

305-307 TWYFORD AVENUE PORTSMOUTH PO2 8PD

CONSTRUCTION OF 3 STOREY BUILDING PROVIDING 6NO. FLATS WITH 2NO. ASSOCIATED PARKING BAYS AND LANDSCAPING (FOLLOWING DEMOLITION OF EXISTING BUILDINGS)

[HTTPS://PUBLICACCESS.PORTSMOUTH.GOV.UK/ONLINE-APPLICATIONS/APPLICATIONDETAILS.DO?ACTIVETAB=DOCUMENTS&KEYVAL=S1R66XMOLEL00](https://publicaccess.portsmouth.gov.uk/online-applications/applicationdetails.do?activetab=documents&keyval=S1R66XMOLEL00)

Application Submitted By:

Ms Alice Hiley
Energy Conscious Design Architects

On behalf of:

Mr Michael Wood
Portsmouth City Council

RDD: 2nd October 2023

LDD: 27th November 2023

1. SUMMARY OF MAIN ISSUES

- 1.1 This application has been brought to the Planning Committee for determination as it is an application by the Council.
- 1.2 The main issues for consideration are:
 - The principle of the development;
 - Design;
 - Impact on residential amenity;
 - Highway Impacts;
 - Impact on nature conservation interests;
 - Arboriculture impacts, and
 - Other Issues

2. SITE, PROPOSAL AND RELEVANT PLANNING HISTORY

2.1 Site and Surroundings

- 2.2 The application relates to a large corner property adjacent located on the junction of Twyford Avenue and Walker Road. The site is roughly rectangular with a rounded north-western corner. The two-storey building is owned by the Portsmouth City Council (PCC) and has been last in use as four flats. Two 1-bedroom and two 2-bedroom units. The site features a sub-divided rear garden along its eastern side and features a dropped kerb. Reviewing the historical images of the site it is apparent that the rear of the site previously included off-street two car parking spaces, though this stopped around 2020. The north elevation is made by a timber fence. The existing building is suffering from subsidence, due to the roots of an adjacent street tree.
- 2.3 To the north of the site is an area of widened pavement, which features two street trees, the more eastern of the two is proposed to be removed and replaced. Past this is the junction of Walden and Walker Road. Walden Road runs east-west to the north of the site, with Walker Road running diagonally north-west. To the east of the site is Twyford Avenue, which runs south-north. To the south of the site is a row of two-storey terrace dwellings with a consistent architectural style and form. The adjacent property (No.303 Twyford Avenue) is also within PCC ownership. The immediate west of the site is a side access for No.1 Walden Road. Beyond this is a run of two-storey terrace properties.

- 2.4 The surrounding area is predominantly residential and characterised by two and three storey properties. It is noted that to further north of the site is Alexandra Park and there are bus services along Walker Road and Twyford Avenue.
- 2.5 The application site is not subject to any specific Local Plan Designations.
- 2.6 Proposal
- 2.7 Planning permission is sought for the construction of a 3-storey building providing 6 flats with 2 associated parking bays and landscaping (following the demolition of the existing buildings). The six flats would all be 1-bedroom. The site has an area of 310 square meters.
- 2.8 The proposed building would be three storeys with a flat parapet roof and a curved frontage to follow the corner junction. The building would be primarily finished in face red brickwork and feature a first and second floor balconies along its eastern elevation fronting Twyford Avenue. There would also be direct access for one of the ground floor flats from this elevation. The primary access for the other flats would be from Walden Road and it slightly recessed and finished in a plain red render. The building would be set back from the road slightly and include low level planting at the front. Two off-street car parking spaces would be provided at the rear (west) of the site. The rear of the site would provide bin, bike and additional external storage for all flats, with the northern boundary of the site being made of a low brick boundary wall. An additional tree is proposed within the rear garden along with the replacement street tree. Solar panels are shown on the roof of the property behind the parapet.
- 2.9 The images below show the Proposed Site Plan, Ground Floor Plan, and the north, east, south and west elevations:



Figure 1 Proposed Site Plan



Figure 2 Ground Floor Plan



Figure 3 Proposed North Elevation



Figure 4 East Elevation

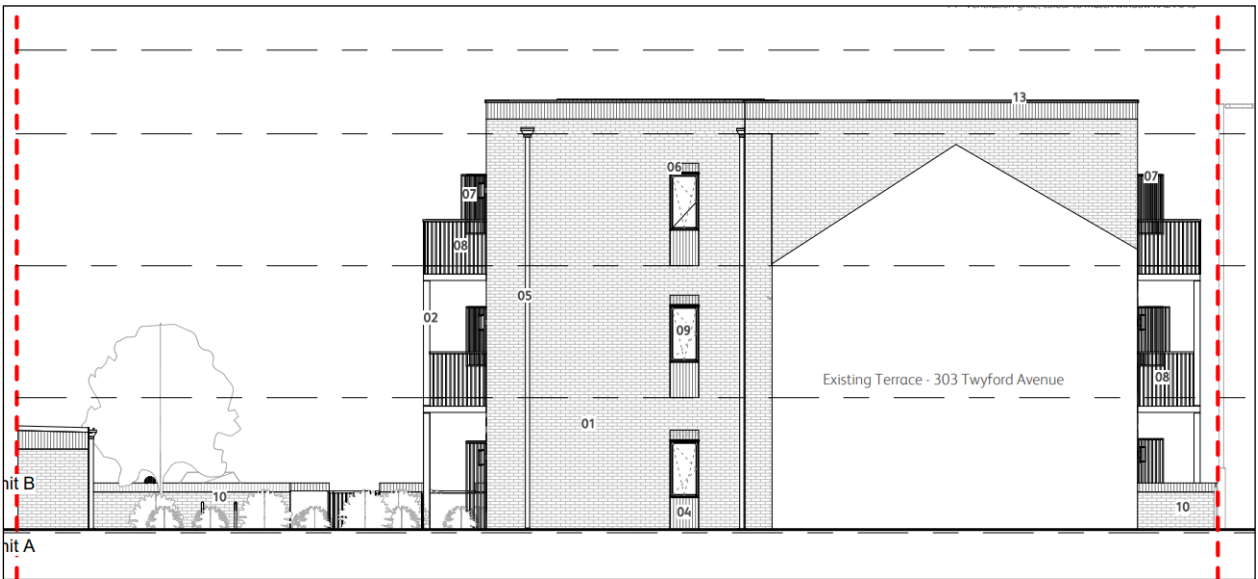


Figure 5 South Elevation

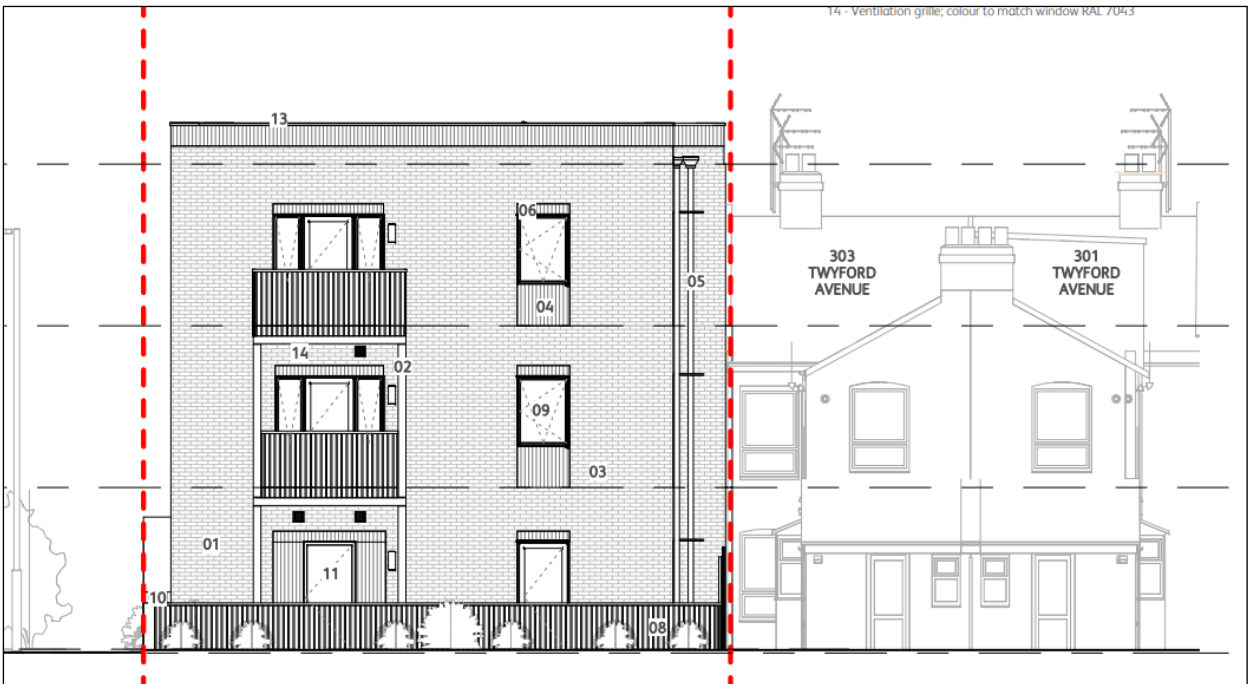


Figure 6 West Elevation

2.10 Planning History

2.11 None relevant.

3. 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 (2012) would include:

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

3.2 In addition to the above development plan policies the Solent Recreation Mitigation Strategy (2017) and Updated 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. CONSULTATIONS

4.1 Contaminated Land

4.2 No objection subject to conditions.

4.3 Natural England

4.4 Awaiting comments back from initial consultation, will update via Supplementary matters, prior to Committee.

4.5 Arboriculture Officer

4.6 No objection subject to conditions relating to the replacement tree planting.

4.7 Ecology

4.8 No objection subject to a condition requiring the measures outlined within the Bat Survey are carried out.

4.9 Highways Authority

4.10 No objection to the scheme.

4.11 Environmental health

4.12 No objection to the scheme.

4.13 Drainage

4.14 No objection to the scheme.

4.15 Environment Agency

4.16 No objection to the scheme subject to four conditions around piling and land contamination.

4.17 Landscape Architects Group

4.18 No objection subject to a condition for final planting details.

5. REPRESENTATIONS

5.1 A total of 2 letters have been received objecting to the development. The issues raised can be summarised as follows:

- a) Out of character for the area/terrace;
- b) Loss of light to No.303 Twyford Avenue;
- c) Impact on rear gardens of No.303 Twyford Avenue;
- d) Impact of parking; and
- e) Impact of noise pollution.

6. COMMENT

6.1 The main issues for consideration are:

- The principle of the development;
- Design and Impact on heritage assets;
- Impact on residential amenity;
- Flood risk;
- Highway Impacts;
- Impact on nature conservation interests;
- Arboriculture impacts, and
- Other Issues

6.2 The principle of the development

6.3 The site comprises four flats within a building suffering from subsidence, which is no longer considered to be viable to remediate.

6.4 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. Furthermore, paragraphs 5.31 and 5.34 of the Local Plan highlight the need to make the most effective use of land which is consistent with the objectives of Section 11 of the NPPF that highlights the importance of using land effectively to provide the homes and other identified needs that communities need. On this basis the proposal is entirely acceptable in principle

6.5 Another aspect for the determination of this application is the fact that Authority does not have a 5-year housing land supply, and the proposed development would contribute towards meeting housing needs. The proposed development has been assessed on this basis and is deemed to be acceptable in principle. 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.

6.6 Design

6.7 Section 12 of the National Planning Policy Framework (NPPF) places an emphasis on achieving high quality sustainable development. Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places are fundamental to what the planning and development process should achieve. Paragraph 130 sets out that developments should ensure that they function well and add to the overall quality of an area; be visually attractive; be sympathetic to local character and history; establish or maintain a strong sense of place and should optimise the potential of a site to accommodate and sustain an appropriate mix of development.

- 6.8 In addition, Policy PCS23 of the Portsmouth Core Strategy (2012) states, inter alia, that new development must be well designed and, in particular, respect the character of the city. A range of guiding principles include the need for excellent architecture, public and private spaces, the need to relate well to the city's heritage and to be of an appropriate scale, density, layout, appearance and materials in relation to the particular context.
- 6.9 The site is located on a corner plot and would require the demolition of the existing building. As highlighted the existing building is suffering from subsidence and therefore not considered to be viable for remediation and renovation. The existing two storey building reflects the adjoining terrace which runs north south.
- 6.10 The area around the site is primarily residential and features a mixture of two and three storey buildings. The proposed building is taller than the existing property and features a simple modern design, with a flat parapet roof. The building would include a curved frontage which would respond well to the corner junction of the roadway. While the building would be a marked difference in form and scale against the adjoining terrace, when viewed from most angles the contrast would not appear overly stark. The additional mass would be most apparent when viewed from the south, as the flank wall would be visible above the existing roofline of the southern property (No.303 Twyford Avenue). This relationship has been carefully considered by Officers at pre-application stage, while this relationship is not ideal, it is mitigated by feature brickwork at the ridge of the roof. Similar building heights are within the locality and the front balcony feature does help in providing not only some interest in depth but also follows the pattern of bay windows present within the terrace. On balance it is considered that subject to an appropriate brick finish of the property the relationship with the southern terrace could be considered appropriate.
- 6.11 The proposal is to include areas of planting along both frontages and a replacement street tree, which should help provide some screening from the street to break up the frontage. Windows would be aluminium, which is will not traditional for the area is a high-quality option and more appropriate for the more contemporary finish of the building. Further windows would include solid courses below and lintels above in contrasting brick, which would help provide visual interest. Overall, the proposal is considered to be off a good quality, modern design, which would accord with the objectives Policy PCS23.
- 6.12 Subject to the conditions set out below regarding materials, tree replacement and landscaping it is considered that the proposal will ensure the development represents a high quality sustainable form of development that accords with the objectives of Policy PCS23 of the 2012 Local Plan and the NPPF.
- 6.19 Impact on residential amenity
- 6.20 Policy PCS23 also requires, inter alia, that new development protects the amenities of existing residents while requiring a good standard of amenity for future occupants.
- 6.21 Existing Residents
- 6.22 Northern neighbours (Nos 2-10 Walden Road and 309 Twyford Avenue)
- 6.23 The proposal would be built essentially over the footprint of the existing building and located approximately 13.4m from the closest neighbour to the north (separated from the roadway). While the proposal would result in additional height and feature windows facing these neighbours at additional height, it is not considered that it would result in a harmful relationship any of these neighbours' amenities.
- 6.24 Eastern neighbours (Nos 300-304 Twyford Avenue and 1-14 Florence Buildings)
- 6.25 The proposed development would be separated from the eastern neighbours by 21m. Given the relatively minor increase in height, it is not considered that the development would result in any significant loss of light or increased sense of enclosure. The proposal would include a balcony

looking onto these neighbours, however once again there is a significant separation between the balcony and opposing neighbours and existing upper floor windows which provide a comparable level of shared overlooking/intervisibility. On balance it is considered that the proposal would not result in harm towards the amenities of these neighbours.

6.26 Southern neighbours (No. 303 Twyford Avenue and adjoining terrace)

6.27 As stated, the immediately adjoining neighbour to the south of the site (No.303 Twyford Avenue) is also owned by PCC. The proposed front balconies would be located approximately 5m from the angled front facing first floor bay windows of the neighbouring property. The balconies would have a depth of 1.5m, with the half of this depth being screened via a brise-soleil to the south. Given the existing first floor bay window, at greater proximity than the proposed balcony it is considered that the level of overlooking, and impact of privacy would be no different from the existing.

6.28 The proposed development would retain a shared lightwell between itself and No.303 Twyford Avenue, though would be built slightly closer and project slightly further within the lightwell than existing. Three south side facing windows are proposed within the lightwell, at ground, first and second floor level. These windows would serve bathrooms and therefore can be obscure glazed and non-opening below 1.7m and this can be conditioned.

6.29 The proposed development would increase the built from above the boundary to a depth of 0.7m within the lightwell. The building would be approximately 4m higher than the existing at eaves height and 1m taller at the ridge height. No.303 Twyford Avenue features two west facing windows at ground and first floor level. The outlook and light for these windows will be impacted by the development. However, considering the existing relationship with the property and the reduction of shared overlooking achieved by the reduction of side facing windows on the proposed building. The impact on the outlook of these windows is not considered to be sufficiently harmful to warrant refusal of the application.

6.30 No.303 Twyford Avenue also includes one upper floor side (north) facing window which serves a bathroom and two ground floor side facing windows which serves the dining room and kitchen. The kitchen is also served by a rear (east) facing window. The dining room window is a projecting square bay window within the lightwell, which also faces east and west. Given the above matters it is not considered that the proposal would result in a harmful impact upon these windows, or the subsequent amenity provided by them.

6.31 The proposal also includes a rear balcony which would be located 6.1m away from the closest southern neighbour. To protect from overlooking from these balconies it is considered justified to include a condition requiring them to be screened for the entirety of their southern aspect. Subject to this screening the amenity to the southern neighbours is on balance considered to be acceptable.

6.30 Western neighbours (No. 1 Walden Road, the adjoining terrace, No.2A Walden Road and No.1 Walker Road)

6.31 The built form maintains a separation from the neighbour No.1 Walden Road of 11.7m. The site faces onto the blank side wall of this neighbours and it is not considered that the proposal would result in any harm towards the amenity of the westerly neighbours.

6.32 On the basis of the foregoing, the proposed development would, by virtue of the layout separation distances, and conditioned screening treatments, be unlikely to materially impact upon the occupants of residents that are adjacent to the application site, or to impact upon them in an acceptable manner given the site's context, and therefore the scheme is compliant with Policy PCS23 of the Local Plan in this regard.

6.33 Future Occupants

6.34 With regard to the amenities of future occupants, it is necessary to consider the proposed size of the units proposed and whether these would accord with the Government's Internal Space

Standards, and whether the proposed layout would give rise to any materially harmful impacts such as overlooking within the development itself.

- 6.35 The Government's Nationally Described Space Standards were published in 2015 and the applicant has detailed on the submitted plans the size proposed for each of the 1-bedroom apartments. Each of the apartments would exceed the Space Standards. In terms of the internal space provided each of the occupants would have a good standard of amenity that either meets or exceeds the minimum space standards.
- 6.36 Regarding outdoor space, the scheme proposes individual balconies for the four upper floor apartments with an area of communal space to the rear. The balconies would measure approximately 2.8m x 1.5m. The balconies would therefore provide sufficient room for occupants to have a table and chairs. The balconies provided would ensure that there is an appropriate level of outdoor space for the six apartments proposed.
- 6.37 In terms of outdoor space, the scheme would provide for good levels of outdoor space for the apartments thereby adhering to the objectives of Policy PCS23 of the Local Plan and paragraph 130(f) of the NPPF. Furthermore, the site is only 100m away from Southsea Common.
- 6.38 Flood Risk
- 6.39 The site is within Flood Zone 1, areas at least risk of flooding. The Environment Agency have reviewed the application and have raised no objections.
- 6.40 The drainage engineer has reviewed the submission and is satisfied with the detail supplied.
- 6.41 Highway Impacts
- 6.42 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.
- 6.43 The Highways Authority reviewed the submission and have confirmed that the traffic generation from the proposal is unlikely to have a material impact on the operation of the broader highway network nor is any objection raised to the proposed access.
- 6.44 The proposal would include 2 off-street car parking spaces to serve the 6 flats. These would be allocated to two of the rear facing flats, to ensure direct natural surveillance of the cars. The Parking Standards and Transport Assessments SPD sets an expectation for 1 space per dwelling and therefore requires 6 car spaces for the development. It is however noted that the existing site has 4 flats and no parking. The increase of 2 flats is therefore met by the two off-street car parking spaces and the level of off street parking would remain unchanged as part of the development.
- 6.45 The proposal would also require 6 cycle parking spaces, 12 long stay cycle spaces are show in the rear of the site, accessed directly from Walden Road. The cycle parking is considered to be acceptable and the scheme as whole is therefore considered to accord with Policy PCS17 of the Portsmouth Plan (2012).
- 6.46 Impact on nature conservation interest
- 6.47 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.
- 6.48 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.

- 6.49 The applicant has identified that through water saving measures within the site, the proposal could have a neutral impact in terms of levels of nitrogen and phosphorus. Natural England have been consulted in this regard and their comments are pending. The applicant has outlined that if this is not accepted by Natural England then they are prepared to use the Council's offsite credit bank in order to mitigate the scheme. If this is required, an alternative Appropriate Assessment will be needed and can be completed post committee decision.
- 6.50 The recommendation is for the Committee to recommend the granting of permission subject to Natural England's response and if required the completion of the Section 106 legal Agreement to secure the mitigation payment for both the recreational bird disturbance and nitrate neutrality.
- 6.51 In terms of the biodiversity value of the site itself, the City Council's Ecology Officer has reviewed the Preliminary Ecological Appraisal and bat survey and has confirmed they raise no objection subject to a condition ensuring the mitigation measures set out in the report are implemented as set out in the report.
- 6.52 Arboriculture Issues
- 6.53 As highlighted there are three street trees located to the north of the site, one (T1) is a mature Japanese Cherry to a height of 11m, while the other two (T2 and T3) are semi-mature cherry trees to a height of 5m. As noted within the application, the Japanese cherry tree is in poor condition and is also resulting in subsidence in the existing building and is therefore to be removed as part of the plans.
- 6.54 As part of the proposal a replacement street is to be planted in location of T1 and an additional tree is to be planted in the rear of the site. The Arboriculture Officer has reviewed the plans and the submitted Arboriculture Assessment and has raised no objection to the scheme subject to a number of conditions around the replacement planting. Subject to these conditions the proposal would accord with the objectives of Policy PCS13 of the Local Plan.
- 6.55 Community Infrastructure Levy
- 6.56 Portsmouth City Council introduced its Community Infrastructure Levy (CIL) charging schedule in April 2012 with a basic CIL rate of £105/sqm. The CIL regulations require indexation to be applied to this rate annually using the RICS CIL Index and the 2023 basic rate is £167.15/sqm. The 2024 basic rate is £179.39/sqm. Most new development which creates over 99sqm of gross internal area or creates a new dwelling is potentially liable for the levy. However, exclusions, exemptions and reliefs from the levy may be available. The proposal would result in the creation of 6 new dwellings totalling 390sqm of GIA floorspace. If existing building discount can be applied to the 311sqm of existing GIA floorspace, the likely CIL chargeable amount will be £13,205.04. No CIL Form 1 was submitted with the application and the estimate is based on proposed floor plan measurements.
- 6.57 Other Issues
- 6.58 It is not considered that the proposal would result any additional noise issues compared with the existing situation.
- 6.59 Conclusion
- 6.60 Having regard to all of the material planning matters which have been explored above, it is considered that the proposal would represent a positive addition to the area, would not unduly impact upon the amenities of neighbouring properties, would afford future occupants with a good standard of living, and would represent an efficient use of a brownfield site and subject to the conditions set out below the development would secure the necessary landscaping and ecological benefits. The development would yield new housing for the city, and it is located at a very

sustainable location. Having considered that there would be no significant/unacceptable adverse impacts on residential amenity, character and design, the surrounding highway network and nature conservation interests, the development would contribute to the achievement of sustainable development as required by the NPPF.

RECOMMENDATION I - That delegated authority be granted to the Assistant Director of Planning & Economic Growth to grant Conditional Permission subject to completion of a Legal Agreement to secure the following:

- i. To mitigation of the development with respect to the recreational disturbance to the Special Protection Areas.
- ii. Nitrate neutrality mitigation for 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 affordable housing, and 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.

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.

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:

220243-ECD-XX-XX-DR-A- 07002 - Existing Site Plan,
220243-ECD-XX-XX-DR-A- 07100 - Existing Ground Floor Plan,
220243-ECD-XX-XX-DR-A- 07101 - Existing First Floor Plan,
220243-ECD-XX-XX-DR-A- 07102 - Existing Roof Plan,
220243-ECD-XX-XX-DR-A- 07110 - Existing Site Demolition Plan,
220243-ECD-XX-XX-DR-A- 07200 - Existing Section AA,
220243-ECD-XX-XX-DR-A- 07201 - Existing Section BB,
220243-ECD-XX-XX-DR-A- 07300 - Existing North Elevation,
220243-ECD-XX-XX-DR-A- 07301 - Existing East Elevation,
220243-ECD-XX-XX-DR-A- 07302 - Existing South Elevation,
220243-ECD-XX-XX-DR-A- 07303 - Existing West Elevation,
220243-ECD-XX-XX-DR-A- 07000 - Site Location Plan,
220243-ECD-XX-XX-DR-A-07001 - Proposed Block Plan,
220243-ECD-XX-XX-DR-A- 07130 - Proposed Site Plan,
220243-ECD-XX-XX-DR-A- 07131 - Proposed Landscaping Plan,
220243-ECD-XX-XX-DR-A- 05100 - Ground Floor GIA Plan,
220243-ECD-XX-XX-DR-A- 05101 - First Floor GIA Plan,
220243-ECD-XX-XX-DR-A- 05102 - Second Floor GIA Plan,

220243-ECD-XX-XX-DR-A- 05103 - Proposed Roof Plan,
220243-ECD-XX-XX-DR-A- 05110 - GF General Arrangement Plan,
220243-ECD-XX-XX-DR-A- 05111 - FF General Arrangement Plan,
220243-ECD-XX-XX-DR-A- 05112 - SF General Arrangement Plan,
220243-ECD-XX-XX-DR-A- 05201 - Section AA,
220243-ECD-XX-XX-DR-A- 05202 - Section BB,
220243-ECD-XX-XX-DR-A- 05300 - North Elevation,
220243-ECD-XX-XX-DR-A- 05301 - East Elevation,
220243-ECD-XX-XX-DR-A- 05302 - South Elevation,
220243-ECD-XX-XX-DR-A- 05303 - West Elevation,
220243-ECD-XX-XX-DR-A- 05400 - 1B2P Unit Type A,
220243-ECD-XX-XX-DR-A- 05410 - 1B2P Unit Type B,
220243-ECD-XX-XX-DR-A- 05420 - 1B2P Unit Type C,
220243-ECD-XX-XX-DR-A- 05430 - 1B2P Unit Type D,
220243-ECD-XX-XX-DR-A- 05510 - Proposed Refuse Strategy,
220243-ECD-XX-XX-DR-A- 05520 - Proposed Fire Strategy,
220243-ECD-XX-XX-DR-A- 05521 - Internal Fire Strategy

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

Land Contamination

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).

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.

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).

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.

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).

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.

Any changes to these components require the written consent of the Local Planning Authority.

The scheme shall be implemented as approved.

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.

Piling

5) Piling and other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed construction does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework (NPPF).

Development on land affected by contamination

6) No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the

remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF.

Verification report

7) Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF.

Previously Unidentified Contamination

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

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF.

Ecology

9) The development shall proceed in accordance with the measures set out in Sections 5.1.3.1 and 5.1.3.2 of the Phase II Bat Survey report by Eco Support (September 2023).

Reason: In accordance with the NPPF and NERC Act.

Materials

10) (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:

i) a full and detailed schedule of all materials and finishes (including a samples board) 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

ii) a sample panel (minimum 2 metres square) for each of the proposed masonry types to demonstrate: colour; texture; bedding and bonding pattern; mortar colour and finish has been installed at the application site 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)i) of this Condition; and the sample panels approved pursuant to part (a)ii) of this Condition retained on site for verification purposes until completion of the construction works.

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).

Landscaping

11) (a) 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; and

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

(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. 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 ensure adequate external amenity space for future users of the building in the interest of visual and resident amenity in accordance with Policy PCS23 of the Portsmouth Plan (2012) and the Tall Buildings SPD (2012).

Bicycle Storage

12) (a) Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall not be occupied/brought into use until bicycle storage facilities have been provided in accordance with a detailed scheme first submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to: details of any storage structures, lockers, maintenance facilities, electric changing points, security measures to protect cycles and users; and

(b) The bicycle storage facilities approved pursuant to part (a) of this Condition shall thereafter 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

13) (a) Notwithstanding the submitted details, no part of the development hereby permitted shall be occupied/brought into use until facilities for the storage of refuse, recyclable materials and food waste have been provided in accordance with a detailed scheme first submitted to and approved in writing by the Local Planning Authority; and

(b) The facilities approved pursuant to parts (a) of this Condition shall thereafter 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 (2021).

Balcony Obscure Glass Screens

14) Prior to first occupation of the relevant properties (in this case unit X and X), details of privacy screens for the southern elevation of the balconies shall be submitted for the written approval of the Local Planning Authority. The screens shall be installed prior to the first occupation and retained as such unless otherwise agreed in writing by the Local Planning Authority.

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

Parking Retention

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the parking spaces as shown on the approved plans shall be kept available for the parking of cars and shall not be converted to any use without the prior written consent of the Local Planning Authority.

Reason: To ensure adequate parking and in the interests of highway convenience in accordance with Policy PCS17 of the Portsmouth Plan (2012)

Parking Provision

16) The parking area shown on the approved plans shall be laid out and retained as such prior to the first occupation of the development hereby permitted.

Reason: To ensure adequate parking and in the interests of highway convenience in accordance with Policy PCS17 of the Portsmouth Plan (2012)

Tree Replacement (Tree Planting: T1 replacement planting)

17) Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location.

Species: Acer campestre 'William Caldwell'
Size: Heavy Standard
Supplier: Hillier.

All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with PCS13.

Tree Planting (Tree Planting: Garden Tree)

18) Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location.

Species: Arbutus unedo
Size: Heavy Standard
Supplier: Any reputable tree nursery

All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with PCS13.

REFER to second informative.

Architectural Detailing

19) Notwithstanding the submitted details, no development works other than those of demolition, and construction of the buildings' foundations, shall take place until precise constructional drawings of key architectural features at a 1:20 and 1:5 scale (or such other appropriate scale as may be agreed) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the details approved.

Reason: To secure a high-quality appearance for buildings on a locally prominent site, in accordance with Policy PCS23 of the Portsmouth Plan (2012).

Water use

20) 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 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 the conclusions of the Appropriate Assessment in accordance with policy PCS13 and PCS15 of the Portsmouth Plan.

INFORMATIVE

1. Before any works take place at this location including any Demolition works, can the Developer please contact Martin Thompson or Fred Willett at Colas on martin.thompson@colas.co.uk or fred.willett@colas.co.uk this is for Highway coordination purposes.

2. The following British Standards should be referred to:

- a) BS: 3882:2015 Specification for topsoil
 - b) BS: 3998:2010 Tree work – Recommendations
 - c) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
 - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- The London Tree Officers Association - www.ltoa.org.uk

- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
- i) BS: 8601:2013 Specification for subsoil and requirements for use