direction connecting Portsmouth City Centre to the south with the M27 to the north.

2.4 The existing Park and Ride facility provides 665 car parking spaces, including three disabled spaces and two spaces for Electric Vehicle (EV) charging. The Park and Ride facility is currently open from 6.30am to 8.30pm on Monday to Friday, 7.30am to 8pm on Saturdays and 8.30am to 6.45pm on Sundays and runs every day except for Christmas Day and New Year's Day.

2.5 A building with a waiting room is centrally located within the Site and is accessed from the car park via at-grade marked zebra crossings. The Park and Ride operates in a 'Pay and Display' fashion with ticket machines located throughout the car park. Users can also tap and pay using a smartcard whilst travelling on the bus.

2.6 The site's environs are in an area currently undergoing significant change, with Tipner identified as a strategic site in PCC's Local Plan with the potential to contribute towards the overall regeneration of the City and the ability to play a major part in delivering a significant proportion of the development identified for the future of Portsmouth. Significant residential and other development is planned at Tipner, with outline permission for 518 homes at Tipner East, located to the east and north of the Site, already in place. To the west of the M275 is Tipner West where there are aspirations for the creation of circa 1,250 homes and 30,000m² of business space.

3.0 DESCRIPTION OF DEVELOPMENT

3.1 As set out in the Planning Statement accompanying the application, the site is currently a Park and Ride facility with spaces for up to 665 cars.

3.2 The Development Proposals comprise a Transport Hub incorporating a transport interchange and a Park & Ride as a destination at the Gateway to Portsmouth and the planned development around Tipner. The development incorporates a multi-decked Park & Ride, which will replace the surface car parking areas of the existing Park & Ride. Bus access into the bus stop area would be unchanged from the existing layout and vehicle access and egress would remain as per the existing arrangement (i.e. via Tipner Lane). The access into the multi-deck structures would be via reconfigured circulating aisles within the at-grade car park, allowing efficient searching of available spaces within the at-grade car park before entering the multi-deck structures.

3.3 The proposal is to redevelop the site with a multi storey building up to 34.8 metres (114 feet) in height to provide up to 2650 car spaces (a 398% increase) and up to 50 cycle spaces. It is also proposed, given the scale of the park and ride facility and the transfer of people from car to bus and vice versa to support small ancillary commercial and leisure uses falling within uses classes A1 to A3 and D1 / D2 (Use Classes prior to 31 August 2020 / Classes E and F.1, F.2 effective from 1 September 2020). The proposed breakdown would be as follows:

Use class	Use	Maximum gross floorspace
A1	Shops (e.g. grocery)	5,000 sq ft. (465 sq.m)
A2	Professional Services (e.g. estate agent)	500 sq ft. (46.5 sq.m)
A3	Restaurant	2,500 sq ft. (232.5 sq.m)
A3	Café	500 sq ft. (46.5 sq.m)
D1	Health Centre / Art Gallery	2,500 sq ft. (232.5 sq.m)

D2	Gym / Open Performance Area	2,500 sq ft. (232.5 sq.m)
	TOTAL	13,500 sq. (1255.5 sq.m)

3.4 It is anticipated that the site would operate 24 hours a day, 7 days a week (excluding Christmas Day and New Year's Day), including the ancillary commercial and leisure uses, subject to demand. The construction of the Development Proposals would be phased so as to retain a significant proportion of the existing Park & Ride functionality during construction of the new facility and to retain the existing transport terminal facilities until 2024 so as to comply with Department for Transport obligations

3.5 Phase 1 of the Development Proposal will construct the northern section of the car park and Phase 2 of the Development Proposal will provide the remaining sections of the car park. During the construction of Phase 1 of the car park, the southern section of the site will remain open and operational (the current P & R facility), with an objective safeguarding a minimum of 300 parking spaces during construction for continued public use. The existing hub building will be retained for the construction of Phase 1 and then as part of the work undertaken for Phase 2, this will be removed to ensure the comprehensive redevelopment of the site. Phase 2 is anticipated to commence construction in 2024.

3.6 As stated above, the expanded Park & Ride will provide up to 2,650 spaces in place of the current Park & Ride facility (which provides 665 spaces at surface level) alongside a replacement Park & Ride bus facility, pick-up/drop-off facilities (including for taxis) and servicing for the complementary land uses proposed on the site. The additional spaces will be housed within a new structure set over seven floors, with circulation between them served by internal ramps, to be located within the northern section of the existing site.

3.7 A new ground floor terminal facility will be provided within the southern part of the building which will provide sheltered waiting facilities for passengers and may also house a small consolidation centre, & storage areas. It is anticipated this could incorporate an area of short-stay car parking for use by customers of the consolidation centre or for use by motorists picking-up / dropping-off passengers or to any of the land uses associated with the development. It is anticipated that provision for servicing the bus terminal facility and wider land uses will also be provided and a segregated taxi pick-up and drop-off facility.

3.8 Upper floors of the multi-storey car park will transfer to ground level via stairs and lifts, and it is anticipated that there would be two lift cores containing three lifts per core, with one of these located immediately adjacent to the Park & Ride terminal facility.

3.9 Access to the site will continue to utilise the existing arrangements via Tipner Lane with segregated entry/exit arrangements for vehicles accessing the car park, pick-up and drop-off areas, servicing and the Park & Ride bus facility. Separate entry and exit barriers will control ingress and egress to the multi-storey car park with only those motorists wishing to park and transfer onto the Park & Ride bus needing to pass through the barriers, with unfettered access to the pick-up and drop-off, taxi, servicing and Park & Ride bus area. The sole exception to this is the potential for delivery vehicles accessing the land uses proposed in the north west corner of the site ('The Barbican') which would need to pass through the entry / exit barriers – at least one of the lanes through the barriers would be wide enough to accommodate a delivery vehicle. Clear wayfinding will be provided to direct each user to the appropriate point of access and area of the site.

3.10 The indicative designs confirm that located towards the middle of the site a one-way loop road will be provided with six parallel Park & Ride bus pick-up and drop-off bays provided; three on either side. A passenger concourse for boarding / alighting Park & Ride buses will be provided alongside this, with this wide enough such that it also functions as a footway / cycleway link between the site and pedestrian / cycle connections along Tipner Lane. The concourse would connect to the Park & Ride terminal facility, the taxi and general public pick-up / drop-off

areas, the short-stay parking area for the consolidation centre and to cycle parking facilities which will also be provided adjacent to the concourse.

3.11 Additional capacity at the Park & Ride is aimed at capturing both commuter and leisure-based trips, and has been assessed on the basis that 95% of spaces will be occupied at peak. Proposed to operate as a 24 hour facility, with extended bus services likely to operate between 05:00-midnight, it is envisaged that a wide range of user types will be attracted to use the service, including weekend tourists, staff / visitors to the Port and University, other regular commuters, frequent shoppers and evening leisure users.

3.12 To support increased bus patronage at the Park & Ride, additional bus services will be required to ensure there is sufficient capacity to transfer users into the city. Forecasts suggest that during peak times, buses will need to increase from the current six services per hour, to approximately 38 per hour. The bus routes and destinations will be subject to review, both prior to construction and once operational, to ensure services continue to align with passenger demand.

3.13 The design and operational principles outlined above are reflected in an illustrative outline concept design, the evolution of which is set out in the Design and Access Statement submitted with but not forming part of the application. An assessment of the extent to which the concept design is considered to accord with planning policies PCS15, 23 and 24 is set out in the Planning Considerations section of the report below. The application is also supported by an indicative landscape concept plan which confirms how landscaping could be provided across the site and potentially integrated with the building's elevations.

3.14 As details of the proposed access arrangements from the M275 via Tipner Lane form part of this application, bus access into the bus stop area would be unchanged from the existing layout and vehicle access and egress would remain as per the existing arrangement (i.e. via Tipner Lane). The access into the multi-deck structures would be via reconfigured circulating aisles within the at-grade car park, allowing efficient searching of available spaces within the at-grade car park before entering the multi-deck structures.

3.15 The plans below show access and movement to / from the site and the bus and car park access arrangement:

Arrival into Portsmouth



Leaving Portsmouth



4.0 RELEVANT PLANNING HISTORY

4.1 As taken from the Planning Statement prepared by Savills, the planning history of the site and immediately adjacent area comprises the following:

- i. Application 11/00363/FUL. Planning permission was granted on the 31st January 2012 for site clearance including demolition, remediation and land raising by 0.25m on Parcel I, II & III, up to 4.5m AOD on Parcel IV at Tipner East, Portsmouth including associated

compound and facilities. This application covered a wider area of land, within which lies the current red line application area.

- ii. Application 12/00561/FUL. Planning permission was granted on the 13th September 2012 for a hybrid application including in detail for a Park & Ride facility with access, landscaping, boundary treatment and associated works and in outline for a single-storey passenger waiting facility. The outline part of the application covered detailed matters of access, layout and scale only.
- iii. Application 13/00853/FUL. Planning permission was granted on the 10th October 2013 for construction of a Park & Ride facility with a single-storey passenger waiting building/canopy, together with access, landscaping, boundary treatment and associated works, including maintenance access route, on land to the east of the M275. This permission has been implemented.

Surrounding Planning History

- 4.2 Planning permission was granted on the 7th April 2010 (09/01568/FUL) on land at the M275/Tipner Lane for the construction of a new motorway junction off the M275, comprising northbound and southbound on/off slips (and associated noise barriers and ancillary street furniture including road signage/gantry and lighting), to include the construction of a roundabout partly on Tipner Lane with access maintained to/from Tipner Lane as well as new access to the proposed on/off slips and a dedicated busway southbound alongside the M275 between the proposed roundabout on Tipner Lane and the Rudmore Roundabout at Twyford Avenue. This application was implemented and the interchange is in use.
- 4.3 There have been a number of planning permissions / resolutions to grant permission (subject to s106 agreements) for residential development and some employment relating to land to the north and east of the site owned by the Tipner Regeneration Company (TRC) and Homes England. These planning permissions / resolutions approved about 626 new dwellings in a range of flat blocks (of between 5.5-8.5 storeys in height) and individual houses across four sites – land remediation has been advanced across some of this land, but the new homes have yet to be commenced. The relevant application numbers are: 10/00849/OUT; 11/00362/OUT; 13/00202/OUT; 13/00203/OUT; 15/01854/REM.

5.0 POLICY CONTEXT

- 5.1 The development plan relevant to the determination of this application, comprises:

- The Portsmouth Plan (adopted 2012)
- The Portsmouth City Local Plan Saved Policies (adopted 2006)
- The Hampshire Joint Minerals and Waste Plan (adopted 2013)

- 5.2 Regard will also be had to the National Planning Policy Framework (February 2019).

- 5.3 The Portsmouth Plan sets out the vision and objectives for Portsmouth up to 2027. Of the eight objectives in the plan:

1. To make Portsmouth an attractive and sustainable city
- 2. To make Portsmouth an accessible city with sustainable and integrated transport**
3. To develop Portsmouth as a city of innovation and enterprise, with a strong economy and employment opportunities for all
4. To make Portsmouth a city in which everyone feels and is safe
5. To deliver affordable / quality housing where people want to live

6. To encourage and enable healthy choices for all and provide appropriate access to health care and support
 7. To enhance Portsmouth's reputation as a city of culture, energy and passion offering access for all to arts, sport and leisure
 8. To ensure there is adequate supporting infrastructure for the new development and growth of the city
- 5.4 Objective 2. 'To make Portsmouth an accessible city with sustainable and integrated transport' is key. This objective addresses the issue of transport and will be achieved by:
- Focussing developments around our town centres and public transport routes so that communities have easy access by a choice of modes of transport for getting around the city and are within easy reach of goods and services;
 - Focussing travel around the city on cycling, walking and public transport making the most of the city's compact and flat geography and mild climate. Priority will be given to cycling and walking in new developments and, when improving roads, the network of cycling and walking routes will be enhanced;
 - Requiring travel plans from new residential developments, businesses, shops and schools; Improving the city's transport hubs and interchanges such as a new train/bus interchange at Portsmouth & Southsea railway station and physical improvements to the Hard interchange at Portsmouth Harbour;
 - Working with the sub region as part of Transport for South Hampshire (TfSH) to ensure networks are enhanced and managed efficiently; and
 - Developing a Premium Bus network and a bus rapid transit linking Fareham, Gosport, and Havant with Portsmouth and improved access to Port Solent, Horsea Island and Tipner, as well as working with partners to improve the public transport system within the city.
- 5.5 Policies within the plan relevant to the determination of this application comprise:
- PCS1 - Tipner
 PCS10 - Housing Delivery
 PCS11 - Employment Land
 PCS12 - Flood Risk
 PCS13 - A Greener Portsmouth
 PCS14 - A Healthy City
 PCS15 - Sustainable Design and Construction
 PCS17 - Transport
 PCS23 - Design and Conservation
 PCS24 - Tall Buildings
- 5.6 In addition, there are a number of saved policies from the Portsmouth City Local Plan 2001 - 2011 (2006), which remain valid and form part of the Development Plan:
- DC21 Contaminated Land – this states that development on contaminated land will only be permitted where measures can be taken to deal with the contamination to ensure the long term safety of the development and management of the site.
 - PH1 Portsmouth Harbour Coastal Zone – this states that development within the defined Portsmouth Harbour Coastal Zone must have regard to the coastal setting and landscape, public access to the waterfront, navigation within the Harbour and nature conservation interests.
- 5.7 In addition, regard must also be had to:
- The Tall Buildings SPD (2012)
 - Local Transport Plan 3
 - Developing Contaminated Land SPD
 - Solent SPA SPD (April 2014)
 - Air Quality and Pollution SPD (March 2006)
 - Parking Standards and Transport Assessments SPD (July 2014)

- Sustainable Design and Construction SPD
 - Reducing Crime Through Design SPD
- 5.8 The Air Quality and Air Pollution Supplementary Planning Document, Adopted – March 2006 has been rather superseded by the Air Quality Strategy, as Portsmouth has been identified as a city that needs to reduce air pollution levels as quickly as possible.
- 5.9 As such PCC are working closely with Government's Joint Air Quality Unit (JAQU) to develop a plan to ensure that levels of nitrogen dioxide in the city are reduced below legal limits in the shortest possible time (the Air Quality Local Plan). The process that has to be followed to produce the Air Quality Local Plan has been set out by JAQU and there are a number of documents that have to be submitted to Government for review. Of these, the outline business case has now been submitted to Government for review (env-aq-air-quality-plan-outline-business-case.pdf (portsmouth.gov.uk))
- 5.10 As set out in Section 4.2 2020 of the Air Quality Annual Status Report (ASR), 'Park & Ride expansion - M275, A3 Commercial Road and A3 Alfred Road', The Portsmouth Park & Ride (P&R) is located off junction 1 of the M275 and currently provides 665 car parking spaces, which are often filled to capacity at weekends and during major events. The P&R offers reliable journey time between the city centre and the Hard interchange and also helps to reduce congestion by facilitating modal shift. PCC would like to expand the number of car parking spaces available at the P&R in order to address peak capacity issues and to encourage further modal shift away from private car use. In particular this is likely to have a positive impact on the two areas of exceedance being targeted through the LAQP (Alfred Road and Commercial Portsmouth City Council - ASR 2020 3 Road) as there is potential to reduce the number of private cars travelling along these roads if they can be encouraged to use the P&R.

6.0 CONSULTATIONS

Historic England:

Historic England (HE) has no objection to the application on heritage grounds.

The harm caused by the proposed development to the significance to Portchester Castle and the Hilsea Lines, through the incursion of setting, can be considered minimal.

However, HE do note that there is the potential for some harm to be caused to the setting of the Tipner Magazine Buildings and associated structures. As these are listed at Grade II we would defer to the local authorities judgement as to whether the application appropriately redresses this in accordance with the relevant policies of the NPPF. HE note that the addition of heritage benefits, specifically related to the magazine buildings, to offset the harm caused could be considered a suitable mitigation strategy.

HE note the archaeological potential of the site as outlined in the accompanying Desk Based Assessment (specifically the moderate potential for Holocene Palaeoenvironmental evidence and post-medieval remains) and would advise that the Hampshire County Council Planning Archaeologist is consulted so that an appropriate strategy for dealing with this can be taken forward. Historic England is willing and able to offer scientific advice when dealing these matters.

However we recommend that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 190, 192, 193, 194 & 196 of the NPPF.

Ecology:

Protected Species and Habitats

Based on the information provided, I have no significant concerns regarding protected species or habitats within the site itself, provided the mitigation measures set out in section 10.6 of the Environmental Statement are adhered to. These measures will be covered by the proposed Construction Environmental Management Plan (CEMP), which should set out the finer details of the mitigation measures, which will need to include the protection of breeding birds, reptiles and other protected species in line with the Wildlife and Countryside Act 1981 (as amended). I have provided suggested condition wording for this at the end of this email.

The vegetation within the application site is considered to be of limited ecological value. The applicant's ecologist has made a number of recommendations for enhancing species diversity within the site, which includes green surfacing on the new multi-storey building. Therefore, if you were minded to grant permission, I would suggest that a condition be added to any planning permission requiring the applicant to provide details of such measures, which will contribute to biodiversity. These can include, for example, the native and locally appropriate planting which will strengthen existing ecological corridors through the site, the creation of other habitat features such as bird nest boxes and bat boxes. Again, suggested condition wording is provided at the end of this email.

Designated Sites

The assessment scopes in impact pathways from hydrological links between other statutory sites and the application site, and via interchange of SPA birds between the sites. Therefore Chichester and Langstone Harbour SPA was scoped in, along with other, closer European designated sites such as Portsmouth Harbour SPA, and a comprehensive review of the Solent Wader and Brent Goose Strategy was undertaken, as per my EIA Scoping comments of September 2019.

A Phase 1 Land Contamination Assessment is provided with the application (WSP, July 2017). This states that there could be vertical leaching from impacted soil and lateral migration of impacted groundwater, which could have an adverse effect on Portsmouth Harbour SPA, Ramsar and SSSI. The Environmental Statement subsequently rules out this effect with suitable mitigation proposed.

The HRA screening and Appropriate Assessment conclude that there will be no Likely Significant Effects with mitigation in place, and I am satisfied with this conclusion. Mitigation includes production of a CEMP, and I have provided suggested condition wording for this below.

Enhancements

This development has the potential to provide opportunities to enhance biodiversity. The National Planning Policy Framework (NPPF) encourages measures that would result in biodiversity gains; the 'environmental' dimension of sustainable development – the central tenet of the NPPF – is afforded equal emphasis to the 'economic' and 'social' dimensions.

Additionally, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 sets out that local authorities: 'must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) clarifies that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Provision of biodiversity enhancement is also in line with PCS13 of the Portsmouth Plan. I have therefore provided suggested condition wording in the section below requiring the applicant to incorporate features into the development that would contribute to biodiversity.

Suggested Conditions

- 1 Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted for written approval to the Local

Planning Authority. Development shall subsequently proceed in accordance with any such approved details. Reason: to enhance biodiversity in accordance with NPPF and PCS13 of the Portsmouth Plan.

- 2 Prior to commencement, a Construction Environmental Management Plan (CEMP), incorporating measures to avoid impacts on the adjacent designated sites shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details. Reason: To protect designated sites and green infrastructure in accordance with Policy PCS13: A Greener Portsmouth of the Portsmouth Plan.

Highways England:

No objection, subject to the following condition:

1. No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England). It should include but not be limited to construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. Agreed details should be fully implemented prior to start of construction works.

Reason: To mitigate any adverse impact from the development on the M27 Motorway and to ensure that the M27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

We would support any local planning authority requirement for an Operational Management Plan, be it secured via condition or through a S106.

Highway Authority

The transport assessment has been prepared with reference to the scoping note and LPA response provided in pre-application enquiries. PCS1 Tipner makes policy provision for a P&R facility on this site providing between 900 and 1800 spaces. The extent of the development now proposed significantly exceeds this quantum and has not been assessed through the local plan process. That is not to say that such development would not be acceptable rather that the impacts have not been assessed through that process. The TA uses the SRTM as the basis for traffic modelling assessment which was found sound in the review of the scoping report. Table 3-4 of the TA and paragraph 3.5.8 report that the existing junction operates well within capacity with minimal queuing and delay. However this does not specifically reference the northbound on slip as was sought in the LPA response to the TA scoping report. Paragraph 6.2.5 reports the highest demand for the facility being only 61% of the capacity whilst the TA considers two scenarios being 70% and 90% occupancy rates with accumulation profiles determined from the M275 traffic flow which shows good correlation with that drawn from survey of the similar facility at Oxford. This seems a reasonable basis on which to establish an accumulation profile. This analysis determines a peak arrival period for 738 arrivals between 0800-0900 and peak departure period for 715 departures between 1700-1800. This requires an increase in the bus services from 6 to 38 per hour during the peak periods. The application does not explain how such numbers of buses will be accommodated practically nor the layover arrangements when the peak service demand is not required. This should be clarified with the applicant. In assessing the impact of the scheme the background traffic surveys have been increased from 2016 surveys using TEMPRO growth factors to 2019 and 2036. Paragraph 7.2.2 suggests that this is as was agreed with PCC through the scoping stage although the LHA raised specific concern regarding that approach in response to the scoping note saying 'However I am less comfortable with the proposal to use 2016 traffic levels and apply growth factors to those to determine 2019 traffic levels. 2016 traffic flows are now 3 years out of date and potentially 4 years by the time of the application and these should be refreshed.'

The traffic flow predictions should take account of consented sites and land allocations made in the local plan.' Given the current reduction in traffic flows arising from the COVID movement it is

not possible to undertake reliable traffic surveys at this time nor are we in a neutral survey period in any event. It does not seem that specific allowance has been made in the traffic modelling for the aspired significant mixed use development to the west of the junction on the disused Tipner Peninsula. The 59ha scheme envisaged will involve the reclamation of 22ha of land from the sea. The proposed coastal community is set to include around 4,000 homes, shops, leisure facilities, schools, and a marine employment site. The proposal also seems to show the opening of the currently closed link from Tipner interchange to Stamshaw (D&A statement section 8.2) although this is also not reflected in the modelling which only considers the impact of diverted trips from the M275 and not re-routed trips resulting from the opening of this link. As a consequence the modelling should be revisited and undertaken as was required in response to the scoping report including a capacity assessment of the eastern most access to the site and route from that to the M275. In the considered scenario the highest degree of saturation on the Tipner roundabout is 76% found on the M275 southbound off slip during the am peak period. M275 merge and diverge assessments have been undertaken for the south bound off and northbound on slips from the Tipner interchange although this is incorrectly referenced in paragraph 7.3.1 to be the north bound on and off slips. Whilst this does not find any capacity shortfall with the existing arrangements it does not address the issues of safety arising from the substandard length of the northbound merging slip. This was a specific area of concern raised in the LPA response to the scoping document which has not been addressed in the TA. The LHA have an emerging proposal to reallocate the nearside land of the M275 northbound to become a bus lane as far as the Tipner interchange. If the outbound M275 was maintained as 2 lanes beneath the interchange with the northbound on slip forming the third lane allowing weaving beyond, the issue of the substandard merging slip length would be resolved. In order to ensure the safety of this slip I think it both necessary and proportionate to require the implementation of such an arrangement prior to the commencement of use of any expansion of the P&R site. Subject to such a condition being imposed on any consent and the revisited modelling not finding capacity issues once undertaken in accordance with the response to the scoping report, taking account of the proposed development on land to the west of the junction and opening of the Stamshaw link if that is intended, I would not wish to raise a highway objection to this application.

Environment Agency:

No objection, subject to conditions to deal with contaminated land, SuDS infiltration, piling & boreholes.

Natural England

Natural England is satisfied with the conclusions of the HRA Screening and Appropriate Assessment. We recommend measures suggested for the Construction Environment Management Plan (CEMP) and operational mitigation measures are secured. We support the conditions suggested by the Hampshire County Council ecology team. We have no further comments at this time. Please make sure to follow Natural England's Standing Advice with regards to protected species.

Southern Water:

The attached plan shows that the proposed development will lie over existing public surface water sewers which will not be acceptable to Southern Water. The exact position of the public surface water sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the public sewers, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

The applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

The disposal of surface water from this development should be in compliance with the hierarchy of Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.
- b) A water course.
- c) Where neither of the above is practicable: a sewer.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Gosport Borough Council:

No comments

Portsmouth Water:

Thank you for consulting our team on this application, we have no adverse comments to make on the application from a groundwater quality protection perspective as the site is outside a groundwater Source Protection Zone (groundwater catchment) for our public water supply sources.

Crime Prevention Design Advisor:

The proposal creates a multi-storey transport interchange (consisting of a: multi-storey car park, bus terminus, public toilets and retail and leisure facilities), as destination in its own right. The proposal is for the car park (and presumably the commercial outlets) to be operational 24 hours a day except Christmas Day and New Year's Day.

The facilities within the site are provided for use by the travelling public and the residents of Portsmouth. To that end pedestrian and cycle routes provide connectivity to the local area.

Given the above, the site has the potential to bring together relatively large numbers of people. Careful consideration will have to be given as to how their safety will be provided and how the impact on the wider community of the development can be mitigated.

A range of crimes including: assault, vehicle crime, theft, drug offences, and antisocial behaviour (including rough sleeping) occur within the city's car parks and recreational parks. It is against this background that my comments are made.

If the site is not to be subjected to high levels of crime and anti-social behaviour careful consideration will have to be given to the layout of the site and the physical security features incorporated into the design. Consideration should be given to:

□ Surveillance – good surveillance will be required, consideration will have to be given as to how it is to be provided: natural, formal (manned guarding) and electronic (CCTV) – CCTV an Operational Requirement (OR) should be drawn up to accompany the reserved matters application □ Layout of the “Mounded Amenity Park” – The nearby Alexandra Park suffers high levels of motor cycle nuisance, the mounds and dry ‘rills’ within this part of the development will make for exciting riding □ Layout of the other facilities on the site □ Boundary treatments – the development should be enclosed within a robust boundary treatment at least 1.8m high □ Lighting – as the facility is continuously open (except Christmas Day and New Year's Day) □ Separation of the car parking decks from the other facilities – to provide for the security of motor vehicles, preventing access to those without vehicles parked on car parking decks is essential – the current proposal appears to allow access to all

Climber facades are shown about a number of the car park elevations, the climbing plants are to be supported using a mesh or cables, it is important that the mesh or cables cannot be used to scale up the outside of the building

To provide for the safety and security of visitors and motor vehicles the development should be enclosed within a secure boundary treatment. Lighting throughout the development should conform to the relevant sections of BS 5489:2013.

Tree Officer:

Observations

The content of arboricultural report Ref: MH/TipnerParkandRide/Tres/Impct Dated 29 March 2020 produced by Mark Hinsley Arboricultural Consultants Ltd. is accepted and agreed.

The existing landscape is less than 10 years old and initially struggled to establish due to poor landscape management post planting.

Those trees which have successfully established and are of good form should be retained in situ where possible at all costs.

Drawing on experience from a previous role I suggest the current landscape proposal of 'Dry rills' provides an opportunity for misuse and encourages anti-social behaviour.

Recommendations

1. The trees identified as being of good quality which will be impacted upon by the proposal are to be prepared for transplanting in advance and reused throughout the development site within the landscaping scheme.
2. The landscape proposal be revised to minimise opportunity for misuse and anti-social behaviour.
3. A detailed method statement is to be provided to support 1. Above.
4. A post planting management plan is to be provided to support 1. Above.

Highways Engineer (COLAS Roads)

No objection, subject an informative: Before any works take place at this location including any Demolition works, can the Contractor please contact Martin Thompson or Fred Willett at Colas on martin.thompson@colas.co.uk or fred.willett@colas.co.uk this is for Highway coordination purposes.,

Naval Dockyard Society:

The NDS:

Considers that the conceptualisation of this development will cause historical and environmental harm to Tipner Peninsula.

Contends that insufficient attention has been paid to the richness of the historical assets and the historic vistas across Portsmouth Harbour.

Maintains that the proposed scheme fails to incorporate adequate archaeological investigation to remedy the recorded lack of archaeology in this area.

Contends that this application does not show how any archaeological assets discovered would be conserved or interpreted.

Regulatory Services (noise):

WSP (noise consultants) predicted that the park and ride site activities will have a significant adverse effect at the new housing development at Tipner East and that mitigation measures would be necessary. It has been recommended that screening could be provided through landscaping or a noise barrier on the northern boundary of the site. However, there is limited opportunity to screen car movements on the higher floors of the car park, but the use of a 2 m high barrier would provide attenuation by screening activities from external parking areas close to the housing and activities on the ground floor.

No information was available for fixed plant noise for the proposed units within classes A1, A2, A3, D1 and D2, so therefore it did not form part of the noise assessment carried out by WSP.

The date for occupation of the new housing is not known and the noise which arises from the construction phase will be temporary. However, considerate management measures will be applied regardless and noise mitigation measures will be used such as: 2 m site hoarding on the northern and eastern site boundaries, selection of quiet and low vibration equipment to minimise noise disturbance; the provision of acoustic enclosures around static plant, where necessary; use of less intrusive alarms, such as broadband vehicle reversing warnings; no start-up or shut down of vibratory plant e.g. rollers or compactors, within 50m of receptors. The suggested working hours are 07:00 – 19:00 Monday-Friday and 07:00-13:00 Saturday, however subject to the new housing development being occupied I would recommend that works do not commence until 07:30am Monday to Friday and 08:00am on a Saturday.

To summarise, I agree with WSP noise assessment and as there are practicable mitigation measures that can be applied and addressed at detailed planning stage I wish to raise no objections to this application.

Contaminated Land

No objection subject to conditions requiring a desk study, site investigation report, remediation method statement to be submitted to and approved in writing by the LPA

Planning Policy:Level of parking provision

Policy PCS1 of the Local Plan (2012) set out a requirement for the provision of 900 - 1800 car parking space Park and Ride facility at Tipner. The Emerging Local Plan (2020) is looking to allow for the provision of further park and ride spaces at Tipner provided that the requirements for electric vehicle, disabled access, motorbike and other specialist space requirements are met in line with the Parking SPD.

Pedestrian and cycle access to the adjoining Tipner East and West developments.

The adjoining Tipner East Development has permission / proposals for a substantial residential and marine employment including proposed green space/ waterside access to much of the harbour, including connections to the existing built up area at Stamshaw / the Mountbatten Centre. The proposals should look to incorporate infrastructure to allow for direct access for pedestrians and cycles into the Tipner East site from the car park, so that once development on

the Tipner East site comes forward off road access can be achieved through that site linking to facilities at the new community at Tipner West and the Mountbatten Centre. This would avoid the need for users to access these areas via the junction 2 of the M275.

Greening

The proposed development included substantial greening measure accommodated on site including on the south side adjacent to the M275 and on the structure of the building itself. This is in line with Policy PCS13 of the Local Plan (A Green Portsmouth). The emerging Local Plan is proposing to have a number of Green routes linking the cities Green Spaces. Two of these Green Routes run through the Tipner site in close proximity to the Park and Ride. Route 9 follows the water's edge running from Portsbridge Roundabout to Tipner, and route 10 which links the City Centre to the Horsea Island Country Park. Pedestrian and cycle links from the Park and Ride to the wider area should include greening measures, keeping in mind potential to integrate into the future green route network.

Design / a Portsmouth Gateway

Policy PCS23 of the Local Plan (2012) looks to ensure that: Development is well designed, having regard to certain aspects like: architectural quality, delight and innovation, clearly defined public and private spaces, response to local heritage, protection and enhancement of historic townscape, cultural and natural heritage, particularly links to the sea, appropriate scale, density, layout and appearance, protection and enhancement of important views, including views across the sea and harbours, and creation of new views.

The site at Park and Ride site at Tipner is very prominently located adjacent to the M275 and will be one of the most prominently located buildings in the city forming a gateway to the city and an impression of what the city is for both visitors and residents alike. The green balconies on the southern and north eastern faces of the car park building provide a striking potential impression from the Motorway. The green aesthetic fits well with the Council's aspirations for the site, the wider Tipner area and the city. The balcony effect also helps to break up the visual mass of the building. The north western corner of the building facing the M275 is has a more solid massing/ frontage, careful consideration of the frontage / facing treatment of this aspect of the building will be needed. Proposals will need to consider the buildings mass in relating to shadowing / noise affecting the existing properties on Tipner Lane and Range Green as well as the permitted development at Tipner East.

Commercial and Leisure uses.

The proposed development includes a small element modest ancillary commercial and leisure uses including: classes A1 (shop), A2 (professional services), A3 (café/restaurant), D1 (non-residential institution) and D2 (assembly and leisure). Policy PCS1 does not make specific mention of these types of uses however as ancillary uses to the main role of the building as a park and ride they would be acceptable in principle.

Landscape Officer:

This is a major development proposal, with significant landscape and visual impacts. I am concerned about the scale and massing of the revised outline; 8 stories high, over such a large area, the proposal takes up as much of the current open space as possible, cramming in parking with the minimum possible stepping of the building into the landscape. It also removes some of the screening originally planted to the west of the site when the Park and Ride was developed.

The landscape concept is interesting and has a good scope, textural, colour and planting palettes. However, within the constrained layout I am concerned it is being relied upon too much by the developer to 'soften' the huge building and will not be able to achieve the building clothing proposed in the building visualisations.

The climbers proposed to the sides of the building should be ok and will look good, at least to 2-3 stories high, probably not to 8 stories high. The ground level planting proposals seem sound,

although I would caution against landforms that obscure views through the site and loose gravel at least near the main paths as they may encourage anti-social behaviour.

However, the proposals for planting of terraces show examples of lush greenery reminiscent of Singapore or similar and I do not see how the planting types shown in these examples would ever survive in this location, let alone create such lush terraces. Who will have access to these terraces? How will they be made safe? I doubt that such terraces as an 'attraction' or 'garden' will be appealing to many being so close to the motorway.

I would like to see examples of seaside/wind tolerant planting that might actually survive the south west prevailing wind and poor shelter and extreme cold/heat and drought that this sort of planting against big buildings will have to cope with in this location. These would not produce the lush effect shown on the building visualisations or example pictures provided and so the concept of a green mountain should be reviewed.

Has the scope of intensive watering and maintenance / replacement plant system required for any planting on terraces been allowed for?

If specialist 'green wall' companies are proposed instead, to create the lush effect desired, I would be exceedingly concerned that the ongoing maintenance costs will not be budgeted for in the longer term. Any such installations should be considered temporary to the length of the maintenance and care agreement with the specialist company as they require constant attention and are exceedingly costly and need complex watering systems.

They are, therefore, more likely to be used in a feature 'wall' rather than clothing a building due to the cost so I would expect the possibilities of covering this building would be out of reach budget wise.

The view coming into the city of the 'bastion' is bleak and uninviting and squashed right up against the motorway. The idea of an 'iconic' tall building to the entrance to the city is negated by the huge massing of the building, which instead just gives a feeling of a brutalist bottleneck to the entrance to the city that most visitors use.

Increasing biodiversity has only been considered around the building, not within the structure. There is no consideration for birds/bats etc shown. I imagine that due to maintenance reasons they will be actively discouraged, and yet on a wall where the public do not walk below great opportunities exist for habitat creation.

I am also concerned about the impact of such a huge building mass on the adjacent protected areas of the harbour, especially accumulative effects with the adjacent Tipner West proposals. The height of the building does not look conducive to Brent geese flight patterns either and no enhancements to the harbour environment and ecology have been offered.

A viewing platform looking towards the harbour and associated café etc is a good idea, but I think that the height of this will both deter users accessing it, and form an exceedingly windy rooftop site that will not be appealing to use, especially adjacent to the noisy motorway.

The built form seems also to sit right up against the harbour side and detract from any waterfront usage and appeal. Access to the north of the site from the new development proposals to the east and west along the coastline has not been shown to be integrated with these proposals, there is no casual supervision of the route and I should note that government guidance is to connect up waterfronts with access for all.

Shade to buildings to the east and the impact of lighting has also not yet been fully addressed.

No consultation responses have been received from the following:

Defence Estates (SW Region)

Queen's Harbour Master
RSPB
Hants & IOW Wildlife Trust
Hampshire County Council (Archaeology)
Mineral and Waste Consultation
Environmental Health
Road/Footpath Closure
Coastal and Drainage
Eastern Solent Coastal Partnership
Southern Gas Network

7.0 REPRESENTATIONS

7.1 Representations have been received from:

- Mrs Celia Clark
- Hampshire Buildings Preservation Trust
- Terry Halloran on behalf of The Portsmouth Society
- 8 Range Green
- Adams Hendry on behalf of The Tipner Regeneration Company
- 18 Tipner lane

7.2 The comments raised can be summarised as follows:

- Objection on grounds of prematurity
- The proposed development would cause substantial harm to the listed and scheduled historic assets nearby, and that it has potential to damage as yet undiscovered archaeological remains on and near the site.
- The vibration of deep piling and possible changes resulting to the water table might potentially damage the nearby Grade II Tipner magazine and its associated structures. In addition, views to Portchester Castle across the harbour, the listed structures at HMS Excellent: the Quarterdeck Block and Drill Shed, and the Grade I and II* forts along Portsdown Hill would be impeded by the height of the multi-storey carpark. The trust is also concerned that the application lacks an archaeological management plan to mitigate the risk of damaging potential below-ground archaeology. It fails to incorporate adequate archaeological investigation which has not yet taken place in this area. Vibration of deep piling and possible changes resulting to the water table might also damage at yet undiscovered archaeological remains, nor does the application show how any archaeological assets discovered would be conserved or interpreted.
- The whole design concept for the transport interchange is based on a concept for Tipner West for which there is no statutory basis - considering a planning application on the basis of very initial concepts for Tipner West is premature.
- Whilst the applicant relies on a previous consent (10/00849/OUT) to lessen the perceived visual and ecological impact, no consideration has been given to the impact of the current proposals on the approved development. An overshadowing study (shadow study) as required by the LPA at the Scoping stage should be submitted with the outline application and not at the reserved matters stage.
- The proposed building would be dominant and overbearing on an approved development adjacent to the site to the north (Ref. 13/00202/OUT).
- The proposed building would be disproportionate to any other building on the vicinity and would be out of character from the surrounding context.
- Winter bird surveys submitted with the application are out of date
- The LPA must make an appropriate assessment (Regulation 63 of the Conservation of Habitats and Species Regulations 2017). Without it, it cannot be concluded that the proposal is compliant with Policy PCS24 insofar as it relates to the effect on the ecological integrity of the Portsmouth Harbour SPA.
- Antisocial behaviour (cars racing round the roundabout)

- Potential to cause congestion and tailbacks onto the M275
- Inadequate planting
- The proposed design is not considered suitable for the site.

8.0 COMMENT (PLANNING CONSIDERATIONS)

8.1 As set out in Paragraph 47 of the NPPF 2019, 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.'

8.2 The main issues for in the determination of this application are considered to be as follows:

1. The principle of and need for the development
2. Consideration of the reserved matter - access [including post Covid-19 implications]
3. Consideration of the other matters reserved for consideration at a later date:
 - a. Appearance
 - b. Landscaping
 - c. Layout
 - d. Scale
 - e. Impact on heritage assets - buried and above ground
4. Need for the development having regard to the longer term vision for Portsmouth (reduce car use in city centre, air quality, etc.)
5. Ancillary commercial and leisure uses
6. Impact on residential amenity;
7. Impact on trees;
8. Flood risk and drainage;
9. Ecology & Impact on the Solent Special Protection Areas.
10. Contaminated land?
11. Public safety and amenity (crime)
12. Other matters raised in representations

8.3 The Principle of and Need for the development

8.3.1 The vision for Portsmouth as set out in The Portsmouth Plan is to make Portsmouth the premier waterfront city with an unrivalled maritime heritage - a great place to live work and visit. As set out in the park and ride is considered to be critical to the delivery of Policy PCS1, Tipner and to the local plan as a whole.

8.3.2 Park and ride schemes (P&R) date from the 1960s with experimental services operating in Leicester, Oxford and Nottingham from the 1970s, albeit that the one in Oxford, introduced in 1974 is the only one that has been operating continuously since that time. P&Rs were introduced as a way of reducing car traffic, providing additional parking, increasing economic development and as a traffic management measure. A report by RPS for the Historic Towns Forum in 2009¹ found that whilst P&R is politically popular at a local level, is seen to improve accessibility and increase the effectiveness of city centres, due to their locations often at strategic / local road network interchanges, they also result in increased use of the private car on the strategic road network and therefore could be considered contrary to the national policies on climate change and encouraging more sustainable modes of travel. The report suggests that due to P&R being strongly supported at local level, over the longer term, P&R ought to be provided at a reduced, rather than enlarged, scale as part of an integrated sustainable transport management strategy which would then allow accessibility levels to be retained whilst increasing the

¹ [Microsoft Word - Richard Stacey_ The effectiveness and Sustainability of Park and Ride REVC_footer edit.DOC \(historictownsforum.org\)](#)

use of sustainable modes of transport. A further study, in the TCPA journal in March 2010, found that, *'In terms of congestion reduction, the outcomes of park-and-ride schemes appear far less positive than commonly supposed, although traffic information collected by all national, regional and local government agencies must be more comprehensive if full assessment is to be possible. Going forward, it will only be through rational evaluation that we can avoid being blinded by the light of sustainability and firmly establish whether park-and-ride and other planning policies deserve their repute'*

- 8.3.3 Against this apparently negative research and as set out in the Planning Statement submitted with the application there are a number of key Central Government Policy drivers, namely that the UK Government has committed to net zero emissions by 2050, which is likely to lead to policies and initiatives at the city / local level to achieve a modal shift from car to passenger transport and secondly the Government's Clean Air Strategy 2019 alongside which the Government announced plans to fund measures to tackle air quality issues in UK cities (The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations, published in 2017 and supplemented in 2018). This identified thirty-three local authorities required to take action to reduce harmful NO₂ emissions. Portsmouth was one of the ten local authorities identified to carry out a more detailed study to develop a plan to address the exceedances (the others being Newcastle under Lyme, Stoke on Trent, Bolsover, Bradford, Broxbourne, Liverpool and Leicester).
- 8.3.4 Together, these national policies are providing further impetus to PCC policy on urban growth, transport and air quality, with specific initiatives emerging to address the urgent need to improve air quality in the City.
- 8.3.5 An analysis of strategic policy drivers along with spatial, economic, environmental and community priorities demonstrates that Portsmouth is a City with ambitious plans for sustainable growth. The Council is actively seeking to ensure the City reaches its full economic potential, offering an improved and high quality of life for its residents and offering its many visitors a healthy and sustainable experience. Similarly, the current and emerging policies and plans highlight the significance of some major challenges facing the City, particularly in terms of current economic performance, air quality, congestion and accessibility. In achieving its priority objectives for the City, the Council is devising strong and effective intervention measures which will be effected through closely integrated infrastructure and service packages.
- 8.3.6 In this strategic policy context, there would therefore appear to be a clear case for the Tipner Park & Ride expansion to help deliver a range of air quality, transport and climate change objectives and priorities. An expanded Park & Ride scheme would therefore appear to be of critical importance as an enabler to achieving city-wide air quality and economic goals in Portsmouth alongside addressing transport and congestion priorities. There is a cross-policy rationale for expanding the Park & Ride to help address existing city-wide planning, environmental and transport objectives including in the context of pre-major regeneration proposals at Tipner being planned by the Council, and to support the objectives of the emerging Local Plan review.
- 8.3.7 PCC seek to expand the number of car parking spaces available at the Park & Ride in order to address peak capacity issues and to encourage further modal shift away from private car use particularly within the City Centre. This would support the emerging Parking Strategy that is being developed for the city, which will recognise the need to provide quality transport alternatives to the private car, including improved public transport options such as the expansion of the Park & Ride. Whilst an expanded Park & Ride is not required to address current exceedances of current air quality standards, it could have a positive impact on some areas of exceedance (e.g. A3 Alfred Road and A3 Commercial Road) as there is potential to reduce the number of private cars travelling along these roads if they can be encouraged to use the Park & Ride. Providing additional mitigation over and above the measures designed to address current

exceedances contained in the Council's approved Air Quality Local Plan will provide additional resilience to counter growing traffic levels in the near term and the possible imposition of more stringent air quality standards in the medium to long term.

8.3.8 From the assessment of current and emerging national and local policy, there is a clear need to expand the existing Park & Ride in order to meet the following policy objectives / drivers:

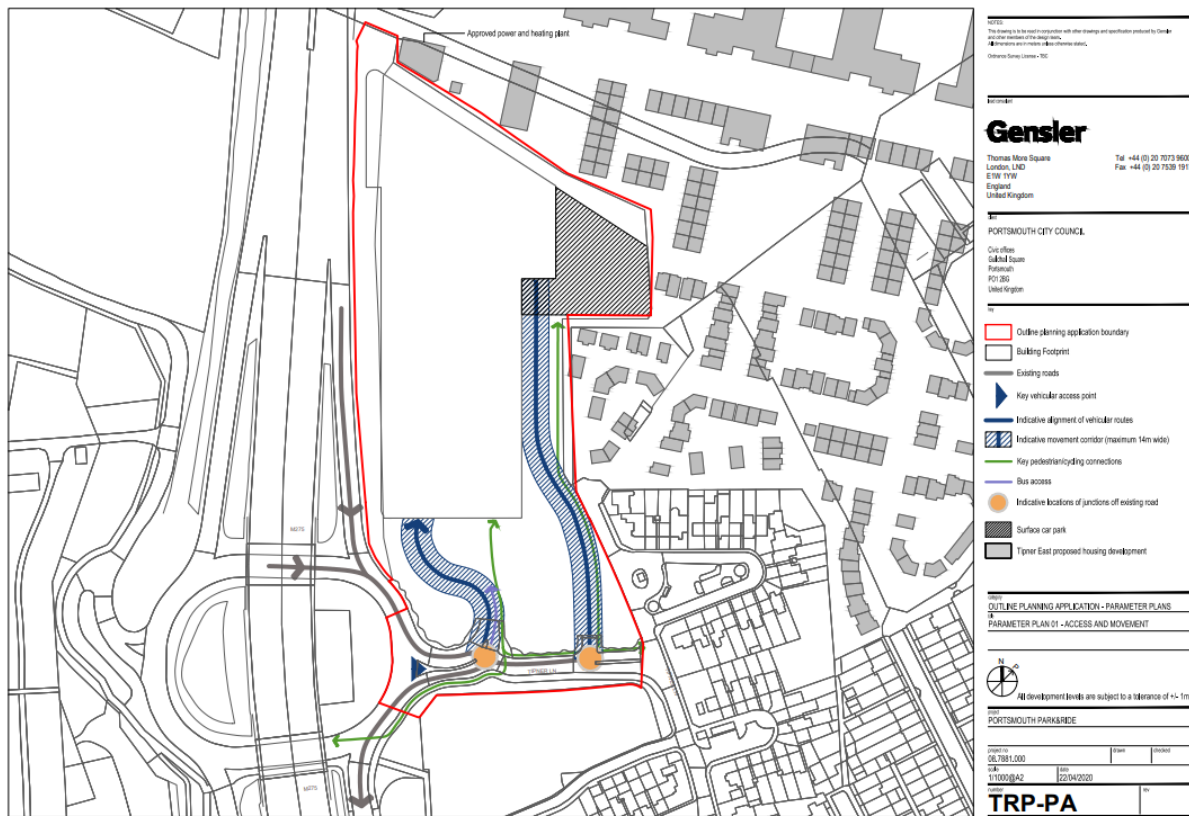
- In the context of the Council's declared Climate Change emergency, to reduce vehicle emissions in the City centre – whilst the proposed Park & Ride is not required to address current breaches of air quality standards, it could facilitate further improvements in air quality in the City in the long term which is a significant benefit.
- In the context of the UK Government's policy of net zero carbon emissions and the Council's declared Climate Change emergency, to reduce emissions of greenhouse gases (carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O)) from private vehicle movements in the City centre.
- Enable increased modal shift, improving journey time reliability and ease congestion.
- Provide improved connectivity to the Port and other key economic nodes in the City centre.
- To reduce congestion in the City Centre so as to reduce visual and noise impacts and traffic congestion and thereby create a more healthy and safer pedestrian environment.

8.3.9 Consequently, officers are of the opinion that the expansion of the Portsmouth Park & Ride has the potential to make a lasting and significant contribution to improving the health of Portsmouth's people, economy, visitors and communities and will form part of the transition of the Portsmouth to a more vibrant, sustainable and liveable City. In addition, an expanded Park & Ride would facilitate opportunities for growth generating development and regeneration through the potential release of some existing City centre parking sites, especially those serving destinations that could be accessed easily by public transport.

8.4 Consideration of the Reserved Matter: Access

8.4.1 Whilst this application is in outline, there is one of the reserved matters for detailed consideration at this stage - Access. As defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, 'access', means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made.

8.4.2 In this case as shown on the plan below, the primary vehicular access is from the roundabout at J1 on the M275. In the regard the views of both the Highways England and the Highway Authority are material.



8.4.3 Highways England have raised no objection to the proposal subject to a condition requiring the submission and approval of a Construction Traffic Management Plan which should include but not be limited to construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. Agreed details should be fully implemented prior to start of construction works. In addition, Highways England would support any local planning authority requirement for an Operational Management Plan, be it secured via condition or through a S106.

8.4.4 As set out in their consultation response, the Highway Authority has commented that the transport assessment (TA) submitted with the application has been prepared with reference to the scoping note and LPA response provided in pre-application enquiries.

8.4.5 Whilst Policy PCS1 Tipner makes policy provision for a P&R facility on this site providing between 900 and 1800 spaces, the extent of the development now proposed significantly exceeds that and has not been assessed through the local plan process. That is not to say that such development would not be acceptable rather that the impacts have not been assessed through that process. The TA uses the SRTM as the basis for traffic modelling assessment which was found sound in the review of the scoping report. Table 3-4 of the TA and paragraph 3.5.8 report that the existing junction operates well within capacity with minimal queuing and delay. However this does not specifically reference the northbound on slip as was sought in the LPA response to the TA scoping report. Paragraph 6.2.5 of the TA reports the highest demand for the facility being only 61% of the capacity whilst the TA considers two scenarios being 70% and 90% occupancy rates with accumulation profiles determined from the M275 traffic flow which shows good correlation with that drawn from survey of the similar facility at Oxford. This seems a reasonable basis on which to establish an accumulation profile. This analysis determines a peak arrival period for 738 arrivals between 0800 to 0900 and peak departure period for 715 departures between 1700 and 1800. This requires an increase in the bus services from 6 to 38 per hour during the peak periods.

8.4.6 A further concern expressed by the LHA is that in assessing the impact of the scheme, the background traffic surveys have been increased from 2016 surveys using TEMPRO growth

factors to 2019 and 2036. Paragraph 7.2.2 suggests that this is as was agreed with PCC through the scoping stage although the LHA raised specific concern regarding that approach in response to the scoping note, querying the proposal to use 2016 traffic levels and apply growth factors to those to determine 2019 traffic levels for the reason that 2016 traffic flows are now 3 to 4 years out of date and should be refreshed. Also, the traffic flow predictions should take account of consented sites and land allocations made in the local plan.

8.4.7 Given the current reduction in traffic flows arising from the COVID pandemic, it is not possible to undertake reliable traffic surveys at this time. Additionally, it does not seem that specific allowance has been made in the traffic modelling for the aspired significant mixed use development to the west of the junction on the disused Tipner Peninsula (Tipner West). The 59ha scheme envisaged on that site will involve the reclamation of 22ha of land from the sea. The proposed coastal community is set to include around 4,000 homes, shops, leisure facilities, schools, and a marine employment site and also seems to show the opening of the currently closed link from Tipner interchange to Stamshaw (D&A statement section 8.2) although this is also not reflected in the modelling which only considers the impact of diverted trips from the M275 and not re-routed trips resulting from the opening of this link.

8.4.8 As a consequence it is considered that prior to the submission of any reserved matters application, the modelling should be revisited and undertaken as was required in response to the scoping report including a capacity assessment of the eastern most access to the site and route from that to the M275. In the considered scenario the highest degree of saturation on the Tipner roundabout is 76% found on the M275 southbound off slip during the am peak period. M275 merge and diverge assessments have been undertaken for the south bound off and northbound on slips from the Tipner interchange although this is incorrectly referenced in paragraph 7.3.1 to be the north bound on and off slips. Whilst this does not find any capacity shortfall with the existing arrangements it does not address the issues of safety arising from the substandard length of the northbound merging slip. This was a specific area of concern raised in the LPA response to the scoping document which has not been addressed in the TA. The LHA have an emerging proposal to reallocate the nearside land of the M275 northbound to become a bus lane as far as the Tipner interchange. If the outbound M275 was maintained as 2 lanes beneath the interchange with the northbound on slip forming the third lane allowing weaving beyond, the issue of the substandard merging slip length would be resolved. In order to ensure the safety of this slip it is considered both necessary and proportionate to require the implementation of such an arrangement prior to the commencement of use of any expansion of the P&R site. Subject to such a condition being imposed on any consent and the revisited modelling not finding capacity issues once undertaken in accordance with the response to the scoping report, taking account of the proposed development on land to the west of the junction and opening of the Stamshaw link if that is intended, there would be no highway objection to this application.

8.4.9 With regard to the proposed development taking into account a post COVID world, the applicant has responded that:

- 1- The proposal is for an outline development with two distinct phases of reserved matters, it is thus capable of adapting to the circumstances/market conditions should it need to. Notwithstanding that, the Park and Ride is designed to operate for the longer term benefit of Portsmouth when normality should return and is supported by policy. For example (and as referenced in our most recent letter), the latest PCC Local Transport Plan 4 (Consultation Draft, December 2020) – issued for consultation during the pandemic - identifies the need to expand the Park and Ride to promote regeneration and to meet the corporate objective for PCC to *'reduce pollution and congestion and deliver cleaner air'*, through measures including Policy 4. Specifically, policy 4 proposes *'the expansion of the P&R site to include multi-decked parking for at least 2,650 cars and a transport hub that may provide cycle parking, taxi rank, a car and bicycle rental facility, public conveniences, landscaping and ancillary offices and units'* to provide a *'direct, reliable and affordable alternative to driving by car'* and link to an enhanced city-wide cycle network. The expansion of the Park and Ride is thus set out as a key policy

objective to contribute towards the stated **2036** vision of: ‘a people centred travel network that prioritises walking, cycling and public transport to help deliver a safer, healthier and more prosperous city’ with a requirement for 2,650 spaces clearly stipulated in that document. Specifically in terms of the pandemic it states at page 10: ‘The policies set out in this Local Transport Strategy will enable Portsmouth to not simply ‘recover’ from the effect of the pandemic, but instead to thrive and define a new healthier approach to life in the city.’

Total Passengers													
Year	April	May	June	July	August	September	October	November	December	January	February	March	Totals
2018-2019	20,291	17,450	15,676	21,463	39,595	21,434	19,659	17,827	21,431	13,322	15,014	16,386	239,548
2019-2020	17,393	19,154	14,391	19,238	27,426	17,056	18,909	19,290	22,865				175,772

Cars												
Year	April	May	June	July	August	September	October	November	December	January	February	March
2018-2019	9,213	9,138	7,781	9,932	13,009	9,871	11,667	10,928	10,505	7,530	8,696	
2019-2020	10,486	11,483	10,171	11,615	13,724	12,521	11,332	14,852	11,102			

8.5 Consideration of the other matters reserved for consideration at a later date (Appearance, Landscaping, Layout, Scale)

8.5.1 Appearance

8.5.1.1 As set out in the Design and Access Statement (DAS) submitted with but not forming part of the application and on the parameter plans, the design concept for the proposed development has evolved within, and is entirely compatible with, the parameter plans. It should be noted that the parameter plans remain as design concepts that give an indication of the intended form and appearance of the building with final designs being subject to approval of the reserved matters by PCC through the planning application process.

8.5.1.2 To quote directly from the DAS:

‘The architectural concept for the proposed Portsmouth Park and Ride transport hub and multi-storey car park responds to two key contextual factors:

- The ‘Citadel’ concept for the Tipner West development.*
- The Gateway location into Portsmouth city.*

The Tipner West ‘Citadel’ concept is a green landscaped and walkable district, with a dense core of tall buildings, which will provide an iconic landmark on the western side of the M275 into the city.

To create synergy with Tipner West, the conceptual idea of a ‘Green Hill’ has been developed for the multi-storey car park located at Tipner East. This subsequently creates a ‘Green gateway’, on either side of the motorway leading into the city.

The ‘Green Hill’ concept is the multi-storey transport hub building. The idea of the hill is brought to life within the architecture by using landscaped green terraces located on both the north and south sides and a wall of soft landscape across the buildings western façade. The soft landscape will be carefully designed to ensure economic viability.

A ‘barbican’ structure sits within the ‘Green Hill’. Located on the north west elevation of the main structure, the ‘barbican’ helps to emphasise the gateway,

when entering the city from the M275. The top floor of the 'barbican' structure provides the opportunity for panoramic views to the west across Portsmouth Harbour. To capitalise on this, a space has been created that will accommodate food and beverage. A further modular structure is embedded into the southern terrace, this could house; a supermarket, a gym and a health centre. The bus interchange is located at ground level within the car park. This ensures that the user can transfer from their car to the bus within the shelter of the building.

The evolution of the proposed design has been through a number of iterations, following discussions held with the client.

In the initial stages of the project the development went through an extensive optioneering process, with the client settling on the preferred option of 'The Green Mountain'.

The following stages involved the evolution of 'The Green Mountain' concept into a functional design that would provide increased car parking provision while simultaneously becoming an iconic building at the gateway of Portsmouth.

Throughout the design process, workshops and public consultation events were used in order to refine and progress the design. A number of important considerations have driven the design of the proposal forward;

- The current use of the site*
- Consented neighbouring residential developments*
- Height of the proposal*
- Connectivity with the M275*
- Ecological constraints*

8.5.1.3 As set out in the National Design Guide², *'The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This National Design Guide, and the National Model Design Code and Guidance Notes for Design Codes illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.'*

8.5.1.4 As set out in the Guide, buildings are an important component of places and proposals for built development are a focus of the development management system. Recognising that this is an outline application with appearance, landscaping, layout, and scale being reserved for detailed consideration at a later date, nevertheless it is considered that the proposed concept would look somewhat alien and out of place in the current context of the site.

8.5.1.5 Nevertheless the proposed appearance, along with height, massing and scale has been driven by a need to provide sufficient parking spaces in order to reduce the number of privately owned vehicles entering Portsmouth City Centre in order to reduce congestion and improve air quality. And it is, of course, recognised that this part of Portsmouth is and will be the subject of great change in the near future to be brought about by the development of 'Tipner West' to the west of the M275 and the 'Tipner East' comprising two separate but adjacent housing developments. As such it is vital that the building, shown conceptually at this stage, evolves into something that fits the evolving context of the wider area.

8.5.1.6 However, a material consideration in the determination of this application is the extant planning permission on the land immediately adjacent to the east of the site which the proposed development on this site must recognise and relate to. This matter is covered in more detail below in the section on residential amenity.

² [National design guide.pdf \(publishing.service.gov.uk\)](https://www.gov.uk/publishing.service.gov.uk/national-design-guide.pdf)

8.5.2 Landscaping

8.5.2.1 Landscaping is defined in guidance as, 'the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.

8.5.2.2 As set out in the Design and Access statement, the initial concept plans indicate the proposed building to be a 'green mountain' and for hard and soft landscaping to be integral to the success of the scheme. As shown on the Landscape Concept Plan, this includes planted terraces to the south and north east of the building and climber facades to the vertical elevations.

8.5.2.3 Whilst it is recognised that the detail would need to be worked up for submission at the reserved matters stage, the views of the Council's Landscape officer are material. Whilst these support the concept, stating that the concept is 'interesting and has a good scope, textural, colour and planting palettes', there is concern that within the constrained layout landscape is being relied upon too much by the developer to 'soften' the huge building and will not be able to achieve the building clothing proposed in the building visualisations. In addition, the planting proposed for the terraces would have to be chosen carefully given the location of the building in close proximity to a marine environment and that not enough thought has been given to biodiversity and the impact of the building on the adjacent protected areas of the harbour.

8.5.3 Layout

8.5.3.1 'Layout' is defined in guidance as, 'the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

8.5.3.2 On this basis, in terms of layout / land uses within the site, the parameter plans submitted with the application clearly show the majority of the site dedicated to vehicular access and egress and car-parking. The proposed layout shows the proposed building to be aligned north south parallel to the M275 adjacent to the site boundary to the west and for vehicular access to be obtained off Tipner Lane to the south, as per the existing arrangement.

8.5.3.3 As discussed below in respect of residential amenity, the layout of the building and its scale would pose issues for the outline scheme permitted on adjacent land but due to the shape of the site available and the need to maximise the number of car parking spaces there is considered to be little scope for laying out the site in an alternative way.

8.5.4 Scale

Scale is defined in guidance as 'the height, width and length of each building proposed within the development in relation to its surroundings'.

As set out in the description of development and above the proposal is for a large building (a ridge / roof height at 34.8 metres AOD (equivalent to an 11 storey building) and a maximum footprint of 218 metres by 89 metres, with the top level being 173 metres by 73 metres). However the site has been identified in Policy PCS24 as one of eight locations within the city suitable for tall buildings. As set out in the tall building statement submitted with the application, the development proposals respond with a design concept that will create a landmark 'gateway' building. Design iterations and consultation have been undertaken as part of the planning application process, including presentations to the project approval group within PCC and public consultation. It is considered that the building will relate well to its context, responding to the

approved Tipner East development and existing residential development to the east and south east. The Portsmouth Park and Ride / transport hub concept has also been influenced by the Tipner West concept to establish synergy of design and importantly, realise the ambition of creating a gateway onto Portsea Island and into the city.

Impact on heritage assets - above ground and buried

The NPPF and policy PCS23 gives presumption in favour of the conservation of heritage assets and applications that directly or indirectly impact such assets require appropriate and proportionate justification. The site is not located within a conservation area and contains no above ground heritage asset. However, there are a number of heritage assets in close proximity [circa 1.2km]. These include;

- a. Portchester Castle [including the Scheduled Monument, Grade I Listed Castle and Grade I Listed St Mary's Church]
- b. Tipner Magazine Buildings and Associated Structures [including four Grade II listed buildings], and
- c. HMS Excellent [including the Grade II listed Quarterdeck Block and Drill shed]
- d. Hilsea Lines Conservation Area
- e. Hilsea Lines Scheduled Ancient Monument

The following paragraphs of the NPPF are considered to be relevant to this application:

Para 193: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 196: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Para 197: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Para 200: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Above ground heritage assets

The group of assets which make up Portchester Castle are located just over 2km to the north-west of the site boundary, they have been assessed together as a group as they are part of the same historic complex. Only those assets at Portchester Castle which have views across Portsmouth Harbour and are of very high significance have been included as part of the assessment. The group of assets which make up Portchester Castle are located in the Portchester (Castle Street) Conservation Area (Fareham Borough Council, 2015).

The group of assets which make up the Tipner Magazine Buildings are located around 240m to the north-west of the site boundary they have been assessed together as they are located in close proximity and are all historically associated, forming a group. A 'magazine' is a store for arms, ammunitions and explosives for military use; in this case, these early magazine buildings were designed to store gunpowder.

The pair of assets which make up HMS Excellent: Quarterdeck Block **(A2)** and Drill Shed **(A7)** are located around 600m to the south-west of the site boundary and date to the mid to late 19th century. They are located within the HMS *Excellent* Royal Navy shore establishment sited on Whale Island. They have been assessed together as they are located in close proximity and are historically associated, forming a strong group.

The pair of assets - Hilsea Lines Conservation Area and Hilsea Lines Scheduled Ancient Monument are further afield albeit there is openness of water between the site and the Hilsea Lines and the Mid-Victorian fortifications.

Although the development would be in some cases visible in south-easterly views from some of the heritage assets, it would not have an impact on the setting or harm the significance of those heritage assets in terms of how the assets are understood or appreciated. Views to the south-east towards the site, although part of those assets' views, do not contribute to historic setting or significance. The proposed development would have no impact on the important aspects of the assets' setting, such as their relationship as an individual and/or a group and their relationship with the other structures in Portsmouth and the Harbour.

It is concluded that the proposed development would result in **no harm** to these assets as the views of the development are not substantial enough to have an impact on their settings or significance.

Buried heritage assets

Based on the nature of the existing site, which has historically been built up following remediation the only main potential impact is from deep piling for the proposed structure. The piling method and density is not known at this time, nor the depth of the likely pile caps.

Any archaeological remains within the footprint of each pile would be removed as the pile is driven downwards. The severity of the impact would therefore depend on the pile size, type and pile density. Where the piling layout is particularly dense, it is in effect likely to make any surviving archaeological remains, potentially preserved between each pile, inaccessible in terms of any archaeological investigation in the future. Augured piles/continuous flight auger (CFA) piles would minimise the impact upon possible archaeological remains whereas vibro-compacted piles may cause additional impact through vibration and deformation of fragile surrounding remains, in particular at the level of the water table.

Likely potential remains that could be impacted would be limited paleoenvironmental remains (alluvial deposits) present below modern made ground at depths below 2.7–4.6mbgl. Based on the nature of the remains, this would result in less than substantial harm.

Survival potential across the site is predicted to be high, due to historic land raising and minimal intrusive development. Consequently, any potential remains would have been preserved below historic dumping/ground raising layers, present within the alluvial or possibly brick earth deposits below. Based on the likely depth, the main potential impact would derive from piled foundations within the footprint of the proposed Park and Ride structure.

Although the site has the potential to contain archaeological remains, in light of the nature of the proposed impact – limited to localised piling– along with the depth of any archaeological remains that might be present, it is not considered feasible or warranted to carry out further site-based archaeological investigation of the site. Potential palaeo environmental evidence or Prehistoric foreshore remains would be present within deeply buried alluvial deposits and based on their likely depth, it is not possible to reasonably sample such remains.

Ancillary commercial and leisure uses

As set out earlier in this report, the Park and Ride facility would include smaller, ancillary commercial and leisure uses, to support the principal site function and the users of the site. The larger of these include shops, restaurant, Health Centre / Art Gallery (former Class D1), Gym /

Open Performance Area (former Class D2). While planning policies would normally expect most of these commercial and leisure uses to locate in local centres, it is also common and acceptable for ancillary and supporting facilities to exist outside of local centres at a facility such as this, which serves positive and significant city-wide purposes. These uses would add to the attractiveness of the facility, and so contribute to some degree towards the number and frequency of use of the Park and Ride. Given this supportive role for a specific function, and its location away from other local centres, I would not anticipate it would materially adversely affect the vitality and viability of any other local centre.

Impact on residential amenity:

With regard to impact on residential amenity, this is in connection with the existence of an extant planning permissions to develop adjacent land for housing. As shown on the extract below, there are two consents that need to be considered:

1. 10/00849/OUT - Detailed application for land remediation and raising including thermal desorption. Outline application for up to 518 dwellings, CHP plant, sea wall, coastal path. Main access from Twyford Ave. (Access, layout & scale to be considered). Outline planning permission was granted in March 2012 and required reserved matters to have been submitted within 10 years of the date of the outline consent, i.e. by March 2022 and for the residential development to have commenced no later than 2 from the final approval of reserved matters. As of drafting this report (February 2021), it would appear that no reserved matters have been submitted in respect of this application.
2. 13/00202/OUT - Outline application for 23 dwellings (access & layout to be considered), Land Adjacent Tipner Lane and Range Green. Outline planning permission for this was granted in March 2018. This was subject to a condition requiring the submission of reserved matters within three years (i.e. March 2021) and commencement either within 5 years of the date of the outline permission (i.e. March 2023) or 2 years from the approval of the last reserved matter whichever is the later.



It should be noted however that both the above schemes are being revisited. In addition given that this proposal is in outline form with only access being considered at this stage there is the potential to advise the developers of this scheme on the residential amenity issues that will need to be addressed at the reserved matters stage and also the developers of the adjacent sites of the issues that a building of the size proposed is likely to cause.

Light and shadow

Notwithstanding that, based on the parameter plans submitted with this application, the proposed building would have a ridge / roof height at 34.8 metres AOD (equivalent to an 11 storey building) and a maximum footprint of 218 metres by 89 metres, with the top level being 173 metres by 73 metres.

In terms of overshadowing resulting in loss of day / sunlight, using the Suncalc app (www.suncalc.org), on the 21 June (longest day) at sunset (21:22), there would be a shadow length of 1790 metres; at 18:00 the shadow length is 65 metres. On 21 December (shortest day) the shadow length at sunset (16:01) is 1488 metres.

Third party concerns over visual impacts, including overshadowing are acknowledged. However, this is an outline application with matters of appearance, landscaping, layout and scale being reserved for subsequent approval. The submitted Environmental Statement considers visual impacts of the development on the surrounding area, including approved developments nearby, and concludes that, subject to detailed design, the proposal can be made contextually appropriate. Officers concur with this view.

Noise

Like the overall Park and Ride function, the other site facilities would be open 24 hours a day, 7 days a week (excluding Christmas Day and New Year's Day). However, site activity would normally be considerably less overnight, with correspondingly lower noise levels resulting from traffic movements as probably the principal noise source to nearby residents (existing or future). There is an existing level of background noise, from the motorway especially and given distance separations, the concentration of use outside of night time, and noise measures to be provided as part of the detailed design stage at Reserved Matters, I do not consider undue noise effects to nearby residents would accrue. A condition is attached to control the matter further.

Lighting

A condition is attached to control the matter.



Trees and landscaping

The site is already landscaped and has relatively young trees and other vegetation whose environmental and aesthetic contribution would continue to grow. A substantial part of this existing landscape would be retained, especially along the western boundary and in the southern half of the site, and augmented with further planting. Some trees would be dug-up and transplanted to a new location within the site. Also, the proposed landscaping of the building itself would enhance the environmental and aesthetic contribution. These matters will be further addressed by conditions and the future Reserved Matters application.

In terms of concerns in respect of inadequate planting and design, these matters fall beyond consideration of this submission and will be subject of detailed assessment at a later, reserved matters stage (scale, appearance, landscaping).

Ecology

Protected species or habitats

Your Ecological consultant (Hants. County Council) has no significant concerns regarding protected species or habitats within the site itself, provided the mitigation measures set out in the Environmental Statement are adhered to, via the Construction Environmental Management Plan and biodiversity enhancements (both required by condition). These mitigation measures include tive and locally appropriate planting, and other habitat features such as bird nest boxes

and bat boxes. Natural England's Standing Advice with regards to protected species shall be provided to the Applicant by way of an Informative.

Special Protection Areas (SPAs) and birds

The site is close to Portsmouth Harbour and other bodies of water and therefore careful consideration is needed to account for the presence of birds in the area. Your Ecological consultant confirms that consideration was carried out in the Environmental Statement. Again, the Construction Environmental Management Plan required by condition will be pertinent, as will considerations of design at Reserved Matters stage. For both Protected Species and Habitats, and SPA matters, Natural England raise no objections to the application and support the conditions suggested by Your Ecological consultant.

Third party concerns were received about over-winter bird surveys being out of date. However, both Natural England and your Ecological consultant were consulted on the application and did not raise objection, as set out above. The SWBGS data is a highly comprehensive dataset compiled in 2002 and updated in 2010, supplemented with addition data in the Interim Project Report: Year One (Hampshire & Isle of Wight Wildlife Trust (HIWWT), 2019). A full update is underway and should be available next year. The data has been compiled by a partnership between HIWWT, Natural England, the Royal Society for the Protection of Birds (RSPB), HCC and the Eastern Solent Coastal Partnership (ESCP) as an agreed dataset of sites that are important for Brent Geese and wading birds outside the SPA boundary. The SWBGS provides an evidence base for use in decision-making processes that may impact on the ecological network of sites used by these birds, to enable such sites to be conserved. It is widely accepted by Natural England and the other partnering organisations above as a comprehensive and reliable dataset suitable for supporting HRAs and removing the degree of subjectivity and additional effort and expense of each development requiring its own wintering bird surveys. I therefore have no concerns that the HRA relies on the SWBGS data, and indeed, Natural England have provided a no objection response. To that end, my previous comments stand.

Flood risk and drainage

The Council's Drainage Engineer, and Southern Water lead on comments concerning drainage of the site and area. The site lies within Flood Zone 1 (lowest risk), with the access parallel to the site's northern boundary lying within Zones 2 and 3. These matters have been considered in the Applicant's submissions, and both consultees have raised no objections subject to conditions requiring usual matters of foul and surface water sewerage disposal, incorporating a Sustainable Drainage Strategy with associated detailed design, management and maintenance plan. Those conditions are attached.

Contaminated land

The Council's Contaminated Land Team and the Environment Agency lead on comments concerning land contamination. The legacy of industrial use of the site presents a high risk of contamination that could be mobilised during construction to cause pollution, including to controlled waters beneath and around the site. These matters have been considered in the Applicant's submissions, and both consultees have raised no objections subject to a series of important conditions requiring usual matters of site investigation, remediation, verification of remediation, and subsequent monitoring and maintenance. Those conditions are attached.

Public safety and amenity, i.e. crime

Crime prevention would be important at a site that is remote from other land uses, that is open all day and night, and which may have periods of limited activity, i.e. limited natural surveillance from passers-by/other users. As set out earlier this report, the Crime Prevention Design Advisor seeks the following matters be addressed: site layout and landscape form, physical security features being incorporated into the building and site design, natural, formal and electronic surveillance, lighting, façade treatment, and boundary treatments. As an Outline application with consideration of Appearance, Landscaping, Layout and Scale reserved, these important details will be significant considerations in the forthcoming Reserved Matters application.

Planning Officers will work closely with the Applicant and Crime Prevention Design Advisor to address these satisfactorily.

Third party objection was received about anti-social behaviour, including dangerous driving. These will be addressed as part of the wide variety of issues and corresponding measures discussed above.

Other Matters Raised in Representations.

Third party comments are noted and the majority have been addressed in the main body of the report, as set out above, and/or by conditions below, and/or will be addressed in the future Reserved Matters submission. This section deals with the remaining objections.

Objections on the grounds of prematurity are acknowledged. However, the NPPF in Paragraph 49 states:

'However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- (a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- (b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'*

Paragraph 50 then states that: *'Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process'.*

In light of the above, it is not considered that refusing the application on the basis of prematurity would be justified and reasonable.

Conclusion

The application accords with the general principles and objectives of the Local Plan and the NPPF, for the broad and over-lapping areas of transportation, accessibility, sustainability, air quality, and the local economy. Subject to a series of important conditions and the future consideration of the Reserved Matters, I consider the proposals accord with those general principles and objectives without unacceptable impact on matters including local character, nearby residential amenity, trees, heritage, ecology, flood risk and drainage. I consider the application would meet the Economic, Social and Environmental objectives of the NPPF, would thereby constitute Sustainable Development, and as such is recommended for Approval.

RECOMMENDATION

Conditional Permission

RECOMMENDATION I That delegated authority be granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary.

Outline Planning Permission for the principle of the development proposed and the only matter of detail sought for consideration, namely the means of access, is approved subject to the following:

1. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development should be carried as approved.

Reason: In order to secure a satisfactory development in accordance with policy PCS23 of the Portsmouth Plan.

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

Planning Statement 250420

Transport Assessment

Design & Access Statement RP0001_PORTSMOUTH_P

Location Plan PCC_PR_FINAL_1250 RA(1)

Portsmouth Park and Rise Tall Building Statement

PORTSMOUTH PR HRSA RP OP 040420-FINAL

Tree Survey TREE QUALITY PLAN 30.03.2020

Tree Survey TIPNER PARK AND RIDE REPORT 29.0

Tree Survey AS PLANTED PLAN 30.03.2020

ACCESS ARRANGEMENT PLAN -70061087-TP-SK-01-P01

745-FH-XX-00-DP-L-101 INDICATIVE LANDSCAPE CONCEPT PLAN

PCC_PR_FINAL_500 RA

PCC_PR_FINAL_1250 RA

Drawing TRP-PA-ACCESS

Drawing TRP-PA-BUILDING HEIGHTS

Drawing TRP-PA-LAND USE

Environmental statement

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

4. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
 - I. Deliveries, waste, cranes, equipment, plant, works, visitors;
 - II. Size of construction vehicles;

III. The use of a consolidation operation or scheme for the delivery of materials and goods;

IV. Phasing of works;

• Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): o Programming;

I. Waste management;

II. Construction methodology;

III. Shared deliveries;

IV. Car sharing;

V. Travel planning;

VI. Local workforce;

VII. Parking facilities for staff and visitors;

VIII. On-site facilities;

IX. A scheme to encourage the use of public transport and cycling;

• Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;

• Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;

• Locations for storage of plant/waste/construction materials;

• Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;

• Arrangements to receive abnormal loads or unusually large vehicles;

• Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;

• Any necessary temporary traffic management measures;

• Measures to protect vulnerable road users (cyclists and pedestrians);

• Arrangements for temporary facilities for any bus stops or routes;

• Method of preventing mud being carried onto the highway;

• Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of residential amenity and safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development and in accordance with Policy PCS17 and PCS23 of the Portsmouth Plan.

5. No development shall take place until an assessment on the potential for noise from the development, including any plant and equipment, affecting residential or commercial properties in the area has been submitted to and been approved in writing by the Local Planning Authority. If the assessment indicates that noise from the development is likely to affect neighbouring affecting residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014

Guidance on sound insulation and noise reduction for buildings.

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: In order that noise levels may be agreed prior to the commencement of works on site which may require changes to the design and to safeguard the amenities of nearby occupiers and in accordance with Policy PCS23 of the Portsmouth Plan.

6. No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the

site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, and in accordance with Policy PCS15 of the Portsmouth Plan.

7. Prior to first use of the development hereby approved, a sustainability statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development, shall be submitted for approval in writing by the Local Planning Authority. The development shall be constructed in full accordance with the sustainability statement prior to occupation.
Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate, and in accordance with Policy PCS15 of the Portsmouth Plan.
8. Prior to first use of the development hereby approved, a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.
Reason: In order to safeguard the amenities of adjoining residential occupiers in accordance with Policy PCS23 of the Portsmouth Plan.
9. No development shall take place including any works of demolition until the developer/occupier enters into an agreement with the City Council to produce and implement a strategy that aims to maximise the opportunities for local residents to access employment offered by the development. The approved strategy shall be undertaken in accordance with an agreed timetable.
Reason: To contribute towards the provision of training and employment opportunities for local residents during the construction phase of the development in accordance with Policy PCS16 of the Portsmouth Plan and the Achieving Employment and Skills Plans SPD (2013).
10. No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England). It should include but not be limited to construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. Agreed details should be fully implemented prior to start of construction works.
Reason: To mitigate any adverse impact from the development on the M27 Motorway and to ensure that the M27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety in accordance with Policy PCS17: Transport of the Portsmouth Plan.
11. Prior to first use, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.
Reason: to enhance biodiversity in accordance with NPPF and PCS13 of the Portsmouth Plan.

12. Unless otherwise agreed in writing with the location planning authority, no works pursuant to this permission (including Demolition) shall commence until a Construction Environmental Management Plan (CEMP), incorporating measures to avoid impacts on the adjacent designated sites has been submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Reason: To protect designated sites and green infrastructure in accordance with Policy PCS13: A Greener Portsmouth of the Portsmouth Plan.

13. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority or within such extended period as may be agreed with the Local Planning Authority:

- a) A desk study report documenting all the previous and existing land uses of the site and adjacent land in accordance with best practice including BS10175:2011+A1:2013+A2:2017 'Investigation of Potentially Contaminated Sites Code of Practice'. The report shall contain a conceptual model showing the potential pathways that exposure to contaminants may occur both during and after development; and unless otherwise agreed in writing by the LPA,
- b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk study created in accordance with BS10175:2011+A1:2013+A2:2017 'and BS 8576:2013 Guidance on investigations for ground gas. Permanent gases and Volatile Organic Compounds (VOCs); the laboratory analysis should be accredited by the Environment Agency's Monitoring Certification Scheme (MCERTS) where possible; the report shall refine the conceptual model of the site and state either that the site is currently suitable for the proposed end-use or that will be made so by remediation; and, unless otherwise agreed in writing by the LPA,
- c) A remediation method statement detailing the remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. For risks related to bulk gases, this will require the production of a design report and an installation report for the gas as detailed in BS 8485:2015 - Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings. The scheme shall consider the sustainability of the proposed remedial approach. It shall include nomination of a competent person to oversee the implementation and completion of the works.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority verification by the competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of conditions (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the LPA in advance of implementation). Unless otherwise agreed in writing by the LPA such verification shall comprise a stand-alone report including (but not be limited to):

- a) Description of remedial scheme
- b) as built drawings of the implemented scheme
- c) photographs of the remediation works in progress

d) certificates demonstrating that imported and/or material left in-situ is free of contamination, and records of amounts involved.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under conditions (i)c.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. Prior to each phase of development approved by this planning permission, no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons: To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework (NPPF).

16. Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the NPPF.

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the NPPF.

18. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
Reasons: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the NPPF.
19. Piling and/or investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reasons: To ensure that the proposed development, does not harm groundwater resources in line with paragraph 170 of the NPPF and Position Statement N of 'The Environment Agency's approach to groundwater protection'.
20. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected.
The scheme as approved shall be implemented prior to the occupation of each phase of development.
Reasons: The submitted planning application indicates that boreholes will need to be installed at the development site to investigate potential land contamination. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement, which poses a risk to groundwater quality.
21. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.
Reason: In order to ensure adequate capacity in the local drainage network to serve the development that might otherwise increase flows to the public sewerage system placing existing properties and land at a greater risk of flooding and to protect existing sewerage infrastructure, in accordance with policy PCS12 of the Portsmouth Plan (2012).
22. a) No development shall take place at the site until an Archaeological Mitigation Strategy (AMS) outlining the provision for archaeological investigation and the types of archaeological works to be undertaken, across the site as a whole and/or for each phase has been submitted to and approved by the local planning authority in writing. The strategy will also include details of all processing, research and analysis necessary of any artefacts or other archaeological features discovered, to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority, and nomination of a competent person(s)/organisation to undertake the works set out in the AMS. Generic written Schemes of Investigation for any mitigation will also be included in the AMS.
b) No works shall take place in each phase until a Written Scheme of Investigation (WSI) has been submitted and approved by the Local Planning Authority in accordance with the AMS. The works shall thereafter be carried out in strict accordance with the approved AMS and relevant WSI.
Reason: In the interests of protecting and/or conserving evidence of the City's early heritage and development by assessing any archaeological potential across the site and ensure information is preserved by record for any future generations, in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

THE REGISTRY ST MICHAELS ROAD PORTSMOUTH**PERMANENT CHANGE OF USE FROM STUDENT HALLS OF RESIDENCE (CLASS C1) TO INTERIM ACCOMMODATION FOR THE HOMELESS (SUI GENERIS)****Application Submitted By:**

Mango Planning & Development Ltd
FAO Mr Arfon Hughes

On behalf of:

Ms E Randall
Portsmouth City Council

RDD: 10th December 2020

LDD: 5th February 2021

EOT: 19th March 2021

1.0 SUMMARY OF MAIN ISSUES

- 1.1 This application is brought to the Planning Committee for determination as the applicant is Portsmouth City Council and it is in the interest of the public for the application to be determined by the Planning Committee.
- 1.2 The main issues for consideration in the determination of the application are as follows:
- Principle of Development
 - Design and character
 - Standard of accommodation
 - Impact on residential amenity
 - Highways and Parking
 - Energy and water efficiency
 - Nitrates Site and surroundings
- 1.3 The application property relates to a two and a half storey Locally Listed building with accommodation over four floors, including within the basement and roof space. The building is of a Victorian Gothic appearance, brick built with stone detailing, incorporating a number of circular turrets along the building frontage. The roof incorporates several rooflights which serves the accommodation within. The building is of a high architectural merit, scale and prominence, distinct within the streetscene context. The building has until recently, previously been used as student accommodation in association with The University of Portsmouth. The premises is currently being used to temporarily house vulnerable people (homeless) as a result of the COVID 19 lockdown, this use began on 15th September 2020. This change of use on a temporary basis (20/01009/FUL) was granted consent by the Planning Committee on 26th January 2021.
- 1.4 The building contains a total of 41 self-contained residential units. The basement level contains a gym, laundry and drying room, cycle store and plan room. The ground floor contains the Manager's Office, common room, bin store and 13 of the self-contained units. The first floor contains a further 17 units, while the second floor contains the remaining 11 units.

- 1.5 The building is located on the eastern side of St Michaels Road, at the junction with Lord Montgomery Way, which runs parallel to the south. The site is surrounded by several student halls of residency, the University of Portsmouth Students Union is to the south, with the University's Library and Dental Academy further to the south. Immediately adjoining the site to the east is LSI Portsmouth, which is an English Language School, adjoining the site to the north and east is International College Portsmouth which is more commonly known as St Andrews Court. The University of Portsmouth surgery, Chaplaincy and other facilities are opposite to the west, set behind a landscaped court. The United Services Recreation Ground is located immediately adjacent to the site on the western side of St Michaels Road.
- 1.6 The proposal site fronts the busy main road. Local bus stops are situated 100m away to the south west, providing the 7A, no.25 and 700 bus services, travelling north and south. Portsmouth and Southsea Train Station is situated 800m walk away to the north east of the site. The site is situated within the heart of the University of Portsmouth campus, on the south-western fringe of the city centre. There are many bars, night clubs and food outlets nearby, and a range of other commercial, retail, leisure/cultural premises.

Background to the development proposal

- 1.7 The City Council has a statutory duty to provide accommodation to those who are homeless in certain circumstances.
- 1.8 Prior to the COVID-19 crisis, homeless services in Portsmouth were provided from facilities at Hope House and Kingston Point with a maximum of 57 night bed spaces provided across the two sites. On 26th March 2020 Dame Louise Casey, speaking on behalf of the government, issued an email called 'Everyone in' in which she noted how authorities should be working with rough sleepers "to ensure that everybody is inside and safe". There was clear guidance which followed, confirmed in a letter from the Minister for Local Government & Homelessness on 26th March. This tasked PCC with providing all people who were homeless and rough sleeping with a place that they could self-isolate in if required. This meant that existing facilities were not sufficient and a new facility needed to be set up that could house the number of people required and enable the social distancing guidance to be adhered to.
- 1.9 At the end of March 2020 - at the start of the pandemic - many accommodation providers were closing down operations, but after an initial proposal with a hotel fell through, the Housing Department contacted Accor (who are the owners of Ibis hotels). Both parties agreed to use the Ibis Budget on Fratton Way from 1st April 2020. The facility was supported from the beginning by security contractors and the support providers (Society of St James and Two Saints) from the merged day and night services. Individuals entered the hotel from 2nd April 2020. All accommodation users, then and since, received temperature checks and government guidance, especially about hand washing and social distancing. As a result of continual growth in the number of people from Portsmouth who approached Housing Needs, Advice & Support needing the service, Accor and PCC agreed to also use the Ibis Portsmouth on Winston Churchill Avenue in late April 2020 (near to The Registry).
- 1.10 As of August 2020 there were 220 individual users of the two hotels, with a total of 435 having used the sites throughout the COVID-19 crisis period till September 2020. More details on the services provided for rough sleepers and street homeless before and during the COVID-19 crisis was outlined to PCC's Cabinet on 14th July 2020. For the reasons explained within the report to the Cabinet, new accommodation solutions needed to be found for the 220 people who were being housed within the hotels. Every individual had an assessment for their best accommodation move on, with some moving directly into the private rental sector, some to move into supported HMOs, and some requiring

accommodation within an intensive support block which they are supported to move on to more sustainable accommodation.

- 1.11 Since May 2020 the Housing Department and stakeholders have met on a weekly basis in an attempt at finding accommodation which would be suitable to use after the emergency accommodation at the Ibis hotels had come to an end. A number of locations were considered, however, the premises under consideration were required to meet all of the tests of a good location as outlined within the report to the City Council's Cabinet on 14th July 2020. The Housing Department also engaged the Local Planning Authority to seek its advice, prior to the submission of this planning application at The Registry.
- 1.12 It was considered prudent to engage local residents and businesses and other organisations including The University of Portsmouth, of the proposal by way of public consultation prior to the first inhabitant occupying the premises, which was carried out in August.

The development proposal

- 1.13 This application seeks planning permission for the permanent change of use of the building premises known as 'The Registry' from student accommodation to interim accommodation for the homeless and rough sleepers. The development proposal follows the retrospective temporary change of use of the premises which was granted a temporary two year consent in January 2021. The development proposal would not involve any external or internal alterations to the building.
- 1.14 The proposal is intended to address a need that is not only a corporate priority of the Council but also an emergency response to the circumstances brought about by the Covid19 health emergency on a permanent basis. Providing accommodation where homeless people may self-isolate is a key part of the Council's response to the management of the risk of transmission of Covid-19.
- 1.15 This premises contains 41 rooms, each of which have their own bathroom and kitchenette facilities. Each unit would provide a bed-living room with kitchenette, and an en-suite. The sizes of the units would range between 17.8m² and 33m². The premises does not contain any external private amenity space. The individuals occupying the premises would not be provided with food. Individuals would have their own room, used as either single or couples accommodation, with on-site support, to be provided by The Society of St James (SSJ) and Two Saints.
- 1.16 The premises is to be occupied by those individuals who are first waiting to be assessed, or those who need the most intense support. Those who use the site may still have substance misuse issues but are said to be supported through those by the onsite support and help of the Council's Public Health Service.
- 1.17 Trained supported workers would be present on site 24/7, with an initial three workers being on site at all times. External support is to be provided from other premises within the area. In addition a security firm would also be employed during the set up phase of the site, and continued if it is learned that additional security resources are required.
- 1.18 The Applicants Management and Operational advises that the building is under-utilised student accommodation and the proposal would meet an urgent and exceptional need for accommodation to house homeless persons and rough sleepers as part of the Council led managed strategy to reduce homelessness and to improve life chances of those living on the streets of Portsmouth.
- 1.19 The change of use of the building has been undertaken in partnership with Portsmouth City Council Council's Housing Department. As part of the Council's corporate vision to

'Make Portsmouth a city that works together, enabling communities to thrive and people to live healthy, safe and independent lives' and reflecting its duties under the Homelessness Act 2017, the City Council in October 2019 adopted the Portsmouth City Council Homelessness Strategy 2018-2023.

- 1.20 The application's supporting statement advises that security and management of the building and escalation policies for the behaviour of individuals have been carefully considered prior to the use of the buildings.
- 1.21 The individuals who use the accommodation are required to be on license (a license is a personal permission for someone to occupy accommodation. Without the license the occupier would be a trespasser, a license can be fixed term or periodic). Licences are required to be part of a pathway, through to more permanent accommodation. On this basis, the premises is not the permanent home of any individuals, and some may stay only a few weeks whilst others may take months before being suitable for move on.
- 1.22 The occupants of the premises are required to enter into an occupation agreement that would address a wide range of issues but would include measures relating to the restriction of congregation outside of the site and the restriction of illegal drugs and the type of alcohol permitted on the premises as 'hard liquor is not permitted on site. Users of the service would be encouraged to engage with support workers and/or use the restarted day service.
- 1.23 The management of the premises would be by the Society of St James and Two Saints, who both offer support to people who are homeless, vulnerable or at risk of becoming homeless. They would continue to provide on-site support, with further off-site support available. When the Covid restrictions were lifted and the hotels re-opened for trade in the summer of 2020, the supporting statement advises that additional funding was provided to Housing Authorities, in order to fast track the longer-term safe accommodation needed so that as few rough sleepers as possible as possible return to the streets. As part of its strategy to move on homeless people into more permanent accommodation, the Council has secured leases on a number of under-utilised properties in the City that help them transition into permanent accommodation.

Mitigations already in place

- 1.24 This site is used for those who are first waiting to be assessed, or those who need the most intense support. The occupiers of the premises are said to be those who use the site may still have substance misuse issues but would be supported through those by the on-site support and help of Public Health. The type of alcohol permitted in these sites is restricted, and illegal drugs are forbidden.
- 1.25 From the assessments, undertaken by support providers, the supporting statement advises that approximately a half of the current cohort have a substance misuse problem, and approximately a third will have some mental health issues. The service is well linked to Public Health's substance misuse team and increasing in the links to Adult Social Care's Mental Health team and these are integrated with the support workers to form part of the PHP and support plans. Virus control is managed through the Local Outbreak Plan, already in place. Substance use is managed by Society of St James and training regarding accidental overdose taking place, with welfare checks and staff making regular contact with all residents.

Occupation agreement

- 1.26 An Occupation Agreement (OA) for the management of behaviour of accommodation users is presently in-place, along with a clear evictions policy. This has been agreed by the operations group and ratified by the partnership board. It is clearly communicated to all on-site staff and residents and must be continued for new staff and residents.

Planning history

- 1.27 20/01009/FUL-temporary change of use from student halls of residence (c1) to interim accommodation for the homeless (sui generis) - Approved by Planning Committee 26th January 2021

2.0 POLICY CONTEXT

- 2.1 The policies relevant to the consideration and determination of this application are as follows:

- 2.2 Portsmouth Plan 2012:

- PCS10 (Housing Delivery)
- PCS14 (A Healthy City)
- PCS16 (Infrastructure and Community Benefit)
- PCS17 (Transport)
- PCS19 (Housing mix, size and affordable homes) and
- PCS23 (Design and Conservation)

- 2.3 Other guidance

- National Planning Policy Guidance (2019)

- 2.4 In accordance with the National Planning Policy Framework (NPPF) 2019 due weight has been given to the relevant policies in the above plan.

3.0 CONSULTATIONS

- 3.1 **Highways Engineer** - No comments received.

- 3.2 **Environmental Health** - 'No comments or recommendations regarding the proposed development'.

- 3.3 **Waste Management Service** - No objection raised.

- 3.4 **Natural England** - No objection raised, the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

- 3.5 **Crime Prevention Design Advisor** - No comments received.

4.0 REPRESENTATIONS

- 4.1 At the time of writing this report, no letters of representation had been received. Any further representations that are received after the publication of this report will be reported to committee.

- 4.2 Publicity dates

- Neighbour letters were sent on 6th January 2020
- Site Notices were displayed around the site on 26th January 2021
- No Press Notice was required.

5.0 COMMENT

- 5.1 The main issues for consideration in the determination of the application are as follows:

- Principle of Development
- Design and character
- Standard of accommodation
- Impact on residential amenity
- Highways and Parking
- Energy and water efficiency
- Nitrates

Principle of Development

- 5.2 The National Planning Policy Framework (NPPF) states that planning decisions should be based on a presumption in favour of sustainable development (paragraph 11). That presumption does not apply where the project is likely to have a significant effect on a 'habitats site' (including Special Protection Areas) unless an appropriate assessment has concluded otherwise (paragraph 177). Where a local planning authority cannot demonstrate a five year housing land supply of deliverable sites, the NPPF deems the adopted policies to be out of date and states that permission should be granted for development unless: i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 5.3 The site is within the boundaries of Portsmouth City Centre, as defined within Policy PCS4 of the adopted Portsmouth Plan. The site is also within the 'University Quarter' sub-area identified within Policy PCS4 which states that, inter alia, 'developments intended to support and complement the university will also be acceptable'. The proposed development could be seen as not supporting or complementing the university as it involves the loss of student accommodation floorspace. However, taking into account the specific purpose of the proposed, the proposed development would have limited impact on this part of the policy. The site is designated as being within the boundaries of the adopted City Centre Masterplan SPD. The proposed development would not have any major implications on the overall aims of the adopted City Centre Masterplan SPD, given the specific purpose of the proposed accommodation.
- 5.4 Currently, the Council can demonstrate a 4.7 years supply of housing land. The starting point for determination of this application is therefore the fact that the authority cannot demonstrate a five year supply of housing and this development would help meet that supply, albeit for a particular specialised sector for a temporary period, in place of another specialised sector (the existing student accommodation). In this case the 41 self-contained units have been designed to be occupied as 'move-on' accommodation for previously homeless persons. 'Move-on' accommodation is a term used by The Homeless Foundation, which defines it as follows: 'Move on accommodation is a stepping stone between hostels and independent living. These are essentially studio flats or bedrooms in shared houses in the community where people can live independently with the ongoing support from trained resettlement advisers. For those capable of living independently, the ability to access move on accommodation is a critical factor in ensuring a permanent move away from homelessness'.
- 5.5 The applicants are Portsmouth City Council's Homeless Housing Pathway Panel. The proposed scheme would contribute towards meeting the shortfall in temporary accommodation within the city. The issue of homelessness and rough sleeping in Portsmouth is highlighted within the Council's Homelessness Strategy (2018-2023). The Strategy notes that there has been an increase in the number of people sleeping rough in the city in recent years, and that the availability of temporary accommodation and permanent housing is a significant issue. Improving access to accommodation is one of

the main components of the strategy to help achieve the aim of preventing homelessness. The proposed development would therefore support the aims of the Council's Homelessness Strategy by providing additional temporary accommodation aimed at assisting people to live independently and move towards more permanent housing. Clearly the Strategy was adopted before the Covid pandemic and circumstances are even more critical now.

- 5.6 The principle of the proposal is therefore considered acceptable and has been established, albeit on a temporary basis by way of the granted temporary change of use of the building, subject to assessment in accordance with the tests set out in paragraph 11 (i and ii) of the NPPF and paragraph 177, which is provided within this report.
- 5.7 Paragraph 123 of the National Planning Policy Framework (NPPF) highlights that where there is an existing or anticipated shortage of land for meeting identified housing needs, planning policies and decisions should ensure that developments make optimal use of the potential of each site.
- 5.8 The application premises had been in use as student accommodation prior to the Covid19 pandemic. The proposed use would still provide residential accommodation, albeit for a more vulnerable demographic. The retrospective application came about as a response to the immediate need and requirement to house the homeless during the unforeseen pandemic. The application now wishes to provide a permanent solution to the homelessness crisis. Given the need for the accommodation, and the concurrent lesser student population in the city, I consider the permanent use to be acceptable and essential.

Justification for the loss of student accommodation

- 5.9 This application for the permanent change of use of the premises, has been accompanied by a Student Accommodation Property Market Study, which was provided to The Council, undertaken by Vail Williams. The purpose of the study was to inform the Council's intention of seeking the change of use from student accommodation to hostels for the homeless on a permanent basis.
- 5.10 The report was broken down into three main sections, firstly considered the national market context for student accommodation, following a review of published research, before considering what impact the loss of these properties in these localities would have on the supply of student housing in the city. The study also considered demand and supply, location and pricing.
- 5.11 The market study advises that significant development purpose built student accommodation in recent years includes Greetham Halls (836 beds) which was delivered includes 2016, Catherine House (1000 beds) delivered in 2017, Crown Place (576 beds) delivered in 2018, Stanhope House (256 beds) delivered in 2019 and Wingfield House (309 beds) delivered in 2020.
There is said to be a current pipeline of student accommodation in Portsmouth which gives a total of 561 beds currently in the system that have been determined or are awaiting decision.
- 5.12 The University of Portsmouth's housing team have advised that there are currently 4,672 beds in university halls, 1,934 beds in private halls and a further 1,402 beds on StudentPad (accredited landlords). This provides a total supply of approximately 8,000 university accredited rooms.
- 5.13 The three buildings (Kingsway House, The Registry and Elm Grove (The Library)) provide only 112 beds between them (under 1.5% of university accredited supply) and the Elm Grove buildings are at the lower end of the quality range, less well situated in relation to the university's main site's. Evidence suggests weaker demand for this sort of product and

with new schemes recently delivered, and those in the pipeline, these buildings would become increasingly marginal.

- 5.14 The study concluded that Based on the estimated supply of student accommodation, as well as the relatively small number of bedrooms, we do not consider the loss of these properties to negatively impact the supply of student accommodation within Portsmouth. Given the pressing need for the homeless accommodation, and the concurrent lesser student population in the city needing accommodation due to the pandemic, Officers consider the permanent use to be acceptable and essential.

Design and character

- 5.15 The National Planning Policy Framework (NPPF) places an emphasis on achieving sustainable development, for which good design is a fundamental element. Paragraph 124 of the NPPF further emphasises that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 sets out that developments should: ensure that they function well and add to the overall quality of an area; be visually attractive; be sympathetic to local character and history; establish or maintain a strong sense of place and should optimise the potential of a site to accommodate and sustain an appropriate mix of development.
- 5.16 When determining planning applications, the Local Planning Authority (LPA) must also consider what impact the proposal would have on both designated and non-designated heritage assets. Paragraph 197 of the NPPF states: 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement would be required having regard to the scale of any harm or loss and the significance of the heritage asset'. Furthermore, Section 72 of the Listed Buildings and Conservation Areas Act 1990 (as amended) requires that LPAs pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 5.17 The property is a locally listed building and therefore considered to be a non-designated heritage asset. The proposal would see the retention of the fabric of the building and the change of use would be achieved through the conversion of the existing building and would not result in the extension or external alteration of the existing building and no additional openings are proposed. On this basis, the proposed change of use would have a negligible impact on the character of the site of that of the building and St Michaels Road streetscene.

Standard of accommodation

- 5.18 Policy PCS19 of the Portsmouth Plan states that developments should be of a reasonable size appropriate to the number of people the dwellings are designed to accommodate. It requires developments to meet specific space standards, (formally PCC's own standards but now in accordance with the Nationally Described Space Standards), apart from in exceptional circumstances where it can be shown that the standards are not practicable or viable.
- 5.19 The Nationally Described Space Standards set a minimum size for 1-bedroom flats at 37m². The proposed units, which ranging from 17.8m² to 33m² would therefore fall significantly short of this minimum standard. It is therefore necessary to consider whether there are any exceptional circumstances that would allow reduced sized accommodation for this scheme.
- 5.20 Policy PCS23 of the Portsmouth Plan requires, amongst other things, that new development should ensure 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.

- 5.21 It must be noted that prior to the change of use of the premises to homeless accommodation, the units were used for students, so would change from one form of temporary accommodation to another. Although a handful of the units are small, the majority of the units are large and would provide accommodation to a very vulnerable group who had previously been sleeping rough. It is often stated that that standard 1-bedroom flats can feel overwhelming to people who have previously been rough sleeping and have little to none personal possessions.
- 5.22 As stated earlier each unit would provide a good standard of accommodation on a temporary basis. Each unit would be self-contained providing the occupants with a bedroom / living space, small kitchenette and an en-suite bathroom. The proposed floorplans show that whilst the units are small, they would all have a good standard of light and outlook from the existing windows within the building. Victoria Park is situated 300m to the north of the site. Ravelin Park a similar distance to the south, and Southsea Common about half a mile to the south.
- 5.23 Taking into consideration account of the information set out above, including the specific purpose of the accommodation and its nature for temporary accommodation, Officers consider that the units would provide an acceptable standard of living accommodation in this instance. It is considered the small size of the smaller units would be outweighed by the benefits that the proposed development would provide in terms of providing much needed temporary accommodation to help reduce homelessness within Portsmouth, particularly during the current Covid- 19 crisis.
- 5.24 It is also necessary to consider whether the layout of the development makes appropriate provision for facilities for the new residents, including refuse storage. The submitted plans indicate that the basement level of the building would contain a gym and laundry room and a bin store is provided at ground floor. The laundry room would ensure that the needs and basic hygiene requirements can be provided on site. The bin store would provide secure storage for refuse and recycling and these provisions were deemed to be acceptable and sufficient in order to accommodate the previous use of the building as a student halls of residence. The Council's Waste Management Officer has been consulted on the proposal and has raised no objection to the proposal. Some of the rooms have more limited light and outlook at the rear of the premises. However, these properties are the minority. The individual rooms are mostly of a good size, with communal facilities, and many local amenities and parks. Impact on residential amenity. The standard of accommodation has been deemed acceptable under the temporary change of use.
- 5.25 Policy PCS23 of the Portsmouth Plan requires new development to protect the amenities of neighbouring residents. In this instance, due to the nature of the development proposal, I would extend the principle to also considering the day-to-day function of nearby businesses and other organisations and if they could be affected by the proposed use. The development would not result in any increase in the footprint or scale of the existing building. The proposal would not include the insertion of any additional windows doors or other openings. The proposed change of use would ultimately result in the building remaining in a residential use. The tenure would change by virtue of the vulnerable inhabitants. The use has already occurred and to date, Officers have not been made aware of any concerns having been made by way of noise, disturbance or other anti-social behaviour. As covered earlier on in this report, the premises has trained supported workers who are to be present on site 24/7, with an initial three workers being on site at all times. Occupiers are subject to a tenancy agreement, and the wider management of the premises. External support is also to be provided from other premises within the area and an additional security firm would also be employed during the set up phase of the site, and continued if it is learned that additional security resources are required.

Highways and Parking

- 5.26 The Portsmouth Parking Standards SPD sets out the expected level of parking provision that should be included within new residential developments. The LHA highlight that whilst the development is located between two areas of high accessibility as defined within the SPD, the site is not located in part of the city found to be sufficiently accessible to allow consideration of a reduction in the parking demand. That does not necessarily mean that each site must provide off road parking sufficient to meet the parking expectation. The SPD explains that 'the council recognises that, given the nature of available development sites in the city, it will not always be physically possible to accommodate the expected standard on site. In some cases, it may not be possible or appropriate to provide any onsite parking at all'. However that does not mean that developments without adequate parking facilities would be acceptable, rather that the LPA need to be satisfied that there is a reasonable prospect of future residents being able to find a parking space within a reasonable walking distance of their home.
- 5.27 The development would result in the change in tenure from student accommodation to temporary accommodation for the homeless. It is highly improbable that the occupiers of the premises would have the means to own a vehicle and in any event, the occupiers would most certainly be less likely to use or own a vehicle than the previous occupying students. The site is also located in close proximity to local bus links and the main train station. On this basis, Officers do not consider the development to be of such a scale that would have a material impact on the operation of the local highway network in terms of trip generation or parking and no concerns in this respect are raised by the LHA. The submitted plans indicate that a secure bike store is provided at basement level, these provisions would accord with the Councils Adopted Parking Standards. The Highways Authority were consulted on the proposal and their comments will be reported to the Committee by way of a further report. The impact of the development proposal has already been deemed acceptable under the temporary consent for the change of use.
- 5.28 In summary, having regard to the specific nature of the proposed use, it is not considered that the development would generate a significant level of increased traffic or parking demand, or have an adverse impact on the operation of the local highway network.

Energy and water efficiency

- 5.29 Policy PCS15 of the Portsmouth Plan requires new development to be designed to be energy efficient and originally required development to meet specific requirements under the Code for Sustainable Homes. The Ministerial Statement of 25th March 2015 set out that Local Planning Authorities should no longer require compliance with specific levels of the Code for Sustainable Homes (the Code) or to require a certain proportion of the Dwelling Emission Rate (DER) to be offset through Low or Zero Carbon (LZC) Energy. Policy PCS15 has required both of these in all new dwellings since its adoption in 2012. However, the Statement does set out that a standard of energy and water efficiency above building regulations can still be required from new development in a way that is consistent with the Government's proposed approach to zero carbon homes. As such, the standards of energy and water efficiency that would be required from new residential development are as follows:
- Energy efficiency - a 19% improvement in the DER over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations - Water efficiency - 110 litres per person per day (this includes a 5 litre allowance for external water use).
- 5.30 I do not consider it reasonable to impose these standards - the development is not a new build, and it was already in use for student accommodation, so upon consent it would merely transfer from one type of temporary residential accommodation to another.

Special Protection Areas & Nitrates

- 5.31 Natural England has provided guidance advising that increased residential development is resulting in higher levels of nitrogen and phosphorus input to the water environment in the Solent, with evidence that these nutrients are causing eutrophication at internationally designated sites (Special Protection Areas, etc. (SPAs)). A sub-regional strategy for the nitrates problem is being developed by the Partnership for South Hampshire, Natural England and various partners and interested partners. However, in the meantime, to minimise delays in approving housing schemes and to avoid the damaging effects on housing supply and the construction industry, Portsmouth City Council has developed its own Interim Strategy, which has been agreed with Natural England.
- 5.32 The Council's Interim Nutrient-Neutral Mitigation Strategy expects Applicants to explore their own Mitigation solutions first. These solutions could be Option 1: 'off-setting' against the existing land use, or extant permission, or other land controlled by the Applicant. Or it could be Option 2: mitigation measures such as Sustainable Urban Drainage Systems (SUDS), interception, or wetland creation. If, however, the Applicant sets out to the Council that they have explored these options but are unable to provide mitigation by way of these, they may then request the purchase of 'credits' from the Council's Mitigation Credit Bank. These credits are accrued by the Council's continuous programme of installation of water efficiencies into its own housing stock, and making these credits available to new development.
- 5.33 In this instance, Officer's having considered the previous use against the proposed, the development would not result in an increase in residential units on site, therefore, it is considered that the proposed change of use would result in a negligible impact upon nitrogen release. Although the information accompanying this application did not include specific details about existing and proposed water usage, Officers anticipate that the levels of water usage would remain the same and therefore, the new development would result in a nitrate neutral situation. As such, I do not consider the development would require any mitigation at all for eutrophication effects on the SPAs. This has been communicated to Natural England, who have not wished to comment further on the application.

Recreational bird disturbance

- 5.34 In relation to recreational pressure, the Solent Recreation Mitigation Strategy (Bird Aware), which came into effect on 1 April 2018, sets out how development schemes can provide a contribution towards a Solent Wide mitigation scheme to remove this effect and enable the development to go forward in compliance with the Habitats Regulations.
- 5.35 The mitigation contribution depends on the size of the proposed dwellings and takes account of the existing land use. In this case, the building was previously used as student accommodation associated with the University of Portsmouth. It is therefore not considered that the proposed new residents would exert different impacts on the SPAs than the previous residents, so no mitigation is required. Natural England were consulted and detailed comments and assessment was requested, however, they have advised that they have no objections on the development proposal.

Conclusion

- 5.36 For the reasons as outlined above, no objection is raised to the limited loss of student accommodation. The proposed change of use would not result in an intensification of the use of the site. The development by way of the housing of vulnerable individuals would provide suitable, well-located and managed accommodation for at least 41 rough sleepers and vulnerable individuals on a permanent basis, bringing this under-utilised student accommodation into best use, providing vital shelter and support for in-need members of society. Any concerns that may be raised by residents or other local occupiers should be

alleviated by the fact that the premises would provide 24/7 on-site trained and supported workers and security as required, the submission has also provided detailed information on how rule breakers and those who cause unrest and anti-social behaviour are to be managed and dealt with.

- 5.37 The absence of external alterations or openings within the buildings elevations, would ensure that no undue loss of amenity would result by way of overbearing presence, overlooking or privacy loss. On this basis the development proposal would not result in any loss of amenity to the occupiers of neighbouring properties. No material highways impacts are anticipated.
- 5.38 In conclusion, the development is considered to accord with all relevant local plan policies and would accord with the relevant paragraphs of the NPPF, being in compliance with its requirements for sustainable development, by way of meeting its Economic, Social and Environmental objectives. On this basis, it is recommended that the permission is granted on a permanent basis.

RECOMMENDATION Conditional Permission

Conditions

- 1) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings: Drawing numbers: Elevations A & C, Elevations B & D, Basement Plan, Ground Floor Plan, First Floor Plan, Second Floor Plan, Roof Plan, Block Plan and Location Plan.

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

- 2) Within four weeks of the granting of the development hereby permitted, details inclusive of location and type of CCTV surveillance measures shall be submitted to and agreed in writing by the Local Planning Authority. They shall be installed as approved within one month of their approval, and shall thereafter be retained as approved unless agreed in writing otherwise.

Reason: In the interest of amenity in accordance with Policy PCS23 of the Portsmouth Plan.

155 - 157 ELM GROVE SOUTHSEA PO5 1LJ

PERMANENT CHANGE OF USE FROM STUDENT HALLS OF RESIDENCE (CLASS C1) TO INTERIM ACCOMMODATION FOR THE HOMELESS (SUI GENERIS)

Application Submitted By:

Mango Planning & Development Ltd
FAO Mr Arfon Hughes

On behalf of:

Ms E Randall
Portsmouth City Council

RDD: 10th December 2020

LDD: 5th February 2021

EOT: 19th March 2021

1.0 SUMMARY OF MAIN ISSUES

1.1 This application is brought to the Planning Committee for determination as the applicant is Portsmouth City Council and it is in the interest of the public for the application to be determined by the Planning Committee.

1.2 The main issues for consideration in the determination of the application are as follows:

- Principle of Development
- Design and character
- Standard of accommodation
- Impact on residential amenity
- Highways and Parking
- Energy and water efficiency
- Nitrates

Site and surroundings

1.3 The application property relates to a two storey brick built building with a more modern front facing single storey extension. The building prior to its conversion into student accommodation in 2012, served as a library (known as Elm Grove Library) with offices at first floor level. The building is accessed via two side gates situated along the east and western side of the property.

1.4 The building is situated on the northern side of Elm Grove, immediately to the north of the junction with Albany Road and west of the junction with St Andrews Road. The building, prior to the retrospective change of use, was most recently, used as student accommodation in association with The University of Portsmouth. The premises is currently being used to temporarily house vulnerable people (homeless) as a result of the COVID 19 lockdown. This change of use on a temporary basis (20/01021/FUL) was approved by the Planning Committee on 26th January 2021.

1.5 The building contains a total of 19 study bedrooms arranged into five cluster apartments. The premises is situated along a main road within a predominantly residential area. A number of apartment blocks are situated within close proximity to the site, No.147 to the

west accommodates 14 flats and No.159 which is located to the east which accommodates 7 flats.

- 1.6 The site also has a number of commercial uses within the site's immediate vicinity, with The Co-operative convenience store situated approximately 80m to the west, a Costcutter situated 130m to the east and a number of Public Houses, restaurants and retail uses are situated within a 100m radius of the site. Local bus stops are situated 40m to west of the site along Elm Grove, which provides the Route 18 service travelling east and the route travelling west is 60m away.

Background to the development proposal

- 1.7 The City Council has a statutory duty to provide accommodation to those who are homeless in certain circumstances. Prior to the COVID-19 crisis, homeless services in Portsmouth were provided from facilities at Hope House and Kingston Point with a maximum of 57 night bed spaces provided across the two sites. On 26th March 2020 Dame Louise Casey, speaking on behalf of the government, issued an email called 'Everyone in' in which she noted how authorities should be working with rough sleepers "to ensure that everybody is inside and safe". There was clear guidance which followed, confirmed in a letter from the Minister for Local Government & Homelessness on 26th March. This tasked PCC with providing all people who were homeless and rough sleeping with a place that they could self-isolate in if required. This meant that existing facilities were not sufficient and a new facility needed to be set up that could house the number of people required and enable the social distancing guidance to be adhered to.
- 1.8 At the end of March 2020 - at the start of the pandemic - many accommodation providers were closing down operations, but after an initial proposal with a hotel fell through, the Housing Department contacted Accor (who are the owners of Ibis hotels). Both parties agreed to use the Ibis Budget on Fratton Way from 1st April 2020. The facility was supported from the beginning by security contractors and the support providers (Society of St James and Two Saints) from the merged day and night services. Individuals entered the hotel from 2nd April 2020. All accommodation users, then and since, received temperature checks and government guidance, especially about hand washing and social distancing. As a result of continual growth in the number of people from Portsmouth who approached Housing Needs, Advice & Support needing the service, Accor and PCC agreed to also use the Ibis Portsmouth on Winston Churchill Avenue in late April 2020 (near to The Registry).
- 1.9 As of August 2020 there were 220 individual users of the two hotels, with a total of 435 having used the sites throughout the COVID-19 crisis period till September 2020. More details on the services provide for rough sleepers and street homeless before and during the COVID-19 crisis was outlined to PCC's Cabinet on 14th July 2020. For the reasons explained within the report to the Cabinet, new accommodation solutions needed to be found for the 220 people who were being housed within the hotels. Every individual had an assessment for their best accommodation move on, with some moving directly into the private rental sector, some to move into supported HMOs, and some requiring accommodation within an intensive support block which they are supported to move on to more sustainable accommodation.
- 1.10 Since May 2020 the Housing Department and stakeholders have met on a weekly basis in an attempt at finding accommodation which would be suitable to use after the emergency accommodation at the Ibis hotels had come to an end. A number of locations were considered, however, the premises under consideration were required to meet all of the tests of a good location as outlined within the report to the City Council's Cabinet on 14th July 2020. The Housing Department also engaged the Local Planning Authority to seek its advice, prior to the submission of the planning application.

- 1.11 It was considered prudent to engage local residents and businesses and other organisations including The University of Portsmouth, of the proposal by way of public consultation prior to the first inhabitant occupying the premises, which was carried out in August.
- 1.12 It is noted that there is a substance misuse service facility located at the other end of Elm Grove this service is only open in the day and not in the evening or weekends and they did not consider that this would be overburdening the area as there is little overlap during busy times. The location of the site is well situated to access services at the Homeless Day Centre on Milton Road.

The development proposal

- 1.13 Following the retrospective temporary change of use of the premises in January 2021, this application now seeks permanent planning permission for the change of use of the building premises known as the former library 155-157 Elm Grove from student accommodation to interim accommodation for the homeless and rough sleepers. As with the temporary change of use, this permanent change of use would not involve any external or internal alterations to the building. The premises has a temporary change of use in place until 26th January 2023.
- 1.14 The Elm Grove site is presently in use as a supported temporary night shelter as a short-term solution for the Homeless in need of low level support. Occupants sign a licence agreement, which allows occupancy on a nightly basis as well as the rules of occupation to the pathway. The rules centre mainly on the expected conduct of the residents both inside the building and the surrounding area, as well as their engagement with necessary support services in order to help them find secure settled accommodation in the long-term. The occupant's compliance with the rules of occupation are monitored on an ongoing basis throughout their stay.
- 1.16 The proposed use of the building is required in order to address a need that is not only a corporate priority of the Council but also an emergency response to the circumstances brought about by the Covid19 health emergency. Providing accommodation where homeless people may self-isolate is a key part of the Council's response to the management of the risk of transmission of Covid-19.
- 1.17 This premises contains a total 19 rooms within a cluster of five flats. The accompanying plans indicate that at ground floor level, two 3 bedrooms and one 4 bedroom flat. At first floor level there are one 4 bedroom and one five bedroom flat is to be provided. Each of the units are shown to have their own open plan kitchen/diner/living room and bathroom facilities. Each of the properties are accessed via the side elevations, inclusive of the two, first floor flats, Flats D and E which are five bedroom and four bedrooms respectively. Flat D has two shower rooms and an open plan kitchen/living/dining room, while flat E has a single shower room. All of the bedrooms are to be used by single occupants.

A breakdown of the floor area is below:

Flat A (3 bedrooms) has an internal floor area of 81.2m²
Flat B (3 bedrooms) has an internal floor area of 77.6m²
Flat C (4 bedrooms) has an internal floor area of 72.7m²
Flat D (5 bedrooms) has an internal floor area of 107.2m²
Flat E (4 bedrooms) has an internal floor area of 77.4m²

Total area 416m²

- 1.18 The sizes of the units would range between 72.7m² and 107.2m². The Nationally Described Space Standards indicates that a four bedroom, 5 person property should have

a floor area of 90m². The premises contains two areas to the rear which could provide some private amenity space in addition to a bike and bin store (to the west of the premises). The units are said to be equipped with washing and cooking facilities so that residents can transition towards more independent living. Individuals occupying the premises would not be provided with food. Individuals would have their own room, used as either single or couples accommodation, supported by on-site support, to be provided by The Society of St James (SSJ) and Two Saints, who are understood to presently be providing support at the nearby Kingsway site. It is understood that a security firm would be employed during the set-up process and would continue to provide assistance as required.

- 1.19 The premises would be occupied by those that have been assessed as being able to live in a house of multiple occupancy (HiMO) and 'considered to be lower risk than those in more intensively managed accommodation'. The supporting information advises that the individuals who use the accommodation would be on licence and would be required to agree to be part of a pathway through to more permanent accommodation. On this basis, the premises would not be the permanent home of any individuals, and some of the occupants may stay only a few weeks whilst others may take months before being suitable for move on. The site has very strict rules in place, some alcohol and all illegal drugs are to be forbidden at the premises and individuals who break the terms of their occupation licence would be moved on to other accommodation or excluded from all accommodation.
- 1.20 The loss of the student accommodation has already been justified and acceptable by way of the grant of the change of use of the premises, albeit on a temporary basis to have come about by the underutilised student accommodation, while the permanent change of use would go a significant way in meeting the urgent and exceptional need for accommodation to house homeless persons and rough sleepers as part of the Council led managed strategy to reduce homelessness and to improve life chances of those living on the streets of Portsmouth on a permanent basis.
- 1.21 The change of use of the building has been undertaken in partnership with Portsmouth City Council Council's Housing Department. As part of the Council's corporate vision to 'Make Portsmouth a city that works together, enabling communities to thrive and people to live healthy, safe and independent lives' and reflecting its duties under the Homelessness Act 2017, the City Council in October 2019 adopted the Portsmouth City Council Homelessness Strategy 2018-2023. The Applicant considers this proposal would accord with the Homelessness Strategy.

Management of the premises

- 1.22 The site is to be used as a supported temporary night shelter as a short-term solution for the Homeless in need of Low level support. Occupants of the premises sign a licence agreement, which allows occupancy on a nightly basis as well as the rules of occupation on acceptance to the pathway. The rules centre mainly on the expected conduct of the residents both inside the building and in the surrounding area, as well as their engagement with necessary support services in order to help them find secure settled accommodation in the long term. The occupant's compliance with the rules of occupation are monitored on an ongoing basis throughout their stay.
- 1.23 All occupants are expected, as a term of occupation, to work with support staff to address their housing and support needs in order to create a personalised housing and support plan. Support is undertaken by SSJ and Two Saints. Support staff are on site and offer support 24 hours a day. An application for similar use at Kingsway House opposite has recently been received. If or when Kingsway House is in use, then support staff would be based in Kingsway House and cover both buildings as they are within 30 seconds of each other. If the Kingsway House application does not come into effect, the current security measures would remain in place solely for Elm Grove. Each occupant is allocated a dedicated support worker to work on their support plan and assist with creating links and

referrals to any support services that may be instrumental in their progress through the pathway. Support staff carry out daily welfare checks within the occupant's rooms. Welfare checks include temperature checks (once a day), a discussion around their general health and wellbeing, repairs and issues in the room and any support they feel they need from staff. This is also an opportunity for the staff to check for any breaches to the rules of occupation.

- 1.24 There is currently a safety team on site 24 hours a day. This team log all occupants in and out of the building and ensure everyone entering the building has permission to do so and oversees the area outside of the building. The safety team also carries out twice hourly internal building checks to ensure compliance. The safety team also monitors the CCTV on the outside of the building.
- 1.25 The Council manages the safety of the buildings and the decisions regarding access to the service carrying out risk assessments to ensure the safety of staff, other occupants and members of the public in the surrounding area. The Council maintains an ad hoc presence carry out comprehensive weekly room inspections on random days to avoid a pattern to ensure the rules of occupation are being met.
- 1.26 The Council oversees any official warnings whether it be either verbal or written warnings and enforce short-term exclusions for breaches of the rules of occupation. All warnings are recorded on the Council's warnings log and there are clear processes for breaches of the rules of occupation and any permanent exclusions are decided upon by a panel of peers.
- 1.27 The individuals who use the accommodation are to be on, or would be required to be on license (a license is a personal permission for someone to occupy accommodation. Without the license the occupier would be a trespasser, a license can be fixed term or periodic.) and are required to be part of a pathway, through to more permanent accommodation. On this basis, the premises is not the permanent home of any of the individuals residing at the site, and some may stay only a few weeks whilst others may take months before being suitable for move on.

Mitigations already in place

- 1.28 This site is used for those who are first joining the pathway those waiting to be assessed, or those who need the most intense support. The occupiers of the premises are said to be those who use the site may still have substance misuse issues but would be supported through those by the onsite support and help of Public Health. The type of alcohol permitted in these sites is restricted, and illegal drugs are forbidden.
- 1.29 From the assessments, undertaken by support providers, the supporting statement advises that approximately a half of the current cohort have a substance misuse problem, and approximately a third would have some mental health issues. The service is well linked to Public Health's substance misuse team and increasing in the links to Adult Social Care's Mental Health team and these are integrated with the support workers to form part of the PHP and support plans. Virus control is to be managed through the Local Outbreak Plan in place. Substance use is to be managed by Society of St James and training regarding accidental overdose taking place, with welfare checks and staff making regular contact with all guests.

Occupation agreement

- 1.30 An Occupation Agreement (OA) for the management of behaviour of accommodation users is in place, along with a clear evictions policy. This has been agreed by the operations group and ratified by the partnership board. It is clearly communicated to all on-site staff and residents and must be continued for new staff and residents.

Planning history

- 1.31 20/01021/FUL - Temporary change of use from student halls of residence (Class C1) to interim accommodation for the homeless (Sui Generis) - Approved, 26th January 2021
- 1.32 11/01316/FUL - Conversion of existing library (Class D2) and offices (Class B1) to form halls of residence within Class C1 (comprising 19 study bedrooms arranged as five cluster flats) and construction of cycle and bin stores with associated landscaping - Approved with conditions 12th February 2012.

2.0 POLICY CONTEXT

- 2.1 The policies relevant to the consideration and determination of this application are as follows:
- 2.2 Portsmouth Plan 2012:
- PCS10 (Housing Delivery)
 - PCS14 (A Healthy City)
 - PCS16 (Infrastructure and Community Benefit)
 - PCS17 (Transport)
 - PCS19 (Housing mix, size and affordable homes) and
 - PCS23 (Design and Conservation)
- 2.3 Other Guidance
- National Planning Policy Guidance (2019)
 - Homelessness Strategy (2018-2023)
- 2.4 In accordance with the National Planning Policy Framework (NPPF) 2019 due weight has been given to the relevant policies in the above plan.

3.0 CONSULTATIONS

- 3.1 **Highways Engineer** - No comments received
- 3.2 **Waste Management Service** - No objection raised
- 3.3 **Crime Prevention Design Advisor** -

Hampshire Constabulary broadly supports this application but this is conditional upon the residents being at the appropriate stage of their recovery to reside within this style of accommodation, the provision of effective onsite support for the residents at all times and appropriate security fittings.

Our concerns centre on the possible problems caused by the residents, within the accommodation and within the local area. Hampshire Constabulary recognises the need for accommodation for the homeless to assist with their journey back to a more normal lifestyle. Effective management / support of the residents is key to reducing the opportunities for crime and disorder. Paragraph 6.3.4 of Appendix D advises: "There is currently a safety team on site 24 hours a day. This team log all occupants in and out of the building and ensure everyone entering the building has permission to do so and oversees the area outside of the building. The safety team also carries out twice hourly internal building checks to ensure compliance. The safety team also monitors the CCTV on the outside of the building." To enable this, space should be provided within the building for an office for use by onsite staff, this space should be annotated on plans.

The plans show a balcony at the first floor level. From this balcony it is possible to access the windows of three other flats, this increases the opportunities for crime and anti-social behaviour. To reduce the opportunities for crime and anti-social behaviour access to the balcony must be prevented.

3.4 **Environmental Health** - 'No comments or recommendations regarding the proposed development'

3.5 **Natural England** - 'No comments to make on the application'.

4.0 REPRESENTATIONS

4.1 At the time of writing this report, no letters of representation had been received

4.2 Publicity dates

- Neighbour letters were sent on 6th January 2021
- Site Notices were displayed around the site on 26th January 2021
- Press Notice was not required.

5.0 COMMENT

5.1 The main issues for consideration in the determination of the application are as follows:

- Principle of Development
- Design and character
- Standard of accommodation
- Impact on residential amenity
- Highways and Parking
- Energy and water efficiency
- Nitrates

Principle of Development

5.2 The National Planning Policy Framework (NPPF) states that planning decisions should be based on a presumption in favour of sustainable development (paragraph 11). That presumption does not apply where the project is likely to have a significant effect on a 'habitats site' (including Special Protection Areas) unless an appropriate assessment has concluded otherwise (paragraph 177). Where a local planning authority cannot demonstrate a five year housing land supply of deliverable sites, the NPPF deems the adopted policies to be out of date and states that permission should be granted for development unless: i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.3 The site is within the lies within the secondary area of the 'Albert Road & Elm Grove' district centre, as identified by PCS8 of the Portsmouth Plan. The policy states that within secondary areas 'there are opportunities for town centre uses although residential development would also be supported in principle'. Furthermore, given the specific purpose of the proposed accommodation and its temporary nature, it's not envisaged there would be any conflict to the overall aims of this policy and the vitality and viability of this district centre.

- 5.4 Currently, the Council can demonstrate a 4.7 years supply of housing land. The starting point for determination of this application is therefore the fact that the authority cannot demonstrate a five year supply of housing and this development would. In this case the 41 self-contained units have been designed to be occupied as 'move-on' accommodation for previously homeless persons.
- 5.5 'Move-on' accommodation is a term used by The Homeless Foundation, which defines it as follows: 'Move on accommodation is a stepping stone between hostels and independent living. These are essentially studio flats or bedrooms in shared houses in the community where people can live independently with the ongoing support from trained resettlement advisers. For those capable of living independently, the ability to access move on accommodation is a critical factor in ensuring a permanent move away from homelessness'.
- 5.6 The applicants are Portsmouth City Council's Homeless Housing Pathway Panel. The proposed scheme would contribute towards meeting the shortfall in temporary accommodation within the city.
- 5.7 The issue of homelessness and rough sleeping in Portsmouth is highlighted within the Council's Homelessness Strategy (2018-2023). The Strategy notes that there has been an increase in the number of people sleeping rough in the city in recent years, and that the availability of temporary accommodation and permanent housing is a significant issue. Improving access to accommodation is one of the main components of the strategy to help achieve the aim of preventing homelessness.
- 5.8 The proposed development would therefore support the aims of the Council's Homelessness Strategy by providing additional temporary accommodation aimed at assisting people to live independently and move towards more permanent housing. Clearly the Strategy was adopted before the Covid pandemic and circumstances are even more critical now. 5.9 The principle of the proposal is therefore considered acceptable, subject to assessment in accordance with the tests set out in paragraph 11 (i and ii) of the NPPF and paragraph 177, which is provided within this report.
- 5.9 Paragraph 123 of the National Planning Policy Framework (NPPF) highlights that where there is an existing or anticipated shortage of land for meeting identified housing needs, planning policies and decisions should ensure that developments make optimal use of the potential of each site.
- 5.10 The application premises had been in use as student accommodation prior to the Covid19 pandemic. The proposed use would still provide residential accommodation, albeit for a more vulnerable demographic. The submission has not provided any specific justification for the loss of the student accommodation, neither has it provided info on the surplus provisions of student accommodation, however, the Council does not have any specific policies requiring the retention of the existing student accommodation.
- 5.11 The change of use has come about as a response to the immediate need and requirement to house the homeless during the unforeseen pandemic. The application in its current form is required to regularise the measures that were put in place. Given the need for the accommodation, and the concurrent lesser student population in the city, I consider the temporary use to be acceptable and essential.

Justification for the loss of student accommodation

- 5.12 This application for the permanent change of use of the premises, has been accompanied by a Student Accommodation Property Market Study, which was provided to The Council, undertaken by Vail Williams. The purpose of the study was to inform the Council's intention

of seeking the change of use from student accommodation to hostels for the homeless on a permanent basis.

- 5.13 The report was broken down into three main sections, firstly considered the national market context for student accommodation, following a review of published research, before considering what impact the loss of these properties in these localities would have on the supply of student housing in the city. The study also considered demand and supply, location and pricing.
- 5.14 The market study advises that significant development purpose built student accommodation in recent years includes Greetham Halls (836 beds) which was delivered in 2016, Catherine House (1000 beds) delivered in 2017, Crown Place (576 beds) delivered in 2018, Stanhope House (256 beds) delivered in 2019 and Wingfield House (309 beds) delivered in 2020.
- 5.15 There is said to be a current pipeline of student accommodation in Portsmouth which gives a total of 561 beds currently in the system that have been determined or are awaiting decision. The University of Portsmouth's housing team have advised that there are currently 4,672 beds in university halls, 1,934 beds in private halls and a further 1,402 beds on StudentPad (accredited landlords). This provides a total supply of approximately 8,000 university accredited rooms.
- 5.16 The three buildings (Kingsway House, The Registry and Elm Grove (The Library)) provide only 112 beds between them (under 1.5% of university accredited supply) and the Elm Grove buildings are at the lower end of the quality range, less well situated in relation to the university's main site's. Evidence suggests weaker demand for this sort of product and with new schemes recently delivered, and those in the pipeline, these buildings would become increasingly marginal.
- 5.17 The study concluded that Based on the estimated supply of student accommodation, as well as the relatively small number of bedrooms, it was not considered that the loss of these properties within Elm Grove to negatively impact the supply of student accommodation within Portsmouth. Given the need for the accommodation, and the concurrent lesser student population in the city. On this basis, Officers consider the permanent change of use and loss of the student accommodation to be acceptable and essential.

Design and character

- 5.18 The National Planning Policy Framework (NPPF) places an emphasis on achieving sustainable development, for which good design is a fundamental element. Paragraph 124 of the NPPF further emphasises that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 sets out that developments should: ensure that they function well and add to the overall quality of an area; be visually attractive; be sympathetic to local character and history; establish or maintain a strong sense of place and should optimise the potential of a site to accommodate and sustain an appropriate mix of development.
- 5.19 The proposal would see the retention of the fabric of the building and the change of use would be achieved through the conversion of the existing building and would not result in the extension or external alteration of the existing building and no additional openings are proposed. On this basis, the proposed change of use would have a negligible impact on the character of the site of that or the Elm Grove streetscene.

Standard of accommodation

- 5.20 Policy PCS19 of the Portsmouth Plan states that developments should be of a reasonable size appropriate to the number of people the dwellings are designed to accommodate. It requires developments to meet specific space standards, (formally PCC's own standards but now in accordance with the Nationally Described Space Standards), apart from in exceptional circumstances where it can be shown that the standards are not practicable or viable.
- 5.21 The Nationally Described Space Standards advises that the minimum space standards for a three, four and five bedroom property are, 74m², 90m² and 103m² respectively. All of the three and five bedroom properties would meet the minimum room requirements, however, the two no. four-bedroom units would significantly fall short of the 90m² requirement. It is therefore necessary to consider whether there are any exceptional circumstances that would allow reduced sized accommodation for this scheme.
- 5.22 Policy PCS23 of the Portsmouth Plan requires, amongst other things, that new development should ensure 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.
- 5.23 It must be noted that the prior to the change of use of the premises to homeless accommodation, the units were used for student accommodation, so the use would change from one form of temporary accommodation to another. Although a handful of the units are small, the majority of the units are large and would provide accommodation to a very vulnerable group who had previously been sleeping rough. Although the 4 bedroom units are small, the individuals would not be restricted to solely their bedrooms, and would have access to communal areas, with the rooms themselves being of a good size. It is noted that in many cases, self-contained 1 bedroom flats can be overwhelming to people who have previously been rough sleeping and have little to none personal possessions. On this basis, the overall layout and provisions of these properties would be a good stepping stone for the occupants.
- 5.24 For these reasons, the five flats would provide a good standard of accommodation on a temporary basis. Each unit would be self-contained providing the occupants with a bedroom, kitchen living/dining room and WC. The proposed floorplans show that the units would all have a good standard of light and outlook from the existing windows within the building. It's noted that the site is located in the Elm Grove Centre, next to Albert centre, Southsea Town centre.
- 5.25 Taking into consideration account of the information set out above, including the specific purpose of the accommodation and its temporary nature, Officers consider that the units would provide an acceptable standard of living accommodation in this instance. It is considered the small size of the 4 bedroom units would be outweighed by the benefits that the proposed development would provide in terms of providing much needed temporary accommodation to help reduce homelessness within Portsmouth, particularly during the current Covid- 19 crisis.
- 5.26 It is also necessary to consider whether the layout of the development makes appropriate provision for facilities for the new residents, including refuse storage. The submitted plans indicate that along the western elevation, a bin store and bike store are provided. It is expected that the site's cleaning and laundry provisions would be provided within the five open plan kitchen/living areas. This would ensure that the needs and basic hygiene requirements can be provided on site. The external bin store would provide secure storage for refuse and recycling and these provisions were deemed to be acceptable and sufficient in order to accommodate the previous use of the building as a student halls of residence. The Council's Waste Management Officer has been consulted on the proposal and has raised no objection. The front first floor units of Flat D have access to a balcony area which fronts onto Elm Grove. The rear bedrooms appear to have historically formed one room

and have at some point in the past been split into two, which demonstrates a split in the central window. Nonetheless, all of the rooms are considered to have access to an acceptable amount of light and outlook. The units are overall considered to be of a good size, with communal facilities, and access to local amenities and parks.

Impact on residential amenity

- 5.27 Policy PCS23 of the Portsmouth Plan requires new development to protect the amenities of neighbouring residents. In this instance, due to the nature of the development proposal, the principle should be extended to also considering the day-to-day function of nearby businesses and other organisations and if they could be affected by the proposed use. The development would not result in any increase in the footprint or scale of the existing building. The proposal would not include the insertion of any additional windows doors or other openings. The proposed change of use would ultimately result in the building remaining in a residential use. The tenure would change by virtue of the vulnerable inhabitants.
- 5.28 Officers have been made aware of a number of issues and concerns having been made by way of noise, disturbance and other anti-social behaviour. In response to this, the applicant has provided additional information in the form of a supporting Management and Operational Statement. The statement provides a detailed analysis of the site's day to day operations and with the presence of that support staff which are offering 24 hours support. This level of security, together with the strict running of the facility should ensure that the premises operates effectively.
- 5.29 Concerns were also raised in relation to potential access from the front facing balconies from Flat D. Blocking off of a fire exit would be bad practice and go against health and safety codes. The potential security risk was raised with the applicant. Having considered these risks and in view of present safety team on site 24 hours a day, who log all occupants in and out of the building and who monitor the CCTV on the outside of the building, Officers do not consider that the access to the balconies would pose a particularly high security risk. The supporting statement has provided further clarity on these matters advising that residents are specifically warned that to climb out of, or to allow others to enter the building through windows and or balconies would result in exclusion. Where it is appropriate to do so and where no increased risk is caused to means of exit in the premises fire risk assessment, windows identified as having the potential for inappropriate use or for access to any neighbouring properties or roof spaces would be restricted and secured. On this basis and in light of the additional supporting information received within the Management and operational statement, Officers are satisfied that the change of use would not have an unacceptable impact upon the amenities enjoyed by the occupiers of neighbour residents. A condition should be imposed ensuring that the CCTV presently installed at the premises covers all the necessary vantage points.

Highways and Parking

- 5.30 The Portsmouth Parking Standards SPD sets out the expected level of parking provision that should be included within new residential developments. The LHA highlight that whilst the development is located between two areas of high accessibility as defined within the SPD, the site is not located in part of the city found to be sufficiently accessible to allow consideration of a reduction in the parking demand. That does not necessarily mean that each site must provide off road parking sufficient to meet the parking expectation. The SPD explains that 'the council recognises that, given the nature of available development sites in the city, it will not always be physically possible to accommodate the expected standard on site. In some cases, it may not be possible or appropriate to provide any onsite parking at all'. However that does not mean that developments without adequate parking facilities would be acceptable, rather that the LPA need to be satisfied that there is a

reasonable prospect of future residents being able to find a parking space within a reasonable walking distance of their home.

- 5.31 The development would result in the change in tenure from student accommodation to temporary accommodation for the homeless. It is highly improbable that the occupiers of the premises would have the means to own a vehicle and in any event, the occupiers would most certainly be less likely to use or own a vehicle than the previous occupying students. The site is also located in close proximity to local bus links and the main train station. On this basis, Officers do not consider the development to be of such a scale that would have a material impact on the operation of the local highway network in terms of trip generation or parking.
- 5.32 The information received in the form of the Management and Operation Statement, advises that the need for parking at the site is not essential or required and that current vehicle usage is very low or not in use at the premises. This position is to continue being monitored and managed accordingly. The premises management would also be prepared to restrict access to parking further by implementing a prohibition to parking within the Licence if use or demand increases.
- 5.33 The submitted plans indicate that a secure bike store is provided at basement level, these provisions would accord with the Councils Adopted Parking Standards. The Highways Authority were consulted on the proposal, however at the time of writing this report, no comments had been received. Nonetheless, when considering the temporary change of use, the Highways Authority were consulted on the proposal but no comments were received, however, under the temporary consent comments received advised that commented that the traffic generation and parking associated with these uses are generally comparable although the peak period arrivals and departures at the beginning and end of academic terms would not arise in the case of the proposed use, and on this basis raised no highway objection. The impact of the development proposal has already been deemed acceptable under the temporary consent for the change of use.
- 5.34 In summary, having regard to the specific nature of the proposed use, it is not considered that the development would generate a significant level of increased traffic or parking demand, or have an adverse impact on the operation of the local highway network.

Energy and water efficiency

- 5.35 Policy PCS15 of the Portsmouth Plan requires new development to be designed to be energy efficient and originally required development to meet specific requirements under the Code for Sustainable Homes. The Ministerial Statement of 25th March 2015 set out that Local Planning Authorities should no longer require compliance with specific levels of the Code for Sustainable Homes (the Code) or to require a certain proportion of the Dwelling Emission Rate (DER) to be offset through Low or Zero Carbon (LZC) Energy. Policy PCS15 has required both of these in all new dwellings since its adoption in 2012. However, the Statement does set out that a standard of energy and water efficiency above building regulations can still be required from new development in a way that is consistent with the Government's proposed approach to zero carbon homes. As such, the standards of energy and water efficiency that would be required from new residential development are as follows:
- Energy efficiency - a 19% improvement in the DER over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations - Water efficiency - 110 litres per person per day (this includes a 5 litre allowance for external water use).
- 5.36 I do not consider it reasonable to impose these standards - the development is not a new build, and it was already in use for student accommodation, so upon consent it would merely transfer from one type of temporary residential accommodation to another.

Nitrates

- 5.37 Natural England has provided guidance advising that increased residential development is resulting in higher levels of nitrogen and phosphorus input to the water environment in the Solent, with evidence that these nutrients are causing eutrophication at internationally designated sites (Special Protection Areas, etc. (SPAs)). A sub-regional strategy for the nitrates problem is being developed by the Partnership for South Hampshire, Natural England and various partners and interested partners. However, in the meantime, to minimise delays in approving housing schemes and to avoid the damaging effects on housing supply and the construction industry, Portsmouth City Council has developed its own Interim Strategy, which has been agreed with Natural England.
- 5.38 The Council's Interim Nutrient-Neutral Mitigation Strategy expects Applicants to explore their own Mitigation solutions first. These solutions could be Option 1: 'off-setting' against the existing land use, or extant permission, or other land controlled by the Applicant. Or it could be Option 2: mitigation measures such as Sustainable Urban Drainage Systems (SUDS), interception, or wetland creation. If, however, the Applicant sets out to the Council that they have explored these options but are unable to provide mitigation by way of these, they may then request the purchase of 'credits' from the Council's Mitigation Credit Bank. These credits are accrued by the Council's continuous programme of installation of water efficiencies into its own housing stock, and making these credits available to new development.
- 5.39 In this instance, Officer's having considered the previous use against the proposed, the development would not result in an increase in residential units on site, therefore, it is considered that the proposed change of use would result in a negligible impact upon nitrogen release. Although the information accompanying this application did not include specific details about existing and proposed water usage, Officers anticipate that the levels of water usage would remain the same and therefore, the new development would result in a nitrate neutral situation. As such, I do not consider the development would require any mitigation at all for eutrophication effects on the SPAs.

Recreational bird disturbance

- 5.40 In relation to recreational pressure, the Solent Recreation Mitigation Strategy (Bird Aware), which came into effect on 1 April 2018, sets out how development schemes can provide a contribution towards a Solent Wide mitigation scheme to remove this effect and enable the development to go forward in compliance with the Habitats Regulations.
- 5.41 The mitigation contribution depends on the size of the proposed dwellings and takes account of the existing land use. In this case, the existing building was previously used as student accommodation associated with the University of Portsmouth. It is therefore not considered that the previous residents would have been likely to have placed any significant pressure on the SPAs through recreational use (i.e. they would have been likely to have spent the majority of their time in the home). As no net increase in units are being proposed, and the number of occupiers would also be the same. Officers do not consider that any level of mitigation is required or being sought.
- 5.42 On this basis, Officers consider that the scheme would not have a significant effect on the SPA and there would be a neutral impact upon recreational pressures.

Conclusion

- 5.43 For the reasons as outlined above, no objection is raised to the limited loss of student accommodation. The proposed permanent change of use would not result in an intensification of the use of the site. The development by way of the housing of vulnerable

individuals would provide suitable, well-located and managed accommodation for up to 19 rough sleepers and vulnerable individuals in five self-contained units, bringing this underutilised student accommodation into best use, providing vital shelter and support for in need members of society. Any concerns that may be raised by residents or other local occupiers should be alleviated by the fact that the premises would have the presence of support staff 24hrs a day, this together with the strict running of the centre should ensure that the facility works effectively.

- 5.44 The absence of external alterations or openings within the buildings elevations, would ensure that no undue loss of amenity would result by way of overbearing presence, overlooking or privacy loss. On this basis the development proposal would not result in any loss of amenity to the occupiers of neighbouring properties.
- 5.45 In conclusion, the development is considered to accord with all relevant local plan policies and would accord with the relevant paragraphs of the NPPF, being in compliance with its requirements for sustainable development, by way of meeting its Economic, Social and Environmental objectives. On this basis, it is recommended that permission is granted on a permanent basis.

RECOMMENDATION Conditional Permission

Conditions

- 1) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings: Drawing numbers: Site Plan, Ground Floor, First Floor, Roof Layout, Elevations, Location Plan, Block Plan

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

- 2) Within four weeks of the granting of the development hereby permitted, details inclusive of location and type of CCTV surveillance measures shall be submitted to and agreed in writing by the Local Planning Authority. They shall be installed as approved within one month of their approval, and shall thereafter be retained as approved unless agreed in writing otherwise.

Reason: In the interest of amenity in accordance with Policy PCS23 of the Portsmouth Plan.

KINGSWAY HOUSE 130 ELM GROVE SOUTHSEA PO5 1LR**CHANGE OF USE FROM STUDENT HALLS OF RESIDENCE (CLASS C1) TO INTERIM ACCOMMODATION FOR THE HOMELESS (SUI GENERIS)****Application Submitted By:**

Mango Planning & Development Ltd
FAO Mr Arfon Hughes

On behalf of:

Ms E Randall
Portsmouth City Council

RDD: 10th December 2020

LDD: 5th February 2021

EOT: 19th March 2021

1.0 SUMMARY OF MAIN ISSUES

1.1 This application is brought to the Planning Committee for determination as the applicant is Portsmouth City Council and it is in the interest of the public for the application to be determined by the Planning Committee.

1.2 The main issues for consideration in the determination of the application are as follows:

- Principle of Development
- Design and character
- Standard of accommodation
- Impact on residential amenity
- Highways and Parking
- Energy and water efficiency
- Nitrates

Site and surroundings

1.3 The application property relates to a purpose built five storey building, situated on the southern side of Elm Grove. The building is of concrete construction, incorporating brick elevations and composite cladding with timber boarding to the front and rear. The building was converted in 2014 to provide 52 student bedrooms arranged within 10 cluster flats. The site has a bollarded access which leads through the building to a courtyard to the rear which provides 30 covered cycle bays, a covered recycling and waste store, and four visitor car parking spaces.

1.4 The premises occupies no's 130-136 Elm Grove. The premises are located to the east of the junction with Albany Road, with St Andrews Road directly adjacent to the north of the site. The premises is adjoined by the Deco public house which immediately adjoins the site to the west, and by a shop and flat above at no. 138 to the immediate east.

1.5 The site is currently vacant and was last occupied for the purpose of student accommodation. The site is located within the secondary area of the Albert Road and Elm Grove District Centre and is adjacent to, but outside of, the northern boundary of the 'Owens Southsea' Conservation Area.

- 1.6 An appeal was allowed in 2014 for the premises to be converted from existing offices and health drop in centre (Class D1) to purpose designed and managed student accommodation (Class C1) to provide 53 bedrooms arranged over 13 flats.

Background to the development proposal

- 1.7 The Council have been continuing to engage and consult with the Ministry of Housing, Communities and Local Government (MHCLG) about how to deliver and fund a longer term solution.
- 1.8 The development proposal bid to the MHCLG and has been successful in securing funding to be able to achieve this. This funding not only helps to buy properties but also helps to provide on-site support workers until 2024.

The development proposal

- 1.9 This application seeks consent for interim accommodation for the homeless and rough sleepers. The proposal does not propose any physical changes (either internal or external) to the building. The proposal would provide a total of 52 rooms within a cluster of 10 flats (A-K there is no flat 'I').
- 1.10 Access to the premises is via individual flat entrances at ground floor level and a separate entrance to the upper floors via either a single internal steel staircase or lift. An external concrete staircase to the rear provides a fire escape. Each flat has a communal kitchen and living area, ranging from three to eight bedrooms, one or two WC/shower units and a laundry cupboard.
- 1.11 The potential future occupiers of Kingsway House, requiring medium level of support are presently being housed within 'The Registry' on St Michael's Road, which has a temporary planning consent to house the homeless.
- 1.12 Kingsway House is to be used as a supported temporary night shelter as a short-term solution for those in need of medium level support. Occupants of the premises are required to sign a license agreement, which allows occupancy on a nightly basis, in addition to the rules of occupation of the premises on acceptance to the pathway. The aforementioned rules mainly centre on the expected conduct of the residents both inside the building and within the surrounding area, as well as their engagement with necessary support services in order to help them find secure settled accommodation in the long term. The occupant's compliance with the rules of occupation would be monitored on an ongoing basis throughout their stay.
- 1.13 All occupants are expected, as a term of occupation, to work with support staff to address their housing and support needs in order to create a personalised housing and support plan. SSJ and Two Saints housing charities provide support. Support staff would be on site and offer support 24 hours a day. Each occupant would be allocated a dedicated support worker to work on their support plan and assist with creating links and referrals to any support services that may be instrumental in their progress through the pathway. Support staff would carry out welfare checks within the occupant's rooms. Welfare checks include temperature checks (once a day), a discussion around their general health and wellbeing, repairs and issues in the room and any support they feel they need from staff. This is also an opportunity for the staff to check for any breaches to the rules of occupation.
- 1.14 As part of the Interim Pathway, the Council has joined with a housing provider to offer 60 rooms with HMOs for rough sleepers across the city. Kingsway House would take over from that accommodation and would be a part of the pathway that service users can stay in when they are ready to be in a communal living environment.

1.15 Kingsway House is to provide a medium level of support (24/7) for those individuals able to start living in a shared accommodation set up. This level of support is a step up from the support required at 155-157 Elm Grove opposite, which requires a lower level of support, with The Registry requiring the highest level of Intensive support (24/7) with secure and restricted access.

1.16 A breakdown of the accommodation and internal floor area is as follows:

Ground Floor

- Flat A has a total floor area of 60.5m² and consists of 3 bedrooms with room sizes varying from 7.8m² to 8.72. The shared living space consisting of kitchen/diner has a floor area of 25m².
- Flat B has a total floor area of 60.8m² and consists of 4 bedrooms with room sizes varying from 7.61m² to 9.31m². The shared living space consisting of kitchen/diner has a floor area of 18.27m².

First Floor

- Flat C has a total floor area of 66.7m² and consists of 4 bedrooms with room sizes varying from 7.56m² to 8.43m². The shared living space consisting of kitchen/diner has a floor area of 21.7m².
- Flat D has a total floor area of 105.8m² and consists of 7 bedrooms with room sizes varying from 7.33m² to 9.16m². The shared living space consisting of kitchen/diner has a floor area of 30.83m².

Second Floor

- Flat E has a total floor area of 66.6m² and consists of 4 bedrooms with room sizes varying from 9m² to 9.37m². The shared living space consisting of kitchen/diner has a floor area of 21.7m².
- Flat F has a total floor area of 108.2m² and consists of 7 bedrooms with room sizes varying from 7.26m² to 10.24m². The shared living space consisting of kitchen/diner has a floor area of 32.11m².

Third Floor

- Flat G has a total floor area of 66.7m² and consists of 4 bedrooms with room sizes varying from 7.96m² to 8.42m². The shared living space consisting of kitchen/diner has a floor area of 21.7m².
- Flat H has a total floor area of 108.3m² and consists of 7 bedrooms with room sizes varying from 7.3m² to 10.24m². The shared living space consisting of kitchen/diner has a floor area of 30.96m².

Fourth Floor

- Flat J has a total floor area of 61.9m² and consists of 4 bedrooms with room sizes varying from 7.96m² to 8.42m². The shared living space consisting of kitchen/diner has a floor area of 18.19m².
- Flat K has a total floor area of 112m² and consists of 8 bedrooms with room sizes varying from 7.26m² to 10.24m². The shared living space consisting of kitchen/diner has a floor area of 25m².

1.17 The flats are to be equipped with washing and cooking facilities, so that residents can transition towards more independent living. The premises contains a courtyard area to the rear for smokers, although congregation would be discouraged. The site contains 30 covered cycle spaces.

Management of the premises

- 1.18 The premises would be managed by the Council, with the safety of the building and the decisions regarding access to service carrying out risk assessments to ensure the safety of staff, other occupants and members of the public within the surrounding area. The Council would maintain an ad hoc presence carry out comprehensive weekly room inspections on random days to avoid a pattern to ensure the rules of occupation are being met. The Council would also oversee any official warnings both verbal and written warnings and enforce short-term exclusions for breaches of the rules of occupation.
- 1.19 Access to the premises and accommodation provision is made by direct application or referral. All occupants would occupy on a temporary basis on a Licence agreement following an individual risk assessment and bespoke pathway plan being devised to support the individual into longer term solutions. The accommodation is not intended to be a permanent residence.
- 1.20 The application's supporting statement advises that during an occupants stay they would be required to access support services to overcome abuse, addiction, health/medical needs, financial security, skills and learning including support into independent living such as taking responsibility for laundry and cooking and personal welfare.
- 1.21 Smoking would not be permitted in the building (although there is an external rear smoking area); illegal substance and drug use would not be permitted unless in exceptional circumstances in accordance with an individual's recovery plan; alcohol is permitted on site but may only be consumed in a occupants personal room and not common parts and use/type/consumption is monitored by staff.
- 1.22 The Council would maintain an ad hoc presence carrying out comprehensive weekly room inspections on random days to avoid a pattern to ensure the rules of occupation are being met. PCC would also oversee any official warnings both verbal and written warnings and enforce short term exclusions for breaches of the rules of occupation. All warnings are to be recorded on the Council's warnings log and there are to be clear processes for breaches of the rules of occupation and any permanent exclusions would be decided upon by a Panel of peers.
- 1.23 The Council would also hold an incident log where any serious incidents are reported directly to The Council by the support and safety staff on site, outside of normal hours reports are taken and logged by the Housing Out of Hours Team and escalated to a manager when required.
- 1.24 Incidents classed as serious include:
- Any exclusions - where a decision has been made by SSJ / Two saints
 - Any incident where the police have been called or attended the property
 - Any deaths
 - Any illness / injury where a resident or staff member has needed to be taken to hospital
 - Any fire alarm whether it is a fire or false
 - Any suspected Covid 19 case - including staff members
 - Anything else staff feel is serious and PCC need to be aware of
- 1.25 CCTV would be provided at all properties to external areas, access points and internal common parts and is monitored by staff and maintained by third party contractor. Residents are provided an access card for Kingsway House to support their journey to independent living, which is to be monitored by staff.
- 1.26 Planning history

This site:

13/01179/FUL - Conversion of existing offices and health drop-in centre (D1) to form halls of residence within Class C1 (comprising 53 study bedrooms arranged as 13 cluster flats); alterations to external glazing and cladding, construction of cycle and bin stores with associated landscaping (resubmission of 13/00442/FUL) - Refused on the grounds of over-intensification of the site and resultant noise/disturbance. Then Allowed at Appeal.

13/00442/FUL - Conversion of existing offices and health drop-in centre (D1) to form halls of residence within Class C1 (comprising 58 study bedrooms arranged as 13 cluster flats); alterations to external glazing and cladding, construction of cycle and bin stores with associated landscaping - Refused on the grounds of over-intensification of the site and resultant noise/disturbance and inadequate provision of cycle spaces.

Other sites:

The Registry:

- Temporary consent for homeless accommodation, 26th January 2021, reference 20/01009/FUL
- application for permanent use for homeless accommodation, to be considered elsewhere on this agenda, reference 20/01483/FUL

155-157 Elm Grove:

- Temporary consent for homeless accommodation, 26th January 2021, reference 20/01021/FUL
- application for permanent use for homeless accommodation, to be considered elsewhere on this agenda, reference 20/01482/FUL

2.0 POLICY CONTEXT

2.1 The policies relevant to the consideration and determination of this application are as follows:

2.2 Portsmouth Plan 2012:

- PCS10 (Housing Delivery)
- PCS14 (A Healthy City)
- PCS16 (Infrastructure and Community Benefit)
- PCS17 (Transport)
- PCS19 (Housing mix, size and affordable homes) and
- PCS23 (Design and Conservation)

2.3 Other Guidance

- National Planning Policy Guidance (2019)
- Homelessness Strategy (2018-2023)

2.4 In accordance with the National Planning Policy Framework (NPPF) 2019 due weight has been given to the relevant policies in the above plan.

3.0 CONSULTATIONS

3.1 **Crime Prevention Design Advisor:**

Summary: Broad support, but conditional upon the residents being at the appropriate stage of their recovery to reside within this style of accommodation, the provision of effective onsite support for the residents at all times and appropriate security fittings.

Detail: When this facility opens for residents, there will be up to 71 homeless persons on their pathway to recovery accommodated within a very small area of Elm Grove.

Elm Grove sits within a residential area of Southsea. Our concerns centre on the possible problems caused by the residents of this accommodation both, within the accommodation and within the local area. Hampshire Constabulary recognises the need for accommodation for the homeless to assist with their journey back to a more normal lifestyle.

Effective management / support of the residents is key to reducing the opportunities for crime and disorder. The supporting documentation "The planning statement" at paragraph 5.19 advises, both, on-site support and on site security services can be provided. The plans do not show any place or conveniences that can be used by these workers. To that end, space should be provided within the building for an office and facilities for use by onsite staff, this space should be annotated on plans.

We note that Appendix D of the management statement advises that Closed Circuit Television (CCTV) will be fitted within this building and that residents will use a card to gain access to the building.

The building has an external escape stair; this feature will allow people access to the building without using the main door. If this feature is not managed effectively it will undermine the security of the building. To manage the feature, tell indicators should be fitted at each door to indicate that the door has been opened, an alarm sensor should be fitted and CCTV cameras should be fitted to provide images identifying those using the doors.

The individual bedroom doors appear to be fitted with a keyless push button lock; it not clear whether these are third party accredited to any security standard. The bedroom door locks should be third party accredited to BS 8621. As the locks fitted are combination locks, the combination should be changed every time the bedroom is occupied by a new resident'

3.2 **Environmental Health:** 'No comments or recommendations to make'

3.3 **Highways Engineer:** No comments received

3.4 **Waste Management Service:** No objection raised

4.0 REPRESENTATIONS

Publicity dates

- Neighbour letters were sent on 06th January 2021
- Site Notices were displayed around the site on 26th January 2021
- Press Notice not required.

4.1 One letter of representation objecting to the development proposal. The representation is from a neighbouring property located adjacent to the site along Elm Grove, raising concerns in relation to issues with vagrant sleepers under and to the rear of Kingsway House. Historically anti-social behaviour has occurred by way of breaking into a shop, the breaking down of a fence to gain access or dump rubbish.

Officer note: The comments raised within this representation have previously been brought to the Council's attention. It cannot be confirmed that the anti-social behaviour referred to is derived from these premises, which also have not yet been occupied by the proposed use.

5.0 COMMENT

5.1 The main issues for consideration in the determination of the application are as follows:

- Principle of Development
- Design and character
- Standard of accommodation
- Impact on residential amenity
- Highways and Parking
- Energy and water efficiency
- Nitrates

Principle of Development

5.2 The National Planning Policy Framework (NPPF) states that planning decisions should be based on a presumption in favour of sustainable development (paragraph 11). That presumption does not apply where the project is likely to have a significant effect on a 'habitats site' (including Special Protection Areas) unless an appropriate assessment has concluded otherwise (paragraph 177). Where a local planning authority cannot demonstrate a five year housing land supply of deliverable sites, the NPPF deems the adopted policies to be out of date and states that permission should be granted for development unless: i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.4 Currently, the Council can demonstrate a 4.7 years supply of housing land. The starting point for determination of this application is therefore the fact that the authority cannot demonstrate a five year supply of housing and this development would help meet that supply, albeit for a particular specialised sector, in place of another specialised sector (the existing student accommodation). In this case, the 52 self-contained units are proposed to be occupied as 'move-on' accommodation for previously homeless persons.

5.5 'Move-on' accommodation is a term used by The Homeless Foundation, which defines it as follows: *'Move on accommodation is a stepping stone between hostels and independent living. These are essentially studio flats or bedrooms in shared houses in the community where people can live independently with the ongoing support from trained resettlement advisers. For those capable of living independently, the ability to access move on accommodation is a critical factor in ensuring a permanent move away from homelessness'*.

5.6 The applicants are Portsmouth City Council's Homeless Housing Pathway Panel. The proposed scheme would contribute towards meeting the shortfall in temporary accommodation within the city.

5.7 The issue of homelessness and rough sleeping in Portsmouth is highlighted within the Council's Homelessness Strategy (2018-2023). The Strategy notes that there has been an increase in the number of people sleeping rough in the city in recent years, and that the availability of temporary accommodation and permanent housing is a significant issue. Improving access to accommodation is one of the main components of the strategy to help achieve the aim of preventing homelessness.

5.8 The proposed development would therefore support the aims of the Council's Homelessness Strategy by providing additional temporary accommodation aimed at assisting people to live independently and move towards more permanent housing. Clearly the Strategy was adopted before the Covid pandemic and circumstances are even more critical now.

- 5.9 The principle of the proposal is therefore considered acceptable, subject to assessment in accordance with the tests set out in paragraph 11 (i and ii) of the NPPF and paragraph 177, which is provided within this report.
- 5.10 Paragraph 123 of the National Planning Policy Framework (NPPF) highlights that where there is an existing or anticipated shortage of land for meeting identified housing needs, planning policies and decisions should ensure that developments make optimal use of the potential of each site.
- 5.11 The proposed use would still provide residential accommodation, albeit for a more vulnerable demographic. The submission has provided specific justification for the loss of the student accommodation, undertaken by Vail Williams, although The Council does not have any specific policies requiring the retention of student accommodation.

Justification for the loss of student accommodation

- 5.12 A student accommodation property market study, was provided to The Council as undertaken by Vail Williams to inform the Council's intention to seek the change of use from student accommodation to hostels for the homeless.
- 5.13 The report firstly considered the national market context for student accommodation, following a review of published research, before considering what impact the loss of these properties in these localities would have on the supply of student housing in the city. The study also considered demand and supply, location and pricing.
- 5.14 The market study advises that significant development purpose built student accommodation in recent years includes Greetham Halls (836 beds) which was delivered in 2016, Catherine House (1000 beds) delivered in 2017, Crown Place (576 beds) delivered in 2018, Stanhope House (256 beds) delivered in 2019 and Wingfield House (309 beds) delivered in 2020.
There is said to be a current pipeline of student accommodation in Portsmouth which gives a total of 561 beds currently in the system that have been determined or are awaiting decision.
- 5.15 The University of Portsmouth's housing team have advised that there are currently 4,672 beds in university halls, 1,934 beds in private halls and a further 1,402 beds on StudentPad (accredited landlords). This provides a total supply of approximately 8,000 university accredited rooms.
- 5.16 The three homeless accommodation buildings (Kingsway House, The Registry and 155-157 Elm Grove (The Library)) provide only 112 beds between them (under 1.5% of university accredited supply) and the Elm Grove buildings are at the lower end of the quality range, less well situated in relation to the university's main site's. Evidence suggests weaker demand for this sort of product and with new schemes recently delivered, and those in the pipeline, the Applicant considers these buildings would become increasingly marginal.
- 5.17 The study concluded that Based on the estimated supply of student accommodation, as well as the relatively small number of bedrooms proposed at the application site, it is not considered the loss of these properties to negatively impact the supply of student accommodation within Portsmouth.
- 5.18 Given the pressing need for the homeless accommodation, and the concurrent lesser student population in the city needing accommodation due to the pandemic, Officers consider the permanent use to be acceptable and essential.

Design and character

- 5.19 The National Planning Policy Framework (NPPF) places an emphasis on achieving sustainable development, for which good design is a fundamental element. Paragraph 124 of the NPPF further emphasises that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 127 sets out that developments should: ensure that they function well and add to the overall quality of an area; be visually attractive; be sympathetic to local character and history; establish or maintain a strong sense of place and should optimise the potential of a site to accommodate and sustain an appropriate mix of development.
- 5.20 The proposal would see the retention of the fabric of the building and the change of use would be achieved through the conversion of the existing building and would not result in the extension, external or internal alteration of the existing building and no additional openings are proposed. On this basis, the proposed change of use would have a negligible impact on the character of the site or that of the Elm Grove streetscene.

Standard of accommodation

- 5.21 Policy PCS19 of the Portsmouth Plan states that developments should be of a reasonable size appropriate to the number of people the dwellings are designed to accommodate. It requires developments to meet specific space standards, (formally PCC's own standards but now in accordance with the Nationally Described Space Standards), apart from in exceptional circumstances where it can be shown that the standards are not practicable or viable.
- 5.22 The Nationally Described Space Standards advises that the minimum space standards for a three, four and seven and eight bedroom properties are, 74m², 90m², 108m² and 117m² respectively. All of the flats, with the exception of Flat E and Flat J would meet the minimum requirements, it is therefore necessary to consider whether there are any exceptional circumstances that would allow reduced sized accommodation for these two flats. They are 66.6 and 61.9 sqm, while the respective standards for these units should be 74m² for 4 person units.
- 5.23 Policy PCS23 of the Portsmouth Plan requires, amongst other things, that new development should ensure 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.
- 5.24 It must be noted that the prior to the change of use of the premises to homeless accommodation, the units were used for student accommodation, so the use would change from one form of temporary accommodation to another. Although two of the units fall short, the majority of the units are some way above the standards and would provide accommodation to a very vulnerable group who had previously been sleeping rough. The individual bedrooms would in fact accord with the standards, with the rooms themselves being of a good size. It is noted that in many cases, self-contained 1 bedroom flats can be overwhelming to people who have previously been rough sleeping and have little to none personal possessions. On this basis, the overall layout and provisions of these properties would be a good stepping stone for the occupants, before moving on to longer-term accommodation elsewhere.
- 5.25 For these reasons, the 10 flats overall would provide a good standard of accommodation on a temporary basis. The proposed floorplans show that the units would all have a good standard of light and outlook from the existing windows within the building. It's noted that the site is located in the Elm Grove Centre, close to Albert Road, Southsea Town centre and adjacent to The Library, Elm Grove.

- 5.26 Taking into consideration the information set out above, including the specific purpose of the accommodation and its temporary nature, Officers consider that the units would provide an acceptable standard of living accommodation in this instance. It is considered the small size of two of the units, would be outweighed by the benefits that the proposed development would provide in terms of providing much needed temporary accommodation to help reduce homelessness within Portsmouth, particularly during the current Covid- 19 crisis.
- 5.27 It is also necessary to consider whether the layout of the development makes appropriate provision for facilities for the new residents, including refuse storage. The submitted plans indicate that the rear of the premises would contain a refuse area and bike store. It is expected that the site's cleaning and laundry provisions would be provided within the ten open plan kitchen/living areas. These provisions would ensure that the needs and basic hygiene requirements of the occupants can be provided on site.
- 5.28 The external bin store would provide secure storage for refuse and recycling and these provisions were deemed to be acceptable and sufficient in order to accommodate the previous use of the building as a student halls of residence. The Council's Waste Management Officer has been consulted on the proposal and has raised no objection to the proposal.
- 5.29 All of the rooms are considered to have access to an acceptable amount of light and outlook. The units are overall considered to be of a good size, with communal facilities, and access to local amenities and parks.

Impact on residential amenity

- 5.30 Policy PCS23 of the Portsmouth Plan requires new development to protect the amenities of neighbouring residents. In this instance, due to the nature of the development proposal, the principle should be extended to also considering the day-to-day function of nearby businesses and other organisations and if they could be affected by the proposed use. The development would not result in any increase in the footprint or scale of the existing building. The proposal would not include the insertion of any additional windows doors or other openings. The proposed change of use would ultimately result in the building remaining in a residential use. The tenure would change by virtue of the vulnerable inhabitants.
- 5.31 The application has been accompanied by a supporting Management and Operational Statement. The statement provides a detailed analysis of the site's day to day operations and with the presence of support staff which are offering 24 hours support. This level of security, together with the strict running of the facility should ensure that the premises operates effectively. As such, I conclude there would be no adverse effect on local amenity resulting from the proposed use.

Highways and Parking

- 5.32 The Portsmouth Parking Standards SPD sets out the expected level of parking provision that should be included within new residential developments. The Local Highways Authority (LHA) highlight that whilst the development is located between two areas of high accessibility as defined within the SPD, the site is not located in part of the city found to be sufficiently accessible to allow consideration of a reduction in the parking demand. That does not necessarily mean that each site must provide off road parking sufficient to meet the parking expectation. The SPD explains that 'the council recognises that, given the nature of available development sites in the city, it would not always be physically possible to accommodate the expected standard on site. In some cases, it may not be possible or appropriate to provide any on-site parking at all'. However that does not mean that

developments without adequate parking facilities would be acceptable, rather than the Local Planning Authority (LPA) need to be satisfied that there is a reasonable prospect of future residents being able to find a parking space within a reasonable walking distance of their home.

- 5.33 The development would result in the change in tenure from student accommodation to temporary accommodation for the homeless. It is highly improbable that the occupiers of the premises would have the means to own a vehicle and in any event, the occupiers would most certainly be less likely to use or own a vehicle than the previous occupying students. The site is also located in close proximity to many shops, leisure facilities, employment, and local bus links and the main train station. On this basis, Officers do not consider the development to be of such a scale or type that would have a material impact on the operation of the local highway network in terms of trip generation or parking and no concerns in this respect are raised by the LHA.
- 5.34 The site contains 4 visitor parking spaces. The supporting statement advises that parking is not required by staff servicing any properties and is accessed by foot and public transport. Accessibility is assessed when an individual accesses accommodation and use/ownership is considered non-essential and not a priority. Parking need would continue to be monitored.
- 5.35 The submitted plans indicate that a secure bike store is provided at the rear of the site, these provisions would accord with the Council's Adopted Parking Standards. The Highways Authority were consulted on the proposal. At the time of writing the report, no comments had been received. Any comments received will be reported to Committee by way of a further report, Officers do not anticipate that an objection is likely.
- 5.36 In summary, having regard to the specific nature of the proposed use, it is not considered that the development would generate a significant level of increased traffic or parking demand, or have an adverse impact on the operation of the local highway network.

Energy and water efficiency

- 5.37 Policy PCS15 of the Portsmouth Plan requires new development to be designed to be energy efficient and originally required development to meet specific requirements under the Code for Sustainable Homes. The Ministerial Statement of 25th March 2015 set out that Local Planning Authorities should no longer require compliance with specific levels of the Code for Sustainable Homes (the Code) or to require a certain proportion of the Dwelling Emission Rate (DER) to be offset through Low or Zero Carbon (LZC) Energy. Policy PCS15 has required both of these in all new dwellings since its adoption in 2012. However, the Statement does set out that a standard of energy and water efficiency above building regulations can still be required from new development in a way that is consistent with the Government's proposed approach to zero carbon homes. As such, the standards of energy and water efficiency that would be required from new residential development are as follows:
- Energy efficiency - a 19% improvement in the DER over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations
 - Water efficiency - 110 litres per person per day (this includes a 5 litre allowance for external water use).
- 5.38 I do not consider it reasonable to impose these standards - the development is not a new build, and it was already in use for student accommodation, so upon consent it would merely transfer from one type of temporary residential accommodation to another.

Nitrates

- 5.39 Natural England has provided guidance advising that increased residential development is resulting in higher levels of nitrogen and phosphorus input to the water environment in the Solent, with evidence that these nutrients are causing eutrophication at internationally designated sites (Special Protection Areas, etc. (SPAs)). A sub-regional strategy for the nitrates problem is being developed by the Partnership for South Hampshire, Natural England and various partners and interested partners. However, in the meantime, to minimise delays in approving housing schemes and to avoid the damaging effects on housing supply and the construction industry, Portsmouth City Council has developed its own Interim Strategy, which has been agreed with Natural England.
- 5.40 The Council's Interim Nutrient-Neutral Mitigation Strategy expects Applicants to explore their own Mitigation solutions first. These solutions could be Option 1: 'off-setting' against the existing land use, or extant permission, or other land controlled by the Applicant. Or it could be Option 2: mitigation measures such as Sustainable Urban Drainage Systems (SUDS), interception, or wetland creation. If, however, the Applicant sets out to the Council that they have explored these options but are unable to provide mitigation by way of these, they may then request the purchase of 'credits' from the Council's Mitigation Credit Bank. These credits are accrued by the Council's continuous programme of installation of water efficiencies into its own housing stock, and making these credits available to new development.
- 5.41 In this instance, Officer's having considered the previous use against the proposed, the development would not result in an increase in residential units on site, therefore, it is considered that the proposed change of use would result in a negligible impact upon nitrogen release. Although the information accompanying this application did not include specific details about existing and proposed water usage, Officers anticipate that the levels of water usage would remain the same and therefore, the new development would result in a nitrate neutral situation. As such, I do not consider the development would require any mitigation at all for eutrophication effects on the SPAs.

Recreational bird disturbance

- 5.42 In relation to recreational pressure, the Solent Recreation Mitigation Strategy (Bird Aware), which came into effect on 1 April 2018, sets out how development schemes can provide a contribution towards a Solent Wide mitigation scheme to remove this effect and enable the development to go forward in compliance with the Habitats Regulations.
- 5.43 The mitigation contribution depends on the size of the proposed dwellings and takes account of the existing land use. In this case, the existing building was previously used as student accommodation associated with the University of Portsmouth. It is therefore not considered that the previous residents would have been likely to have placed any significant pressure on the SPAs through recreational use (i.e. they would have been likely to have spent the majority of their time in the home). As no net increase in units are being proposed, and the number of occupiers would also be the same. Officers do not consider that any level of mitigation is required or being sought.
Natural England were not consulted on this application, as they made it clear in the recent temporary consent applications they did not need to be, given the change from one residential accommodation type to another.
- 5.44 On this basis, Officers consider that the scheme would not have a significant effect on the SPA and there would be a neutral impact upon recreational pressures.

Conclusion

- 5.45 For the reasons as outlined above, no objection is raised to the limited loss of student accommodation. The proposed change of use would not result in an intensification of the use of the site. The development by way of the housing of vulnerable individuals would

provide suitable, well-located and managed accommodation for up to 52 rough sleepers and vulnerable individuals in ten self-contained units, bringing this under-utilised student accommodation into best use, providing vital shelter and support for in-need members of society. Any concerns that may be raised by residents or other local occupiers should be alleviated by the fact that the premises would have the presence of support staff 24hrs a day, this together with the strict running of the centre should ensure that the facility works effectively.

- 5.46 In conclusion, the development is considered to accord with all relevant local plan policies and would accord with the relevant paragraphs of the NPPF, being in compliance with its requirements for sustainable development, by way of meeting its Economic, Social and Environmental objectives. On this basis, it is recommended that permission is granted.

RECOMMENDATION Conditional Permission

Conditions

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

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

- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings: Drawing numbers: ELEVATIONS, GROUND FLOOR, FIRST FLOOR, SECOND FLOOR, THIRD FLOOR, FOURTH FLOOR and ROOF PLAN.

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

- 3) Prior to the first occupation of the building, details of the security measures of the premises including individual room access procedures, CCTV location and type shall be submitted to and agreed in writing by the Local Planning Authority. They shall be installed as approved prior to the first occupation of the building, and shall thereafter be retained as approved unless agreed in writing otherwise.

Reason: In the interest of amenity in accordance with Policy PCS23 of the Portsmouth Plan.

12 BLAKE ROAD DRAYTON AND FARLINGTON PORTSMOUTH PO6 1ET

CONSTRUCTION OF FRONT EXTENSION, FOLLOWING DEMOLITION OF EXISTING FRONT PORCH. CONSTRUCTION OF PART TWO-STOREY, PART SINGLE STOREY REAR EXTENSION, FOLLOWING DEMOLITION OF EXISTING EXTENSION, ADDITION OF RAISED DECKING, INCLUDING EXTERNAL ALTERATIONS (AMENDED PLANS AND DESCRIPTION)

Application Submitted By:

Architectural Designer / Director Richard Crane
RCA Architecture

On behalf of:

Mr and Mrs J Martin

RDD: 30th April 2020

LDD: 25th June 2020

1.0 SUMMARY OF MAIN ISSUES

- 1.1 This application is being presented to the Planning Committee as the Local Planning Authority have received objections and a deputation.
- 1.2 During the course of this application the Local Planning Authority (LPA) have received notice of a valid appeal for non-determination. As such, the LPA is solely making a resolution to advise the Planning Inspectorate of the decision it would have made if the appeal had not been submitted. At the time of writing, an Inspector has not been appointed and a start date for the appeal determination period remains pending.
- 1.3 Site and Surroundings
- 1.4 The application site is a two-storey semi-detached property located to the south of Blake Road, located on Portsdown Hill, due south of Portsdown Hill Road (B2177). Blake Road is a cul-de-sac with opens to fields located on Portsdown Hill to the east, and to the south of the site is an open field north of Solent Infant School.
- 1.4 The site itself comprises a two-storey property, sharing a pitched roof with the neighbour to the east (no. 14), with a projecting two-storey gable and a catslide roof to the front elevation. The property is constructed of brickwork, with a tiled roof and white upvc fenestration. This design is replicated next door at no. 14, creating a uniform design between the attached pair. The properties include an integral garage and off street driveway and parking space. The properties are separated by a low level brick wall to the front.
- 1.5 The application property is set in from the western boundary, which provides side access to the rear garden. The rear garden slopes down to the south, due to the location and topography of Portsdown Hill. At the date of the site visit the garden was bound by close board fencing, and heras fencing where there was a missing fence panel. The rear garden has views of open fields to the south. In turn, the application site can also be viewed from this public vantage point.

- 1.6 The rear elevation of the property currently includes a single storey extension with brickwork at low level and upvc glazing above. The extension does not span the width of the dwelling, being set in from the eastern boundary with the attached dwelling, No.14. This design approach is reflected on the attached dwelling's similar single storey rear extension. The adjoining dwelling also has a large full width rear dormer.
- 1.7 Proposal
- 1.8 Construction of front extension, following demolition of existing front porch. Construction of part two-storey, part single storey rear extension, following demolition of existing extension, addition of raised decking, including external alterations. Amended plans and an amended description have been undertaken during the course of this planning application. These amendments include; the reduction in depth of the two-storey rear extension, including the omission of window on the eastern elevation on the two-storey rear extension, and omission of rear dormer.
- 1.9 The proposed front extension would infill the area between the neighbour to the east and the existing projecting two-storey gable, projecting approx. 3m from the recessed principal elevation and would measure 2.4m in width. This would have eaves measuring approx. 2.4m high, and include a catslide roof extending to join the host dwelling roof. This element would be finished with facing brickwork and grey fenestration. This would also include a sloping catslide roof finished in "sandtoft new rivius interlocking roof tiles - antique slate". To the principal elevations, other alterations include, the rendering of the projecting front gable element, in white. The front door would include a grey fascia surround, and a section of clad in "firbedeck WE05 in teak".
- 1.10 To the rear there would be a combination of single storey and two-storey extensions. The single storey rear extension would project approx. 5m from the rear elevation, measuring 7.9m in width (the same as the host dwelling). This would measure 4m in height to its flat roof, from ground level. The two-storey extension would project approx. 4m from the rear elevation, measuring approx. 4.3m in width. This would have a flat roof measuring approx. 6.5m in height from ground floor level, slightly higher than that of the eaves of the host dwelling. The single storey extension would be finished with large grey framed bi-fold doors, some timber effect cladding "firbedeck WE05 in teak" either side, which would be surrounded by powder coated grey anthracite fascia/ surround. The same materials would be used at first floor level. The existing rear elevation, at first floor level, of the dwelling would also be finished in a white render to match the side and front elevations.
- 1.11 The application also includes a raised terrace to the rear of the single storey rear extension. This would measure a maximum of 1.3m above ground level, with steps down to the sloping rear garden. The terrace would have a depth of 1.3m and a width the same as the proposed extension (7.9m). There would be a 3m high fence proposed to the eastern boundary for the extent of the area of the terrace, to provide some screening to the neighbouring property to the east (No.14).
- 1.12 History
- 1.13 A*26085
The erection of a conservatory
Permission (28.04.1966)

2.0 POLICY CONTEXT

- 2.1 In addition to the aims and objectives of the National Planning Policy Framework, the relevant policies within the Portsmouth Plan would include: PCS23 (Design and Conservation).

3.0 CONSULTATIONS

None.

4.0 REPRESENTATIONS

4.1 Publicity dates

- Neighbour letters sent: 30 June 2020; expiry: 11 August 2020
- Amended plans, neighbour letters sent: 28 October 2020; expiry: 13 November 2020
- Site notices displayed: 21 July 2020; expiry: 1 September 2020

4.2 The application has been amended during the course of the application. Objections and deputations have been received, following a re-consultation period for amended plans referenced (PO1 Rev H).

The 2 no. objections have been received (from no. 10 & no.14 Blake Road, to the west and east of the application site). The objections are summarised as follows:

- (a) reduced light to high level lounge window in the east elevation (no.10)
- (b) reduced light to basement utility/ office room (no.10)
- (c) two-storey rear extension would be excessive in its size scale, and height, having an overbearing impact,
- (d) the terrace would have an overbearing and unneighbourly relationship due to its size, scale and height,
- (e) discordant appearance when viewed in wider context/ public vantage points.

5.0 COMMENT

5.1 The main considerations within this application are:

- Principle of Development
- Design
- Impact upon Neighbouring Amenities

5.2 Principle of Development

5.3 The application site is an existing dwelling house within the urban area, where extensions and alterations to such are considered acceptable in principle subject to relevant material planning considerations.

5.4 Design

5.5 Policy PSC23 of the Portsmouth Plan specifies that proposals should be respectful in terms of the host dwelling, being of an appropriate design and size, appearing appropriate when read in context.

5.6 The front extension would be fairly modest in terms of its footprint and dimensions, with a proposed catslide roof, tying into the angle of the host dwelling's roof. Further to this, the proposal would be slightly set back from the existing two-storey projecting gable to the frontage. The attached neighbouring property to the east (no.14) previously benefitted from planning permission, reference 19/00129/HOU. This approved a similar single storey front extension. However from the date of a site visit (26 May 2020) it was noted that this element at no. 14 had not yet been implemented. Given the modest dimensions of the proposal, combined with the neighbours' approved application, the addition of the single storey front extension as proposed would be acceptable.

- 5.7 The single storey rear extension would project approx. 5m from the rear elevation with a flat roofed height of 4m. This would include large dark grey aluminium bi-fold doors, and include the introduction of cladding. Whilst this would be finished in contrasting materials to those of the host dwelling, their addition is not considered to be harmful. Further to this a similar sized extension has been permitted at no.14 under application 19/00129/HOU. From the site visit it was noted that this element had similarly not yet been implemented.
- 5.8 The two-storey rear extension has been reduced during the course of the application, whereby this now projects approx. 4m from the rear elevation, measuring approx. 4.3m in width. This would be finished in timber cladding including 1 no. large grey aluminium framed window, on the rear (south) elevation. The introduction of these contrasting materials would present a contemporary design approach to the existing dwelling.
- 5.9 The raised terrace would measure approx. 1.3m in height, and depth, extending the full width of the existing dwelling. The boundary treatment to the east would comprise a 3m close board fencing, this would span the width of the terrace. The proposed dimensions and scale of this element of the proposal is not uncommon for residential properties, especially where there is a significant change in topography and land levels, as evident at the application site. As such, this element is considered proportionate when compared to the proposed single storey rear extension, and would be considered acceptable.
- 5.10 Overall, the application site would see significant alterations, in the form of the front and rear extensions, as well as the introduction of new materials. The proposed extensions would appear as subservient additions to the host dwelling, respecting the form and size of the existing dwelling. The proposal would, however, include the introduction new materials comprising: light render, grey aluminium fenestration, timber cladding and slate roofing. These proposed materials are not characteristic of Blake Road, and as such the proposal would appear slightly out of keeping in terms of the surroundings of Blake Road, and would unbalance the symmetry with the neighbouring property (no.14 Blake Road). However, it is noted that these materials are used within the wider surroundings, despite not being within the immediate vicinity of Blake Road. As a result of the materials, the proposals for complete refurbishment of the application site would result in a modern and contemporary design. Therefore, and to conclude, the proposals would be considered acceptable in this instance.
- 5.11 Impact upon Neighbouring Amenities
- 5.12 Policy PCS23 of the Portsmouth Plan also requires new development to respect the neighbouring amenities.
- 5.13 Front extension:
The proposed front extension is of a fairly modest size, projecting approx. 3m from the recessed principal elevation, with eaves measuring 2.4m in height, which would then include a catslide roof extending from the host dwelling roof. The proposal, whilst infilling an area tight to the shared boundary, is not considered to have an adverse impact upon the neighbouring amenity to the east, due to the modest dimensions. Further to this, the neighbouring property to the east has received planning permission to construct a single storey front extension of similar dimensions.
- 5.14 Rear single storey extension:
The single storey rear extension would project 5m from the rear elevation, measuring 4m in height, being located tight to the shared eastern boundary. The proposal, due to the orientation, whilst being of a fairly large height/ depth, is not considered to have a detrimentally harmful impact upon this neighbouring amenity (no. 14). Further, it is noted that this neighbour has planning permission under application referenced 19/00129/HOU for a similar extension. Within the officer's report for this previous application, they

concluded that "as the existing conservatory has windows in the side elevation to the east and the proposed extension will have no windows in that elevation the property to the east will have a greater degree of privacy than at present." Whilst the LPA cannot assume that this would be built, this neighbour could build a similar extension within this permission. Given that the relationship between the application site and this specific neighbour is mutual, the addition of the single storey rear extension, regardless of whether the neighbouring extension is constructed, would not result in an adverse impact upon the neighbouring amenity. To the west, the proposed single storey extension would be set in from the boundary by approx. 1.5m, whereby the proposed extension would extend approx. 1.6m beyond the neighbouring property's rear elevation (no. 10). Due to the separation distance, and dimensions this element of the proposal is not considered to have an adverse impact upon no. 10.

5.15 Rear two-storey extension:

The proposed two-storey rear extension would be set in approx. 3.5m from the shared boundary to the east. This would have a maximum height of 6.5m, sitting slightly above the eaves. This separation distance, and measurements are considered to largely mitigate the impact of this element of the proposal upon the amenities of the neighbouring property to the east (no. 14), thus not resulting in an adverse impact. In addition to this, a two-storey rear extension was permitted under planning application referenced 19/00129/HOU at no.14. The dimensions of this extension, are not dissimilar to those of the proposed extension.

5.16 The proposed extension would be set in approx. 1.5m from the western boundary. The two-storey rear extension would not project much further than the rear elevation of the neighbouring property to the west (no. 10). There are no windows proposed on the western elevation of the two-storey extension, thus not resulting in an adverse impact in terms of overlooking or loss of privacy. To conclude, the proposed extension would be set in from the western boundary and would have subservient dimensions, thus not resulting in an adverse impact in terms of being overbearing.

5.17 Raised terrace:

The raised terrace would measure approx. 1.3m in height and depth. To the east there would be boundary treatment installed measuring 3m in height, spanning the depth of the terrace area, thus providing some screening. The existing boundary treatment comprises approx. 2m close board fencing, therefore the proposal would result in the addition of 3m fencing for a length of 1.3m. Whilst taller than the existing boundary treatment, this is not considered to result in an adverse impact upon the neighbouring amenity, as it would reduce the potential of overlooking and loss of privacy for users of the terrace and the neighbouring property to the east. The terrace would be set in by approx. 2.3m to the western boundary. In lieu of a 3m privacy screen, the submitted plans show that there would be some vegetation; in the form of small trees/ shrubbery, to the west to help screen views to the west. It was however noted from the site visit that the rear of these dwellings are largely overlooked by the open field due south. In addition, the neighbour to the west has a combination of extensions and an external staircase which offers clear views into the application site. The result of the proposals within this application are therefore not considered to cause an adverse impact upon the neighbouring amenity to the west.

5.18 To conclude, the proposal is not considered to have an adverse impact upon the amenities of neighbouring properties, thus complying with PCS23 of the Portsmouth Plan and in turn would be considered acceptable.

5.19 Conclusion

5.20 The Planning Committee of the City Council delegates authority to the Assistant Director of Planning & Economic Growth to advise the Secretary of State that the local planning

authority would have determined that the application should be approved subject to the imposition of conditions, and to supply to the Secretary of State a copy of the relevant report and meeting minutes accordingly.

RECOMMENDATION

CONDITIONAL PERMISSION

Conditions

Time Limit

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

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

Approved Plans

- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: Plans and Elevations P01 Rev H.

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

Boundary Treatment

- 3) The development hereby permitted shall construct the eastern boundary treatment (3m high close board fencing) prior to the first use of the decking. The fencing shall be maintained as approved during the lifetime of the development (the decking).

Reason: In the interests of safeguarding the neighbouring amenities in accordance with Policy PCS23 of the Portsmouth Plan.

Materials

- 4) The development hereby permitted shall be constructed using the following materials unless alternative materials are first submitted to and agreed in writing by the Local Planning Authority:

- Matching facing brick work to the front extension
- Matching tiles (sandtoft new rivius interlocking roof tiles - antique slate)
- White render to the front gable, west side elevation, and first floor rear elevation
- Timber cladding (Firbedeck WE05 Teak) either side of the bi-fold doors on the single storey extension, and the rear and side of the two-storey extension
- Powder coated anthracite grey fascia/ surround pilaster trim
- Anthracite grey fenestration

Reason: In the interests of the visual amenities of the area in accordance with Policy PCS23 of the Portsmouth Plan.

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