

19 PERONNE ROAD PORTSMOUTH PO3 5LD

ERECTION OF TWO STOREY SIDE AND REAR EXTENSIONS TO CREATE 6NO. 2-BEDROOM FLATS AND ASSOCIATED WORKS (AMENDED DESCRIPTION)

LINK TO ONLINE DOCUMENTS:

[23/00904/FUL | ERECTION OF TWO STOREY SIDE AND REAR EXTENSIONS TO CREATE 6NO. 2-BEDROOM FLATS AND ASSOCIATED WORKS \(AMENDED DESCRIPTION, AMENDED PLANS RECEIVED 08-11-2023\) | 19 PERONNE ROAD PORTSMOUTH PO3 5LD](#)

Application Submitted By:

Mr James Potter
James Potter Associates

On behalf of:

K&G Restaurants Limited

RDD: 18th July 2023

LDD: 30th October 2023

1 SUMMARY OF MAIN ISSUES

1.1 This application is being presented to Planning Committee due to the number of objections received (from 14 addresses) and call-in request by Cllr Emily Strudwick.

1.2 The main considerations are:

- The principle of a residential development;
- Design Consideration;
- Living Conditions for Future Occupants;
- Impact on Amenity of Adjoining residents
- Highways & Parking;
- Appropriate Assessment & Biodiversity;
- Trees;
- Flooding;
- Ground Conditions & Pollution (Contaminated Land)

2 SITE AND SURROUNDINGS

2.1 The site is located on a corner plot to the south east corner of Peronne Road and off the junction with A2047 and is located in a predominantly residential area, albeit with some commercial land uses of various sizes and types, including large industrial areas to the east.

2.2 The site comprises a detached, two storey dwelling set within a generous plot. It is set back away from the A2047. The entrance to the dwelling is from Peronne Road.

2.3 The surrounding residential development along Peronne Road consists of mostly two-storey properties. This property forms one of a group of some twenty-seven, early 20th Century houses on the southern part of Peronne Road and extending west on the A2047, mostly semi-detached, rendered and with distinctive quoins (accented corner features). Two and three-storey post-war housing lies to the east, with a group of large trees to the south-east of the site. On the other side (south) of the A2047, there are three storey buildings which consist of retail units on the ground floor, with residential above.

3 PROPOSAL

3.1 The development proposes the erection of significant two storey side and rear extensions to create 6no. 2-bedroom flats and associated works. The footprint of the existing building would be approximately trebled. The nearest corner of the building to the A2407 frontage would be set back 2.7m (excluding the balcony/terrace), and the corner turret element set back 1.7m from the Peronne Road pavement.

3.2 The development would comprise a total of 6 units and together with 6 car parking spaces sited at the rear. There would be a secure bicycle parking facility to the rear and a refuse bin storage to the front.

3.3 There would be no change to vehicular access, from the northern corner of the site frontage on Peronne Road. The existing pedestrian access from Peronne Road would be maintained, becoming the access to Flat 1. A new pedestrian access off Peronne Road would also be formed, to access the flats in the extended building. There would be rear access to the building also, proposed from the rear car park. A new pedestrian gate is proposed in the frontage wall to the A2047, which would lead to a bike store. Otherwise, the high brick wall to the A2047 is being retained, as is the six foot high fence to the Peronne Rd frontage.

3.4 Notwithstanding the fact that most of the existing amenity space (garden) would be lost due to the proposed extension and increased parking, there are still pockets of amenity area being proposed. The proposed four flats in the new building would also have small balconies to use.

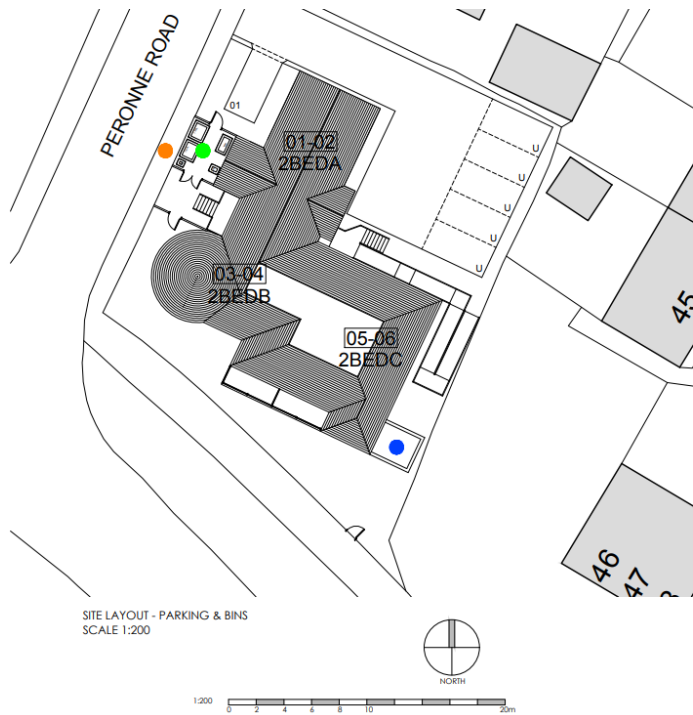
3.5 The extension would be constructed to match the existing house: render with quoin detailing, and slate roof. A condition will be required to review and approve the materials and design details to ensure they are in keeping with the character of the area.

3.6 The proposals have been amended during the course of the application, to address the requirements of the Environment Agency, and Officer requests to improve site layout and privacy/amenity for its future occupiers. The ground floor level of the new-build extensions have been raised to 1.23m above site level, to address flood safety. As part of site layout improvements, car parking spaces have been reduced from eight to six. The amended plans, with changed finished floor levels were re-advertised to local residents.

3.7 Due to the increase in levels, a ramp has been introduced to provide level access to the rear. This has resulted in the ramp passing a number of habitable room windows. At the platform, a 1.8m privacy screen has been introduced to prevent people from looking into the kitchen of flat 1.

3.8 The location of the bin store at the front of the site is not in an ideal position. In order to reduce the impact it has on the occupants of Flat 1, the window which faces out onto the store has been set 1.8m high. This is to prevent people using the bins looking into the flat. An additional window has been added to the side (north) elevation to help improve the light into the flat, and outlook. Although not ideal, there is no other suitable location for the bin store.

3.9 The images below show the Proposed Site layout and elevations:



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Parking/ Bin Key

- # # Allocated Parking Bay
- Bin Storage Point
- Bin Collection Point (Multiple Dwellings)
- Secure Bicycle Storage

SCHEDULE OF ACCOMMODATION

2 No. 2BEDA 2 Bed Flat	68m ² (732 sqft)
2 No. 2BEDB 2 Bed Flat	70m ² (753 sqft)
2 No. 2BEDC 2 Bed Flat	77m ² (829 sqft)

Total: 6 UNITS

Allocated Parking: 1 Spaces
Un-allocated Parking: 5 Spaces
Total Parking: 6 Spaces

Project	NEW DWELLINGS AT 19 PERONNE ROAD PORTSMOUTH PO3 5LD	Drawing	SITE LAYOUT - PARKING & BINS	Job/Draw Number	23036-PL-2-06	Rev	F
Client	K&G RESTAURANTS LTD						
Status	PLANNING						
Scale	1:200	Drawn By	A3				
Author	JK	Checked	JP	Date	21/06/2023		

This drawing may be scaled with reference to the scale bar for planning application purposes only. Do not scale for any other purpose, use only annotated dimensions. All dimensions are to be checked by parties using the drawing, and any errors or omissions are to be reported to James Potter Associates Ltd.



PROPOSED WEST ELEVATION



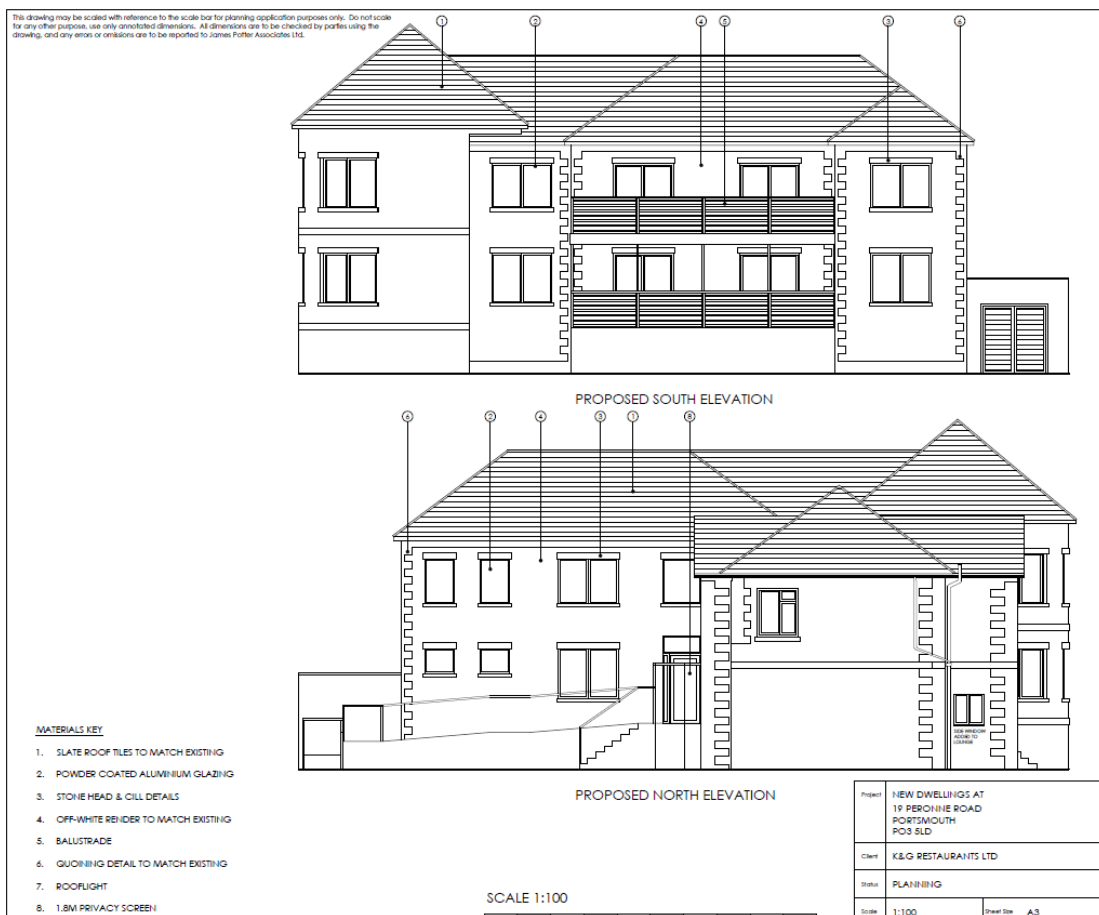
PROPOSED EAST ELEVATION

MATERIALS KEY

1. SLATE ROOF TILES TO MATCH EXISTING
2. POWDER COATED ALUMINIUM GLAZING
3. STONE HEAD & CILL DETAILS
4. OFF-WHITE RENDER TO MATCH EXISTING
5. BALUSTRADE
6. GUARDING DETAIL TO MATCH EXISTING
7. ROOFLIGHT

SCALE 1:100

Project	NEW DWELLINGS AT 19 PERONNE ROAD PORTSMOUTH PO3 5LD
Client	K&G RESTAURANTS LTD
Status	PLANNING



4 PLANNING CONSTRAINTS

4.1 The site is subject to the following key constraints:

- Tree Preservation Order (TPO222, T50, T51, T52, T54)
- Flood Zone 3 (High Risk) and Zone 2 (Medium Risk)

5 POLICY CONTEXT

5.1 The planning policy framework for Portsmouth is currently provided by the Portsmouth Plan (The Portsmouth Core Strategy) adopted in January 2012.

5.2 Having regard to the location of this site and the nature of the proposal, the relevant policies within the Portsmouth Plan would include:

- PCS10 - Housing Delivery
- PCS12 - Flood Risk
- PCS13 - A Greener Portsmouth
- PCS15 - Sustainable Design and Construction
- PCS17 - Transport
- PCS21 - Housing Density
- PCS23 - Design and Conservation

5.3 This framework is supplemented the following saved policies from the Portsmouth City Local Plan (2006).

- Policy DC21 - Contaminated Land

5.4 Regard also has to be had to the following SPDs and material considerations:

- The Solent Special Protection Areas SPD 2017
- Updated Interim Nutrient Mitigation Strategy 2022

- Planning Obligations
- Parking Standards and Transport Assessments
- Reducing Crime Through Design
- Sustainable Design and Construction

5.5 Other guidance:

- Nationally Described Space Standards

5.6 The National Planning Policy Framework (December 2023) (NPPF) is also an important material consideration and is supported by guidance in the National Planning Practice Guidance (NPPG).

6 STATUTORY DUTIES

6.1 The Local Planning Authority has statutory duties relating to the determination of the application which are set out in the following legislation:

- Section 70 of The Town and Country Planning Act 1990
- Section 38(6) of The Planning and Compulsory Purchase Act 2004
- The Equality Act 2010

7 RELEVANT PLANNING HISTORY

- 16/02018/PAPA04 - Construction of an apartment block total of 8 residential units
- 22/01382/PAPA03 - Construction of new dwellings

These were both informal pre-application enquiries.

8 CONSULTATIONS

8.1 Contaminated Land Team

A condition relating to land contamination is not required.

8.2 Environment Agency

The amended Flood Risk Assessment (FRA) satisfactorily addresses our earlier concerns, we withdraw our previous objection subject to a condition ensuring the mitigation measures set out in the FRA addendum are implemented fully (raised finished floor levels, and a safe refuge and/or a flood warning and evacuation plan).

8.3 Highways Engineer

Comments dated 26/09/2023

The proposal would utilise the existing access to the site. It would provide 8 parking spaces, two to the front and six within the rear garden. The parking would be on allocation basis with one space per flat and 2 visitor bays. The provision would be below that required within Portsmouth Parking SPD (when considering visitor spaces, the shortfall would be 1 space). However, it is considered that this shortfall would not be sufficient to warrant refusal given the location of the site, which is easily accessible by public transport.

Should have electric charging facilities, by condition, each allocated space should be installed with a charger. No cycle storage has been included, recommend a condition

In relation to ingress and egress, the position of the access would not cause harm or obstruction to the highway, so no objection raised for highway safety.

Comments dated 25/01/24

Since my last response, the proposal has been revised and has reduced the level of parking, provide 6 spaces with only 1 space allocated. Concerns raised that the parking shortfall has increased. Whilst it is noted that unallocated car spaces are the most efficient way of meeting parking need. In areas of high demand there may be a risk of these being abused. Allocated spaces offer a greater level of certainty as each resident has a dedicated space. Therefore, due

to the shortfall from the Parking SPD, there is the potential for vehicles to overspill onto the public highway and thereby increasing parking pressure within the vicinity.

Peronne Road adjacent to the development is a relatively straight road with some on street parking capacity, with double yellow lines along the eastern edge of the carriageway in the vicinity. Given the restrictions in the vicinity, it is not considered that any overspill would result in an unacceptable impact to highway safety however as stated above, there is the potential for increased instances of residents driving around the area hunting for a parking space. This would be an issue of residential amenity for you to consider in your determination of the application.

Still require conditions for Electric charging points and bike storage.

8.4 Environmental Health

I have reviewed the supporting acoustic report and subject to glazing being installed as specified in table 16.4 of the report, the proposed occupants will not be disturbed by traffic noise.

Separate comments on air quality have been sought by the Planning Officer.

8.5 Ecology

If you are minded to grant permission, ecological enhancements measures in line with the NPPF should be secured via condition.

8.6 Natural England

No objection.

8.7 Tree Officer

No arboricultural objection. Require condition that all works are to undertaken in accordance with the Arboricultural Impact Assessment PB/AIA-23/06.23 dated 04 July 2023.

9 REPRESENTATIONS

- Design not in keeping with the tradition of all the other ex-MOD properties
- Plot too small for the proposed 6 flats resulting in cramped development
- Proposed street section, building addition now shows raised floor that requires a raised 'Eaves' line,
- Flatted development in the corner plot would be out of character in the area
- Too many flatted development in the area
- Security issues from the proposed car park & flats backing on to the corner of neighbour property will mean that their garden will potentially become more easily accessible.
- The round turret part of the building is out of scale looking to 'big' to the existing house.
- Loss of Light and Privacy effect on neighbour properties
- Loss of afternoon day/sunlight in adjacent back gardens
- Insufficient parking provision would have effect on street parking and congestion
- Road safety for pedestrians due to London Road being one-way road and due to the pedestrian access on the corner of Peronne Road leading on to the main road is tight
- No provisions for EV charging on the parking bays
- Drawings does not indicate any secure cycle shed or bin stores; provisions for electric vehicle charging or cable routes
- Cellular crate soakaway drainage structure close to surrounding buildings could cause problems
- Flooding
- Presence of TPO protected trees close to the proposed development
- Proposal described as demolition however the drawings indicate the existing walls remain' (*Officer note: The building is not being demolished but extended and the description has been amended during the course of the application*)
- Road closures to provide utilities will affect the neighbouring residents, how will this be managed and timeframe?
- Special landscaping required to avoid standing water run off to soakaway and tree root protection;

- Existing building would not be easily bought up to current EPC regs and the proposal does not show any energy efficiency
- How will construction traffic and parking be managed so as not to interfere with private roads or access ways or block people's driveways?
- Air and noise pollution during demolition and construction
- Disturbance caused by the demolition and construction
- Likely damage during the build to the water & sewage infrastructure

Non-planning considerations

- There are restrictions on the title deeds of all Ex Ministry of Defence properties in this area and the land may have covenants attached like the existing military properties (*Officer note: any covenants would not affect planning considerations, and so would be a separate legal matter for the Applicant to address outside of the planning system*);
- Applicant no longer owns the land (*Officer note: Planning permission runs with the land the Certificate was accurate at the time of application submission*)

10 PLANNING CONSIDERATIONS/COMMENT

10.1 Principle of the development

As set out in the NPPF (paragraph 2), 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

10.11 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (as long as they raise town planning matters) the primary consideration, irrespective of the number of third-party representations received, remains the extent to which planning proposals comply with the Development Plan.

10.12 The site comprises a detached, two storey dwelling set within a generous plot. Policy PCS10 of the 2012 Portsmouth Plan states that the provision of additional housing in the city will be through, inter alia, the redevelopment of previously developed land.

10.13 Furthermore, and with regard to the principle of this development, the National Planning Policy Framework makes it clear that in order to support the Government's objective of significantly boosting the supply of homes, a sufficient amount and variety of land can come forward where needed (NPPF December 2023, paragraph 60).

10.14 The National Planning Policy Framework (NPPF) states that planning decisions should be based on a presumption in favour of sustainable development (paragraph 11). That presumption does not apply where the project is likely to have a significant effect on a 'habitats site' (including Special Protection Areas) unless an appropriate assessment has concluded otherwise (paragraph 188). Where a local planning authority cannot demonstrate a five year housing land supply of deliverable sites, the NPPF deems the adopted policies to be out of date and states that permission should be granted for development unless:

- I. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

10.15 Currently, the Council can demonstrate 3.31 years supply of housing land. The starting point for determination of this application is therefore the fact that the authority cannot demonstrate a five-year supply of housing. This development would provide 5 extra dwellings to make a good contribution towards the City's housing needs, at a highly sustainable location in Hilsea, with very good public transport (bus routes and train stations nearby), retail and services, employment, leisure, health facilities, etc.. These factors weigh in favour of the proposed development. The further, specific impacts of the proposal must still be considered as to whether the development is appropriate in detail, as set out below.

10.2 Design Considerations

10.21 National Planning Policy Framework (NPPF), Chapter 12, 'Achieving Well Designed Places', states that 'the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'. The NPPF is also supplemented by the National Design Guide (NDG).

10.22 Policy PCS23 (Design & Conservation) echoes the principles of good design set out within the NPPF requiring all new development to be well designed, seeking excellent architectural quality; public and private spaces that are clearly defined, as well as being safe, vibrant and attractive; relate to the geography and history of Portsmouth; is of an appropriate scale, density, layout, appearance and materials in relation to the particular context; create new views and juxtapositions that adds to the variety and texture of setting; and protection of amenity and provision of good standard of living environment for neighbouring and local occupiers as well as future residents/users of the development.

10.23 The application building is part of a group of houses developed together and of the same design on this south part of Peronne Road and west on to the A2407. The proposed development would use the same materials and design as the existing building, in particular the render and the quoin detailing, to accord with the existing character of the area.

10.24 The proposed turret feature to the front corner, is designed to provide more interest to the building and address both the A2407 and Peronne Road. Although the whole building would be set forward on both Peronne Road and the A2407, compared to the existing, and compared to others nearby, this is not considered to cause harm to the street scene. This is particularly because of the attention to architecture demonstrated (materials, turret, depth of eaves, depth of quoin projections), and the very pleasant group of trees nearby to the east, providing backdrop or screening depending on the angle of view.

10.3 Living Conditions for Future Occupiers

10.31 The proposed units meet or exceed the minimum gross internal floor areas as set out in Table 1 of the Technical Housing Standards - Nationally Described Space Standard¹

10.32 In terms of the physical layout of the scheme, it is considered that the layout would ensure adequate light to each of the units proposed. In addition, the scheme proposes an area of outdoor space in the form of balconies to flats 3,4,5 and 6. It is considered that with the units themselves meeting or exceeding the minimum space standards, the appropriate layout and provision of outdoor space it is considered that future residents would have a good standard of residential amenity. There is a small park (including children's play area) nearby to the south-east at John Wesley Gardens, and the Hilsea Lines to the north.

¹ [Technical housing standards – nationally described space standard \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614212/Technical_housing_standards_-_nationally_described_space_standard.pdf)

10.4 Impact on amenities of adjoining properties

10.41 Concerns have been raised from the neighbouring properties in relation to loss of daylight and privacy this development could cause. The properties mostly affected by the development would be those off Parsons Close to the rear (east). Flats 5 and 6 (as labelled on the plans) are

set close to the east boundary and as a first floor flat no 6 could overlook the fence from Bedroom1. However, the overlooked area is the tree'd area at the window-less gable end of the Parsons Close flatted block, it is considered there would be no undue loss of amenity. Due to the angle of the new building, it would be hard to look into the rear garden of 45 Parsons Close from the north-facing first floor windows. No.45 has a closer and existing relationship with the existing house, which would be maintained, albeit the two overlooking first floor windows would change from stairs and bedroom to bathroom and kitchen. The distance from windows to site boundary is 12.8m and 21m between windows, which are existing distances what would not change, and are deemed acceptable with the amended internal room occupations.

10.42 Due to the distance from the proposed development and the properties on the other (west) side of Peronne Road, any outlook and overlooking impact it could have is deemed acceptable due to the separation distance.

10.43 Overall, the proposed development is acceptable in terms of amenity of adjoining properties.

10.5 Highways and Parking

10.51 The Highways Engineer has commented that in relation to ingress and egress, the position of the singular access would not cause harm or obstruction to the highway. A concern about over-spill parking is raised, but no actual objection on the grounds of 'unacceptable impact to highway safety' (which is the NPPF test). As such, and with very good access to public transport, employment, shops, and a range of services, the development is considered acceptable. It is noted that the majority of properties near the application site have off-street parking on their front drives, and there is no pressure on on-street parking. A recent weekday, term-time, evening survey by a Planning Officer showed plenty of on-street parking capacity, should any prove resulting from this development.

10.52 6 no. car parking spaces and a cycle storage would be provided and these would be secured via a planning condition. Although a condition has been requested for the inclusion of EV charging points, this is now covered by building control regulations and therefore no planning condition will be added. The LPA would not interfere with the allocation (or lack of allocation) of parking spaces, as raised by PCC Highways, this is a matter for the Site Owner.

10.53 Although a condition has been requested for the inclusion of EV charging points, this is now covered by building control regulations and therefore no planning condition will be added.

10.6 Appropriate Assessment and Biodiversity

Appropriate Assessment

10.61 Pursuant to the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended), all plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site.

10.62 Where the potential for likely significant effects cannot be excluded, a competent authority must make an appropriate assessment of the implications of the plan or project for that site, in view the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.

10.63 The LPA, as the competent authority in this case, upon successful recommendation by Committee, will require the necessary nitrate and bird aware mitigation in consultation with Natural England. The Applicant has agreed to make such mitigation, secured by way of Section 111 Legal Agreement.

Biodiversity

10.64 The overarching objective of Policy PCS13 of the 2012 Portsmouth Plan and Section 15 of the NPPF is to ensure planning preserves and enhances a sites biodiversity.

10.65 The application was supported by an Extended Phase 1 Ecological and Bat Roost Assessment (Philips Ecology, August 2023). The report confirms that this site comprises a building, sealed surfacing, amenity grassland and two small patches of tall ruderal vegetation. The building was deemed as having low suitability for roosting bats and, in accordance with BCT guidelines, a single dusk emergence survey was carried out. No roosting bats were recorded.

10.66 The site's suitability is considered for common species of foraging and commuting bats, Badger, Hedgehogs, breeding birds and reptiles to use on-site habitats. The report goes on to makes sensible recommendations in relation to these species and species groups, and recommends ecological enhancements, in line with the NPPF. These include the provision of bat and bird boxes into the new elevations.

10.67 Subject to a condition requiring the recommendations being secured and the Section 111 for nitrate and bird aware mitigation, the proposal is considered acceptable in ecological terms and accords with Policy PCS13 of the 2012 Portsmouth Plan and Section 15 of the NPPF.

10.7 Trees

10.71 The trees outside the site to the south east are the subject of a Tree Preservation Order (TPO222). They consist of three London Plans, and two cherries, all Category B.



10.72 The Tree Officer raises no objections to the proposal subject to condition that all works are to undertaken in accordance with the Arboricultural Impact Assessment PB/AIA-23/06.23 dated 04 July 2023 (fence and ground protection measures).

10.8 Flooding

10.81 The site is within Flood Zone 2 and 3.

10.82 The Environment Agency originally raised an objection. This led to revised information being submitted. A revised FRA has been received and EA reconsulted who now have no objection to the scheme.

10.83 The proposed extension has increased finished floor levels to protect the occupants in the event of any flooding. In the existing building, the ground floor flat will have emergency egress

windows installed. A condition will also be added to any permission granted which required a Flood Evacuation Plan to be submitted and approved.

10.84 The Lead Local Flood Authority (LLFA) have reviewed the application and the submitted information. The LLFA has requested a condition which will need to satisfy the assumptions for infiltration, flood resilience measures and a Flood Evacuation Plan. Resident concerns were raised in relation to the cellular crate soakaway and possible damage to the existing sewage infrastructure. The cellular crate soakaway is being proposed under the drainage strategy. The proximity for buildings being over 5m from the soakaway extremities does not raise any objection from the LLFA. The assumed infiltration rate will need to be confirmed, which may lead to a change in the drainage design, which is why a Drainage Condition is attached. In regards to any possible damage to the existing sewage infrastructure, from the submitted information, it appears the current drainage is to be abandoned and replaced with the new development. Connection to foul sewer would be a matter for Southern Water to comment and approve.

10.9 Ground Conditions and Pollution (Contaminated Land)

The Contaminated land team have reviewed the application and no condition is required.

10.10 CIL

10.10.1 Portsmouth City Council introduced its Community Infrastructure Levy (CIL) charging schedule in April 2012 with a basic CIL rate of £105sqm. The CIL regulations require indexation to be applied to this rate annually using the RICS CIL Index and the 2024 basic rate is £179.39sqm. 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.

10.10.2 The proposal would result in the creation of 6 new dwellings totalling 494sqm of GIA floorspace. The likely CIL chargeable amount will be £88,618.66. If existing building discount can be applied to the 141sqm of existing GIA floorspace, the likely CIL chargeable amount will be £63,324.67. A CIL Form 1 was submitted with the application. The estimate is based on proposed floor plan measurements. The agent may wish to supply evidence of any existing use.

10.11 Objection Raised

10.11.1 Most of the objection reasons from local residents have been addressed above, however a number need addressing separately. Concerns have been raised, if the application is approved, the impact the construction would have on the local residents. A condition would be attached for a Construction Traffic Management Plan (CTMP) to be submitted prior to construction. In this document it will cover how construction traffic and parking is managed as well as setting out how they will be managing noise and dust pollution.

10.11.2 The existing and new dwellings will be construed to the required Building Regulations.

10.11.3 Concerns have been raised in relation to the cellular crate soakaway and possible damage to the existing sewage infrastructure. The cellular crate soakaway is being proposed under the drainage strategy. The proximity for buildings being over 5m from the soakaway extremities does not cause any major concern. The assumed infiltration rate will need to be confirmed, which may lead to a change in the drainage design. This is why we have added a Drainage Condition. In regards to any possible damage to the existing sewage infrastructure, from the submitted information, it looks like the current drainage is to be abandoned and replaced with the new development. Connection to foul sewer would be a matter for Southern Water to comment and approve.

10.12 Human Rights and the Public Sector Equality Duty (PSED)

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.

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.

11 CONCLUSION AND PLANNING BALANCE

11.1 Notwithstanding the letters of objection received, from a planning view, the proposed extension and conversion of the existing dwellinghouse to a flatted development in a residential area, is acceptable in principle. The location of the site has very good access to public transport, hospital, shops, parks, services and employment.

11.2 The development is of an appropriate scale, form and design, and would make a good townscape addition to the local area without unreasonable impact on neighbouring residents' amenities or nearby trees. Good internal living conditions for occupiers would be provided. The provision of 5 new dwellings is particularly welcomed.

11.3 As such, the proposals constitute Sustainable Development, they accord with the Local Plan and the NPPF, and planning permission should be granted subject to various conditions and legal agreement.

12 RECOMMENDATION

12.1 The application is recommended for approval subject to the conditions listed below.

13 Conditions

1, Time

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

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

2, Plans

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 and document

- Site layout drawing number 23036-PL-2-02 rev E
- Site layout tenure drawing number 23036-PL-2-03 rev E
- Site layout bedroom drawing number 23036-PL-2-04 rev E
- Site layout building materials drawing number 23036-PL-2-05 rev E
- Site layout building height drawing number 23036-PL-2-07 rev E
- Site layout parking and bins drawing number 23036-PL-2-06 rev F
- Site layout boundary materials drawing number 23036-PL-2-08 rev E
- Proposed ground floor plan drawing number 23036-PL-3-03 rev E
- Proposed first floor plan drawing number 23036-PL-3-04 rev D
- Proposed elevations 1 drawing number 23036-PL3-05 rev D
- Proposed elevations 2 drawing number 23036-PL3-06 rev D

- Render quoining detail drawing number 23036-PL-9-01 rev A
- Typical eaves details drawing number 23036-PL-9-02 rev A

Reason: For the avoidance of doubt and in the interest of proper planning.

3, Materials

No development shall commence on site until details of the types and colours of external materials (including windows material and reveals, and balustrades) to be used has been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.

Reason: in the interests of good design and visual amenity pursuant to Policy PCS23 of the 2012 Portsmouth Plan

4, Tree protection

The works as set out in the IAW the Arboricultural Impact Assessment PB/AIA-23/06.23 Dated 04 July 2023 shall be implemented prior to the commencement of development and permanently retained until the construction phase of the development is complete.

Reason: In the interests of tree protection and ecology pursuant to Policy PCS13 of the 2012 Portsmouth Plan.

5, Cycle storage

Prior to the occupation of the building, details of the materials, the doors and locks of the cycle store shall be submitted and approved. The store shall be retained thereafter for parking of bicycles at all time.

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

6, Noise

The development shall be built in accordance with the specifications in table 16.4 of the Environmental Noise Impact Assessment - reference SA- 7485 and be retained for the duration of the life time of the development.

Reason: To protect future occupants from the adverse effects of excessive noise levels to be in accordance with Policy PCS23 of the Portsmouth Plan

7, Ecology

Development shall proceed in accordance with the measures set out in Section 15 'Mitigation Recommendations' and 16 'Enhancements' of the Extended Phase 1 Ecological and Bat Roost Assessment (Phillips Ecology, August 2023). Thereafter, the enhancement measures shall be permanently maintained and retained in accordance with the approved details.

Reason: to prevent impacts to protected species and provide ecological enhancement in accordance with the NPPF and Policy PCS13 of the Portsmouth Plan.

8, Waste

The proposed waste/recycling areas shown on the approved plans shall be laid out and permanently retained as such in accordance with the approved plans prior to the first occupation of the development hereby permitted.

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)

9, Boundary treatment

Prior to first occupation of the building hereby approved all boundary treatment details shall be submitted to an approved in writing by the Local planning Authority. The details shall be implemented as approved prior to first occupation. and maintained as approved thereafter. This shall include site boundaries, bin store boundary and privacy screen to flat 1.

Reason: In the interests of good design and reducing crime and antisocial behaviour pursuant to Policy PCS23 of the 2012 Portsmouth Plan.

10, Hard and soft landscaping

Prior to the occupation of the building hereby approved details of the hard and soft landscaping details shall be submitted to and approved in writing by the Local planning Authority. The details shall then be implemented as approved. A scheme of landscaping shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted. The works approved shall be carried out in the first planting and seeding season following the first occupation of the building(s). Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: in the interests of good design and visual amenity pursuant to Policy PCS23 of the 2012 Portsmouth Plan

11 Highways - Parking

The parking areas shown on the approved plans shall be laid out and permanently retained as such in accordance with the approved plans prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety pursuant to policy PCS17 of the 2012 Portsmouth Plan

12 Water use

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 2012 Portsmouth Plan.

13 Flood Condition

The development shall be carried out in accordance with the submitted flood risk assessment (Addendum No.1, JUDWAA, dated November 2023) and the following mitigation measures it details:

- Finished floor levels of the new extensions shall be set no lower than 4.8 metres Above Ordnance Datum (mAOD)

These mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In the interests of flood risk management pursuant to policy PCS12 of the 2012 Portsmouth Plan

14 Drainage

No development (except demolition) shall take place at the site until a detailed scheme for the proposed means of surface water sewerage disposal,

Reason: In the interests of flood risk management pursuant to policy PCS12 of the 2012 Portsmouth Plan

15 Flood evacuation plans, and flood resilience

No development (except demolition) shall take place until a Flood Evacuation Plan and flood resilience and resistance measures shall have been submitted to and approved in writing by the Local Planning Authority; and the development shall be carried out in accordance with the approved scheme.

Reason: In the interests of flood risk management pursuant to policy PCS12 of the 2012 Portsmouth Plan

16 - Construction Traffic Management Plan (CTMP)

No development (including demolition, ground works, vegetation clearance) shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority.

The approved CTMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To mitigate the impact the highway network, to safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with Policy PCS17 of the Portsmouth Plan (2012)