

Statement of Common Ground
Portsmouth City Council & Portsmouth City
Council, Housing Revenue Account
June 2024

**In respect to Somers Orchard, Wiltshire Street,
Portsmouth PO5 4DE**

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1. Introduction

What is a Statement of Common Ground?

- 1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between Portsmouth City Council as the Local Planning Authority (the LPA Team) and Portsmouth City Council Housing Revenue Account (the HRA team) and follows on from letters written between the two parties in winter 2023/24, included as appendices 2 and 3. It sets out the position and understanding with respect to key issues between the LPA and HRA in respect to the draft allocation in the Pre-Submission Local Plan of Somers Orchard. It is not binding on either party but sets out a clear and positive direction to inform ongoing strategy and plan making. It should be noted that this is a bilateral agreement between these two parties only.
- 1.2 The following documents form appendices to the SCG:
1. Plan showing the blocks that are proposed to make up the Somer's Orchard scheme.
 1. Letter on site allocation (winter 2023/24)
 2. Letter of response to site allocation (winter 2023/24)
 3. Draft Policy PLP15 of the Pre-Submission Portsmouth Local Plan (May 2024)

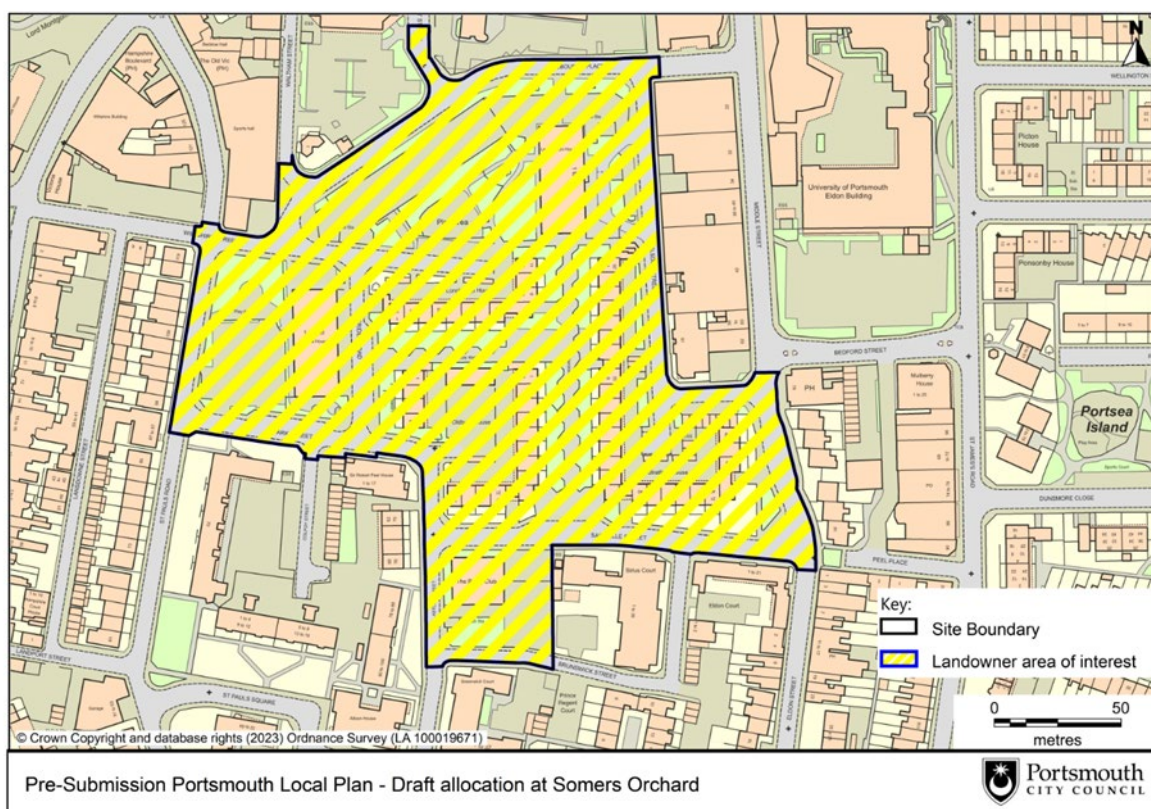
Role of the two Parties

- 1.3 In respect to this SCG, Portsmouth City Council (PCC) is the LPA and as such is responsible for the preparation of the Local Plan for Portsmouth.
- 1.4 PCC HRA are the landowner / site controller in respect to Somers Orchard, a site which is subject to a draft allocation in the Pre-Submission Portsmouth Local Plan.
- 1.5 This Statement of Common Ground (SCG) is a jointly agreed statement between PCC as the LPA and PCC as the landowner and site promoter. The City Council has put handling arrangements in place to ensure:
- Functional separation between the site promoter's team (HRA) and the LPA's team ("the LPA Team") for the purposes of progressing this allocation in the emerging Portsmouth Local Plan;
 - Transparent, fair and proper policy making; and
 - The avoidance of any conflicts of interests.
- 1.6 Both parties agree to adhere to these handling arrangements in order to ensure a functional separation between the Promoter Team and the LPA Team. However, it is acknowledged that it is necessary for there to be continued dialogue throughout the plan making process between the LPA and Promoter, as there would be with any other third- party applicant.

2. Location of the Site

- 2.1 Somers Orchard is located within the Somers Town area of the city and is bounded by Melbourne Place, Park Street, Earlsdon Street and Sackville Street. Both parties agree that the extent of the landownership of PCC HRA in respect to Somers Orchard as shown in figure 1 below is correct. A plan showing the different blocks that comprise the Somers Orchard scheme is shown in appendix 1.

Figure 1 landownership of PCC HRA in respect to Somers Orchard



3. Key Matters

3.1 This section sets out matters where agreement has been reached, or where further work to reach common ground is required. This section covers the key matters as identified by the PCC and PCC HRA.

a) Housing Growth

3.2 Somers Orchard is expected to provide housing within the plan period as set out in table 1.

Table 1: Housing Delivery for Somers Orchard

5 Year Period	Pre 2025	2025 - 30	2030 -35	2035 - 40	After 2040	Total
Number of Dwellings		273	247	46		566

b) Deliverability and Viability

3.3 PCC HRA is currently developing evidence to support the delivery as set out in table 1 of the SOCG above. This evidence is expected around June / July of 2024 and the SCG may be updated to reference this.

c) Housing tenure

- 3.4 Both parties agree that the development of Somers Orchard will result in replacement of the 272 affordable homes from the former Horatia and Lemington Houses with new affordable homes, and provision of 30% of any net additional homes as affordable homes or in the case of a Build to Rent Scheme provides 20% affordable private rented units. Of these units 46 will comprise sheltered and wheelchair accessible accommodation.

d) Commercial and Community Uses

- 3.5 In addition to the residential provision the scheme will include Commercial and Community uses. This comprises a direct community use replacement for loss of the Gibson centre, new flexible ground floor commercial space on the ground floor of Block B of the scheme and public enterprise space in Block C of the scheme. A plan of the blocks can be found as appendix 1 to this SOCG.

e) Public Realm and Public Open Space

- 3.6 A large area of publicly accessible open space (1.03ha) will be provided in the centre of the scheme, this includes 6,725sqm of play provision.

f) Policy compliance

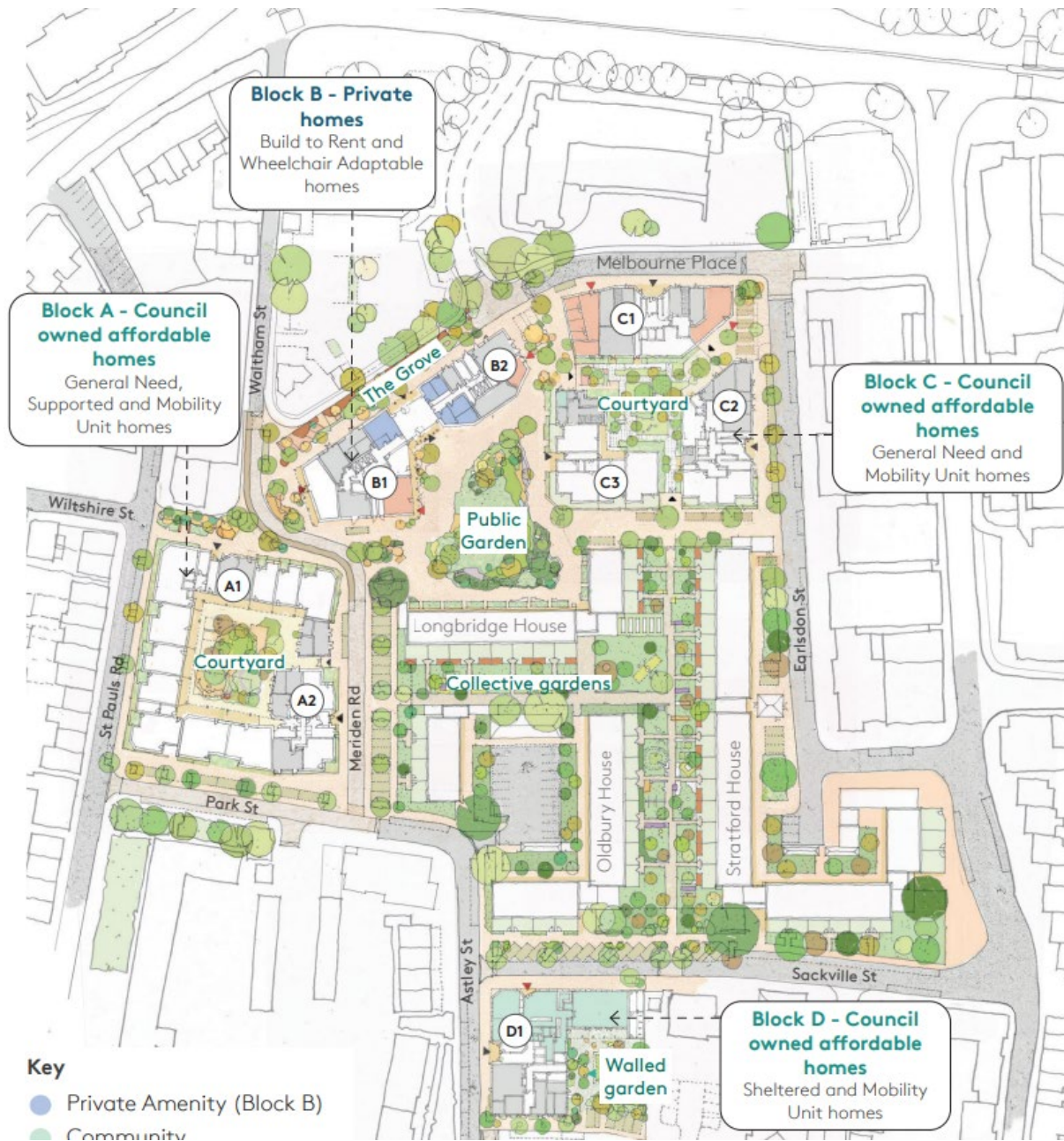
- 3.7 Draft Policy PLP15 of the Pre-Submission Local Plan sets out the development requirements for 566 dwellings, PCC HRA does not know of any material consideration that would make it impossible to meet all these development requirements and agrees to submit a policy compliant planning application.

4. Signatories

- 4.1 Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.
- 4.2 Both parties agree that they have engaged positively on an ongoing basis and that on this basis the Duty to Cooperate has been met.
- 4.3 Both parties agree that there are no substantial areas of disagreement between the parties relating to the emerging Portsmouth Local Plan and will both continue to work proactively on the key issues identified in this SCG.

Signed: 	Signed: 
Name: Lucy Howard	Name: Michael Wood
Position: Planning Policy Manager	Position: HRA Development Project Manager
Portsmouth City Council	Portsmouth City Council, Housing Revenue Account
Date: 13.08.2024	Date: 29.08.2024

Appendix 1. Plan showing the blocks that are proposed to make up the Somer's Orchard scheme.



Appendix 2: Letter on site allocation (winter 2023/24)



Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2NE

Michael Wood
HRA Development Projects Manager
Portsmouth City Council

By email only Michael.wood@portsmouthcc.gov.uk

12th December 2023

Dear Michael,

RE: Pre-Submission Portsmouth Local Plan - Draft allocation at Somers Orchard

Portsmouth City Council is currently preparing its draft Local Plan, which it expects to publish for pre-submission consultation in May 2024, in accordance with Regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012.

The draft Local Plan contains a vision, objectives, development strategy and comprehensive range of policies to guide development in the City up to 2040. Key to delivery of the Plan's objectives and strategy are site allocations. These are sites that the Council considers suitable for development, and is seeking to actively promote development for housing, employment and other uses.

We are contacting you as we understand that you have an interest in land we intend to allocate in the draft Local Plan. The draft proposed site, development type and quantum are set out below:

Site	Somers Orchard
New homes (net additional)	565
Other uses or benefits	Affordable Housing and improved public realm

It is important that we only include sites within the draft Local Plan that have a high prospect of delivering policy compliant development and coming forward within the Plan period. Therefore, as part of our early and continuous engagement, we are seeking to ascertain your support for and view on inclusion of the site above in the draft Local Plan. We are also seeking your view on whether development is feasible and viable. To this end, please find attached to this letter:

- Site information including the site address; and a map identifying the proposed site allocation boundaries and, to the best of our knowledge, the land under your ownership or interest, at Appendix 1;
- Questions on the deliverability of the site, including its availability, feasibility and viability, at Appendix 2.

- Site specific questions relating to the above-named site, at Appendix 3.

We would be very grateful if you could complete the forms in Appendix 2 and Appendix 3 and return to us no later than Monday 22nd January 2024. Once we have received your response, we will consider your comments and update the draft Local Plan as appropriate. We will be in contact with any further queries.

Please note that your response may be made public as part of the Examination in Public of the draft Local Plan. If there are specific aspects of the information you provide that you would like us to keep confidential, please make this clear in your response. You should be aware that under the Freedom of Information Act (2000) the Council may be required to disclose information if it considers no exemption under the legislation applies. The Council will, whenever practicable, consult with individuals who may be affected by disclosure of information.

Portsmouth City Council is the data controller of any personal data you provide in connection with the Draft Local Plan. It will only be used by the Council and only for closely associated purposes. It will be kept for a period of six weeks after the adoption of the Local Plan. For full details of how the Council processes personal data, please see the [Data Protection Privacy Notice](#) and the [Planning Policy Consultee Database Privacy Notice](#).

We will be in contact again in the early part of 2024 to establish a Statement of Common Ground with regard to proposed development at the site.

As above, we intend to publish the pre-submission (Regulation 19) Local Plan for public consultation in May 2024, and at that point you will have the opportunity to view the detail and submit formal representations.

Please do not hesitate to contact me at tom.bell@portsmouthcc.gov.uk if you have any questions.

Yours sincerely

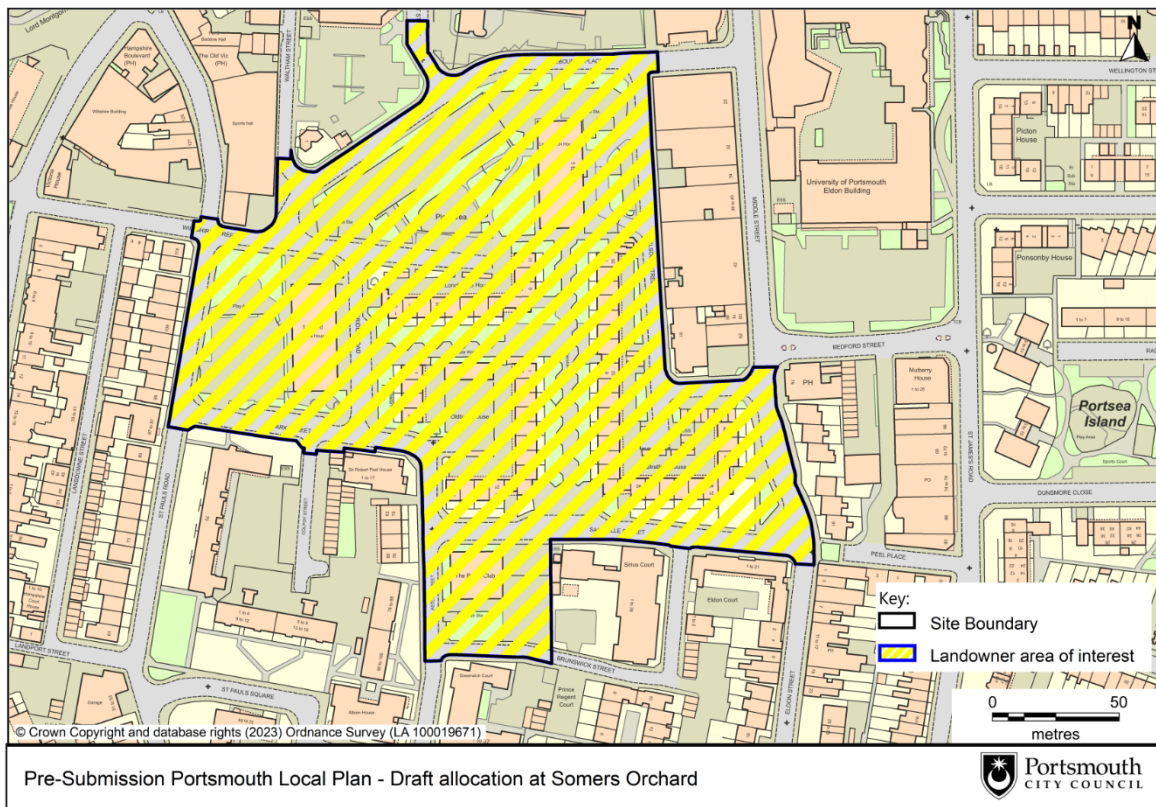


Tom Bell
Principal Planning Policy Officer
tom.bell@portsmouthcc.gov.uk

Appendix 1: Site information for Somers Orchard

Full Address: Wiltshire Street, Portsmouth, PO5 4DE

Map of Somers Orchard



Please amend the thick black line boundaries within the map above to reflect your ownership, leasehold or interest in the site, or send a map to show this, as appropriate.

Appendix 2: Site deliverability

Your details	
Name	
Organisation (if relevant)	
Representing (if applicable)	
Address	
Telephone	
Email	

Please answer the following questions as comprehensively as possible. Leave blank any questions that are not relevant.

Question	Response
Site availability and achievability	
What is your interest in the site? (e.g. are you a landowner, agent, developer, etc?)	
If you are not the landowner, who owns the land?	
Is the site in multiple ownership? If yes, who else owns the site (please include contact details, if you have them).	
Is the landowner(s) supportive of development of the site, and are they willing to make it available for development?	
Is the land currently leased or sub-leased to another party? If so, please provide lease length, clauses etc	
Where relevant, can you briefly describe your working relationship or partnership with other landowners and/or leaseholders on the site.	
Is the land for sale or being sold to another party? If so, please provide detail of current marketing and acquisition status, (e.g. is the site under an option agreement, land promotion agreement, exclusivity or joint venture, conditional or unconditional purchase, other?)	
Are you aware of any constraints that could hinder land acquisition or assembly? E.g. ransom strips, right of way, compensation measures including Compulsory Purchase Orders?	
Are there any other factors that would affect availability?	
Deliverability	
Are other uses to those in the attached letter proposed, and if so, what are they?	
Anticipated delivery of development prior to 2025. Please provide detail on all uses included in the proposal.	

Anticipated delivery of development 2025-2030. Please provide detail on all uses included in the proposal.	
Anticipated delivery of development 2030-2035 Please provide detail on all uses included in the proposal.	
Anticipated delivery of development 2035-2040. Please provide detail on all uses included in the proposal.	
Anticipated delivery of development after 2040. Please provide detail on uses.	
Any further issues that may affect timing or phasing of development.	
Is there a proposed indicative block plan or layout for the site? If so, please attach to you response.	
Is pre-application advice being sought? Please provide detail if so.	
Are you intending to submit a planning application, and if so, when?	
Viability	
Has economic viability of developing the site been assessed, and what was the outcome of that assessment?	
Are there any abnormal or exceptional build costs?	
Have you considered how the site will meet the 20% requirement for Biodiversity Net Gain? if so, how will this be done?	
Have you considered how your site will meet requirements for Nutrient Neutrality? if so, how will this be done?	
Are there any further issues or constraints that may influence the achievability, feasibility or viability of development?	
Do you have any further comments on the site or the draft proposal for its allocation?	

Appendix 3: Site specific questions relating to Somers Orchard

Is there likely to be any further redevelopment in the vicinity of Somers Orchard in addition to the 565 dwellings and proposals already identified?

Appendix 3: Letter of response to site allocation (winter 2023/24)



Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2NE

Michael Wood
HRA Development Projects Manager
Portsmouth City Council

By email only Michael.wood@portsmouthcc.gov.uk

12th December 2023

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As above, we intend to publish the pre-submission (Regulation 19) Local Plan for public consultation in May 2024, and at that point you will have the opportunity to view the detail and submit formal representations.

Please do not hesitate to contact me at tom.bell@portsmouthcc.gov.uk if you have any questions.

Yours sincerely

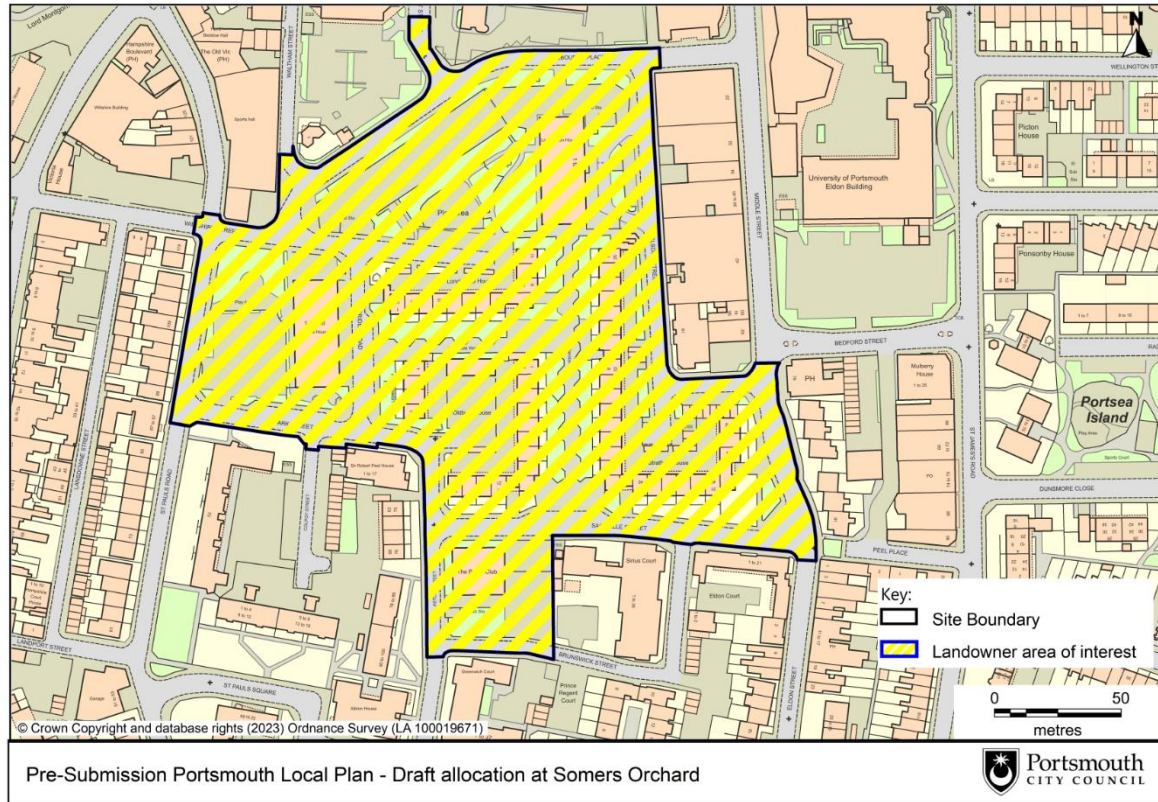


Tom Bell
Principal Planning Policy Officer
tom.bell@portsmouthcc.gov.uk

Appendix 1: Site information for Somers Orchard

Full Address: Wiltshire Street, Portsmouth, PO5 4DE

Map of Somers Orchard



Please amend the thick black line boundaries within the map above to reflect your ownership, leasehold or interest in the site, or send a map to show this, as appropriate.

Appendix 2: Site deliverability

Your details	
Name	MICHAEL WOOD
Organisation (if relevant)	PORSTMOUTH CITY COUNCIL
Representing (if applicable)	
Address	HNB SERVICES, FLOOR 3 CORE 5, CIVIC OFFICES
Telephone	07824 354527
Email	michael.wood@portsmouthcc.gov.uk

Please answer the following questions as comprehensively as possible. Leave blank any questions that are not relevant.

Question	Response
Site availability and achievability	
What is your interest in the site? (e.g. are you a landowner, agent, developer, etc?)	HRA DEVELOPMENTS PROJECT MANAGER FOR PORTSMOUTH CITY COUNCIL - LAND OWNER
If you are not the landowner, who owns the land?	
Is the site in multiple ownership? If yes, who else owns the site (please include contact details, if you have them).	YES - LEASEHOLDERS OF SEVERAL PROPERTIES WITHIN THE BIRMINGHAM BLOCKS, SSE SUB STATIONS - CONTACT LIST AVAILABLE.
Is the landowner(s) supportive of development of the site, and are they willing to make it available for development?	YES & YES
Is the land currently leased or sub-leased to another party? If so, please provide lease length, clauses etc	YES - AS ABOVE. LEASE DETAILS CAN BE PROVIDED.
Where relevant, can you briefly describe your working relationship or partnership with other landowners and/or leaseholders on the site.	LEASEHOLDERS ARE GENERALLY WITHIN PCC OWNED PROPERTY COMPRISING MAISONETTES WITHIN THE BIRMINGHAM BLOCKS & 3 NUMBER SSE SUB STATIONS.
Is the land for sale or being sold to another party? If so, please provide detail of current marketing and acquisition status, (e.g. is the site under an option agreement, land promotion agreement, exclusivity or joint venture, conditional or unconditional purchase, other?)	NO.
Are you aware of any constraints that could hinder land acquisition or assembly? E.g. ransom strips, right of way, compensation measures including Compulsory Purchase Orders?	NO.
Are there any other factors that would affect availability?	
Deliverability	
Are other uses to those in the attached letter proposed, and if so, what are they?	NO.
Anticipated delivery of development prior to 2025. Please provide detail on all uses included in the proposal.	NONE.

Anticipated delivery of development 2025-2030. Please provide detail on all uses included in the proposal.	TBC - VIABILITY ASSESSMENT ONGOING.
Anticipated delivery of development 2030-2035 Please provide detail on all uses included in the proposal.	TBC - VIABILITY ASSESSMENT ONGOING.
Anticipated delivery of development 2035-2040. Please provide detail on all uses included in the proposal.	TBC - VIABILITY ASSESSMENT ONGOING.
Anticipated delivery of development after 2040. Please provide detail on uses.	
Any further issues that may affect timing or phasing of development.	VIABILITY DUE TO HIGH INTEREST RATES.
Is there a proposed indicative block plan or layout for the site? If so, please attach to you response.	SEE APPLICATIONS - 23/01574/FUL & 23/01575/FUL.
Is pre-application advice being sought? Please provide detail if so.	YES - CURRENT PPA IN PLACE SINCE 2021.
Are you intending to submit a planning application, and if so, when?	YES - SUBMITTED 15th DECEMBER 2023.
Viability	
Has economic viability of developing the site been assessed, and what was the outcome of that assessment?	YES - CURRENTLY THE SCHEME IS SUBJECT TO ONGOING VIABILITY ASSESSMENT DUE TO INFLATION AND HIGH INTEREST RATES.
Are there any abnormal or exceptional build costs?	NO.
Have you considered how the site will meet the 20% requirement for Biodiversity Net Gain? if so, how will this be done?	SEE APPLICATIONS - 23/01574/FUL & 23/01575/FUL.
Have you considered how your site will meet requirements for Nutrient Neutrality? if so, how will this be done?	SEE APPLICATIONS - 23/01574/FUL & 23/01575/FUL.
Are there any further issues or constraints that may influence the achievability, feasibility or viability of development?	
Do you have any further comments on the site or the draft proposal for its allocation?	
SEE APPLICATIONS - 23/01574/FUL & 23/01575/FUL.	

Appendix 3: Site specific questions relating to Somers Orchard

Is there likely to be any further redevelopment in the vicinity of Somers Orchard in addition to the 566 dwellings and proposals already identified?

NO.

Appendix 4: Draft Policy PLP15 of the Pre-Submission Portsmouth Local Plan (May 2024)

Somers Orchard

Introduction

5.79 The site falls within the western part of the Somerstown area of the City. Somerstown is mainly characterised by high rise mid twentieth century housing, largely public in tenure and constructed to replace the previous townscape in the area which suffered significant damage during World War Two, and was comprehensively redeveloped in the 1960s. The site borders King Street Conservation Area to the south, which consists of a mix of Victorian period terraces, post-war flats and more recent groups of modern, mainly terraced housing. It is also adjacent to the Terraces Conservation Area to the north west, which retains much of its original nineteenth century character, with a mix of predominantly Victorian and Edwardian styles. It is located on the southern fringe of the City Centre and benefits from close proximity to mixed use activities leading up to the centre. A map of the site forms figure 5.7.

5.80 Somers Orchard was identified in the Council's HELAA as having potential for 565 dwellings, following clearance of the former Horatia and Lemington Houses. The Somers Orchard site is being brought forward through the City Council's Housing Revenue Account, as part of the design evolution for the site there has been significant public consultation¹ over a period of several years. A planning application is expected to be submitted in the autumn of 2023.

5.81 The site comprises three main sections: the cleared site of the former buildings, the forecourts, courtyards and open space around a number of 'Birmingham Block' maisonettes (to be retained) and the site of the Gibson Centre, which is proposed for redevelopment. It is anticipated that the development would take place in phases with the first phase being the redevelopment of the sites of the two towers with the landscaping around the Birmingham Blocks and the redevelopment of the Gibson Centre following that.

¹ <https://www.portsmouth.gov.uk/services/housing/housing-development/somers-orchard-former-horatia-and-leamington-houses-site/>

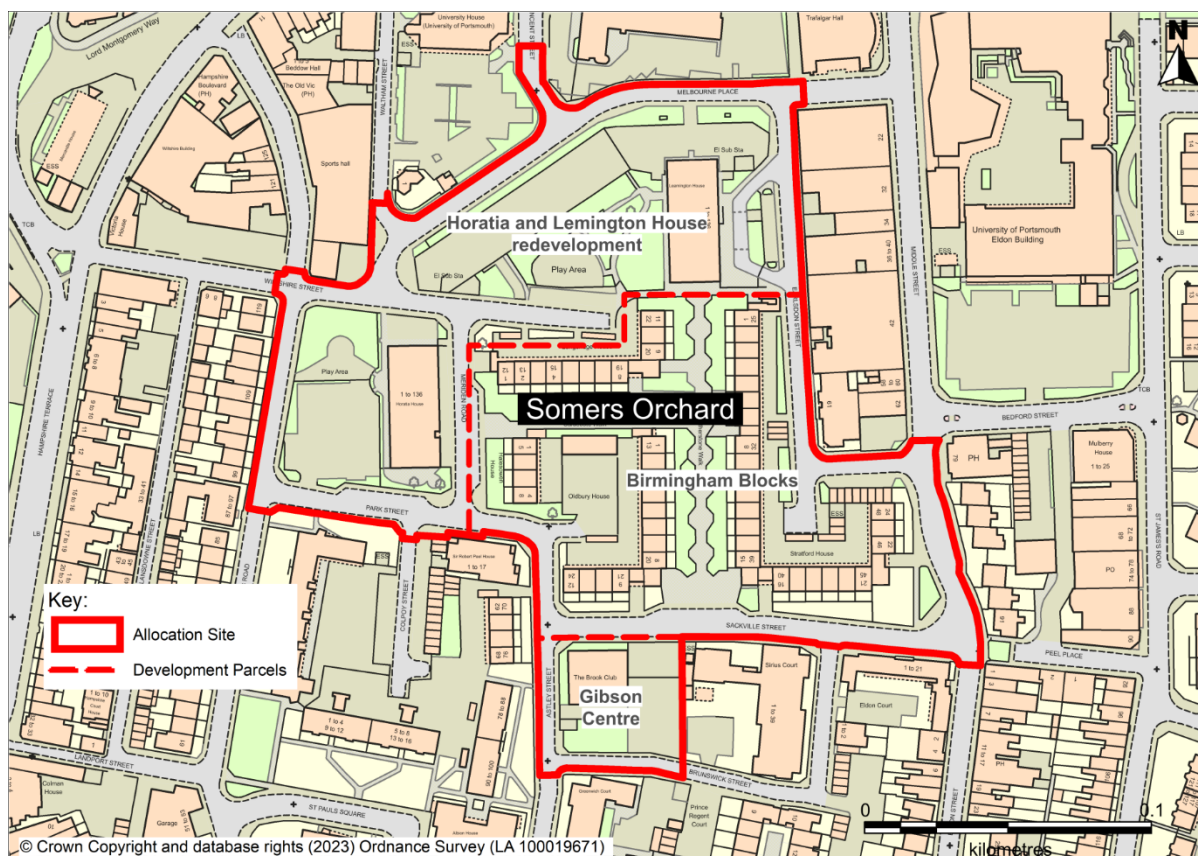


Figure 5.7: Map of Somers Orchard

- 5.82 There is a reasonably well established network of the secondary streets in the area, however, the quality gets constantly eroded by dominant car parking provision. Most of the north south pedestrian movement occurs on the parallel streets to the estate.
- 5.83 There is some open green spaces within the site, but it could be improved by integrating them within the public realm, improving the quality and providing better overlooking. The post-war rebuilding of Somerstown resulted in a neighbourhood that is very impermeable with disconnected routes and mixed quality. Such growth established poorly overlooked streets and underused public spaces throughout the neighbourhood.
- 5.84 The area formed part of the National Model Design Code pilot project that the City Council developed in partnership with the Government, covering the redevelopment of this area and wider Somerstown. The Horatia and Leamington House site is a pilot project for the redevelopment program of buildings with structural issues.
- 5.85 As part of work to replace cladding at Horatia and Lemington Houses it was found that substantial work was needed to strengthen the buildings. In 2022 Horatia and Lemington Houses were demolished. In addition to the sites of the two former towers, the City Council is also redeveloping the car park parallel to Melbourne Place to create the opportunity for a wider redevelopment within the area. In addition the Gibson Centre to the South is proposed for redevelopment as a secondary phase of development.
- 5.86 In addition to the two main areas of redevelopment the City Council intends to carry out landscaping works to the areas around Longbridge House, Oldbury House, and Stratford House, collectively known as the 'Birmingham Blocks'. These landscaping works aim to

tie the two portions of the site together and provide wider neighbourhood improvements to the area.



Site Allocation Policy PLP15: Somers Orchard

1. Somers Orchard, as shown on the Policies Map, is allocated for the development of the following uses:

- a) 565 dwellings (293 net gain, taking into account the recently demolished 272 units);**
- b) Approximately 500 sqm commercial space;**
- c) Approximately 440 sqm community space.**

2. Development proposals for the above-named uses will be permitted provided that they meet all of the following site-specific development requirements:

- a) Replaces the 272 affordable homes from Horatia and Lemington Houses with new affordable homes;**
- b) Provides 30% of any net additional homes as affordable homes or in the case of a Build to Rent Scheme provides 20% affordable private rented units;**
- c) Creates new integral open space and landscaping that provides for the needs of the new and existing community and acts to link the space to the wider estate;**
- d) Biodiversity Net Gain of at least 20% is demonstrated and secured in perpetuity (at least 30 years) on site;**
- e) Improves connectivity, permeability and legibility through the development, prioritising safe and accessible cycling and walking;**
- f) Includes tall buildings and high density blocks in order to achieve the densities needed to meet the required level of housing;**
- g) Provides landscaping to enhance the setting of the retained Birmingham Blocks;**
- h) Incorporate car-free streets wherever feasible, with 'Mobility as a Service' and sustainable transport modes prioritised;**
- i) Takes advantage of the site's sustainable location to provide a reduced car parking ratio; and**
- j) Any new build development proposals for the site must respond positively to the presence of nearby heritage assets.**

Supporting text

- 5.97 The purpose of this policy is to ensure that the development at Somers Orchard, delivers significant amounts of good quality social and private rented housing in a way that integrates with and is a positive addition to the existing community.
- 5.98 Within the site are two main areas proposed for housing. The largest area of housing comprises the site of the two former towers along with Melbourne Place car park has the potential for 519 dwellings and the Gibson Centre redevelopment is expected to deliver a further 46 units. The demolition of the two towers resulted in the loss of 272 dwellings, which been counted in the City Council's land supply position as a loss. Therefore it is expected that the site will deliver a total of 565 (gross) dwellings.
- 5.99 The site is being brought forward by the City Council through its Housing Revenue Account. The scheme re-provides the affordable stock lost through the loss of the two towers (272 units). The majority of the site is therefore being brought forward for Council Housing. In addition to the 272 affordable homes being replaced, the Council will require an additional 30% affordable housing or an additional 20% affordable private rented units if the additional units were to come forward as build to rent in line with policies PLP17 (Affordable homes) and PLP 19 (Housing for specific groups) respectively.
- 5.100 The site currently has a series of landscaped green spaces of low recreational and biodiversity value. Development proposals for the site should provide for enhanced green / open space provision in regard to both biodiversity and recreation value. The schemes landscaping should look to provide a network of complementary accessible spaces for the use of future residents and visitors. The landscape proposals remove unnecessary fencing and re-imagine the area as a somewhere where food growing, play and nature overlap. Proposals should look to create multifunctional spaces providing for the future needs of residents and visitors by including features such as play equipment and green spaces in which people can relax.
- 5.101 The site falls within the City Council's ownership. The Council have indicated that development on PCC owned land should be more aspirational in provision of biodiversity. Development on the site is therefore expected to provide an uplift of 20% Biodiversity Net Gain.
- 5.102 The sites as currently laid out (and much of the wider Somerstown Estate) suffers from poor legibility for users. Proposals should improve the site's permeability and legibility by improving existing connections within the neighbourhood particularly to the north-south along Waltham street and east west along Wiltshire street and Melbourne Place. Proposals should encourage the uses of sustainable transport and calm vehicle traffic by introducing raised tables at road junctions, cycle lanes and wider pedestrian pavements, with pedestrians and cyclists given priority wherever possible. The site is well located for public transport with Portsmouth and Southsea Station in close proximity to the north as well as frequent bus services on both Kings Road/Elm Grove and Winston Churchill Avenue. Proposals that provide a reduced parking standard will be acceptable in this location, however, wheelchair and other accessible parking provision should be made available.

Monitoring and Delivery Framework

Types & amounts of development	Timescale	Delivery	Monitoring	Triggers & potential actions
519 Dwellings (Horatia and Lemington) (gross)	6-10 years	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Housing monitoring in the AMR	Ongoing liaison with The developer / The City Council's Housing Revenue Account team.
46 Dwellings (Gibson Centre) (gross)	6-10 years	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Housing monitoring in the AMR	Ongoing liaison with The developer / The City Council's Housing Revenue Account team.
Landscaping of the wider allocation site	6-10 years	Through the development Management process; working in partnership with Developer, freeholder and leaseholder.	Planning Application conditions	Ongoing liaison with The developer / The City Council's Housing Revenue Account team/ Future landscape management team.

Table 5.7: Monitoring and Delivery Framework for Somers Orchard