

**2-6 SPENCER ROAD SOUTHSEA PORTSMOUTH PO4 9RN**

**CHANGE OF USE FROM CARE HOME (CLASS C2) TO 6 NO. DWELLING HOUSES (CLASS C3); TO INCLUDE REMOVAL OF REAR EXTENSIONS, EXTERNAL ALTERATIONS TO DOORS AND WINDOWS; PROVISION OF PARKING, CYCLE AND REFUSE STORAGE**

**Application Submitted By:**

Alana Shihadeh  
Now Build It Developments

**On behalf of:**

Mr Hooda

**RDD:** 16th February 2022

**LDD:** 14th April 2022

**1.0 SUMMARY OF MAIN ISSUES**

1.1 This application is brought to Planning Committee due to 9 public objections.

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

- The principle of development;
- The loss of a care home
- Design and Impact on the character and appearance of the area;
- Impact on residential amenity;
- Highway Implications;
- Waste;
- Impact on the Solent Special Protection Area (SPA) and Nitrates.

**2.0 SITE AND SURROUNDINGS**

2.1 The application site contains 2 and a half storey care home building (Class C2) fronting Spencer Road (as shown in **Figure 1** below) constructed from painted rendered facing brick and a tiled roof, hardstanding to the front and a front boundary wall. The building is located outside of, however is adjacent to the boundary of the Craneswater & Eastern Parade Conservation Area and located in flood zone 1

2.2 The building has a substantial width, and its design has incorporated several front bays. It is understood that the property at one point in time formed three separate dwellings which are now linked to one another by way of two storey infill additions. The site due to its location and width appears very prominent within the Spencer Road streetscene, particularly when entered from Eastern Parade. The property benefits from on site parking by way of the hardstanding to the front of the building.

2.3 The surrounding area is predominately residential in nature characterised by good-sized two-storey detached (west side of Spencer Rd) and semi-detached (east) dwellings. A substantial, four-storey, post-war flatted block lies to the rear (east) of the site.



**Figure 1 - Site Location Plan**

### 3.0 THE PROPOSAL

- 3.1 Planning permission is sought for a change of use from Care Home (currently operating as "Aquarius Nursing Home") which provides personal and nursing care for up to 38 adults (Class C2 use), to C3 residential use for 6no. 4-bedroom Townhouses with associated external works.
- 3.2 Proposed changes to the existing rear elevation would see the removal of previously added single-storey rear extensions to provide rear garden amenity space for each of the proposed dwellings, and the inclusion of additional windows.
- 3.3 Proposed changes to the existing front elevation would include additional windows at first floor level and doors at ground floor level (as shown in **Figure 2** below).
- 3.4 The proposed materials as stated in the accompanying application form, indicate that wall, window, door and roof materials are to match the existing. For reasons of maintaining acceptable visual amenity, should the proposal be approved it is recommended that a condition is included that external materials used shall match, in type, colour and texture those on the building.

- 3.5 The submitted plans confirm that the proposal would provide one off street parking spaces for each of the proposed dwellings (6 in total) and with an area of hardstanding that could provide 1 overspill parking space, and substantial areas of soft landscaping across the front gardens. Two existing vehicular access points would be changed to four.



Figure 2 Existing & Proposed Front Elevation

## 4.0 PLANNING HISTORY

Extensive planning history, mostly 1983 – 2013, apparently not particularly relevant to the current proposal, apart from ref. A\*27474/A – Change of use to rest home, approved 6 April '83.

## 5.0 POLICY CONTEXT

### Portsmouth Plan (2012)

- 5.1 In addition to the aims and objectives of the National Planning Policy Framework (2021), due weight has been given to the relevant policies within the Portsmouth Plan (2012), which include:

- PCS10 (Housing Delivery)
- PCS13 (A Greener Portsmouth specifically SPA mitigation)
- 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).

## Other Guidance

5.2 Guidance for the assessment of applications that is relevant to the application includes:

- National Planning Practice Framework (revised 2021)
- The Parking Standards Supplementary Planning Document (2014)
- The Solent Recreation Mitigation Strategy (2017)
- The Interim Nutrient Neutral Mitigation Strategy (2022)

## **6.0 CONSULTEE RESPONSES**

### 6.1 Contaminated Land

No objection - *"Groundworks will be required in removal of the existing extensions to create the garden areas and it is recommended that the developer import clean horticultural soil from a known source to achieve this".*

### 6.2 Natural England

The Local Planning Authority is awaiting Natural England's response to its Appropriate Assessment concerning mitigation for Special Protection Areas.

### 6.3 Highways

- Satisfied that the proposal would not have a material impact on the local highway network.
- The requirement for a 4-bedroom dwelling is 2 vehicle spaces and 2 cycle space for each dwelling. The revised layout provides 7 spaces.
- Given the new crossovers, there would be a loss of on-street parking space.
- NPPF Para. 112E outlines that developments should provide electric charging facilities, therefore a suitably worded condition should be attached (Officer response – this is required by the updated Building Regulations, so no need for a condition).
- Secure cycle storage indicated for each dwelling, need condition to secure this.

## **7.0 REPRESENTATIONS**

7.1 9 letters of objection have been received in relation to the proposed development:

- Boundary wall should be retained.
- Overdevelopment
- Parking
- Proposed alteration to the front elevation of the properties not compatible with the other houses in the road
- Loss of Care Home - Concerns from objectors regarding their family members resident at the care home being displaced and the social and mental affect.

7.2 2 letters received in support of the proposal

## **8.0 COMMENT**

8.1 The main determining issues for this application relate to the following:

- The principle of development;
- Design and impact on the character and appearance of the area;
- Standard of accommodation;
- Impact on neighbouring residential amenity;
- Highways and parking;
- Waste; and

- Impact on the Solent Special Protection Area (SPA) and Nitrates.

#### The principle of development

- 8.2 The application site is not subject to any land use policy restrictions which restrict new dwellings on this site.
- 8.3 Furthermore, there is a recognised need for new housing within Portsmouth, as outlined in Policy PCS10 (Housing Delivery) of the Portsmouth Plan. The provision of new housing would also accord with the general housing delivery objectives set out within the National Planning Policy Framework (NPPF). Paragraph 60 of the NPPF (July 2021) states: *'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'*.
- 8.4 In addition, Policy PCS10 of the Portsmouth Plan states that: *'New housing will be promoted through conversions, redevelopment of previously developed land and higher densities within defined areas'*.

In this case the loss of a care home facility would be counterbalanced by the provision of 6 new family dwellinghouses.

- 8.5 National policy states (Paragraph 11. d) that permission should be granted unless (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 8.6 The starting point for the determination of this application is the fact that Authority does not have a 5 year housing land supply (it has 2.9 years), and the proposed development would contribute towards meeting housing needs. Planning permission should therefore be granted unless either test (i) or test (ii) above is met. The proposed development has been assessed on this basis and is deemed to be acceptable in principle as a residential development with reasonable access to jobs, shops, services and public transport. However, the specific impacts of the proposal must be considered as to whether the development is appropriate in detail and whether visual harm and/or harm to neighbouring amenity would occur. The detailed assessment is set out below.

#### Loss of a Care Home

- 8.7 There are no policies in the local plan preventing the loss of care homes or housing for the elderly or to prevent their change of use or redevelopment.
- 8.8 The Aquarius Care Home at 2-6 Spencer Road has been operating as its current company for 28 years. The Care Quality Commission (CQC) inspected the home in 2022 and stated that it did not comply with all the necessary standards<sup>1</sup>. The overall rating for this service was judged as Inadequate and the service is therefore in 'special measures'. The CQC identified areas of the home which were not in a good state of repair, and constraints with the size and layout of the building presented some limitations regarding meeting the social needs of people. The applicant states Aquarius cannot practically be retrofitted or redesigned to meet the increasingly complex needs of nursing home patients in the next 15-20 years. On this basis there is evidence to suggest that there is a likelihood of the home closing in the immediate future, regardless of the ownership and

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<sup>1</sup> <https://api.cqc.org.uk/public/v1/reports/31efc83e-b11c-4016-94fe-28befdbd3781?20220714120000>

lease arrangements. It is not fulfilling the need for this service within the local community effectively. This is also a matter of significant weight.

- 8.9 The applicant states that in the event that Aquarius does cease operating, the support and relocation of the residents would follow clear guidance and would be a collaborative process with the Local Authority, NHS, and other regulatory teams to ensure the well-being of residents during this transition, and that all decisions would be made in accordance with the desires of the residents and would take into account their best interests.

#### Design and Impact on the character and appearance of the area

- 8.10 Policy PCS23 of the Portsmouth Plan echoes the principles of good design set out within the National Planning Policy Framework and requires all new development be well designed and respect the character of the city. The following will be sought in new development, appropriate scale, density, layout, appearance and materials in relation to the particular context.
- 8.11 The dwellings have been designed using mostly the existing building and layout with minimum additional external changes. The design and appearance of the building is considered to be appropriate for its setting and values the adjacent existing development in terms of its form and architectural features and detailing. The design of the proposed dwellings draws on the style and character of the existing building and surrounding. The design of the roof and height would remain unchanged and would not create a dwelling disproportionate to the existing mix of dwellings within the surrounding area, and the positioning of the proposed dwellings within the plot maintains an acceptable vertical and horizontal rhythm.
- 8.12 Previously added single storey rear extensions would be removed to create a more visually appealing rear elevation and to provide the future occupants with individual rear gardens. Each garden would have access to the front of the site via a shared path.
- 8.13 The dwellinghouses are appropriate in size and scale and would not result in the overdevelopment of the site and would be a development within a plot size that would not be too dissimilar to those within the existing street scene.
- 8.14 The on-site parking layout has been designed to integrate areas of soft landscaping to reduce the visual impact of the parking to the front of the proposed dwellings, to soften the urban street scene and provide some special containment and separation. A wall would be retained/re-built with suitable gaps where a dropped kerb would be present and planted with landscaping behind to properly enhance the site. The areas of soft landscaping would reduce the visual impact of parked vehicles dominating the front of the proposed dwellings and would add value to the proposal and soften the urban street scene and provide visual and sensory interest. This is considered a betterment of the current existing layout which consists of a large area of hard surface without soft landscaping giving a bleak outlook.
- 8.15 As such, the proposal is considered to be in keeping with the appearance of the surrounding properties on Spencer Road, and the scale and appearance of the proposed dwellings would be acceptable in design terms. Consequently, the proposal would comply with the design requirements of Policy PCS23 of the Portsmouth Plan (2012).and would preserve the character and appearance of the adjacent Craneswater & Eastern Parade Conservation Area.

#### Standard of accommodation

- 8.16 Policy PCS19 of the Portsmouth Plan, the supporting Housing Standards SPD and the Nationally Described Space Standard (NDSS 2015) requires that all new dwellings should be of a reasonable size appropriate to the number of people the dwelling is designed to accommodate.
- 8.17 The nationally described space standards for a three storey 4 bed dwelling seek a gross internal area of a minimum of 103m<sup>2</sup>. and a dwelling with two or more bedspaces to have at least one double (or twin) bedroom. In order to provide one bedspace, a single bedroom should have a floor area of at least 7.5 sq. m and is at least 2.15 m wide. In order to provide two bedspaces, a double (or twin bedroom) should have a floor area of at least 11.5 sq. m. While the Council has not formally adopted these standards, they are useful as a broad gauge against which to consider the quality and density of development.
- 8.18 The proposed 6x 4-bedroom dwellings would have the following floor areas:  
Dwelling 1 – 166.8 sqm  
Dwelling 2 - 135.44 sqm  
Dwelling 3 – 141.97 sqm  
Dwelling 4 - 191.28 sqm  
Dwelling 5 – 130.96 sqm  
Dwelling 6 – 185.89sqm

Combined with the good-sized dwellings, internal layout is also appropriate, providing a reasonable outlook and an appropriate source of natural light and ventilation, delivering an acceptable living environment for future occupiers and compliant with national space standards.

- 8.19 Policy PCS19 of the Portsmouth Plan states private amenity space should be provided for as part of all new build residential units. An important component of good quality residential design is the provision of useable outside private space where residents can take advantage of fresh air and direct access to the natural environment, and that external private space is usually provided by back or side gardens, where a certain measure of privacy (e.g., Not directly overlooked by neighbouring outdoor sitting areas or living rooms) should be provided. Each of the proposed new dwellings would benefit from access to a private amenity area, to the rear the properties.
- 8.20 The proposed garden amenity space for the dwellings as positioned would experience a degree of overlooking by the adjoining apartment block to the rear, Cresta Court, and the windows to both developments would experience inter-visibility at reasonably close-quarters (c.12 – 18m). Notwithstanding, relatively pragmatic decisions tend to be taken in recognition of the constraints of the site. Such decisions are helped by the fact that with the existing compact and tight relationships between neighbouring dwellings, similar relationships exist between neighbouring houses and therefore residents would be more tolerant and accepting of such impact.
- 8.21 It is therefore considered that the proposed outside amenity space is sufficient and due to the positioning and levels of screening of the rear garden amenity area from the public realm, the space would provide a reasonable degree of outlook from habitable rooms and shall enable natural ventilation to occur, and provide space sufficient for everyday activities, such as clothes drying, relaxation and recreation.
- 8.22 The layout would include an access path to the rear of all six dwellings with cycle and bin storage to be contained in the rear garden space of each of the dwellings. This would create a suitable level of access to each of the dwellings benefiting the amenity of the future occupiers.



- 8.23 Plans show overall, it is considered that the proposed new dwellings would provide a reasonable quality of living environment for the proposed occupiers.

Impact on neighbouring residential amenity

- 8.24 Policy PCS23 of the Portsmouth Plan includes, amongst other things, that new development should ensure the protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development.
- 8.25 Having regard to the neighbouring residential properties surrounding the site, the proposed dwellings would decrease the built form on this plot. Additional windows would be provided to the rear of the site although given the existing arrangement it is considered that there would be no additional overlooking above that of the existing building. The change of use of the existing 38 bedroomed care home as 6 separate dwellings would not introduce any significant concerns in terms of light, outlook or privacy. Given the proposed scale, position and appearance of the dwellings, they would not harm outlook or result in a loss of light to nearby properties.
- 8.26 Accordingly, the proposal would be consistent with Policy PCS23 of the Portsmouth Plan (2012), in that it is considered the proposal would not result in any unacceptable loss of privacy, light or outlook to neighbouring properties.

8.27 Highways and parking

- 8.28 Spencer Road is an unclassified residential road and within the Cranswater Residents Parking Zone which operates 11am to 12pm and 6pm to 7pm daily. Several of the properties along the road have off street parking with the remaining accommodated via on street parking. Given the existing lawful use of the site (Care Home) and the relatively small scale of the development, it is concluded that the proposal would not have a material impact on the local highway network.
- 8.29 Portsmouth City Councils Parking SPD gives the expected level of vehicle and cycle parking within new residential developments. The requirement for a 4-bedroom dwelling is 2 vehicle spaces and 2 cycle space for each dwelling. The layout provides 7 spaces, and it is assumed that the proposal would allocate 1 vehicle space per dwelling with 1 space potentially for visitors or one property having an additional space. Consequently, this proposal is not compliant with the policy established in the SPD. It is noted that given the new crossovers, there would be a loss of on street parking available.
- 8.30 Notwithstanding this the planning officer considers that the existing use of the building and site as a 38 bedroomed care home would generate a kerbside parking demand greater than that expected for the proposed 6 x 4 bed dwellings, when considering the possibility of vehicle traffic movements generated by the 27 staff members and visitors to the care home.
- 8.31 A number of site visits observed that during typical weekday evenings there was a sufficient level of on-street parking space available (c. 23 spaces). It is therefore considered that, the change of use from a care home to 6 dwellings, the loss of some on-street parking space due to re-arranged and increased dropped kerbs, and accommodating any additional off-site parking demand for the development itself, would not result in a potential for increased instances of residents driving around the area seeking for a parking space (particularly in the evening) as sufficient parking availability would still be able to be accommodated on the street

Waste



- 8.32 A condition is proposed that will secure full details of waste storage for the proposed dwellings.

Flood risk, drainage and utilities

- 8.33 The site is located within Flood Zone 1 (areas of least risk) and there is no increase in the extent of hardstanding on site and as such the scheme is unlikely to give rise to any flood risk and drainage issues.

Impact on the Solent Special Protection Area (SPA) and Nitrates

- 8.34 The application site is within 5.6 km of Portsmouth Harbour Special Protection Area (SPA) and will lead to a change in the level and type of residential accommodation.
- 8.35 The Conservation of Habitats and Species Regulations 2010 [as amended] and the Wildlife and Countryside Act 1981 place duties on the Council to ensure that the proposed development would not have a significant likely effect on the interest features of the Solent Special Protection Areas, or otherwise affect protected habitats or species. The Portsmouth Plan's Greener Portsmouth policy (PCS13) sets out how the Council will ensure that the European designated nature conservation sites along the Solent coast will continue to be protected.
- 8.36 There are two potential impacts resulting from this development the first being potential recreational disturbance around the shorelines of the harbours and the second from increased levels of nitrogen and phosphorus entering the Solent water environment.

Wading birds

- 8.37 The Solent Recreation Mitigation Strategy (December 2017) was adopted by Portsmouth City Council on 1st April 2018 and replaces the Interim Solent Recreation Mitigation Strategy (December 2014) and the associated Solent Special Protection Areas Supplementary Planning Document (SPD) which was revoked by the Council from 1st April 2018. The Strategy identifies that any development in the city which is residential in nature will result in a significant effect on the Special Protection Areas (SPAs) along the Solent coast. It sets out how development schemes can provide a mitigation package to remove this effect and enable the development to go forward in compliance with the Habitats Regulations. This development is likely to have an impact on the management of the SPA which would require mitigation.
- 8.38 Based on the methodology set out within the Strategy and taking into consideration that the proposed development being assessed is a conversion of an existing care home (which provides accommodation for up to 38 residents) to 6 x 4 bedroomed dwellings, there would be a decline in the number of overnight stays compared to the current existing use. Notwithstanding this as the current use is a care home (C2) it is considered that the more elderly residents are arguably less active than the proposed C3 occupiers. Residents of care homes may partake in walks etc, but this is likely to be very local and probably not travelling to more sensitive parts of the harbours or Solent. Even though the resident population would decrease due to the conversion of the care home, occupiers of the proposed 6x 4 Bedroom C3 dwellings would be considered more prone to additional recreation disturbance to the SPA as it would be likely they are more actively and extensively mobile within the SPA.
- 8.39 Based on the methodology set out within the Strategy and taking into consideration the current use compared with the proposed, an appropriate scale of mitigation for this development is £5880.00 (net gain of 6 x (C3) dwellings), which will be secured through

a S111 legal agreement. With this mitigation, the Council has concluded that the adverse effects arising from the proposal are wholly consistent with and inclusive of the effects detailed in the Solent Recreation Mitigation Strategy.

### Nitrates

- 8.40 Natural England has provided guidance advising that increased residential development is resulting in higher levels of nitrogen and phosphorus input to the water environment in the Solent with evidence that these nutrients are causing eutrophication at internationally designated sites. A sub-regional strategy for the nitrates problem is being developed by the Partnership for South Hampshire, Natural England, and various partners and interested parties.
- 8.41 In the meantime, the Council wishes to avoid a backlog of development in the city, with the damaging effects on housing supply and the construction industry, so the Council has therefore developed its own interim strategy.
- 8.42 The Council's Interim Nutrient-Neutral Mitigation Strategy expects Applicant to explore their own Mitigation solutions first. These solutions could be Option 1: 'off-setting' against the existing land use, or extant permission, or other land controlled by the Applicant. Or it could be Option 2: mitigation measures such as Sustainable Urban Drainage Systems (SUDS), interception, or wetland creation. If, however, the Applicant sets out to the Council that they have explored these options but are unable to provide mitigation by way of these, they may then request the purchase of 'credits' from the Council's Mitigation Credit Bank.
- 8.43 The development would result in a reduction of overnight stays compared to the current existing use of the site as a 38 bedroomed care home. Using Natural England's updated published Advice on Achieving Nutrient Neutrality for New Development in the Solent Region for Local Planning Authorities (Version 2, March 2022), the development would result in a negative net change in the total nitrogen load and is therefore able to achieve nitrate neutrality. The development would therefore not affect the integrity of the SPA through deterioration of the water environment.
- 8.44 The authority has concluded that would be no adverse effects arising from the development in respect of the deterioration of the water environment and there is no requirement for an offset using the Portsmouth City Council Interim Nutrient Neutral Mitigation strategy for New Dwellings (June 2022). Therefore, nitrates mitigation would not need to be provided, by way of the condition and legal agreement. Subject to Natural England confirming no objection to this approach.

### Human Rights and the Public Sector Equality Duty ("PSED")

- 8.45 The Council is required by the Human Rights Act 1998 to act in a way that is compatible with the European Convention on Human Rights. Virtually all planning applications engage the right to the enjoyment of property and the right to a fair hearing. Indeed, many applications engage the right to respect for private and family life where residential property is affected. Other convention rights may also be engaged. It is important to note that many convention rights are qualified rights, meaning that they are not absolute rights and must be balanced against competing interests as permitted by law. This report seeks such a balance.
- 8.46 Under section 149 of the Equality Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of their protected characteristics. Further the Council must advance equality of opportunity and foster good relation between those who share a relevant protected characteristic and those who do not. The protected characteristics are age, disability, gender

reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Having had due regard to the public sector equality duty as it applies to those with protected characteristics in the context of this application, it is not considered that the officer's recommendation would breach the Council's obligations under the Equality Act 2010.

## **9.0 CONCLUSION**

- 9.1 The proposal would contribute to the Council's five year housing supply providing a good standard of living accommodation for future occupiers and being of an appropriate design within the local context and having no significant adverse effect on local amenity.
- 9.2 Having regard to all material planning considerations and representations it is concluded that the proposed development is acceptable and would be in accordance with the relevant policies of the Portsmouth Plan (2012) and the objectives of the National Planning Policy Framework (NPPF) (2021).

**RECOMMENDATION I** - That delegated authority be granted to the Assistant Director of Planning & Economic Growth to Grant Conditional Permission subject to:

- (a) Receipt of 'no objection' from Natural England concerning the SPA Mitigation, and;
- (b) satisfactory completion of a Legal Agreement necessary to secure the mitigation of the impact of the proposed residential development on Solent Special Protection Areas (recreational disturbance) by securing the payment of a financial contribution.

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

**RECOMMENDATION III** - That delegated authority be granted to the Assistant Director of Planning & Economic Growth to refuse planning permission if a Legal Agreement has not been satisfactorily completed within three months of the date of this resolution.

## **CONDITIONS**

### Time Limit:

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

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

### Approved Plans:

- 2) Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers:
  - SITE LOCATION PLAN - 2-6SPENCER1250 - Plan Ref: TQRQM20212114318719
  - PROPOSED FLOOR PLANS - Dwg No: PG.5102.20 - SHEET - 03 - REV H
  - PROPOSED AREA PLANS - Dwg No: PG.5102.20 - SHEET - 04 REV F
  - PROPOSED ELEVATIONS - Dwg No: PG.5102.20 - SHEET - 05 REV D
  - PROPOSED SITE PLAN AND 3D VISUALS - Dwg No: PG.5102.20 - SHEET - 06 REV D
  - PROPOSED STREET ELEVATIONS - Dwg No: PG.5102.20 - SHEET - 07 REV D

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

#### Materials:

- 3) The external materials to be used to form the 6 X 4 bedroomed dwellings hereby permitted, shall match, in type, colour and texture those on the building.

Reason: In the interests of visual amenity in accordance with policy PCS23 of the Portsmouth Plan (2012).

#### Cycle Storage

- 4) Prior to first occupation of the development, secure and weatherproof bicycle storage facilities for 2 bicycles per dwelling shall be provided at the site and shall thereafter be retained for the parking of bicycles at all times.

Reason: To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan (2012).

#### Refuse Storage

- 5) Prior to the first occupation of the development, refuse and recyclable materials storage facilities shall be provided in accordance with a detailed scheme to be submitted to and approved by the local planning authority in writing, and those facilities shall thereafter be retained for the continued use by the occupants of the 6 permitted dwellinghouses.

Reason: To ensure that adequate provision is made for the storage of refuse and recyclable materials in accordance with policy PCS23 of the Portsmouth Plan (2012).

#### Water use

- 6) Unless otherwise agreed in writing by the Local Planning Authority, the dwelling hereby permitted shall not be occupied until written documentary evidence has been submitted to, and approved in writing by the Local Planning Authority demonstrating that each of the dwellings has:

Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2)(b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of a post-construction stage water efficiency calculator.

Reason: To ensure that the development as built will minimise its need for resources and be able to fully comply with Policy PCS15 of the Portsmouth Plan (2012).

- 7) Hard and Soft Landscaping

No construction works above the foundation / slab level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

a) the alignment, height and full architectural details of all boundary treatments (front, rear and side) walls, gates and fences and other means of enclosure. With samples being provided including brick bonding, mortar colour and striking.

b) the landscaping for the site to include and soft landscaping and planting which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, as well as details of any hard surfacing.

c) details of the lighting scheme of the front parking area, to include design location and the intensity of the illumination.

d) Unless otherwise agreed in writing with the Local Planning Authority, all boundary treatments approved pursuant to part (a) of this Condition shall be completed prior to first occupation of the building hereby permitted.

e) Unless otherwise agreed in writing with the Local Planning Authority, the hard landscaping schemes approved pursuant to part (b) of this Condition shall be completed prior to first occupation of the building hereby permitted.

f) The soft landscaping schemes approved pursuant to part (b) of this Condition shall be carried out within the first planting/seeding season following the first occupation of the building or the completion of the development whichever is the sooner. Any trees/shrubs which, are removed or become damaged or diseased shall be replaced in the next planting season with others of the same species, size and number as originally approved.

Reason: To secure a high-quality setting to the development and in the interests of amenity and biodiversity ensuring of an appropriate visual appearance for the development in accordance with Policy PCS23 of the Portsmouth Plan (2012)

#### 8) Parking Provision

i) The development hereby permitted shall not be occupied until a minimum of 6no. car parking spaces have been provided within the curtilage of the site and thereafter maintained and kept available.

ii) The development hereby permitted shall not be occupied until the parking area has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence.

Reason: To make provision for off street parking for the purpose of highway safety.

#### 9) Withdrawal of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification], no development permitted by Classes A and F of Part 1 of Schedule 2, and Class A of Part 2 of Schedule 2, of the Order shall be carried out without the prior written consent of The Local Planning Authority.

Reason: To ensure the provision of an appropriate level of amenity space for the future occupiers of the development (Part 1, Class A), in the interests of local character and biodiversity (Part 1, Class F), and to maintain local character (Part 2, Class A), in accordance with PCS13 and PCS 23 of the Portsmouth Local Plan.

### INFORMATIVE

You will need to make an application for the dropped kerb to Colas who manage the highway on behalf of the Local Highways Authority (i.e. Portsmouth City Council).

You are able to use a private contractor to carry out the dropped kerb work, but Colas must approve the works to the public highway. Colas have their own specific size standards that you will need to comply with for an application to be successful.

Colas can be contacted on **02392 310900** and further information can be found at <https://www.colasportsmouth.co.uk/licenses-permits/application-for-vehicle-crossover/> .