

TREMATON THE THICKET SOUTHSEA PO5 2AA**CONSTRUCTION OF 3NO. DWELLING HOUSES (FOLLOWING DEMOLITION OF EXISTING FLATS)**

[HTTPS://PUBLICACCESS.PORTSMOUTH.GOV.UK/ONLINE-APPLICATIONS/APPLICATIONDETAILS.DO?ACTIVETAB=DOCUMENTS&KEYVAL=RRME4QMOHP600](https://publicaccess.portsmouth.gov.uk/online-applications/applicationdetails.do?activetab=documents&keyval=RRME4QMOHP600)

Application Submitted By:

Mr Matthew Blackden
Emrys Architects

On behalf of:

Mr Gary Elliott
Elliott Wood Partnership Ltd

RDD: 17th March 2023

LDD: 29th May 2023

1.0 SUMMARY OF MAIN ISSUES

1.1 The application has been brought to the Planning Committee for determination at the request of Councillor Hugh Mason and due to the number of objections (6) received. Councillor Mason has requested that the application be presented at Committee due to the increase in size of the proposed development in a sensitive area of Southsea.

1.2 The main issues for consideration are:

- The principle of the development;
- Design and impact on the 'Owen's Southsea' Conservation Area;
- Impact on residential amenity;
- Standard of Accommodation;
- Highway Impacts;
- Waste;
- SPA Mitigations;
- Sustainable design and construction;
- Flood risk, drainage and utilities;
- Human Rights;
- Equality Act;
- Community Infrastructure Levy (CIL); and
- Other Issues.

2.0 SITE, PROPOSAL AND RELEVANT PLANNING HISTORY**2.1 Site and Surroundings**

2.2 The site lies on the northern side of The Thicket, near to its junction with Grove Road South, and is currently occupied by a three-storey, red brick 1960s building containing three 2-bedroom flats. The building is set back from the road and there is an existing parking area in front of the building with access from The Thicket, as well as three flat roofed garages to the rear.

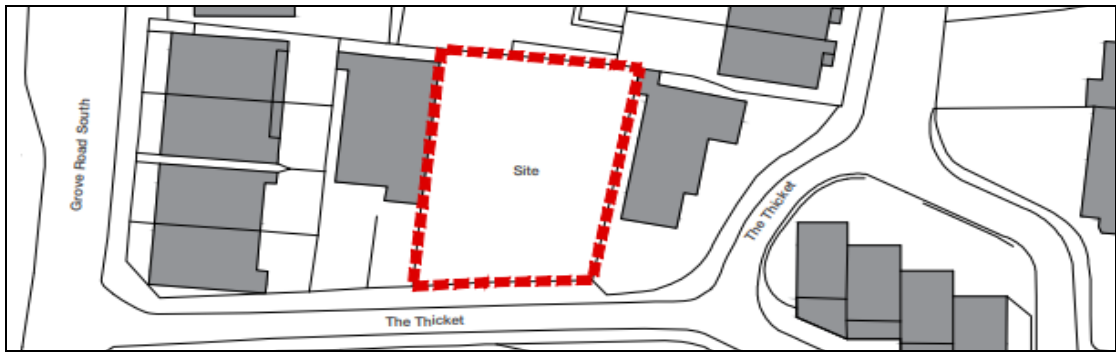


Figure 1 Block Plan

- 2.3 The area surrounding the site is predominantly residential in character, comprising a mix of houses and flats. The adjacent properties to the east and west are both two-storey houses. To the south of the site is the now-closed St Johns College and associated sports courts. To the north of the site is a development of two-storey housing with associated parking area and beyond this is the Elm Grove District Centre. The site is also located in close proximity to the bus services by Telephone House, Southsea Town Centre to the south and Albert Road to the east.
- 2.4 The application site is located at the Northern edge of the Owen's Southsea Conservation Area (No.12). This is a large Conservation Area dominated by the period 'Gothic' buildings of Thomas Ellis Owen ('The Father of Southsea') and is amongst the most significant and special of the City's 25 Conservation Areas. As such the overall significance of the area is considered high. There is also an Area Tree Preservation Order (TPO0045) covering the site, although it is understood there are no trees on the site itself.

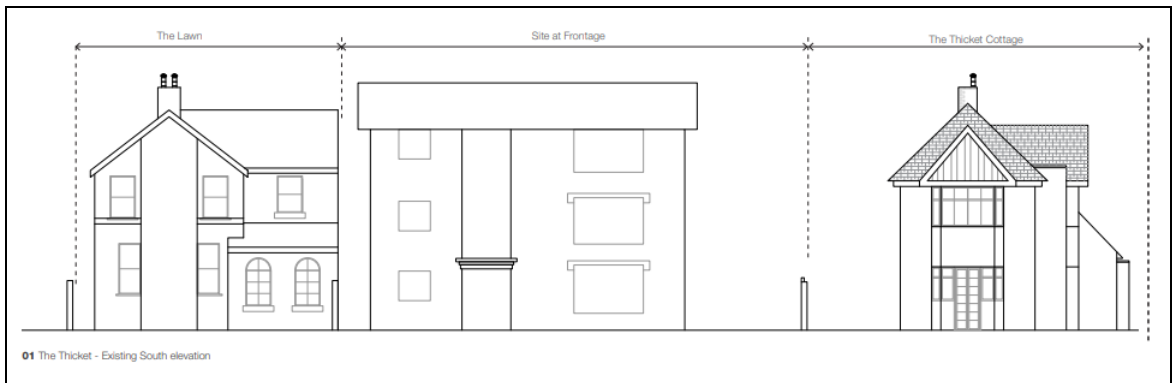


Figure 2 Existing Street frontage, south elevation

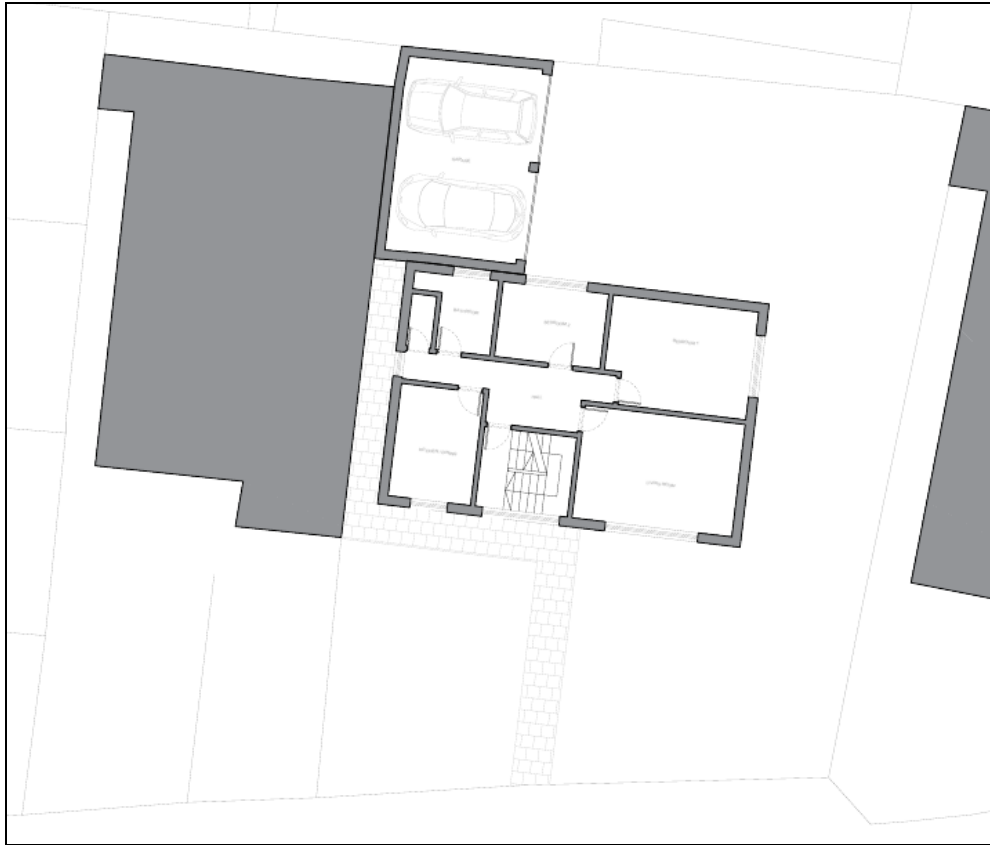


Figure 3 Existing Site Plan

2.5 Proposal

2.6 Planning Permission is sought for the construction of three dwellinghouses following the demolition of the existing building.

2.7 The existing three storey building is set back from the roadway by approximately between 7.5m (on the eastern edge) and 9.44m (on the western edge). The building measures approximately 8m in depth, 12m in width with a pitched roof measuring 7.3m at its eaves and 8.7m at its maximum height.

2.8 The proposed three storey properties would be set back from the roadway by approximately 8m. They would be staggered to follow the existing curve of the roadway; the frontage would include planting and provide one car parking space per dwelling. The building would feature pitched roofs, with a gabled frontage. The maximum height of the dwellings would be 9.4m and have an eaves height of approximately 7.6m. Each building would have a width of 5m, each would have a depth of 10.3m (not including front balcony). The properties would have an identical red-brick finish, with timber panelled ground floor bike storage and elements of hung tile and include slate tiled roofs. Each dwelling would feature rear garden space measuring between 3.9m-5.3m of depth, two of the properties would also feature direct side access routes. All of the properties would include front elevation balconies, projecting at first floor level, and recessed at second floor.



Figure 4 Proposed Layout

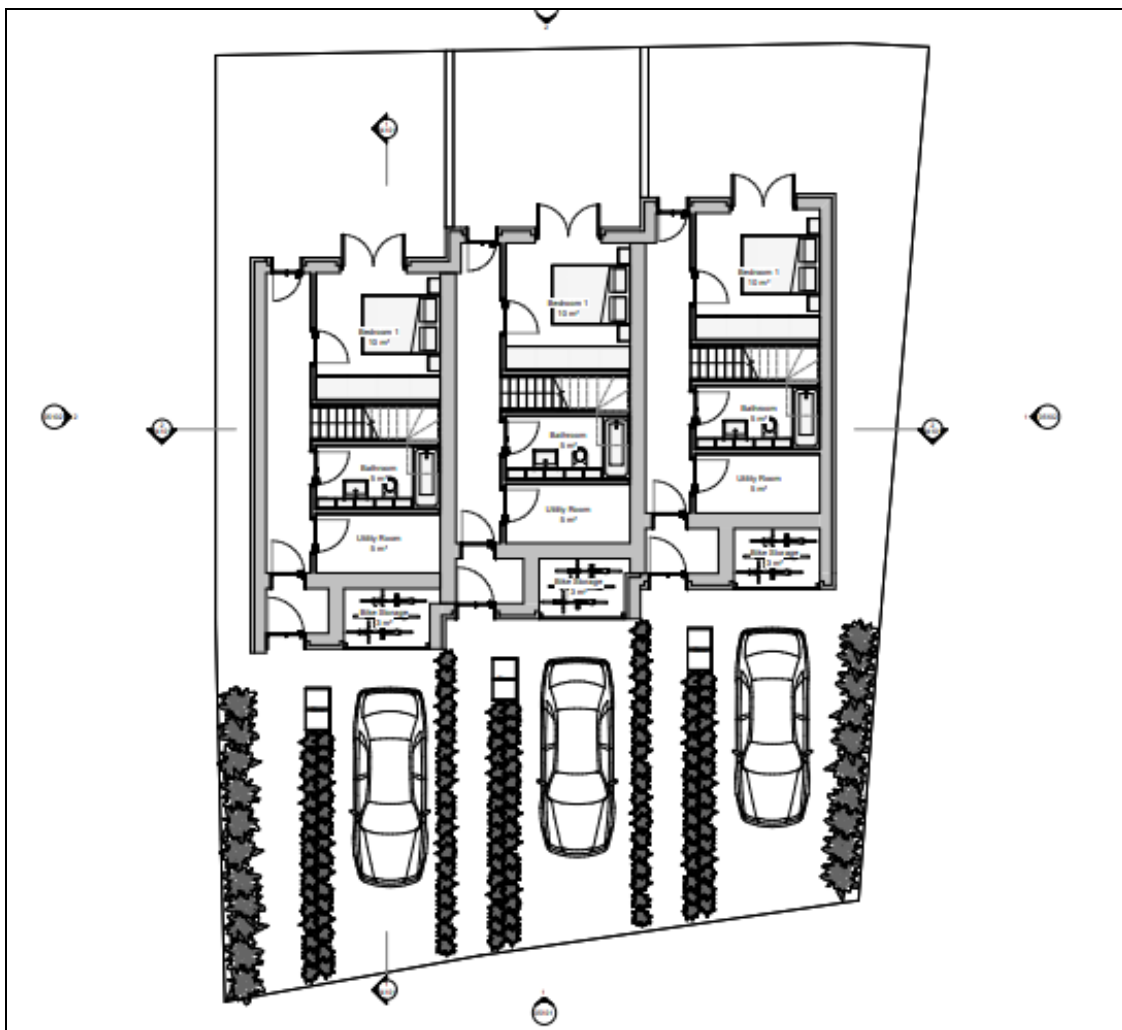


Figure 5 Ground Floor and Site Plan



Figure 6 Proposed front south of the dwellings.

2.9 Planning History

- 2.10 A*11136/C: Demolish dwellinghouse and redevelop site by erection of three-storey block of 3 flats together with 3 garages at rear. Conditional Permission (12.01.1967).

3.0 **POLICY CONTEXT**

- 3.1 In addition to the aims and objectives of the National Planning Policy Framework (2021), the relevant policies within the relevant policies within the Portsmouth Plan (Jan 2012) would include:

- PCS10 - Housing Delivery
- PCS13 - Greener Portsmouth
- PCS15 - Sustainable Design & Construction
- PCS17 - Transport
- PCS19 - Housing Mix
- PCS21 - Housing Density
- PCS23 - Design & Conservation

- 3.2 In addition to the above development plan policies the Solent Recreation Mitigation Strategy (2017) and the Updated Interim Nutrient Neutral Mitigation Strategy (June 2022), Housing Standards SPD (January 2013), the Parking Standards & Transportation SPD (July 2014) are also material to the determination of the application.

4.0 **CONSULTATIONS**

4.1 Conservation Officer

- 4.2 No objection. Very detailed comments provided, which are online, and are summarised here as: A Conservation Area of high significance. No objection to loss of existing property, nor to size and design of proposal. Materials conditions requested to ensure a satisfactory outcome and addition to the Conservation Area.

4.24 Natural England

- 4.25 No objection, at time of writing the LPA is awaiting a final response to a submitted Appropriate Assessment.

4.26 Highways Engineer

4.27 No objection. No impact on local highway network. SPD parking expectation is 4.5 car spaces, and 2 cycle spaces for each dwelling. No parking survey information submitted to demonstrate on-street capacity within 200m to accommodate any additional demand resulting from the development. May result in residents driving around the area hunting for a parking space particularly in the evenings. It is noted that there are bus services in close proximity and a range of key facilities within walkable distances that could lessen the requirement for a private motor vehicle. Request electric charging facilities by condition.

4.31 Environmental Health

4.32 No objection.

4.33 Contaminated Land Team

4.34 Cognisant of the former adjoining garage use, no objection subject to pre-commencement and occupation conditions.

4.35 Tree Officer

4.36 No objections.

4.37 Hampshire Swifts

4.38 No objection, subject to securing three swift bricks via condition.

5.0 REPRESENTATIONS

5.1 Six objections on the following grounds:

- a) Disruption caused by the construction work, given the width of the Thicket;
- b) Loss of privacy from front balconies;
- c) Reduction of parking facilities;
- d) Increase size of the development over the existing building;
- e) Loss of light to the Thicket Cottage;
- f) Overly dominant on the surrounding area;
- g) Loss of existing flats and increase pressure on housing stock;
- h) Overlooking properties to the rear;
- i) Carbon footprint of the development;
- j) Dust and dirt from demolition;
- k) Concern about possible pollution/contamination due to former garage site nearby;
and
- l) Size of the rear gardens.

6.0 COMMENT

6.1 The main issues for consideration are:

- The principle of the development;
- Design and impact on the 'Owen's Southsea' Conservation Area;
- Impact on residential amenity;
- Standard of Accommodation;
- Highway Impacts;
- Waste;
- SPA Mitigations;

- Sustainable design and construction;
- Flood risk, drainage and utilities;
- Human Rights;
- Equality Act;
- Community Infrastructure Levy (CIL); and
- Other Issues.

6.2 The principle of the development

6.3 Policy PCS10 of the Local Plan states that the City Council will plan for an additional 7,117 - 8,387 homes between 2010 - 2027 that will be provided in designated areas and through conversions and redevelopment of previously developed land. The application would represent no change in the overall number of dwellings on the site, however it would increase the size of the dwellings and represent a benefit by the provision of three 3-bedroom properties to replace three 2-bedroom properties.

6.4 Design and impact on the 'Owen's Southsea' Conservation Area

6.5 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.

6.6 In addition, when determining planning applications, the Local Planning Authority (LPA) must also consider what impact the proposal would have on both designated and non-designated heritage assets. Section 72 of the Listed Buildings and Conservation Areas Act 1990 (as amended) requires that LPAs pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The site is located within the 'Owen's Southsea Conservation Area

6.7 The 'Owen's Southsea' Conservation Area guidelines state that *"Redevelopment will not generally be acceptable in this area except where properties are non-conforming use and out of character with the Conservation area"* and *"Where redevelopment is acceptable development briefs will be prepared to ensure that the development is in character with that of the Conservation area."*

6.8 As set out within the Conservation officer's comments, the existing building is of limited architectural value or interest and its contribution to the character and appearance of the Conservation Area is on balance not considered to be positive (or is 'neutral' at the most). Given the limited contribution the building makes, the principle of its loss is considered acceptable in conservation/heritage terms. The re-development of the existing building is therefore considered to be supported by the Conservation Area Guidelines and Conservation Officer.

6.9 The proposed buildings are acceptable in their physical dimensions, form, siting and visual 'presence' and therefore impact from the public realm within the Conservation Area. The increased size and scale of the proposal is not considered sufficient to make the proposed a domineering or overbearing feature when experienced from the public realm. With respect to the key NPPF test, the proposal is not considered to cause harm to the heritage asset of the Conservation Area.

6.10 In terms of styling and appearance, it represents a relatively simple and 'pared-back' contemporary solution for the site. It is considered that this is an acceptable design solution for the development, rather than creating a pastiche building. The overall acceptability of the development will hinge on the quality of the materials and finish to ensure a quality development. The Conservation Officer has suggested three conditions in relation to the details and materials and these are considered to be practical and therefore will be attached to any permission to ensure a quality development is achieved.

Subject to these details and materials the scheme is considered to preserve the character or appearance of the 'Owen's Southsea' Conservation Area, and to meet the provisions of Policy PCS23 of the Portsmouth Plan (2012) and the NPPF (2021).

- 6.11 Impact on residential amenity
- 6.12 Policy PCS23 of the Portsmouth Plan requires new development to protect the amenity of neighbouring residents.
- 6.13 The adjacent site to the north is the Hendy Close car park. To the north-east of the site are the rear gardens and properties along Cambrian Terrace (Nos.1-10) with the closest being No.10. While the proposal would bring the build form at the site closer to these properties, it would remain approximately 11.8m away from the closest property on this terrace. This relationship would be angled and to the rear of these dwellings. Overall, this relationship is acceptable in regards overlooking and sense of enclosure.
- 6.14 The neighbouring property to the east (The Thicket Cottage) would be set away from the side elevation of the proposed building by 2.5m at its closest (to the front (south)) and up to 3.5m from the further point (to the rear (north)) of the development. The Thicket Cottage features a side access between the western side of the property and site's front garden along this boundary. The property features several side (west) facing windows at ground and first floor level. The existing boundary between the two properties is an approximately 1.8m high brick wall. At ground floor, The Thicket Cottage features three side (west) facing windows, one of which serves a WC. The other two serve a kitchen dining room area, which is also served by a large bay window to the east. At first floor level the property features three side (west) facing windows, one of these serves the stairwell, the other the hall and the other an ensuite bathroom. Given that none of these windows are the sole windows to habitable rooms, or serve non-habitable rooms, and would still receive a daylight and a fair amount of sunlight, it is on balance considered that the impact on the amenity of these windows is acceptable. Outlook from these windows would be affected by the new building being taller and closer than the existing, but it is not considered the result would be unacceptable.
- 6.15 The proposed development includes three projecting balconies at first floor level. To ensure they do not result in a harmful degree of overlooking towards the easterly neighbour (The Thicket Cottage) it is proposed that screening is included along the east side of the most eastern balcony to prevent overlooking of the neighbour's front garden (which is set behind a high wall as their only private garden). Subject to this condition this relationship is on balance considered to be acceptable.
- 6.16 The only neighbour to the south of the site is the now closed St. Johns College. It is considered that either in the site's previous use or in any future use/re-development there is sufficient separation from the site to ensure an acceptable relationship and not to prejudice any future development.
- 6.17 The neighbour to the west is 'The Lawn' is a two-storey detached property. The existing building on site is set closer to this neighbour than the proposed re-development. The proposal would maintain the separation between the two properties. As such it is not considered that the change would result in any significant impact on this neighbour's amenity. Further past this property you have the rear gardens of No.44-46 Grove Road South. It is not considered that the development would present any concerns towards the amenity of these neighbours by the built form. The western front balcony will be screened to prevent any possible overlooking towards these residents.
- 6.18 The applicants have provided a sun study which establishes while there would be a loss of sunlight to the adjoining neighbours to the east, it is not considered be sufficient to withhold planning permission in this instance. Overall, the proposal is on balance considered to have an acceptable relationship towards the surrounding neighbour amenity and accords with Policy PCS23 of the Portsmouth Plan (2012).

6.19 Standard of Accommodation

6.20 Policy PCS19 of the Portsmouth Plan states that all new development and housing conversions should be of a reasonable size appropriate to the number of people the dwelling is designed to accommodate. This policy, along with the Nationally Described Space Standards (NDSS), seeks to ensure that each new dwelling meets these requirements.

6.21 Each of the dwelling would exceed the Space Standards. Each of the dwellings would also have a good standard of amenity and benefit from an acceptable level of light and outlook.

6.22 Each of the dwellings would benefit from a private rear garden and balcony space at first and second floor level. Additionally, they are all located near to the Common and Southsea Seafront which would provide further external amenity space.

6.23 Highway Impacts

6.24 Policy PCS17 ensures, inter alia, that the City Council and partners will reduce the need to travel and provide sustainable modes and promote walking and cycling.

6.25 The application has been reviewed by the Council's Highways Officer, and no objection has been received.

6.26 Portsmouth City Council's Parking SPD gives the expected level of vehicle and cycle parking within new residential developments. The requirement for a 3-bedroom dwelling is 1.5 vehicle spaces and 2 cycle space for each dwelling. The site provides each dwelling with one designated parking space as well as cycle storage to the front.

6.27 The site is in a highly sustainable location near shops, services, employment, and public transport. Therefore, it is the case that a future occupier of the development could live with only one car parking space. As such it considered that the under-provision of parking is not sufficient to withhold permission.

6.28 Waste

6.29 Waste storage facilities are shown to the front of each unit, which is considered to be acceptable. A condition will be attached to any permission requiring full details of the storage to be submitted and approved prior to occupation.

6.30 SPA Mitigations

6.31 The Conservation of Habitats and Species Regulations 2017 [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 effect on the interest features for which Portsmouth Harbour is designated as a Special Protection Area, 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.

6.32 There are two potential impacts resulting from the accommodation proposed as part of this development. The first being potential recreational disturbance around the shorelines of the harbours, and the second being from increased levels of nitrogen and phosphorus entering the Solent water environment.

6.33 Officers have submitted an Appropriate Assessment, dated 6th June 2022, to Natural England who have yet to respond at the time of publication, if a response is received prior to the meeting, Members will be updated, and any legal agreement will not be completed until confirmation has been received. It is assumed that no objection will be

raised to the proposal subject to the necessary mitigation being secured. The mitigation contribution for the recreational disturbance to birds is £516. It is considered that as the number of dwellings would be unchanged that nitrate mitigation would not be required.

6.34 The recommendation is for the Committee to recommend the granting of permission subject to the completion of a legal Agreement to secure the mitigation payment for the recreational bird disturbance.

6.35 Hampshire Swifts have requested that 3 swift bricks are incorporated into the building. This will be conditioned to ensure it is achieved on site.

6.36 Sustainable design and construction

6.37 Policy PCS15 of the Portsmouth Plan requires new development to be designed to be energy efficient and originally required development to meet specific requirements under the Code for Sustainable Homes.

6.38 The Ministerial Statement of 25th March 2015 set out that Local Planning Authorities should no longer require compliance with specific levels of the Code for Sustainable Homes (the Code) or to require a certain proportion of the Dwelling Emission Rate (DER) to be offset through Low or Zero Carbon (LZC) Energy. Policy PCS15 has required both of these in all new dwellings since its adoption in 2012. However, the Statement does set out that a standard of energy and water efficiency above building regulations can still be required from new development in a way that is consistent with the Government's proposed approach to zero carbon homes. As such, the standards of energy and water efficiency that will be required from new residential development are as follows:

- Energy efficiency - a 19% improvement in the DER over the Target Emission Rate as defined in Part L1A of the 2013 Building Regulations
- Water efficiency - 110 litres per person per day (this includes a 5 litre allowance for external water use).

6.39 The applicant has provided a Sustainability Statement which sets out that the development will meet the required standards as set out in Policy PCS15 of the Portsmouth Plan (2012). In addition, it also highlights that Mechanical Ventilation Heat Recovery units are included within the scheme to reduce energy needs for the occupiers, a preference will be given to locally sourced materials and suppliers who offer take-back schemes to ensure that excess materials are not wasted. The insulation will prioritise substances that have a low Global Warming Potential (GWP) where possible. Additionally, while not proposed within the application, there could be scope of Solar PV units to the roof in the future but not included within the application.

6.40 Flood risk, drainage and utilities

6.41 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.

6.42 Human Rights

6.43 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.

6.44 Equality Act

6.45 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 don't. 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.

6.46 CIL (Community Infrastructure Levy)

6.47 The proposal would result in the creation of 3 new dwellings totalling 386.6sqm of GIA floorspace. The likely CIL chargeable amount will be £64,621.44. If existing building discount can be applied to the 242.19sqm of existing GIA floorspace, with the submission of in use evidence, the likely CIL chargeable amount will be £24,138.49. A CIL Form 1 was submitted with the application indicating that the building is still in lawful use. The estimate is based on the figures supplied in CIL Form 1.

6.48 Other Issues

6.49 Given the site's location and the limited availability of external space, it is considered appropriate under its specific circumstance to attach a condition requiring a Construction Management Plan in order to assure that there will not be an unduly significant impact from construction through noise, disruption, or waste.

6.50 Concerns have been raised around dust and disturbance from the work required to complete the development, there is appropriate control through the Public Protection to regime to manage this matter.

6.51 Conclusion

6.52 The site is appropriate in principle and contribute three good sized dwellings with external amenity space, which is considered to be an improvement over the existing use. The location is very well served by shops, services, employment and public transport, and an appropriate level of amenity would be afforded to the development's residents. The effect on surrounding residents' amenities would be acceptable, and the other matters addressed above are also deemed acceptable. The proposals constitute sustainable development and should be granted planning permission.

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

- (i) The receipt of 'no objection' from Natural England, within 21 days of the consultation sent to them, and;
- (ii) The completion of a Legal Agreement to secure mitigation of the development with respect to the recreational disturbance to birds in the Special Protection Areas;

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

RECOMMENDATION III - That delegated authority be granted to the Assistant Director of Planning & Economic Growth to refuse planning permission if a Legal Agreement to secure the

mitigation of the development with respect to the Special Protection Areas pursuant to Recommendation I has not been completed within three months of the date of this resolution.

RECOMMENDATION Conditional Permission

Time Limit

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

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

Approved Plans

2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings -

Drawing numbers:

2204-EMR-ZZ-RL-AP-A-01101 PL01;
2204-EMR-ZZ-01-AP-A-02102 PL01;
2204-EMR-ZZ-ZZ-AP-A-04101 PL01;
2204-EMR-ZZ-RL-AP-A-02104 PL01;
2204-EMR-ZZ-02-AP-A-02103 PL01;;
2204-EMR-ZZ-ZZ-AP-A-05102 PL01;
2204-EMR-ZZ-00-AP-A-02101 PL01; and
2204-EMR-ZZ-ZZ-AP-A-05101 PL01.

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

Land Contamination (Prior to Commencement)

3) No works pursuant to the development hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority (or within such extended period as may be agreed with the Local Planning Authority) the following in sequential order:

a) A desk study (undertaken following best practice including BS10175:2011+A2:2017 'Investigation of Potentially Contaminated Sites Code of Practice) documenting all the previous and current land uses of the site and potential contaminants associated with those uses. The report shall contain a conceptual model (diagram, plan, and network diagram) showing the potential contaminant linkages (including consideration of asbestos), including sampling rationale for a site investigation scheme based on the conceptual model, explaining all proposed sample locations and depths (Phase 1 report).

b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the conceptual model in the desk study (to be undertaken in accordance with BS10175:2011+A2:2017 and BS8576:2013 'Guidance on investigations for ground gas – Permanent gases and volatile organic compounds (VOCs)'). The report shall refine the conceptual model of the site and confirm either that the site is currently suitable for the proposed end use or can be made so by remediation. Remedial options shall be detailed with a remedial options appraisal. The report shall include a detailed assessment of the risk to all receptors that may be affected, including those off-site (Phase 2 report).

c) A remediation method statement report detailing the remedial scheme and measures to be undertaken to avoid risk from contaminants and/or gases when the development hereby authorised is completed, detailing proposals for future maintenance, monitoring and arrangements for contingency action as necessary. If identified risks relate to bulk gases, this will require the submission of the design report, installation brief, and validation plan as detailed

in BS8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings and have consideration of CIRIA 735 Good practice on the testing and verification of protection systems for buildings against hazardous ground gases. The remedial options appraisal shall have due consideration of sustainability as detailed in ISO 18504:2017 Soil quality – Sustainable remediation. It shall include the nomination of a competent person to oversee the implementation of the remedial scheme and detail how the remedial measures will be verified on completion (Phase 3 report). Any changes to these components require the written consent of the Local Planning Authority.

The scheme shall be implemented as approved.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved Policy DC21 of the Portsmouth City Local Plan (2006), and paragraph 183 of the National Planning Policy Framework (2021). The responsibility for safe development rests with landowner / developer.

Land Contamination (Prior to Occupation)

4) The development shall not be occupied until a stand-alone verification report has been submitted by the competent person approved pursuant to condition (3)c) above. The report shall demonstrate that the remedial scheme has been implemented fully in accordance with the remediation method statement and demonstrate that site remediation criteria have been met. For the verification of gas protection schemes the applicant should follow the agreed validation plan. Thereafter the remedial scheme shall be maintained in accordance with the details approved under conditions (3) c).

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved Policy DC21 of the Portsmouth City Local Plan (2006), and paragraph 183 of the National Planning Policy Framework (2021). The responsibility for safe development rests with landowner / developer.

Materials

5) (a) Notwithstanding the submitted details, no development works other than those of ground works, and construction of the building's foundations shall take place until: a full and detailed schedule of all materials and finishes (including three different brick samples; three different window sample sections; and three samples of roofing slate (natural slate or clay tiles shall be used) to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority; and

(b) The development shall be carried out in full accordance with the schedule of materials and finishes agreed pursuant to part (a) of this Condition

Reason: To secure a high quality finish to the development in the interests of visual amenity in accordance with Policy PCS23 of the Portsmouth Plan (2012), and the aims and objectives of the National Planning Policy Framework (2021).

Ecology

6) Three swift bricks shall be installed prior to occupation of the development and thereafter shall be retained for the life of the development.

Reason: To secure sustainable biodiversity enhancements in accordance with Policy PCS13 of the Portsmouth Plan (2012).

Landscaping

7) Notwithstanding the submitted details, the development hereby permitted shall not be occupied/brought into use until detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; the scheme shall include:

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; the landscaping for the site to include **soft landscaping** and planting which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted; details of any **hard surfacing**, to include materials and **sustainable drainage** details; details of a **lighting** scheme for the front parking area, to include design location and the intensity of the illumination.

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

c) The soft landscaping schemes approved pursuant to part (a) 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, to minimise the risk of flooding from surface water run-off, and in the interests of amenity and biodiversity ensuring of an appropriate visual appearance for the development in accordance with Policies PCS12, PCS13, PCS23 of the Portsmouth Plan (2012)

Sustainable construction

8) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until written documentary evidence has been submitted to, and approved by, the local planning authority, demonstrating that the development has achieved:

- a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
- 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).

Bicycle Storage

9) No part of the development hereby permitted shall be occupied/brought into use until the cycle storage facilities as shown on plan 2204-EMR-ZZ-00-AP-A-02101 and 2204-EMR-ZZ-ZZ-AP-A-05101 have been provided and thereafter these facilities shall be permanently retained for the storage of bicycles at all times.

Reason: To ensure adequate provision for and to promote and encourage cycling as an alternative to use of the private motor car in accordance with policies PCS14, PCS17 and PCS23 of the Portsmouth Plan (2012).

Refuse Storage

10) No part of the development hereby permitted shall be occupied/brought into use until details of the facilities for the storage of refuse, recyclable materials and food waste have been submitted to and approved by the LPA in writing and thereafter these facilities shall be permanently retained for the storage of refuse and recyclable materials at all times.

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).

CEMP

11) Prior to the commencement of any building operation associated with the building's conversion or enlargement, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not limited to details of: Construction vehicle routing; Site access management; Times of deliveries; Loading/offloading areas; Crane siting; Site office facilities; Contractor parking areas; Method Statement for control of noise, dust and emissions from construction work. The development shall be carried out in accordance with the CEMP approved pursuant to this condition and shall continue for as long as building operations are taking place at the site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the potential for conflict with users of the surrounding highway network and to protect the amenity of neighbouring occupiers having regard to the close proximity of the site in accordance with Policies PCS17 and PCS23 of the Portsmouth Plan (2012).

Balcony screening

12) Prior to the occupation of the development hereby permitted, details of screening for the front first floor balconies on the proposed units shall be submitted to and approved in writing by the LPA. The screening shall be to the east face of the most eastern dwelling and west face of the most western dwelling. Thereafter the screening shall be permanently retained as per the approved details.

Reason: In order to preserve the amenity of the adjacent neighbours in accordance with Policy PCS23 of the Portsmouth Plan (2012).

Withdrawal of Permitted Development Rights

13) 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.