

# PLANNING COMMITTEE

## 26 MARCH 2014

2 PM EXECUTIVE MEETING ROOM,  
3<sup>RD</sup> FLOOR, GUILDHALL

### REPORT BY THE CITY DEVELOPMENT MANAGER 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 City Development Manager's report 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*, *Article 6- Right to a fair hearing* 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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**01**

**14/00026/FUL**

**WARD:EASTNEY & CRANESWATER**

**14 BRUCE ROAD SOUTHSEA PO4 9RL**

**CONVERSION OF BUILDING TO FORM 3 FLATS**

**Application Submitted By:**

Derek Treagus Associates

**On behalf of:**

Mr J Singh

**RDD:** 10th January 2014

**LDD:** 11th March 2014

### **SUMMARY OF MAIN ISSUES**

The main issues to be considered in the determination of this application are whether the use of the property as a three flats is acceptable; whether the use of the property for that purpose would preserve or enhance the character of the Conservation Area; whether the proposal would make adequate provision for the parking of cars and in so doing whether this proposal addresses and overcomes the reasons the previous application was refused. Other issues relate to the quality of the accommodation being provided and cycle storage.

The site and surroundings

This application relates to a substantial three-storey detached property located on the eastern side of Bruce Road to the south of its junction with Salisbury Road. Whilst the western side of Bruce Road is characterised by comparatively recent development, created by the sub-division of plots that ran through from Helena Road, the eastern side has a more uniform appearance with Edwardian styled houses set behind low panelled walls/piers. This part of Southsea falls within the Craneswater and Eastern Parade Conservation Area. The lawful planning use of the site is as a nursing home. The site is currently in use, without the benefit of planning permission, as two flats and a maisonette occupied as a HMO.

Proposal

This application seeks permission to subdivide the property to form three flats. The proposed flats would comprise a two-bedroom flat in the basement, a two-bedroom flat on the ground floor and a three bedroom maisonette on the first and second floors. Given that some of these uses have commenced, this application must be considered in the context of S73 of the Act which allows for retrospective applications.

Relevant planning history

This authorised planning use of the site is as a care home for adults with learning difficulties (a Class C2 use) dating from a permission 1989. An application to use the property as a house in multiple occupation with 14 bedrooms was refused permission in September 2011. A further application for a change of use to House in Multiple Occupation on upper floors, and self-contained basement flat was also refused in June 2013. Both applications were refused for two similar reasons relating to:

1) the use of part of the property as a house in multiple occupation being out of character with the surrounding area, representing an overintensive and unneighbourly use of the property by reason of the likely number and potentially transient nature of residents resulting in a level of

activity that would result in an increase in noise and disturbance detrimental to the residential amenities of the occupiers of nearby dwellings and to the overall character of the Conservation Area; and

2) inadequate car parking provision being likely to increase demand for on-street car parking facilities to the detriment of the environment of the area and the safety and convenience of the highway.

## **POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include:

PCS16 (Infrastructure and community benefit), PCS17 (Transport), PCS19 (Housing mix, size and affordable homes), PCS21 (Housing Density), PCS23 (Design and Conservation), PCS13 (A Greener Portsmouth).

In addition to the above policies, the aims and objectives of the National Planning Policy Framework are relevant (in particular paragraphs 126 to 141) together with the Residential Car Parking Standards and Housing Standard SPDs, the Conservation Area Guidelines and the Solent Special Protection Area SPD (draft for consultation).

## **CONSULTATIONS**

### **Highways Engineer**

The parking standards suggest the proposed use should be served by 3.25 shared car parking spaces or 4 if allocated.

The application indicates the provision of two off-street parking spaces, being the most that can be practically provided within the site giving the physical constraints of lightwell and retaining wall and the need to be able to access the cycle/bin store.

Having regard to the lawful use of the premises as a care home, the main demand for parking would be from staff and visitors during working day with a lesser demand outside working hours mainly for staff working nights. It is considered that the provision of two spaces to serve the proposed flats, whilst not ideal, is an acceptable compromise in providing some degree of on-site provision whilst retaining the boundary wall.

The existing garage will be changed to accommodate for 6no. cycles and 3no 360 refuse bins.

Recommendation: Raise no objection subject to:

Prior to first occupation car parking and cycle storage facilities should be provided and maintained

## **REPRESENTATIONS**

Objections have been received from Cllr Hall, Cllr Winnington and the occupiers of 13 neighbouring properties on the grounds that the proposal is an overdevelopment of the site, that the development would impact the Conservation Area, makes inadequate provision for the parking of cars, lack of facilities for refuse storage and property being operated as an illegal HMO. One of the objectors states that they consider the current application has been issued as a delaying tactic for the continued unlawful use of this property as an HMO and that the top floor 3 bedroom flat may continue to be used an HMO should the application be permitted.

One letter of support has been received from a flat at the application address questioning whether the main issue with the proposal is parking and if so why permits cannot be given to all residents to address this and also asking why conversion of the application site to 3 flats is of concern when 12 Bruce Road contains 5 flats.

## COMMENT

The main issues relevant to the determination of this application are:

1. Principle of conversion
2. Impact on the Conservation Area
3. Parking
4. Other issues - quality of the accommodation and cycle storage.

### Principle of Development

The locality around the application site is residential in character, with the lawful use of the building being as a residential home within Class C2. A residential home is considered to be a specialist form of residential accommodation and whilst the number of residents would be greater than typically associated with a dwellinghouse of this size, such a use would be relatively low-key in nature. The principle of a change of use to a different form of residential accommodation may similarly be considered acceptable in principle subject to it not harming the character of the area or the residential amenities of local residents. This property is located in an area predominantly characterised by single family dwellings and substantial properties subdivided into flats.

This application seeks permission for a significantly less intensive use with the submitted drawings indicating the property being laid out as two two-bedroom and one three-bedroom flats. Having regard to the prevailing residential uses which make up the character of the area it is considered that the use of the property as three flats is appropriate and would not represent an overintensive use of the property. Furthermore it is considered that the proposed use would not be likely to give rise to a level of activity that would be at odds with the area or be likely to give rise to significant harm to the occupiers of neighbouring properties. Accordingly it is considered that this application appropriately addresses and overcomes the first reason for the refusal of the two previous applications.

### Impact on Conservation Area & Amenity

The previous application sought permission for a large house in multiple occupation which was considered would be more akin to a hostel use or 'bedsitting rooms' type arrangement. It was considered that having regard to the level of activity that would be likely to be associated with such an intensive form of multiple occupancy, the previously proposed uses would be out of character with the area generally and have the potential to adversely affect the character and appearance of the Conservation Area and potentially give rise to a level of noise and disturbance that would have a harmful effect on the residential amenities of the occupiers of neighbouring properties.

The Conservation Area guidelines note that properties in Bruce Road date from around 1910 and have a different late Victorian/Edwardian architectural character in contrast to Conservation Areas in other earlier parts of Southsea such as those developed by Thomas Owen. The eastern side of Bruce Road was developed as substantial houses dating from the early 1900s. They are of red brick with red tiled roofs. These houses are roughly 'L' shaped with a set back section treated in a variety of ways. The main elevations have two storey tile hung bays beneath gables of a variety of designs. Some are half timbered, some have a small roof or gable between the bay and the gable and in other cases the gable projects over the bay. Doors are mostly timber panelled and some are set in gothic doorcases. There are red brick panelled boundary walls with gate piers. The western side of Bruce Road includes modern infill of various types and with varying brick boundary walls.

The proposal would involve no alterations to the exterior of the building. Having regard to the likely level of activity that would be associated with the proposed use it is considered that this would not be so intensive so as to cause harm to the character and appearance of the Conservation Area.

## Parking

The application indicates the provision of two off-street parking spaces, being the most that can be practically provided within the site given the physical constraints of lightwell and retaining wall and the need to be able to access the cycle/bin store. The applicant had suggested that additional spaces could be provided if the front boundary wall was removed however this wall is an original substantial, attractive brick wall that makes a very positive and important contribution to the character of the Conservation Area and therefore its loss should be strongly resisted. Having regard to the lawful use of the premises as a care home, the main demand for parking would be from staff and visitors during the working day with a lesser demand outside of working hours mainly for staff working nights. It is considered that the provision of two spaces to serve the proposed three flats, whilst not ideal, is an acceptable compromise in providing some degree of on-site provision whilst retaining the boundary wall. Accordingly it is considered that this application adequately addresses and overcomes the second reason for the refusal of the two previous applications.

## Other Matters

The proposed flats would all exceed the minimum space standards associated with policy PCS19 and are laid out in a manner that provides an appropriate form of accommodation for occupiers. The submitted drawings indicate the provision for facilities for the storage of cycle storage in the existing integral garage. It is considered that such provision is acceptable and can be secured through the imposition of a suitably worded planning condition.

Concerns have been raised by local residents about whether the approval of this application would resolve the current breach of planning control. Whilst these concerns are understandable, this application must be considered on its own planning merits having regard to the relevant national and local policies and all other relevant material planning considerations. In this case the fact that the property is currently being occupied without planning permission should not be given any weight in the determination of this application.

The proposal would lead to a net increase in population, which in all likelihood would lead to a significant effect, as described in section 61 of the Habitats Regulations, on the Portsmouth Harbour and the Chichester and Langstone Harbours Special Protection Areas (the SPAs). This has been acknowledged by the applicant who has indicated that they will complete a unilateral undertaking to provide the necessary mitigation. The city council's draft Solent Special Protection Areas Supplementary Planning Document is currently being consulted on which sets out how the significant effect which this scheme would otherwise cause, could be overcome. Based on the methodology in the SPD, an appropriate scale of mitigation could be calculated as  $(3 \times £172) = £516$ . The applicant has indicated that they are willing to provide SPA mitigation in this way. However until the consultation on the SPD has finished and stakeholders comments examined, it cannot be confirmed for certain whether the mitigation measures are likely to be effective or that the methodology for calculating the scale of contributions is appropriate. As such, the SPD can only be afforded limited weight. However it is likely that the SPD will be adopted in a short time from now and the methodology for calculating mitigation can be relied on more fully. As a result, it is considered that, subject to the inclusion of an appropriate level of mitigation, the scale of which will be confirmed in the adopted SPD, there would not be a significant effect on the SPAs.

Resolve to grant planning permission, subject to the completion by the applicant of a unilateral undertaking to provide an appropriate contribution towards mitigation measures in connection with the Solent Special Protection Areas SPD following its adoption

## **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: 13.243.01 and forecourt layout plan.
- 2) The car parking facilities shall be provided, in accordance with the approved forecourt plan, within one month of the date of this permission (or any other extended timescale that may be agreed in writing by the Local Planning Authority) and thereafter retained for that purpose at all times.
- 3) The secure cycle, bin and recyclable storage facilities shall be provided, in accordance with the detailed scheme submitted, within one month of the date of this permission (or any other extended timescale that may be agreed in writing by the Local Planning Authority) and thereafter retained for that purpose at all times.

### The reasons for the conditions are:

- 1) To ensure the development is implemented in accordance with the permission granted.
- 2) To ensure provision is made for parking in the interests of highway safety in accordance with policies PCS17 and PCS23 of the Portsmouth Plan and the Residential Parking Standards SPD.
- 3) To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.

**NB** This permission is granted in accordance with the provisions of Section 73 of the Town and Country Planning Act 1990, which makes provision for the retrospective granting of planning permission for development which has commenced and/or been completed.

### PRO-ACTIVITY STATEMENT

In accordance with the National Planning Policy Framework the City Council has worked positively and pro-actively with the applicant through the pre-application process to achieve an acceptable proposal without the need for further engagement.

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## 02

14/00051/FUL

WARD:ST THOMAS

**ACCESS WAY BETWEEN ARETHUSA HOUSE AND PERSEUS TERRACE GUNWHARF QUAYS PORTSMOUTH**

**CONSTRUCTION OF BOUNDARY WALL AND ANTI-CLIMB FEATURE.**

### Application Submitted By:

Andrew R Dunks Ltd

### On behalf of:

GQRC Limited

**RDD:** 17th January 2014

**LDD:** 20th March 2014

## **SUMMARY OF MAIN ISSUES**

The main issues to be considered in the determination of this application are whether the proposed boundary wall would be acceptable in design terms, including its impact upon the 'Gunwharf' Conservation Area and the adjacent Grade II Listed Vulcan Building; whether it would be acceptable in terms of its impact upon the residential amenities of adjoining occupiers; whether it would have any significant implications for accessibility within the area; and whether it would be acceptable in terms of highways safety.

### **The Site and surroundings**

This application relates to a pedestrian access way located within the residential part of the Gunwharf Quays complex, between Arethusa House and Perseus Terrace. This access way also falls within both the Gunwharf Conservation Area and a SSSI consultation area.

### **Proposal**

Permission is sought for the construction of boundary wall and associated anti-climb feature.

Under the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (as amended), a boundary wall of up to 2m in height could be constructed as permitted development in this location.

The proposed boundary wall would measure approximately 2.2m in height. It would extend across the entrance to the existing access way by approximately 7.6m and would be built up to the existing boundary wall located to the side of Perseus Terrace. On the other side, a section of wall measuring approximately 2.4m in depth would extend backwards, linking in with the existing boundary wall located to the side of Arethusa House. The proposed anti-climb feature would be positioned on top of the proposed boundary wall, extending upwards by approximately 1m. It would comprise a curved powder coated steel feature finished in blue.

### **Relevant planning history**

No element of the planning history is considered to be relevant in the determination of this application.

## **POLICY CONTEXT**

In addition to the NPPF, the relevant policies within the Portsmouth Plan would include: PCS23 (Design and Conservation).

## **CONSULTATIONS**

### **Contaminated Land Team**

Given the limited scope of the works, a condition relating to land contamination is not required. However, the developer should be aware that the site has previously been remediated, as low levels of contaminants were encountered within the upper layers of made ground. This material was removed as part of the car park construction, but where hard cover or buildings were present, this was considered to break any potential pathways, and as such, materials remained in-situ. There is therefore, the potential for contamination to be present beneath such areas on site.

Given the above, an informative should be added, advising the developer of this, and that they should contact this department if any unexpected materials or materials of concern (such as oily, ashy, odorous or fibrous materials) are uncovered as part of the works for advice on the need for chemical testing and/or remedial measures to be incorporated into this development.



Given the remedial works have been carried out across various parts of the site, it should also state that:

- Any alterations to external landscape areas should ensure that the clean cover specification remains intact. As such should any materials be excavated as part of the works they must not be placed across the surface of the site.
- The permit to dig system as described in the Environmental Management Plan should be adhered to.

### **Natural England**

No objection.

## **REPRESENTATIONS**

Sixteen objections to this application have been received. These are based upon the following grounds; a) the proposed wall would limit views into Gunwharf Quays from the Millennium Walkway; b) the proposal is against the City Council's scheme to promote walking within the city; c) the proposed boundary wall would impede pedestrian movement in this area; d) the construction of a boundary wall is against the principle of Gunwharf Quays as an open and accessible site; e) the proposed boundary wall would result in the creation of a 'gated community' which is against the original concept of Gunwharf Quays ; f) the proposed boundary wall would fail to preserve or enhance the special architectural and historic importance of the Grade II Listed Vulcan Building; g) the proposed boundary wall would impact upon fire escape routes from Arethusa House; h) the proposed boundary wall would remove an escape route from Gunwharf Quays which has been identified as a significant terrorist target; i) the proposed boundary wall would impede access to the Aspex Gallery; j) the route around the Millennium Walkway is unpleasant during periods of inclement weather; k) the proposed boundary wall would block off an entrance for residents of Gunwharf Quays; l) the proposed wall would fail to preserve or enhance the character or appearance of the Gunwharf Conservation Area; m) the proposed wall would introduce a safety risk to this area with people attempting to climb over it; and n) there is no real safety risk related to pedestrians crossing the entrance of the underground car park beneath Arethusa House.

Four letters of support have also been received. These are based upon the grounds that; a) the proposed boundary wall would reduce foot traffic in this area, subsequently reducing noise and disturbance for residents, particularly during the evening; b) the proposed wall would reduce the risk of accidents in this area; and c) there are other routes that would continue to provide access to Gunwharf Quays for members of the public, notably the Millennium Walkway.

## **COMMENT**

Whilst this access way is located within a SSSI consultation area, this proposal is not considered likely to give rise to any adverse impacts upon the SSSI.

The main considerations in the determination of this application are:-

1. Design, including the impact of the proposal on the character and appearance of the 'Gunwharf' Conservation Area and the special architectural or historic interest of the Grade II Listed Vulcan Building.
2. Impact on residential amenity.
3. Impact on accessibility.
4. Impact on highways safety.

### **Design**

The proposed boundary wall would be located at the entrance of the existing access way which currently links the Millennium Walkway with Gunwharf Quays. It would be positioned between an existing boundary wall (approximately 2.2m in height) located to the rear of Perseus Terrace and a low level wall with railings above located to the rear of Arethusa House. The proposed boundary wall would match in height and design, the existing boundary wall to the rear of

Perseus Terrace. Notably, this would incorporate the curved black course of bricks which can be seen in this adjoining boundary wall. Retaining the same style as this adjoining wall would ensure that the proposed wall would constitute an appropriate addition in this location that would both relate appropriately with the wider streetscene and preserve the character and appearance of the 'Gunwharf' Conservation Area.

The proposed anti-climb feature would comprise a curved powder coated steel feature finished in blue. This would match the style of the existing railings in this location and widely used throughout the Gunwharf Quays complex. This element of the proposal would be of a suitable style and scale in relation to both the wider streetscene and would preserve the character and appearance of the 'Gunwharf' Conservation Area.

A number of representations have raised objection to this proposal on the grounds that the proposed boundary wall would limit views into Gunwharf Quays and of the Grade II Listed Vulcan Building. However, in this instance, this is not a material planning consideration.

Concerns have also been raised in representations that the proposed boundary wall would adversely impact upon the special architectural or historic interest of the Grade II Listed Vulcan Building. An appropriate separation distance would remain between the proposed boundary wall and the Vulcan Building to ensure that this proposal would not adversely impact upon the special architectural or historic importance of this heritage asset or its wider setting.

Having regard to the aforementioned issues, this proposal is considered acceptable in design and heritage terms in accordance with policy PCS23 of the Portsmouth Plan.

#### Impact on amenity

The proposed boundary wall would be located between two residential buildings, Perseus Terrace to the east and Arethusa House to the west. It would be of a suitable style and scale to ensure that it would not give rise to any adverse impacts upon the residential amenities of any adjoining occupiers. Closing off this access way would minimise the number of people in this area and could even potentially have a positive impact upon the residential amenities of the adjoining occupiers by reducing levels of noise and disturbance caused by foot traffic.

#### Access

This access way currently links the Millennium Walkway with the wider Gunwharf Quays complex. This proposal would effectively close off this existing access way and a number of representations have raised concern that this would restrict pedestrian movement and lead to the creation of a gated community.

Several attempts to close off this access way have previously been made. These have been in the form of the installation of low level railings, the planting of vegetation and the installation of temporary fencing. All of these features remain in place at the current time, subsequently making it difficult to use this access way. Under the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (as amended), a boundary wall of up to 2m in height could be constructed as permitted development in this location. At 2.2m in height, the proposed boundary wall is just 0.2m higher than what would be allowed as permitted development. Furthermore, several other access points into Gunwharf Quays would remain, notably the Millennium Walkway which was constructed explicitly to provide access to Gunwharf Quays. Having regard to fall-back position, the presence of the aforementioned temporary measures and the retention of a number of additional access points, the proposed boundary wall is not considered to have a significant impact upon accessibility in this location.

## Highways safety

The applicant has stated that there are highways safety concerns regarding pedestrians using the access way crossing at the entrance to the underground car park at Arethusa House. This is echoed in a number of representations supporting this proposal. Whilst the proposed boundary wall would not completely eliminate this risk, it would result in a reduction in the number of pedestrians crossing at the entrance to the underground car park and would therefore, improve highways safety in this location.

## **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.
- 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: BW1-00285170; 3953/500; 3953/2; and 3953/3.

### **The reasons for the conditions are:**

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.

### PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework, in this instance the proposal was considered acceptable and did not therefore require any further engagement with the applicant.

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## **03**

**14/00182/HOU**

**WARD:MILTON**

**125 ESSEX ROAD SOUTHSEA**

**CONSTRUCTION OF SINGLE STOREY REAR EXTENSION**

### **Application Submitted By:**

Your Home Plans Ltd

### **On behalf of:**

Mr Martin Christie

**RDD:** 26th February 2014

**LDD:** 28th April 2014

The application is being presented to the Planning Committee as the applicant is a close relation of a Council employee.

## **SUMMARY OF MAIN ISSUES**

The main issues to be considered in the determination of this application are whether the design of the proposed extension is appropriate in relation to the character and appearance of the recipient dwelling and the setting of the Essex Road Conservation Area and whether there would be any significant impact on residential amenity.

### The site and surroundings

The application site comprises a mid-terraced, two storey residential property with rooms in the roofspace (served by box dormer windows to the front and rear) on the southern side of Essex Road. Properties within this road are early Edwardian red-brick houses with classical-style balustrades and pediments. The rear of the properties do not have the same level of detailing but do have uniform openings and rear additions are predominantly maintained to equal depths. The road is lined by an avenue of hornbeam trees and lies within the Essex Road Conservation Area. There is an Article 4 Direction covering various alterations to the front of these distinctive properties.

### The proposal

The application seeks planning permission for the construction of a single storey rear extension.

The application initially included an enlargement of the existing rear dormer however this part of the proposal has been withdrawn from the application.

### Planning history

There is no relevant planning history.

## **POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include: PCS23 (Design and Conservation).

In addition to the policy above, the aims and objectives of the National Planning Policy Framework and the 'Essex Road Conservation Area No.28 Guidelines for Conservation' (November 2006) are relevant.

## **CONSULTATIONS**

**None.**

## **REPRESENTATIONS**

None received to date

## **COMMENT**

The main determining issues are whether the design of the proposed extension is appropriate in relation to the character and appearance of the recipient dwelling and the setting of the Essex Road Conservation Area and whether there would be any significant impact on residential amenity.

## Design

It is proposed to construct a single storey extension to the rear of the property following the demolition of three existing additions. The extension would be 3.69m deep with a monopitched roof (incorporating two rooflights) reaching a height just below the lower cills of the first floor windows and would create a kitchen space with folding doors facing into the garden. The extension would be constructed in facing bricks to match the existing dwelling with a reconstituted interlocking slate roof. This differs from the concrete pantiles used on the main roof of the house, however as stated within the Essex Road Conservation Area guidelines, originally these properties would have had natural slate roofs and therefore using reconstituted slate is considered to be more in-keeping with the original architectural details of the property. The adjacent properties, as with the majority of properties in this terrace, have rear additions of comparable depth to that proposed by this application. The overall appearance, size and materials proposed are considered appropriate in the context of the design of the recipient house. The removal of the three additions to the rear and the construction of the new extension in their place is considered acceptable development respecting and preserving its Conservation Area setting.

## Amenity

The single storey rear extension is similar in depth to those existing on either side and would, therefore, have no significant impact on the amenity of occupiers of adjoining properties.

## Conclusion

The development proposed is considered acceptable, in accordance with policy PCS23 and the Essex Road Conservation Area No.28 Guidelines for Conservation, and is capable of support.

## **RECOMMENDATION**

Subject to Delegated Authority to grant Conditional Permission following the expiration of the effective date (28 March 2014), subject to no representations being received.

## **Conditions**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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: 125ESS-14-02 and 125ESS-14-04.
- 3) No development shall commence on site until details (and samples where necessary) of the types and colours of external materials to be used has been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

## **The reasons for the conditions are:**

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) In the interests of the visual amenities of the Essex Road Conservation Area in accordance with policy PCS23 of the Portsmouth Plan.

## PRO-ACTIVITY STATEMENT

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

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# 04

13/01224/FUL

WARD:DRAYTON & FARLINGTON

**SCOTTISH & SOUTHERN ENERGY DEPOT LOWER DRAYTON LANE PORTSMOUTH**

**CONSTRUCTION OF 143 DWELLINGS WITH ASSOCIATED LANDSCAPING, PARKING AND ACCESS**

**Application Submitted By:**

Savills

**On behalf of:**

Persimmon Homes South Coast And SSE Services Plc

**RDD:** 5th November 2013

**LDD:** 10th February 2014

### SUMMARY OF MAIN ISSUES

The overarching issue is whether this proposal contributes to the achievement of sustainable development, in accordance with national and local planning policy. Key issues for consideration are the principle of residential development, including flood risk, density and design, impact on residential amenity, transport and highways implications, recreational disturbance/open space provision and other matters which include affordable housing, sustainable design & construction and concerns raised by local residents.

The site and surroundings

The 3.7ha application site of the former Scottish and Southern Energy (SSE) Depot is located north of the railway line (with 'Railway Triangle' business park to the south) and bounded by public open space at Drayton Park (to the west) delineated by weld-mesh fencing and a border of established trees. Residential areas adjoin the north and east. Roughly rectangular in shape, the site measures approximately 140m east-west and 260m north-south. Existing vehicular access is from Lower Drayton Lane, to the east. The site is currently used for vehicle and material storage, following demolition of former structures on the site occupied as an electricity depot accommodating a main building, workshops and stores, car parking, an open depot area and sports/social facility that represented a 'sui generis' use. Buildings had covered a total of approximately 11,000sqm of floorspace across the site.

The site lies approximately 0.65km north-west of the Langstone Harbour Special Protection Area (SPA) and 1.75km east of the Portsmouth Harbour SPA. The site is with the Indicative Floodplain, as at risk to tidal flooding (Flood Zone 3).

## Proposal

This full planning application proposes residential redevelopment of the SSE depot for 143 dwellings. Access would be via a single entrance on Lower Drayton Lane; it is the same point of access from which the SSE depot operated. The scheme would comprise of a mix of dwellings but mainly semi-detached and terraced housing typical of the building form of the area. The housing would be predominantly two-storey in height, with a group of 2½-storey houses at the principal junction close to the site entrance and others of 2½-storeys toward the south of the site. A two/three-storey block of 11 flats would be located in the south-west corner of the site. 43 of the dwellings would be for affordable housing, to meet the minimum requirement of 30% in policy PCS19. The main area of on-site public open space would be along the southern boundary of the site, with some additional open space to the west adjacent to the boundary with Drayton Park, covering 0.271 ha. This provision falls short of the minimum requirements of policy PCS13 that equates to 0.47 ha.

As an urban development project with a site area that exceeds 0.5ha it represents a 'Schedule 2' project under the Environmental Impact Assessment (EIA) Regulations, however, it is not considered likely to have a significant effect on the environment and consequently the view has been taken that the proposal is not an EIA development. Notwithstanding this, the application is supported by various documents including: Design & Access Statement, Planning Statement, Flood Risk Assessment (with Sequential Test and Exceptions Test), Ecology Appraisal and Habitats Regulations Assessment, Drainage Strategy, Phase 1 Desk Study (Contaminated Land), Noise and Vibration Assessment, Renewable Energy Study with Viability Statement, Transport Assessment, Travel Plan and Arboricultural Impact Assessment.

### Relevant planning history

A previous outline application (ref 09/00450/OUT) was submitted in April 2009 seeking approval of mean of access only, for up to 162 dwellings and public open space. Site access was shown from the existing access/egress onto Lower Drayton Lane. In April 2012 the outline application was subsequently withdrawn with a key constraint of flood risk unresolved. An indicative site layout (for illustrative purposes) attempted to demonstrate how 162 dwellings and requirement for public open space provision of 3,360sqm (to serve the number/size of new homes, at that time, to accord with the [then] policy DC46) may be capable of being assimilated onto the 3.6ha piece of land in a manner that respects key constraints, including relationship to existing public open space to the west, an easement to public sewers across the southern end of the site and spatial separation to existing dwellings to the north and east.

## **POLICY CONTEXT**

The relevant policies within the Portsmouth Plan would include: PCS10 (Housing Delivery), PCS12 (Flood Risk), PCS13 (A Greener Portsmouth), PCS14 (A Healthy City), PCS15 (Sustainable design and construction), PCS16 (Infrastructure and community benefit), PCS17 (Transport), PCS19 (Housing mix, size and affordable homes), PCS21 (Housing Density), PCS23 (Design and Conservation).

The site is not protected employment land (policy PCS11).

Relevant guidance includes the following adopted Supplementary Planning Documents: Residential Parking Standards SPD (November 2008) and Reducing Crime Through Design SPD (March 2006). Further, on 24 January 2014 the Solent Protection Area SPD - draft for consultation was approved; the 4-week consultation period runs until 3rd April.

Other relevant central government guidance is set out in the National Planning Policy Framework. The purpose of the planning system is to contribute to the achievement of sustainable development (NPPF) and there are three dimensions to sustainable development:

economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- \* an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- \* a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- \* an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

## **CONSULTATIONS**

### **Natural England**

Natural England (NE) is a non-departmental public body whose statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. The application site is approx. 600m from the Langstone Harbour Site of Special Scientific Interest (SSSI). This SSSI is part of the Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar and Solent Maritime Special Area of Conservation (SAC).

Natura 2000 site - No objection, subject to conditions/legal agreement.

NE advise that the proposal is not likely to have a significant effect on the interest features for which the SSSI/SPA/Ramsar sites are designated, either alone or in combination with other plans or projects, subject to conditions and advice to the effect of the following attached to any permission granted: A legal agreement is put in place to secure an appropriate contribution towards mitigation (as proposed in the submission), in line with the Solent Interim Planning Framework. Appropriate conditions and/or legal agreements are put in place to ensure that the avoidance and mitigation measures set out in the submitted 'Ecological Appraisal and Habitats Regulations Assessment' document are implemented.

SSSI - NE is satisfied that, subject to the imposition of the above requirements and the development being undertaken in strict accordance with the submitted proposals and the conditions/agreement, these development proposals will avoid impacts upon the interest features of the Langstone Harbour SSSI. If your Authority is minded to grant permission for the proposal without these restrictions, NE refer you to the duty under Section 281(6) of the Wildlife and Countryside Act 1981 (as amended), to provide notice to NE of the permission and of its terms, the notice to include a statement of how (if at all) your authority has taken account of NE's advice; and, shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

### **Hampshire County Council**

No comments received.

### **Network Rail**

No comments received.

### **Southern Water**

Our records show a combined sewer and foul sewer crossing the site, the exact position of which should be determined before the layout of the proposed development is finalised, and no development or new tree planting should be located within 3m either side, no new soakaways within 5m of the sewer and all existing infrastructure should be protected during construction works.

Our initial investigations indicate SW can provide foul sewerage disposal to service the proposed development (requiring a formal application for a connection to the public sewer). The



Design & Access Statement states limiting surface water flow to existing contributing flows to the system. Surface water may be discharged to the existing sewer, provided the rate of discharge to sewer no greater than existing contributing flows. If permitted, a (pre-commencement) condition should be imposed requiring approval of details of the proposed means of foul and surface water sewerage disposal and an Informative is requested.

### **Highways Engineer**

The site is located in an area of low accessibility to public transport. Bus stops are located on Grove Road offering 70mins services. More frequent services are located further afield on Havant Road, with services running every 10 minutes. The proposed development site would be served by one vehicular access; the existing site access that serves the current SSE Depot and provides access onto Lower Drayton Lane. The proposed development site is located at the southern extent of Lower Drayton Lane, a residential road with a north-south alignment connecting to Havant Road in the north, dissected by Grove Road/Old Manor Way. Lower Drayton Lane connects to Stroudley Avenue, which in turn connects to Havant Road via Station Road (north-south orientation). However, Stroudley Avenue is unsuitable for high volumes of traffic due to its characteristics: the road discourages through movements, being narrow, not straight and accommodating on-street parking.

The site would be connected directly into Drayton Park via a pedestrian access from the western side of the site. As well as providing access into the park, this access will promote accessibility of the residential areas to the west of the development site and key local facilities, such as Cosham Railway Station. A pedestrian/emergency access point is being provided at the northern boundary of the site improving access to the surrounding residential area and amenities; emergency access is provided to gain vehicular access to the site in the event the main access link (30m) off Lower Drayton Lane is restricted due to an unforeseen circumstances.

The layout of the proposed residential development would ensure that delivery, refuse and emergency service vehicles would be appropriately catered for in terms of access, manoeuvrability and parking/laydown areas. AutoTrack analysis are provided for potential delivery, refuse and emergency service vehicles entering and exiting the site. Traffic calming measures are incorporated at junctions to control speeds within the site. Visitor spaces are shown within the carriageway. In accordance with PCC's Residential Parking Standards SPD maximum parking required is 227 spaces. The proposal provides 263 car spaces and 26 visitor spaces. Cycle storage is provided within garage or store. With regard to traffic generation the proposed development site is currently occupied by Scottish and Southern Energy (SSE) who utilises the site as a vehicle depot and as such generates vehicular movements to and from the site via Lower Drayton Lane throughout the day. The proposed residential development would generate an increase in vehicle traffic during morning and evening periods but at the same time heavy goods vehicle trips would no longer take place. 5 junctions have been modelled to determine a baseline scenario and the scenario for the Design Year (2024).

- \* Junction between Grove Road & A2030 Eastern Road;
- \* Junction between Grove Road and Station Road;
- \* Junction between Lower Drayton Lane & Old Manor Way & Grove Road;
- \* Junction between Lower Drayton Lane & Grove Road; and
- \* Junction between Lower Drayton Lane & Stroudley Avenue.

The junction of Grove Road & Eastern Road should have included Fitzherbert Road. The consultant has submitted further analysis to include Fitzherbert Road junction with Eastern Road. The junction of Eastern Road/Grove Road/Fitzherbert Road is already at or over capacity. The proposed development flows, on average, will further reduce this capacity by around 3%. In order for this to be mitigated, the developer should carry out the following junction improvement works:

The northbound Eastern Road approach to the junction of Grove Road is currently marked as 'straight and left' in lane one and 'right' in lane 2. This configuration regularly leads to an imbalance in queues between the two lanes. This imbalance results in longer than necessary main road green times. By changing the marking and associated signage, traffic could be more

evenly distributed thereby reducing the amount of green time required for the Eastern Road northbound movement. The resulting spare time could then be reallocated to the exit from Grove Road to mitigate the anticipated additional development traffic. Pedestrian flows between the proposed development and the Sainsbury's retail area will increase as a result of the new development. The current crossing facility at the Eastern Road/Grove Road junction is poor with only a very narrow pedestrian waiting area in the centre of Eastern Road. This layout could be significantly improved by providing a wider centre island. A modified wider island will provide a much safer and comfortable pedestrian waiting area. The space of the island could be taken from lane 2 of the southbound movement. This lane is unused at this point as it is directly opposite the southbound right turn into Grove Road. Widened dropped kerbs and buff tactile paving should also be installed to complement the centre island modification. Bus departures from the stop outside Sainsbury's are often delayed due to the difficulty exiting from the off carriageway bus stop. In order to improve punctuality and therefore patronage, this bus stop should be filled in so buses stop in lane 1 of the southbound carriageway. This modification is not expected to delay general traffic as vehicles will be able to utilise lane 2 for overtaking. There should be no instances of vehicle weaving conflicts as the proposed pedestrian improvement suggested above will ensure single lane running until vehicles have passed the junction. In order to carry out all the improvements works (signs, lines and civils construction) detailed above, the council is seeking a contribution of £120,000. A draft layout of the proposed junction modification is attached herewith. There is no issue with the capacity for the rest of the junctions.

The development would result in an increase in the number of vehicles arriving and departing at the site, with the exception of the decrease in the total number of vehicles arriving at the site during the morning peak. The assessment of the 5 junctions (with the exception of Grove Road/Eastern Road/Fitzherbert Road) indicates there are no anticipated issues of capacity or delay as a result of the development.

A Travel Plan has been provided and updated, to incorporate the travel plan officer's comments into this version of the Travel Plan (dated 28 January 2014). While they have not yet set interim targets the action plan now includes reference to when they will be determined. The action plan has also been updated with the i) frequency of repeat surveys, ii) steering group meetings and i) residents newsletters. The blank survey has been updated to include a list of incentives at question 14. The document mentions the inclusion of cycle stands within garages. At a meeting with Simon Cooper Associates on 12 December it was suggested that lockable lugs would be preferable as they would take up less space and could be used for a variety of objects (ladders, lawnmowers etc). The updated version of the travel plan is acceptable and the travel plan officer will liaise with the nominated Travel Plan Coordinator. It is noted that the TPC will be in post 6 months prior to first occupation of the site.

#### Planning Obligations:-

- 1) To provide raised paved route through from the development site, around the fenced play park to link with the entrance to the play park and the footpath cycleway link beyond 80lin m and 2m wide. The council will seek a contribution of £15,000.
- 2) To carry out improvements works to junctions Grove Road/Eastern Road/Fitzherbert Road (signs, lines and civils construction) detailed above, the council is seeking a contribution of £120,000. The traffic and pedestrian flows will have a significant impact on this junction due to the proposed development. Without improvements works the proposed development is considered unacceptable and would be prejudicial to the safety, amenity and convenience of road users.
- 3) Travel plan to be provided and travel plan monitoring at a cost of £5500 over 5 years. There to be an initial baseline survey Y1 (at either 50 units or within 6 months whichever is earlier), with final targets to be determined and agreed with PCC within 2 months of the Yr 1 baseline survey and to repeat the residents survey at Yrs 3 and 5.

Recommendation: Raise no objection subject to Planning obligations above and following planning conditions:-

- 1) Prior to first occupation the proposed car parking shown on the approved plan shall be provided and maintained.
- 2) Prior to first occupation secure/weatherproof bicycle storage facilities shall be provided and maintained.
- 3) Provide and retain emergency only route (north boundary).
- 4) Prior to first occupation facilities for the storage of refuse and recyclable materials shall be provided and maintained.
- 5) No development shall take place on the site until the following details have been submitted to and approved in writing by the Local Planning Authority:-
  - i) a specification of the type of construction for the roads and footpaths up to adoptable standards, including all relevant horizontal cross-sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing surface water; and,
  - ii) a programme for making up of the roads and footpaths up to adoptable standards.
- 6) Construction management plan to include the following:
  - \* Times of deliveries
  - \* Wheel wash facilities
  - \* Site office facilities
  - \* Contractor parking areas
  - \* Loading/off-loading areas

### **Environmental Health**

After review of the report submitted by the applicant's acoustic consultant, the conclusions that the site is appropriate for residential development and no enhanced sound insulation measures will be required is agreed. The traffic assessment indicates that although there is likely to be a slight net increase in cars using Lower Drayton Lane there will be a significant reduction in the number of HGV movements, consequently there is unlikely to be any significant change in traffic noise levels in Lower Drayton Lane. There are no air quality management areas in the immediate vicinity and the net increase in traffic should have no significant impacts upon local air quality. However, owing to the size of the development and the close proximity of residential dwellings to the site, the development is considered to be a high risk construction site in terms of dust and noise. Consequently to protect the amenity of local residents I would recommend the following conditions:

- i) Prior to the commencement of construction works the contractor shall submit a method statement for prior approval by the Local Authority, as required by the Portsmouth City Council best practice guidance on The Control of Dust and Emissions from Construction and Demolition Projects. (The applicant should be aware that this may require baseline dust monitoring for a period of 3 months prior to the commencement of any demolition/construction activities to establish appropriate target criteria).
- ii) Prior to the commencement of construction works the contractor shall submit an assessment and method statement for the control of construction noise for the site for approval by the Local Authority. This should include predicted noise levels, proposed target criteria, mitigation measures and monitoring protocols.

### **Contaminated Land Team**

The report submitted with this application has been reviewed but unfortunately the information it contains is insufficient for the Contaminated Land Team to conclude that a desk study is not required. In view of the previous industrial uses and sensitive residential use proposed, land contamination conditions are required on any planning permission granted for this site.

### **Crime Prevention Design Advisor**

Section 17 of the Crime and Disorder Act 1998 (as amended by Schedule 9 of the Police and Justice Act 2006), requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The National Planning Policy Framework (NPPF) demonstrates the Government's commitment to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Access and Movement is defined as one of the seven attributes of sustainable communities, within the publication "Safer Places the Planning System and Crime Prevention", which states: "places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security". The publication "Safer Places the Planning System and Crime Prevention" gives the following advice on footpaths: Crime and anti-social behaviour are more likely to occur if:

- Pedestrian routes are poorly lit, indirect and away from traffic
- Streets, footpaths and alleyways provide access to the rear of buildings
- There are several ways into and out of an area - providing potential escape routes for criminal activity; successful places have a well-defined movement framework
- A good movement framework has direct routes that lead to where people want to go by whatever means, including on foot, by cycle or public transport. This should cover the needs of all people, including the elderly and disabled.
- Routes for pedestrians, cyclists and vehicles should, in most cases, run alongside one another, and not be segregated. Movement frameworks based upon 'primary routes' and shared spaces, remove the need for under-used alleyways, short-cuts, footpaths and a large number of minor access points that can become vulnerable to or facilitate crime.
- Where footpaths are required, they should be as straight as possible and wide, avoiding potential hiding places. They should also be overlooked by surrounding building and activities.

The proposal creates two pedestrian accesses from the development into Drayton Park; one to the north and one to the west. From a crime prevention view point neither of these is constructed particularly well. The footpath to the north into the car park changes the status of that end of the proposed road from a cul-de-sac into a 'leaky' cul-de-sac. Cul-de-sacs are very secure, however, the proposed footpath into the car park will undermine the security of this road and of the development. Therefore, to improve the security of the development I recommend stopping the proposed pedestrian access in the northern boundary of the development and improving the access in the western boundary of the development.

A footpath is provided along the southern boundary of the development, it is difficult to see the value of this connectivity. However, this connectivity may facilitate crime and anti-social behaviour. Therefore, I would recommend that this footpath is removed. Surveillance is defined in the publication Safer Places the Planning System and Crime Prevention as "Places where all publicly accessible spaces are overlooked." It goes on to say: "Many of the other attributes - particularly access and movement, ownership and structure - are underpinned by the theory that places are safer if they are overlooked. However, the notion of safety by surveillance is reliant on the assumption that, at all times, those who overlook will be a deterrent because, they will act if they see a crime. Whether it is 'natural' organised or electronic, facilitating effective surveillance should be a core part of planning out crime. But it should not be relied upon as the sole strategy for tackling crime and disorder."

The proposal creates a 'pocket park' to the south of the development. The park itself is not well overlooked it has high levels of connectivity. Policing the park and surrounding green space will be difficult should incidents occur. In the first instance I would recommend that the pocket park is more fully integrated into the development. To aid policing the park should be fenced (perhaps hoop topped railings approximately four feet high) with two gated accesses within the railings. There are several footpaths through the green areas these footpaths are not properly overlooked. To provide for the safety of those using the paths, they should be well lit, with any adjacent planting being such that it does not provide a place for a person to lie in wait. A number of dwellings have access into the rear garden via a communal access footpath or a parking area. Some acquisitive crimes such as burglary and theft are often facilitated by easy access into the rear garden. Therefore, to provide for the security of these dwellings I recommend that all such rear access gates are fitted with a key operated lock that can be operated from either side of the gate.

With regard to parking, generally this is provided within the curtilage of the associated dwelling. The publication "Safer Places the Planning System and Crime Prevention" advises the following:

"Parked cars can be particularly vulnerable to crime and, unless they are in a private garage, must be overlooked." It goes on to say: A further alternative is parking courtyards, but courtyard parking that is not adequately overlooked by capable guardians should be avoided. Courtyard parking, as with all types of communal parking, should be small in size and close to the owner's homes. Notwithstanding the need for natural surveillance, a single gated narrow entrance will make car crime more difficult. Generally the parking courtyards are constructed to the above specification. To provide for the surveillance of the parking courts during the hours of darkness I recommend that column lighting is installed within all the parking courtyards. Along the southern boundary there are a number of parking areas. These areas can be easily accessed from the footpath running along the southern boundary. Such access significantly increases the vulnerability of the motor vehicles parked within the parking areas. To reduce the vulnerability of the motor vehicles these parking areas should be well lit and fenced off so as to prevent easy access from the green space. Lighting is identified as an attribute of a sustainable community. Well-designed public lighting increases the opportunity for surveillance at night and sends out positive messages about the management of an area. Well-lit spaces are crucial in reducing the fear of crime, making places more 'liveable' and, in most cases, increasing legitimate activity after dark. However, lighting can also sometimes aid those committing offences.

- The entire site should have adequate lighting, although higher lighting levels may be appropriate for vulnerable areas.

- Lighting should be sensitive to the needs of residents and users. It should provide security without resulting in glare and compromising privacy.

- Lighting in places that are vulnerable to crime can also be vulnerable to vandalism. In such situations, the design of lighting and the placement of lighting fixtures and columns should be robust and secure.

- Places to which there is no legitimate access after dark could be unlit. This would discourage the presence of potential victims of crime as well as potential offenders. If necessary, security lighting could be used to alert others of unauthorised access. To provide for the safety and security of residents and visitors an appropriate level of lighting should be provided throughout the development. I recommend that the development is lit to British Standard 5489.

### **Environment Agency**

The EA consider that planning permission should only be granted to the proposed development as submitted if the requested planning conditions are imposed; without these conditions, the proposed development on this site poses an unacceptable risk to the environment and the EA would wish to object to the application. These conditions relate to surface water drainage, contamination/remediation, verification of remediation, no infiltration to surface water drainage unless agreed, no piling or other foundation designs using penetrative methods unless agreed. On the issue of flood risk, the proposed surface water drainage strategy offers a reduction in surface water runoff rates and volumes as a result of the development, by providing the infrastructure needed to store surface water safely on site. The EA would, however, request the condition(s) ensure full details of the scheme are provided. The EA also stress the importance that the views of the City Council's own Drainage team should be sought and considered before the planning application is determined.

In relation to tidal flooding, the Flood Risk Assessment (FRA) submitted by Peter Brett Associates draws on hydraulic modelling undertaken in support of the development. This modelling was reviewed and approved by the EA in February 2013. Given that the FRA draws heavily on the findings of the modelling undertaken, the EA would suggest that the modelling report, or a tailored version of it (to include the modelling objectives, approach, key assumptions and significant mapped outputs) should be included as part of the planning application.

The EA has reviewed the Phase I Desk Study (for site contamination) and comment: fully support the conclusions and recommendations for further investigations and suggest clearly marking the positions of UST/ASTs, interceptor and electrical sub-stations on the Site Investigation Locations Plan - this would provide clarity of where potential sources of contamination are in relation to the borehole locations. This would also make it easier when addressing the conceptual model, further investigation and risk assessment.

### **Southern Electric**

No comments received.

### **Leisure/Arb Officer**

On the issue of open space provision, while this seeks to address planning policy requirements, the proposed green space (in particular its linear/corridor arrangement) does not appear to offer any significant improvement to the overall available open space in the area. The pocket park's location adjacent to the railway line, in the shade of the established boundary and railway embankment means that it appears to offer low amenity value. It feels incidental and may not be well used. It is acknowledged that the proximity of Drayton Park will render these concerns less important to the eventual residents. Any shortfall in open space provision should be addressed by improving the existing large play area in Drayton Park in lieu of a new provision in the development. The proposal shows a new pedestrian access from the development to Drayton Park. There appears to be a hard surface path leading to the boundary, and thereafter must be assumed that the path will lead directly onto the grass field. The park side of this access point will need improvement if it is not to become a worn, muddy area. This part of the park becomes waterlogged in wet weather, and so would need:

- a. Improved drainage either by establishing land drains or linking in with the sewer system of the development
- b. A new path to link up with the existing paths in the park (presumably leading around the play area and running north to link up at the play area entrance)

This access point is close to the northern end of the BMX track with the risk of bikes colliding with pedestrians entering the park. Discussions about how this risk can be mitigated would be welcomed. The park is locked at dusk (unlocked at first light) - there is a bylaw to this effect - and so the access will need a lockable gate. The proposal also shows a pedestrian/cycle access to the car park on the northern site boundary; this access must be lockable to preserve the security of the park. The car park may be used by vehicles visiting the new development with pedestrian access through the northern access gate. This may compromise the provision of parking for people visiting the park for informal recreation or sports pitch usage. My only other observation is that there is no discernible gap in the trees where the entrance is shown, so this will also need a little more thought to enable a welcoming and safe access to be created.

### **Head of Community Housing**

Any scheme providing more houses (88%) than flats (12%) is welcomed, helps meet our housing need and exceeds the planning policy targets (of 40%) for new developments. Community Housing fully support this development and would like to comment on the proposed affordable housing mix which is being offered as the S106 affordable provision, the tenure mix and the unit sizes overall. Pre-application advice was offered to the developer/their agents and (in the main) taken on board by the planning application and is reflected in the affordable provision. There are one or two points we would like to highlight. Although the proposed affordable provision does not meet our planning policy requirement of a pro-rata mix, it does meet our requested recommended unit mix which better meets our housing need at this time. On another positive note, there is now provision for a disabled house, as requested, and has been acknowledged with a 3-bed property. Some of the unit sizes that did not meet minimum space standards have been increased to meet the minimum standard. The tenure mix for the S106 affordable housing provision will need to be agreed once a Registered Provider is announced. There will need to be a mix of tenures made up of any two or all three of the following: Low Cost Home Ownership, Affordable Rent and or Social rent. Planning policy states the mix should be a 70% - 30% split, (Affordable rent/LCHO) subject to any agreed variations to this tenure percentage. This can only be accomplished once we have spoken to one of our partner Registered Providers and they have completed a financial appraisal. With the present financial constraints on Registered Providers (no HCA grant funding given to any S106 affordable home provision) the variation allows the Registered Provider to still make the provision financially viable and meet our housing needs. Portsmouth City Council will have full nomination rights to all the affordable rented units and our 'Help to Buy Agent' will nominate to all the Low Cost Home Ownership units. When providing the affordable housing the provider will need to be agreed with the Council and information on this can be found in the Council's document "Providing affordable housing in Portsmouth". As a minimum the provider will need to demonstrate that the six (specified) management principles can be followed (1 Accessible, 2 Affordable, 3 Responsive, 4 Residents Involvement, 5 Support for residents, 6 Quality housing).

**Landscape Group**

The amended landscape addresses main concerns and no objection now raised.

**Highways Authority (Colas)**

No comments received.

**Coastal Partnership**

No objection raised to the proposed development supported by an acceptable Flood Risk Assessment (FRA). The FRA compiled by Peter Brett Associates describes hydraulic flood modelling that was used for evidence to demonstrate the areas benefitting from defences behind the M27 embankment and effects of flood defence works at the Farlington culverts that have been completed by the Environment Agency (EA) earlier this year. Although the flood modelling data was not submitted with the application we have been party to the discussions and understand that the EA has reviewed and approved the approach and study findings. The following advice is offered. The site is shown to be within Flood Zone 3 of the EA's Flood Maps. The site lies within the M27 and Farlington flood cell as identified in the Portchester Castle to Emsworth Coastal Flood and Erosion Risk Management Strategy. For information, the present day 0.5% probability (1 in 200 year) extreme tide level for Langstone Harbour is 3.3m AODN and the 0.5% probability (1 in 200 year) extreme tide level for this area in the year 2070 is 3.8 m AODN. It is recommended that the applicant ensure residual flood risk is managed on this site by compiling an appropriate flood warning and evacuation plan for the properties; and, PCC's Drainage Team be consulted on this proposal with the future role that PCC will be taking in respect of a SuDS Approval Body (SAB) under provisions of the Flood and Water Management Act 2010.

**Hampshire Biodiversity Information Centre**

The application is supported by an ecological survey and assessment report (Lindsay Carrington Ecological Services, October 2013). The report considers all relevant ecological receptors and to accurately represent the conditions at the site. In short, no concerns are raised over this proposal, provided the mitigation measures for potential impacts to nearby designated sites are secured, and the biodiversity enhancement measures are also secured. Detailed comments are set out as follows. The application site is close to Portsmouth Harbour Special Protection Area (SPA) and Chichester and Langstone Harbours SPA. Although the development will not directly affect these sites, it will result in an increase in the local population. Research has shown that increasing recreational use of coastal areas used by the birds that are the designated feature of the SPAs can adversely affect these species. When considered in combination with other plans and projects that also result in an increase in housing provision, it is considered that the proposal would have a likely significant effect on the SPAs through increases in recreational use of coastal SPA areas. The ecology assessment considers this. In mitigation, it notes that the application is adjacent to a large area of existing public open space (Drayton Park). It is also noted that the Phase III work of the Solent Disturbance and Mitigation Programme (SDMP) has enabled the development of an approach whereby new developments can contribute to wider projects related to addressing coastal recreation concerns with respect to the SPA. The applicant has taken on board these comments and has demonstrated - in both their Planning Statement and Design and Access Statement - a commitment to providing mitigation for these potential impacts. Natural England (NE) are the statutory consultee for matters relating to legally protected sites for nature conservation, and should be consulted on this application. However, it is considered that (subject to NE's comments) the development would be acceptable provided the necessary contributions are secured towards this agreed mitigation scheme, and the timescale of any contributions being submitted is acceptable to NE. As for on-site ecology interests, a detailed study including bat activity surveys, has been undertaken by the applicant's ecologist. No significant ecological receptors were identified on the site, although evidence of bat activity was found.

The report makes sensible recommendations for avoiding any impacts to biodiversity during site clearance and construction, in particular for nesting birds (which are legally protected under the Wildlife and Countryside Act 1981 (as amended)). An Informative is suggested for inclusion on any decision notice. The ecologist has also made sensible recommendations for biodiversity enhancements, appropriate to an urban residential development such as this and the applicant has absorbed these recommendations into their Planning Statement, which is welcomed.

Provision of biodiversity enhancements is in accordance with the National Planning Policy Framework (NPPF) as well as Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 which states that 'Every public authority 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) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Policy PCS13 of the Portsmouth Plan also requires that new development retains and protects the biodiversity value of the development site and produces a net gain in biodiversity wherever possible. Therefore, if you were minded to grant permission, these should be secured through a planning condition for the development to proceed in accordance with the biodiversity enhancement measures with respect to birds and bats set out on Page 24 of the Ecological Appraisal and Habitats Regulations Assessment report (Lindsay Carrington Ecological Services, October 2013). The reason for the condition is to conserve and enhance biodiversity, in accordance with policy PCS13 of the Portsmouth Plan.

### **Coastal and Drainage**

Surface water from the southern part of the site is shown as draining into the existing sewer system. This is not acceptable, Southern Water are currently undertaking works under the 4D banner to remove surface water from the existing foul drainage. To allow a developer to discharge back into the sewer system completely undermines this work and increases flood risk. The developer will need to reconsider its surface water proposals for this area of the site and show alternative plans where consideration is given to attenuation, soak-away and grey water systems, or connection into existing surface water drainage, not foul.

The applicant's drainage consultants subsequently confirmed "... for the southern half of the site, we have proposed that the discharge rate shall be set at the pre-existing one year peak flow rate with a reduction of 10% in order to provide some betterment and all flows will be attenuated to this rate up to the 1 in 100 year event plus a 30% climate change factor" and "...the discharge of surface water for the proposed development is only into the existing surface water & combined sewer network .... There are no surface water flows to the foul sewage system." In response, the Coastal and Drainage Team request imposition of a condition for the approval of details of drainage, to ensure that the developer complies with the advice of Southern Water (SW) in their drainage strategy and evidences proof that this has been done to the satisfaction of PCC and SW.

### **Design Review Panel**

The Panel considered the proposal for this site to be inoffensive and relatively spacious, noting that all units would have gardens and open space. They did however suggest that the overall approach was dated, the uniformity and consistency of materials running through its design dating back to the 1980s. It was also commented that the layout is not indicative of quality placemaking, and is rather unimaginative and bland.

The Panel considered that insufficient attention had been given to the spaces between the buildings. The absence of shared surfaces was noted, and it was suggested that the principle junctions would benefit from different treatment to the corner plots, or better articulation/animation in order to engender a more interesting and vibrant sense of place. It was also unclear how the questions of sustainability and crime prevention had been addressed at the heart of the design. The Panel support the proposal, subject to the above points.

## **REPRESENTATIONS**

A total of 5 representations have been received (including The Portsmouth Society). Three raise objection on the following grounds:

- (i) Only one entrance from this site, causing noise and traffic pollution;
- (ii) Adverse effect on highway safety and the convenience of road users, with too much traffic near a school involving a significant risk to children, during construction and by future owners;
- (iii) Lower Drayton Lane and neighbouring roads are not designed for high levels of traffic, and the junction with Grove Road is exacerbated by parked vehicles, often on both sides of the road, making entry/exit difficult;



- (iv) Impact upon local amenities and infrastructure where there are not enough doctors, NHS dentists, school places or community facilities to serve its future residents;
- (v) Not enough green land in this over populated area;
- (vi) would introduce overlooking and resulting loss of privacy;
- (vii) would result in an increased problem of youths using the park after it has been closed, with resulting noise/disturbance and anti-social behaviour;
- (viii) adverse effect on the character of the neighbourhood; and,
- (ix) impact of flood risk on the surrounding area particularly around Station Road that as suffered from a noticeable increase in flooding in recent years.

A fourth letter of representation considers the design to be attractive and in keeping the size/scale of other housing in the near vicinity, but objects to the accuracy of the 'Travel Plan', offering very extensive comments on highways related matters, danger of Stroudley Avenue and Station Road being used as a cut through to avoid the junction at Lower Drayton Lane and Grove Road, and the dire situation of local bus services, questioning likely use of non-car modes of transport.

The Portsmouth Society make the following comments: "The layout of the development has been carefully thought-out but design of houses is unremarkable. Much emphasis is placed on the energy efficiency of the dwellings yet there is no reference to renewable energy ie no solar panels on the rooftops and no mention of ground source heat pumps. The homes will still be heated entirely by conventional, non-renewable energy. There is much emphasis on the accessibility of the location and this could be improved with the reopening of the footbridge linking Lower Drayton Lane and the railway triangle."

## **COMMENT**

The main considerations relevant to the determination of this application are:-

- 1 Principle of residential development and flood risk
- 2 Density and design
- 3 Impact on residential amenity
- 4 Transport and highways implications
- 5 Recreational disturbance/open space provision
- 6 Sustainable design & construction/affordable housing
- 7 Other issues raised by local residents.

- 1 Principle of residential development, including flood risk

The SSE depot is not an allocated site in the Portsmouth Plan but is included within the Site Allocations: First consultation document (March 2013) at page 52 [site 149] as a potential residential site, in a 6-10 years timescale, due to the site constraint of flood risk. Supporting comments state that "Any development proposals will need to ensure that the site will be safe from flooding for the lifetime of the development. It will be necessary to address this jointly with the nearby [site 367] to ensure that an effective solution is found." Acceptability of the principle of residential use is intrinsically tied to addressing the key site constraint of flood risk.

The site is shown on the Environment Agency's Indicative Floodplain as being located in Flood Zone 3 (land assessed as having a 1 in 200 or greater annual probability of flooding from the sea). It is also identified as 'high risk' on (PUSH) SFRA maps. The Flood Zone assumes that there are no flood defences. The NPPF Sequential and Exception Tests have been prepared for PCC to confirm that they are passed ie there are no sequentially preferable available sites at a lower risk of vulnerability to flooding.

The 'Portchester Castle to Emsworth Coastal Flood and Erosion Risk Management Final Strategy', developed by the EA in partnership with PCC, is now adopted. The Strategy identifies the best way of managing coastal flood and erosion risk over the next 100 years. Whilst there are existing flood defences providing protection to the site, the EA's Final Strategy hydraulic

model (which assumes no improvements to the existing flood defences) identify the site to be unaffected by tidal inundation during the 1 in 200 3.7m AOD tidal event to the year 2065, and unaffected by tidal inundation during the 1 in 200 3.9m AOD tidal event to the year 2080.

The applicants have specialist consultants PBA who, in liaison with and the approval of the EA, have refined their Final Strategy Flood Propagation Model to make it suitable for NPPF site-specific flood risk assessment. The EA has completed a flood defence project at Farlington Marshes. The PBA modelling shows that the tidal risk to the site is removed at the 1 in 200 for the 2115 climate change scenario (after the works at Farlington Marshes) and at the 1 in 1000 2115 tidal flood event identifies risk of marginal flooding to the southern part of the site; however, at flood depths of less than 0.25m, it represents low hazard. The future flood defence raising will reduce further the tidal risk so that the site is free from flooding at the 1 in 1000 2015 tidal flood event effectively putting the site into Flood Zone 1.

The EA has provided comments in relation to tidal flooding. The Flood Risk Assessment (FRA) submitted by PBA draws on hydraulic modelling undertaken in support of the development; this modelling was reviewed and approved by the EA in February 2013. Given that the FRA draws heavily on the findings of the modelling undertaken, the EA would suggest that the modelling report, or a tailored version of it (to include the modelling objectives, approach, key assumptions and significant mapped outputs) should be included as part of the planning application. In response, PBA has prepared an Addendum to the FRA supported by relevant map outputs.

In relation to other sources of residual flood risk, the proposed surface water drainage strategy offers a reduction in surface water runoff rates and volumes as a result of the development, by providing the infrastructure needed to store surface water safely on site. However, both the EA and PCC's Coastal and Drainage Team request imposition of a condition to ensure full details of the scheme are provided.

In conclusion, the FRA is considered to demonstrate the proposed development to be safe for its lifetime (held to be 100 years) without increasing flood risk elsewhere, to accord with the objectives of the NPPF. Now that such a potential constraint to development within the Indicative Floodplain has been addressed and having regard to the relationship to neighbouring residential properties to the north and east of the site as well as the adjoining use as a park to the west, the principle of residential redevelopment is considered acceptable.

## 2 Density and design

The overall density of the site (143 dwellings across a site area of 3.7ha) represents some 38dph but subtraction of the useable open space provision (143 dwellings across 3.49ha) equates to 41dph. The housing density of the proposed development would be similar to the surrounding neighbourhood. As such a level the proposal would accord with the objectives of policy PCS21 (housing density), which seeks no less than 40dph but recognising density levels are meant as a guide and dependent on a wide range of factors which influence development.

The Design & Access Statement introduces the views of the applicant on the scheme's benefits as comprising:

"A high quality residential scheme that meets the desires and needs of the Local Authority, existing residents and the developer. Creation of a new and pleasant link from the existing neighbourhood to the east with the existing public open space of Drayton Park to the west, by way of legible and safe footpaths and cycle routes. Provision of new areas of landscape that will enhance the area, be accessible to all and be multifunctional in terms of their visual amenity and ecological value. To provide a new landscape buffer to the eastern boundary of the development that will ensure the privacy of the existing residents of Lower Drayton Lane, Marsh Close and Station Road are maintained whilst also providing the opportunity for ecological enhancement. Integrate the site into the existing neighbourhood by utilising high quality urban design via permeable and legible block structure and street network."

Officer's assessment of the design merits of the scheme are covered in the following sub-sections a) access, b) site layout and c) scale/appearance.

#### a) Access

The existing site entrance is positioned centrally along the eastern boundary onto Lower Drayton Lane. Having regard to Drayton Park and existing trees on the western boundary, maintenance access/parking to serve the park along the north boundary and the railway line along the southern boundary, this remains the logical location for vehicular access/egress to serve residential redevelopment of the site. A secondary point of access would be located onto the car park serving Drayton Park, for potential use in an emergency only.

The road network proposes a main east-west tree-lined route from the site access; it is designed as a loop to create a largely contiguous street with pairs of culs-de-sacs to the north and south off the central loop. There is a road hierarchy creating variation in materials, with raised tables at principal junctions, and widths where 5.5m carriageways/2m footways link with other areas of shared surfacing at 4.8m and narrowing to 4m in places.

The principal east-west street designed with grass verges and to be tree-lined would create a route through the site that physically and visually links the established neighbourhood to the east with the existing public open space of Drayton Park to the west, to provide safe and attractive access for pedestrians and cyclists. Hampshire Constabulary Crime Prevention Design Advisor has questioned the suitability of the two pedestrian accesses from the development into Drayton Park (one to the north and one to the west) commenting from a crime prevention view point that neither of these is constructed particularly well. Linking to a new footpath around the existing play area in Drayton Park is considered as suitable a position as possible but requires improved natural surveillance from the side of plot 83 closest to the gate entrance (in addition to nearby plots at 88-92), which can be secured by planning condition. The link to Drayton Park on the north side of the site also provides an emergency vehicular route required by the Highways Authority, to gain vehicular access to the site in the event the main access link (30.0m) off Lower Drayton Lane is restricted due to an unforeseen circumstances, and there is no obvious practical alternative.

#### b) Site layout

Existing constraints to development include a sewer crossing the southern end of the site, an optical cable running close to part of the eastern boundary, a telecommunications mast and associated buildings in the south eastern corner of the site and trees on the city council owned park, to the west. An existing sub-station in the south western corner of the site requires relocation. Key design parameters for residential redevelopment of this site include a requirement for new built-form to create a perimeter 'frontage' to strengthen natural surveillance toward Drayton Park and onto the new public open space created within the site as well as an appropriate relationship to existing neighbouring houses to the east and north.

The housing layout comprises a mix of short terraces, semi-detached and detached dwellings, mainly two-storeys high with four pairs of 2½-storey semi's grouped at the principal junction just west of the site entrance and others of 2½-storeys toward the south of the site. There are also 11 flats, which are designed in two/three-storey built-form toward the south-west corner of the site. Car parking is designed in a combination of on-street provision, parking courts and garages, some in-curtilage and some in 'tandem'; it results in a mix of allocated and visitor spaces. Some amendments to remove 'tandem' parking (with the exception of spaces in front of garages) have been made, as far as practicable. However, a particular group of 5 x 2 'tandem' spaces located toward the south-east corner of the site would neither be conveniently accessible nor a visually attractive design solution, though they would be viewed in the context of the adjacent telecommunications mast compound; other smaller areas of 'tandem' spaces are either in rear courtyard parking areas or partially screened by proposed boundary treatments.

The Design Review Panel considered the design of the proposal for this site to be inoffensive and relatively spacious, noting that all units would have gardens and open space. The overall approach was, however, considered dated and the uniformity and consistency of materials running through its design dating back to the 1980s. The layout was not considered indicative of quality placemaking, and is rather unimaginative and bland. The Panel considered that insufficient attention had been given to the spaces between the buildings. The absence of shared surfaces was noted, and it was suggested that the principal junctions would benefit from different treatment to the corner plots, or better articulation/animation in order to engender a more interesting and vibrant sense of place.

Some amendment to achieve a better hierarchy of streets and shared surface arrangements (in part), with improved treatment of the principal junctions (where 2½-storey houses are designed to form markers west of the site entrance), represent modest but important changes to the scheme.

The mean depth of front forecourts, in favour of relatively more spacious private (rear) gardens, provides very limited opportunities for tree planting within the curtilages of houses. When combined with mainly narrow shared surface streets and the requirement for adequate parking to serve the 143 dwellings prescribed by the Residential Parking Standards SPD, the overall scheme would present a fairly dense and hard urban character to the site, with the exception of the central east-west 'boulevard' designed with grass verges for tree planting softening the appearance of this street. The restricted size and fragmented nature of the proposed public open space, relegated toward the site boundaries, would not create especially attractive or valuable amenity spaces. However, the open space attempts to make the most efficient use of part of the site crossed by a sewer where an easement prevents built-form and location next to a railway line. The open space offers some benefit by creating a landscape setting to soften an otherwise fairly hard urban character and appearance to the site. Overall the site layout is, however, considered a practical and effective use of the land in response to its key constraints.

#### c) Scale/appearance

Given that the nearest houses to this site are two-storeys in scale and mainly in brick with pitched tile roofs, the general massing of the proposed housing designs and simple suggested materials palette would be reflective of the predominantly two-storey character and appearance of its surroundings.

The Design Review Panel considered the overall approach of this housing scheme to be 'dated', 'the uniformity and consistency of materials' as a design dating back to the 1980s' and 'rather unimaginative and bland' in the context of a site layout and of quality placemaking. This is a proposal by a volume housebuilder, utilising their standard house-types, can bring the form of criticism raised by the Panel. Policy PCS23 requires that all new development must be well designed and seeks architectural excellence, delight and innovation. The applicant's Design & Access Statement comments "Character conditions have been developed for the various parts of the development to provide subtle variation of character. This will be achieved by the placement of buildings in different relationships to the street and utilisation of different materials for the dwellings, footpaths, roads and parking areas. Also different landscape treatment will assist in the differentiation of character throughout the development."

Subtle variation would be observed although the developers standard house types are not considered innovative or distinctive but fairly bland, with some limited degree of ornament created by tile hanging, projecting eaves/headers, string courses and brick detailing, including plinths, with entrance door canopies to some house types.

The scheme includes a part 2/3-storey block of flats toward the south-east corner of the site. Projecting 2-storey bay and 3-storey entrance/stairwell gabled features break up the elevations and similar ornament (to the houses) by tile hanging of the gabled projecting bays/stairwell

features, projecting eaves/headers, string courses and brick plinth, with entrance door canopies would respect the otherwise predominantly two-storey scale across the site.

Overall, the proposed design is considered to satisfactorily demonstrate how 143 houses/flats with parking can be assimilated onto the site in an acceptable manner to reflect its surroundings, make an efficient use of the developable part of the site (avoiding the constraints of a sewer/optical cables and telecommunications mast) and meet key design constraints, to accord with policy PCS23.

### 3 Impact on residential amenity

Both Environmental Protection and the Highways Authority request a planning condition requiring preparation of a Construction Environmental Management Plan (CEMP) for different aspects of the methods and standards to be applied during works at the site. The applicants supporting information confirms their intentions to prepare a CEMP in addition to being registered under a Considerate Constructors Scheme which addresses limiting the effect on the local community and the effects on the wider environment.

The nearest neighbouring houses are located to the east and north. In relation to the neighbouring occupiers to the east, the site layout incorporates a landscape buffer along the length of the eastern boundary some 4m wide. Relatively spacious rear gardens would ensure back-to-back separation distances in excess of the traditional 21.3m (70') and up to 30m (around 100') to ensure no significant adverse impact on the privacy and outlook/light to occupiers of adjoining houses (to the east). Adjacent the northern site boundary, the sides of the proposed houses are orientated to face onto the maintenance access and car park serving Drayton Park. Separation distances of 30m+ are similarly designed to ensure no significant adverse impact on the privacy and outlook/light to occupiers of adjoining houses (to the north).

The proposed development is not considered to give rise to any significant adverse impact on the occupiers of existing adjoining houses by reason of the separation distances and orientation of the plots, to accord with policy PCS23.

### 4 Transport and highways implications

The views of the Highways Authority are set out in the consultation section of this report and raise no objection, subject to relevant planning obligations and conditions. The site is located in an area of low accessibility to public transport. A (residential) Travel Plan accompanies the planning application to encourage and promote alternatives to the private car; it has been the subject of amendment and while interim targets have yet to be set, the action plan now includes reference to when they will be determined.

Significant HGV movements have been associated with use of the site as a depot by SSE. The traffic generation and potential impact on the surrounding road network, including key junctions, of residential redevelopment of the site have been assessed. The traffic assessment recognises a slight net increase in cars using Lower Drayton Lane must be weighed against a significant reduction in the number of HGV movements. The junction of Eastern Road/Grove Road/Fitzherbert Road is already at or over capacity. The proposed development flows, on average, will further reduce this capacity by around 3% and in order for this to be mitigated some necessary junction improvement works should be carried out, before first occupation of the development. A contribution of £120,000 will be secured by legal agreement. There are no anticipated issues of capacity or delay as a result of the development at the other junctions assessed.

It is considered that there would be adequate parking provision to serve the development, to accord with PCC's Residential Parking Standards SPD. Amendments have been secured to the number and visible positions for visitor spaces to improve availability across the development.

## 5 Recreational disturbance/open space provision

The SSE depot site is close to Portsmouth Harbour Special Protection Area (SPA) and Chichester and Langstone Harbours SPA. Although the proposal will not directly affect these SPA sites, it will result in an increase in the local population. Increasing recreational use of coastal areas used by the birds that are the designated feature of the SPAs can adversely affect these species. When considered in combination with other plans and projects that also result in an increase in housing provision, the proposal is considered to have a likely significant effect on the SPAs through increases in recreational use of coastal SPA areas. This has been acknowledged by the applicant in their ecology assessment that notes the Phase III work of the Solent Disturbance and Mitigation Programme (SDMP) has enabled advancement of an approach whereby new developments can contribute to wider projects related to addressing coastal recreation concerns with respect to the SPA.

The proposal would lead to a net increase in population, which in all likelihood would lead to a significant effect on the SPAs. The city council's draft Solent Special Protection Areas SPD is currently being consulted on which sets out how the significant effect which this scheme would otherwise cause, could be overcome. Based on the methodology in the SPD, an appropriate scale of mitigation could be calculated as  $(143 \times £172) = £24,596$ . The applicant has indicated that they are willing to provide SPA mitigation in this way. NE are the statutory consultee for matters relating to legally protected sites for nature conservation and advise that the proposal is not likely to have a significant effect on the interest features for which the above SSSI/SPA/Ramsar sites are designated, either alone or in combination with other plans or projects subject to a legal agreement to secure an appropriate contribution towards mitigation (as proposed in the submission), in line with the Solent Interim Planning Framework and to accord with the relevant part of policy PCS13. However until the consultation on the SPD has finished and stakeholders comments examined, it cannot be confirmed for certain whether the mitigation measures are likely to be effective or that the methodology for calculating the scale of contributions is appropriate. As such, the SPD can only be afforded limited weight. However it is likely that the SPD will be adopted in a short time from now and the methodology for calculating mitigation can be relied on more fully. As a result, it is considered that, subject to the inclusion of an appropriate level of mitigation, the scale of which will be confirmed in the adopted SPD, there would not be a significant effect on the SPAs.

The proposed development would require removal of a single tree on the western site boundary to create an access to Drayton Park and six trees/some groups of trees/one hedgerow located within the site's internal amenity areas that are not considered visually prominent in the local landscape. Replacement tree and other planting throughout the site would fully mitigate the loss of these trees. Ecological enhancement measures are also proposed including sowing of species rich amenity grassland seed, planting of native species and the provision of bird boxes and bat bricks, the provision and retention of which would be secured by planning condition.

The applicants identify provision of 0.298ha of open space to serve the development. However, some areas are not considered 'useable' open space but rather strips of incidental open space that at best perform a function of contributing to the landscape setting of the development. The total amount of on-site public open space amounts to 0.271ha excluding these unusable areas. The 0.271ha of open space would comprise, firstly, of a small triangle of land at the western end of the main east-west access road through the centre of the site (at 0.046ha) and, secondly, an 'L' shaped ribbon of open space with footpath link along the south-western and southern site boundaries, to include a small toddlers (enclosed) play area (at 0.225ha). The small triangle of open space is compromised by the location of a proposed sub-station. The applicants were requested to and have considered alternative locations for the sub-station; unfortunately, the options are limited by the presence of underground services, proximity to trees and requirements to be as close to the centre of the site as practicable. The location of open space along site boundaries and most notably along most the length of the southern boundary is not an ideal location at the 'heart' of the residential redevelopment. However, the presence of a

sewer represents a significant constraint to redevelopment of this part of the site where an easement requires the area around the sewer to be kept free of built-form.

The applicant's agents comment that "Whilst it is accepted that the level of on-site open space falls short of the policy requirement, we do consider that there are other benefits of the open space and landscape strategy that can be taken into account when determining the acceptability of the scheme in accordance with PCS13." Reference is made to the proximity to Drayton Park to the west with direct connectivity from the site for new residents and a planted buffer along the eastern boundary, planned as a landscape feature with native species (to encourage wildlife and enhance the biodiversity value of the site). The agents further comment "the applicant would be willing to negotiate a reasonable financial contribution towards upgrading the existing facilities at Drayton Park to make up for the shortfall in on-site provision should this be deemed necessary."

The Parks Service has commented on the proposal (see consultation section of this report) identifying the Drayton Park side of this access point will need improvement if it is not to become a worn, muddy area. This part of the park becomes waterlogged in wet weather, and so would need: (a) improved drainage either by establishing land drains or linking in with the sewer system of the development and (b) a new path to link up with the existing paths in the park (around the play area and running north to link up at the play area entrance). They estimate the costs of a new footpath (£15k) and drainage improvements (£10k), with the best option to improve drainage to the park entrance is utilising connections within the new residential development. If this option to utilise the development drainage is not available, then a higher contribution would require restoring some of the existing land drains that are not functioning effectively, but this will require further feasibility and potentially be quite disruptive (albeit worthwhile in the long-term). The applicants have agreed to carry out these footpath and drainage improvements, up to £25,000, to be secured by S106 Agreement in part mitigation of the shortfall in on-site public open space provision. The applicants seek to retain and privately maintain the open space although it is intended for public use; accordingly the Section 106 Planning Agreement would require the implementation and maintenance of the open space for use by the public (including provision of an equipped toddlers play space) and open space management agreement. Having regard to this and other aspects of the open space, landscape and ecology strategy that can be taken into account when determining the acceptability of the scheme, the overall solution for enhancing green infrastructure is considered, on balance, to adequately address the aims and objectives of policy PCS13 (a greener Portsmouth).

## 6 Sustainable design & construction/affordable housing

The applicants have submitted a viability assessment. The proposal does not seek to challenge provision of affordable housing and 43 dwellings are included to meet the minimum requirement of 30% by policy PCS19. However, to meet policy PCS15 (sustainable design & construction), the new development must attain Code for Sustainable Homes Level 4 overall but Level 5 in terms of energy (dwelling emission rate (DER)). The majority of the cost of achieving the CfSH L5 relates to the DER and so for the purposes of its consideration the cost of achieving the Code for Sustainable Homes Level 5 above and beyond CfSH L3 (the level currently costed by the applicant in their viability appraisal) is the figure that is important in reviewing the viability of the scheme. An external consultant has been appointed to provide independent advice on this matter.

There has been some divergence of opinion on this issue. The applicants sought to justify CfSH L3 only. The external consultants advise that from their evaluation of the evidence the scheme it would be capable of achieving CfSH L4 and some dwellings to Level 5 in terms of energy. The applicants have since accepted amendment to their proposal to meet CfSH L4 (but with no L5 provision for energy) across the development, which would be secured by planning condition. This compromise position is considered, on balance, to be acceptable. Since the viability assessment is only good for a snapshot in time, a re-assessment of the viability of the scheme is necessary to consider delivery of CfSH L4 (with L5 for energy) if the development has not

reached a specified stage within 18 months of the date of any permission, to be secured by legal agreement.

## 7 Other issues raised by local residents

Residents raise objection to highways related matters as (i) Only one entrance from this site, causing noise and traffic pollution; (ii) Adverse effect on highway safety and the convenience of road users, with too much traffic near a school involving a significant risk to children, during construction and by future owners; and (iii) Lower Drayton Lane and neighbouring roads are not designed for high levels of traffic, and the junction with Grove Road is exacerbated by parked vehicles, often on both sides of the road, making entry/exit difficult.

In response to the highways related concerns, the Officers views are that the existing site access is considered the most appropriate location to serve the residential redevelopment of the site. The consultation response from Public Protection advises that the traffic assessment recognises a slight net increase in cars using Lower Drayton Lane must be weighed against a significant reduction in the number of HGV movements, consequently there is unlikely to be any significant change in traffic noise levels in Lower Drayton Lane and the net increase in traffic should have no significant impacts upon local air quality. The Highways Authority raise no objection, subject to planning obligations/conditions and Lower Drayton Lane is more suitable for residential traffic than HGVs operating from the SSE depot.

Residents raise objection to impact upon local amenities and infrastructure (not enough doctors, NHS dentists, school places or community facilities) to serve its future residents.

The Portsmouth Plan, at policies PCS10 (Housing delivery), identifies the requirement for additional homes in the city between 2010-2027 and promotion of redevelopment of previously developed land and policy PCS16 (infrastructure and community benefit) working with partners to bring forward infrastructure required, set out in Appendix 2. The Infrastructure Delivery Plan confirms that GP provision north of Port Creek is currently adequate. Recently built surgeries, such as that at Drayton (built in 1996) also had expansion capacity built in so that they can accommodate future increases in population. Primary and secondary schools are part of the city council's Regulation 123 list and so funding from these developments can potentially be used to fund school expansion.

Residents raise objection to not enough green land in this over populated area.

Comments on the open space provision to serve the development are set out in section 5 of this report and concludes that the overall solution for enhancing green infrastructure is considered, on balance, to adequately address the aims and objectives of policy PCS13. Drayton & Farlington Ward is better served by open areas than other wards in the city although they include Farlington Marshes and part of Portsdown Hill.

Residents raise objection to adverse effects from overlooking/loss of privacy, increased problem of youths using the park (when closed) resulting noise/disturbance/anti-social behaviour and on the character of the neighbourhood.

For the reasons set out in section 3 of the report, the proposal is not considered to give rise to any significant adverse impact on the occupiers of existing adjoining houses, including privacy. Drayton Park would continue to be locked at night. The local area is predominantly residential and redevelopment of the former depot for new homes is considered to represent an improvement, rather than adversely affect the neighbourhood's character.

Residents raise objection to flood risk on the surrounding area.

The site's location within the EA's Indicative Floodplain (FZ3) is a key constraint to residential redevelopment. The applicant's FRA is considered to demonstrate the proposed development



to be safe for its lifetime (100 years) without increasing flood risk elsewhere, to accord with the objectives of the NPPF and policy PCS12 (flood risk). Southern Water confirms there is adequate capacity in the local sewerage network to accommodate foul flows from the development. Presently the site has virtually 100% impermeable surface which drains, by piped network, to two outfalls in the existing sewerage network. The applicants intend to drain the proposed development to the same locations. However, the flows would be limited to less than the existing rates with the attenuated flows stored on site.

## Conclusions

In the opinion of the Local Planning Authority residential redevelopment of an underused brownfield site represents, in principle, a suitable alternative use and the proposal demonstrates that 143 dwellings with associated parking can be assimilated onto the site in an acceptable manner to reflect its surroundings and addresses key site constraints. Importantly, the submitted FRA demonstrates that the site will be safe from flooding for the lifetime of the development, thereby resolving a fundamental issue that has prevented a previous scheme for development of the site. Although there would be some increase in traffic overall there would be a reduction in HGV movements and the development would secure a more appropriate use within a predominantly residential area, contributing positively to the city's housing need, including more family sized homes and affordable housing. This proposal would contribute to the achievement of the three dimensions to sustainable development: of economic, social and environmental roles, in accordance with the policies and objectives of the NPPF and the Portsmouth Plan; the latter includes policies PCS13 (A Greener Portsmouth), PCS14 (A Healthy City), PCS15 (Sustainable design and construction), PCS16 (Infrastructure and community benefit), PCS17 (Transport), PCS19 (Housing mix, size and affordable homes), PCS21 (Housing Density), PCS23 (Design and Conservation) and saved policy DC21 (Contaminated land) of the Portsmouth City Local Plan 2001-2011.

The following planning obligations are considered necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale to the development. The proposal is considered to satisfactorily demonstrate how 143 dwellings, with associated parking, can be accommodated in an acceptable manner to respect its surroundings and the constraints of the site, including junction improvements, subject to the applicant's first entering into a Section 106 Agreement for the provisions listed below.

- at least 30% affordable housing, equating to 43 houses/flats as shown on Housing Tenure Plan (drawing no.10-1751-002RevF), upon occupation of 50th (open market) dwelling
- open space to be provided and maintained for public use, to include an open space Management Agreement and LAP (Local Area of Play)
- drainage improvements to Drayton Park linking in with the sewer system of the SSE depot site and a new path around the fenced play park to link up with the entrance to the play area and footpath/cycleway beyond (at up to £25,000, to agreed details/specification), payable upon implementation of planning permission and carried out before first occupation of the development
- mitigating the impact of new development on Special Protection Areas (SPAs), by securing financial contributions towards long term access management measures at £172 per dwelling, payable upon implementation of planning permission
- Travel Plan with travel plan monitoring (at a cost of £5500 over 5 years) requiring an initial baseline survey Y1 (at either 50 units or within 6 months whichever is earlier), with final targets to be determined and agreed with PCC within 2 months of the Yr 1 baseline survey and to repeat the residents survey at Yrs 3 and 5, where monitoring fee is payable upon implementation of planning permission
- Project management and monitoring fee for the Section 106 Agreement of £3,500, payable upon implementation of planning permission
- Prepare and implement Employment and Skills plans (such employment and skills plans will help develop resident workforce skills and provide a route to employment for local people);

- Require a re-assessment of the viability of the scheme to deliver CfSH L4 (with L5 for energy) if the development has not reached a specified stage within 18 months of the date of the permission
- off-site highway works at Grove Road/Eastern Road/Fitzherbert Road, contribution towards junction improvements of £120,000 shown on drawing P\_5117465\_005\_TP\_PD\_101\_revA, payable upon implementation of planning permission and carried out before first occupation of the development

**RECOMMENDATION I:** Delegated Authority to grant Conditional Permission subject to the completion of a Section 106 Agreement and subject to the inclusion of an appropriate level of mitigation, the scale of which will be confirmed in the adopted Solent Special Protection Areas SPD (so there would not be a significant effect on the SPAs).

**RECOMMENDATION II:** That delegated authority be granted to the City Development Manager to add/amend conditions where necessary.

**RECOMMENDATION III:** That delegated authority be granted to the City Development Manager to refuse planning permission if the legal agreement has not been completed within three months of the date of the resolution.

### Conditions

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

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:

Planning Layout 10-1751-001R;  
Housing Tenure Layout 10-1751-002F;  
Storey Height Layout 10-1751-003F;  
Parking Strategy Layout 10-1751-004F;  
External Enclosures Layout 10-1751-005R;  
Bin and Cycle Storage Layout 10-1751-006R;  
External Finishes Layout 10-1751-007F;  
Areas Plan 10-1751-008G;  
Hard Surfacing Layout 10-1751-009F;  
External Enclosure Details 10-1751-011B;  
Development Areas Plan 10-1751-012D;  
Sections Plan 10-1751-013C;  
Street scenes 10-1751-SS-001D, 10-1751-SS-002D, 10-1751-SS-003D, 10-1751-SS-004C & 10-1751-SS-005C;  
Chedworth Elevations/Floor plans 10-1751-CH-001A, 10-1751-CH-002A, 10-1751-CH-003, 10-1751-CH-004B & 10-1751-CH-005B;  
Leicester Elevations/Floor plans 10-1751-LE-001A & 10-1751-LE-002A;  
Hanbury (+) Elevations/Floor plans 10-1751-HA+-001B, 10-1751-HA+-002D, 10-1751-HA+-003D, 10-1751-HA+-004B, 10-1751-HA+-005B, 10-1751-HA+-006A & 10-1751-HA+-007A  
Hanbury 2 Elevations/Floor plans 10-1751-HA2-001B, 10-1751-HA2-002A, 10-1751-HA2-003B, 10-1751-HA2-004A, 10-1751-HA2-005A, 10-1751-HA2-0016A & 10-1751-HA2-007A  
Type 2CH Elevations/Floor plans 10-1751-2CH-001 & 10-1751-2CH-002;  
Type M Elevations/Floor plans 10-1751-M-001, 10-1751-M-002A & 10-1751-M-003A;  
Type N Elevations/Floor plans 10-1751-N-001C & 10-1751-N-002C;  
Type W Elevations/Floor plans 10-1751-W-001B & 10-1751-W-002B;  
Type P Elevations/Floor plans 10-1751-P-001C & 10-1751-P-002C;  
Type R Elevations/Floor plans 10-1751-R-001, 10-1751-R-002 & 10-1751-R-003;  
Type S Elevations/Floor plans 10-1751-S-001 & 10-1751-S-002A;  
Type T Elevations/Floor plans 10-1751-T-001, 10-1751-T-002, 10-1751-T-003, 10-1751-T-004 & 10-1751-T-005;

Garage Floor plans & Elevations 10-1751-GAR-001, 10-1751-GAR-002, 10-1751-GAR-003, 10-1751-GAR-004 & 10-1751-GAR-005A;

Landscape scheme (by Floyd Matcham) Planting Plans TD673\_01D and 02D; and,  
Drainage Strategy (by Rogers Cory Partnership) PSC/E3893/300B.

3) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:-

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011;

and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2011- Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

4) The development hereby permitted shall not be occupied 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 3(c) that any remediation scheme required and approved under the provisions of condition 3(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;

(a) as built drawings of the implemented scheme;

(b) photographs of the remediation works in progress;

(c) Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 3(c).

5) Before any dwelling is occupied, written documentary evidence shall be submitted to and approved in writing by the Local Planning Authority proving that the development has achieved a minimum of level 4 of the Code for Sustainable Homes, which will be in the form of a post-construction assessment which has been prepared by a licensed Code for Sustainable Homes assessor and the certificate which has been issued by a Code Service Provider, unless otherwise agreed in writing by the Local Planning Authority.

6) The approved soft landscaping shown on Planting Plans TD673\_0-1D and 02D (or such alternative detailed landscape scheme which specifies the positions, species, size and numbers/density of tree and shrub planting as may be agreed in writing with the Local Planning Authority) shall be carried out in the first planting and seeding season following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The surface treatments shall be carried out in accordance with the approved hard landscaping shown on Hard Surfacing Layout drawing no.10-1751-009F before first occupation of the dwellings (or such other period or phasing as may be agreed in writing with the Local Planning Authority).

7) Before demolition commences all trees not scheduled for removal shall be safeguarded during the course of any site works and building operations (in accordance with the relevant British Standard relating to tree protection) by protective fencing along the fence-lines shown on the approved Tree Protection Plan (Drawing Number C114476-02-01 Rev A by Middlemarch Environmental) or such other alternative fence-line(s) as may be agreed in writing with the Local

Planning Authority beforehand, with 2.4 m high heavy duty hoardings securely mounted on scaffold framing which is firmly secured in the ground and braced to resist impact. The approved tree protection measures shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced areas.

8) The entrance gate to the proposed new access point into Drayton Park along the northern site boundary, shown for pedestrian/cycle and emergency access use on the approved Planning Layout drawing no.10-751-001RevR, shall only be used by pedestrians/cyclists and any other vehicle in the event of an emergency. Details of the height, material/finish, appearance and security feature such as padlocked bollards or other barriers shall be submitted to and approved in writing by the Local Planning Authority and these approved bollards/barriers shall be constructed before first occupation of any dwelling; and all the approved measures to prevent unauthorised access through the "emergency access" shall thereafter be retained.

9) No development shall commence on site until details of:

- the height, appearance, material/finish and any security feature (for locking overnight) of gates to the proposed new access points into Drayton Park in the positions shown on the approved Planning Layout drawing no.10-751-001RevR, and
- the height, appearance, material/finish of any railing, bollard or other means of enclosure between the proposed public open spaces located along the western and southern boundaries of the site and any adjacent estate roads (to prevent vehicular access to the open space and encroachment by vehicles on the footpaths for non-motorised usage) shall have been submitted to and agreed in writing by the Local Planning Authority. The approved gates and railings/bollards/other means of enclosure shall be constructed before first occupation of the dwellings and shall thereafter be retained.

10) Prior to first occupation of any individual house on the plots numbered 3, 22, 26, 28, 34, 49, 50, 54, 71, 74, 83, 84, 99, 103, 110, 111, 114, 119 and 122, boundary walls/piers/copings up to 2m in height in brickwork to match the adjacent houses (or such other brickwork finish as may be agreed in writing with the Local Planning Authority) shall have been constructed as shown on the approved External Enclosures Layout plan no.10-1751-005RevF and External Enclosure Details drawing no10-1751-011 to enclose their respective curtilages; and the brick boundary walls shall thereafter be retained.

11) Prior to the first occupation of any of the houses/flats the proposed car parking shown on the approved plan in a combination of in-curtilage spaces (including garages and car port to plot 11), parking courts and on-street (visitor) provision shall be provided (or such alternative provision for the parking, in accordance with a detailed scheme to be submitted to and approved by the local planning authority in writing beforehand); and the approved parking facilities shall thereafter be retained at all times for the parking of vehicles, including any spaces provided in the form of garage and car port.

12) No development shall take place on the site until the following details have been submitted to and approved in writing by the Local Planning Authority:-

- (i) a specification of the type of construction for the roads and footpaths, including all relevant horizontal cross-sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing surface water; and,
- (ii) a programme for making up of the roads and footpaths.

13) Prior to the first occupation of the houses and flats secure/weatherproof bicycle storage facilities shall be provided, in accordance with a detailed scheme for their siting and appearance to be submitted to and approved by the local planning authority in writing beforehand, and those facilities shall thereafter be retained for bicycle storage at all times.

14) Prior to the first occupation of the houses and flats facilities for the storage of refuse and recyclable materials shall be provided, in accordance with a detailed scheme for their siting and appearance to be submitted to and approved by the local planning authority in writing beforehand, and those facilities shall thereafter be retained for the storage of refuse and recyclable materials storage at all times.

15) Details of any external lighting for the development, including details of the siting and appearance of any lamp columns and bollard mounted luminaires, shall be submitted to and agreed in writing with the Local planning Authority; the external lighting shall be carried out as an integral part of the development and shall thereafter be retained.

16) No development shall commence on site until a schedule of all external materials and finishes to be used for the proposed buildings (including the materials combinations shown on the External Finishes Layout drawing no. 10-1751-007RevF) has been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

17) Before first occupation of Plot 83, the proposed ground and first floor windows in the side elevation (facing onto the entrance gate into Drayton Park) and shown on drawing no10-1751-HA+-002RevD shall have been installed; and these side windows shall thereafter be retained.

18) The proposed biodiversity enhancements (as set out on Page 24 of the Ecological Appraisal and Habitats Regulations Assessment report, by Lindsay Carrington Ecological Services, dated October 2013) to include, but not limited to,

(a) use of grassland seed mixes from a supplier of seeds of local provenance to seed any new grassland included in the greenspace along the southern and western perimeters of the site

(b) provision of bird boxes - proposed as:

- 1B official nest box: will be hung from existing trees along the eastern boundary. Suitable for species including great, blue, marsh and coal tit; nuthatch; wren; and house sparrow. These will be hung at least 3 metres above ground level, and will hung at a variety of aspects;
- 1SP Sparrow Terrace: will be attached near to the eaves on the eastern or western aspect of the buildings. Suitable for house sparrows; tits; and spotted flycatcher;
- 3S Schwegler starling nest boxes - to be hung from trees or buildings. These will be attached near to the eaves on the eastern or western aspect of the buildings;

(c) Provision of bat bricks - proposed as:

- Twenty specialist bat bricks will be incorporated into buildings providing access for bats into cavity walls. These will mainly be located on new dwellings in the south of the site, and will be located near to the apex on gables, on a variety of aspects; shall be carried out before the development is first occupied and shall thereafter be retained, unless otherwise agreed in writing with the local planning authority.

19) Within three months of first occupation of the dwellings hereby permitted (or such other period as may be agreed in writing with the local planning authority beforehand), the proposed equipped LAP (Local Area of Play) and residents communal amenity space shall have been completed in accordance with a detailed scheme for equipped play including safety surfacing treatment and seating facilities to be submitted to and approved in writing by the Local Planning Authority and made available for use; and the equipped play area and residents communal amenity space shall thereafter be retained.

20) No development shall commence on site until a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority to include, but not limited to details of: Times of deliveries; Wheel wash facilities; Site office facilities; Contractor parking areas; Loading/off-loading areas; Method Statement for control of dust and emissions from construction and demolition; an Assessment and Method Statement for the control of construction noise for the site specifying predicted noise levels, proposed target criteria, mitigation measures and monitoring protocols.

The development shall be carried out in accordance with the approved Construction Management Plan and shall continue for as long as construction/demolition is taking place at the site.

21) Construction shall not commence until a detailed scheme for the proposed means of foul and surface water sewerage disposal shall have been submitted to and approved in writing by the Local Planning Authority.

22) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year (30%) critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

23) No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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

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 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 express written consent of the local planning authority. The scheme shall be implemented as approved.

24) Prior to first occupation of the dwellings a verification report demonstrating 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

25) 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 the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

26) No infiltration of surface water drainage into the ground at the site shall be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

27) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**The reasons for the conditions are:**

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) In order to ensure that the site is free from prescribed contaminants in accordance with saved policy DC21 of the Portsmouth City Local Plan 2001-2011.
- 4) In order to ensure that the site is free from prescribed contaminants in accordance with saved policy DC21 of the Portsmouth City Local Plan 2001-2011.
- 5) To ensure the development minimises its overall demand for resources and to ensure that the sustainable design and construction standards set out in PCS15 of the Portsmouth Plan are achieved.
- 6) To improve the appearance of the site and enhance the character and ecology of the green infrastructure in the interests of visual amenity and nature conservation interest and to ensure that the development makes a positive contribution to the local environment, to accord with policies PCS13 and PCS23 of the Portsmouth Plan.
- 7) To ensure that existing established trees along the western and eastern site boundaries are adequately protected from damage to health and stability throughout the demolition/construction period in the interests of visual amenity and nature conservation in accordance with policies PCS13 and PCS23 of the Portsmouth Plan.
- 8) In order to secure a satisfactory appearance to the development, prevent access between the site and the adjacent car park by vehicles other than in an emergency and create a safer environment by reducing crime through design, in accordance with policy PCS23 of the Portsmouth Plan and Reducing Crime Through Design SPD (March 2006).
- 9) In order to secure a satisfactory appearance to the development, prevent access to the open space by vehicles and create a safer environment by reducing crime through design, in accordance with policy PCS23 of the Portsmouth Plan and Reducing Crime Through Design SPD (March 2006).
- 10) In order to secure robust but attractive boundary wall enclosure in more vulnerable public/semi-public positions and a safer environment by reducing crime through design, in accordance with policy PCS23 of the Portsmouth Plan and Reducing Crime Through Design SPD (March 2006).
- 11) To ensure that adequate on-site parking facilities are provided in the interests of highway safety and the amenities of the area in accordance with policies PCS17 of the Portsmouth Plan and the aims and objectives of the adopted Residential Parking Standards SPD.

- 12) To ensure that the roads and footpaths are constructed to a satisfactory standard in the interests of highway safety and to create a safe and attractive environment, to accord with policies PCS17 and PCS23 of the Portsmouth Plan.
- 13) To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS14 and PCS17 of the Portsmouth Plan.
- 14) To ensure that adequate provision is made for the storage of refuse and recyclable materials in accordance with policy PCS23 of the Portsmouth Plan.
- 15) In order to secure the satisfactory appearance of the development and a safer environment by reducing crime through design, in accordance with policy PCS23 of the Portsmouth Plan and Reducing Crime Through Design SPD (March 2006).
- 16) To create the subtle variation of character developed for various parts of the site in the interests of the visual amenity of the new neighbourhood and integration with its existing surroundings, to accord with policy PCS23 of the Portsmouth Plan.
- 17) In order to enhance natural surveillance of the new entrance to Drayton Park and create a safer environment by reducing crime through design, in accordance with policy PCS23 of the Portsmouth Plan and the aims and objectives of Reducing Crime Through Design SPD and NPPF.
- 18) To conserve and enhance biodiversity, in accordance with policy PCS13 of the Portsmouth Plan.
- 19) To ensure provision and retention of communal outdoor recreational facilities to serve the residents, to accord with policies PCS13, PCS14 and PCS23 of the Portsmouth Plan.
- 20) To protect amenity by preventing excessive nuisance and minimise adverse effects on the local environment from highway impacts, as far as practicable, during works of demolition/construction on the occupiers of adjoining and nearby properties, in accordance with policy PCS23 of the Portsmouth Plan.
- 21) 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, in accordance with policy PCS12 of the Portsmouth Plan.
- 22) To prevent the increased risk of flooding, both on and off site, in accordance with policies PCS12 and PCS23 of the Portsmouth Plan.
- 23) To protect groundwater due to the historic uses of the site that is located on the Lewes Nodular Chalk that is designated as a Principal Aquifer and the River Terrace Deposits that are designated as a Secondary A Aquifer.
- 24) To protect groundwater due to the historic uses of the site that is located on the Lewes Nodular Chalk that is designated as a Principal Aquifer and the River Terrace Deposits that are designated as a Secondary A Aquifer.
- 25) To protect groundwater due to the historic uses of the site that is located on the Lewes Nodular Chalk that is designated as a Principal Aquifer and the River Terrace Deposits that are designated as a Secondary A Aquifer.
- 26) To protect groundwater due to the historic uses of the site that is located on the Lewes Nodular Chalk that is designated as a Principal Aquifer and the River Terrace Deposits that are designated as a Secondary A Aquifer.



27) To protect groundwater due to the historic uses of the site that is located on the Lewes Nodular Chalk that is designated as a Principal Aquifer and the River Terrace Deposits that are designated as a Secondary A Aquifer.

#### PRO-ACTIVITY STATEMENT

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

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City Development Manager  
17<sup>th</sup> March 2014