

**Statement of Common Ground between
Portsmouth City Council Local Planning
Authority
&
Portsmouth City Council Housing Revenue
Account**

March 2026

**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 Local Planning Authority (PCC LPA) and Portsmouth City Council Housing Revenue Account (PCC HRA) and supersedes the previous SCG agreed in June 2024¹. It sets out the position and understanding with respect to key issues between PCC LPA and PCC HRA in respect to the proposed allocation in the Portsmouth Pre-Submission Local Plan 2024 of Somers Orchard. This SCG 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 organisations only.

1.2 The following documents form appendices to the SCG:

- 1) Cabinet Report on Somers Orchard Project - Delivering Phase 1 (Block C), 3 March 2026²
- 2) Policy PLP15 of the Portsmouth Pre-Submission Local Plan 2024³

Role of the two Parties

1.3 PCC LPA is responsible for the preparation of the Local Plan for Portsmouth.

1.4 PCC HRA is the landowner in respect to Somers Orchard, a site which is subject to a proposed allocation in the Portsmouth Pre-Submission Local Plan 2024.

1.5 PCC has put handling arrangements in place to ensure:

- Functional separation between PCC LPA and PCC HRA 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 interest.

1.6 Both parties agree to adhere to these handling arrangements in order to ensure a functional separation between the two teams. However, it is acknowledged that it is necessary for there to be continued dialogue throughout the plan-making process between PCC LPA and PCC HRA, as there would be with any other third party.

2. Location of the Site

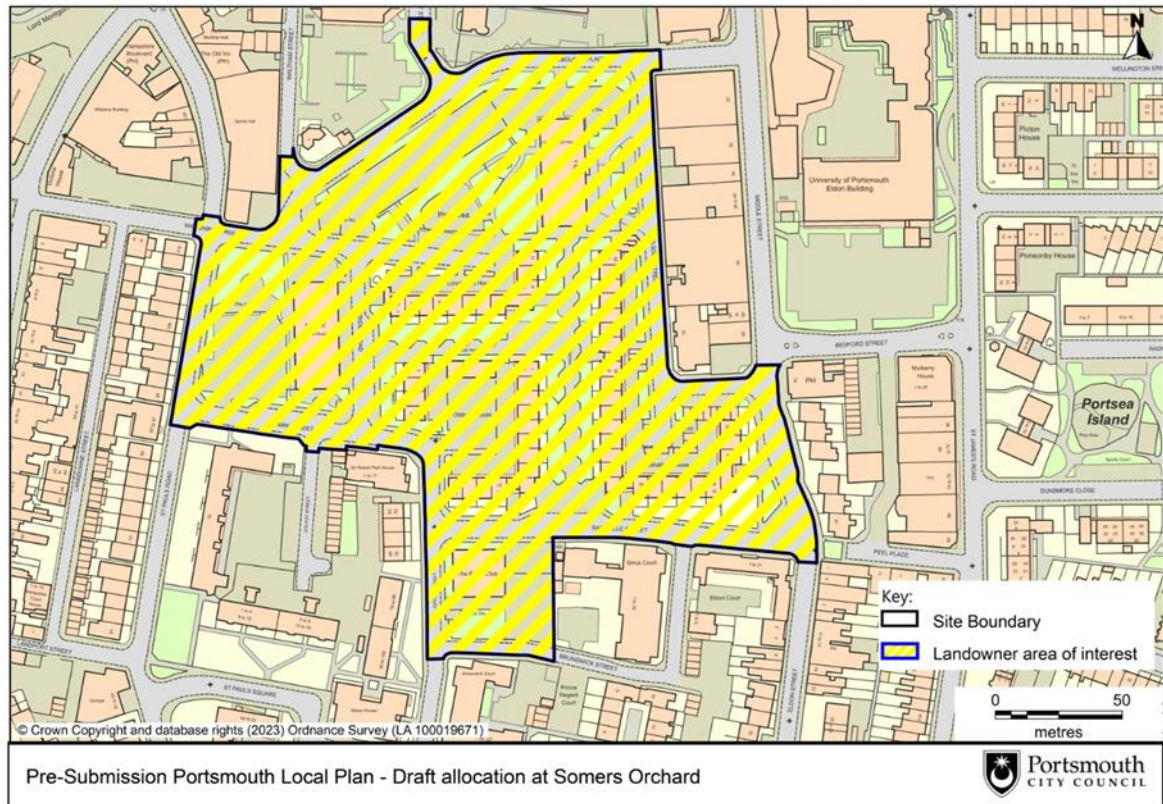
2.1 Both parties agree that the extent of the landownership of PCC HRA in respect to Somers Orchard as shown in Figure 1 below is correct.

¹ <https://www.portsmouth.gov.uk/wp-content/uploads/2024/10/Somers-Orchard-SOCG-August-24-MW-Signed-FINAL.pdf>

² <https://democracy.portsmouth.gov.uk/documents/b19038/Somers%20Orchard%20Project%20-%20Delivering%20Phase%201%20Block%20C%2003rd-Mar-2026%2014.00%20Cabinet.pdf?T=9>

³ <https://www.portsmouth.gov.uk/wp-content/uploads/2024/06/presubmission-portsmouth-local-plan-june-2024-aa-accessible.pdf>

Figure 1: Landownership of PCC HRA in respect to Somers Orchard



3. Key Matters

3.1 This section covers the key matters as identified by PCC LPA and PCC HRA in regard to Somers Orchard and sets out matters of agreement between the two parties; there are no matters of disagreement.

(a) Housing Delivery

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

Table 1: Housing Delivery for Somers Orchard

	2025 - 30	2030 -35	2035 - 40	After 2040	Total
Amount of Housing (no. dwellings)	0	566	0	0	566

3.3 Both parties agree with the quantum of housing delivery and the phasing set out in Table 1.

(b) Deliverability and Viability

3.4 PCC HRA agrees that Somers Orchard is deliverable and viable, with a reasonable prospect that the proposed development will come forward in line with the phasing set out in Table 1 above. The site has planning permission for 319 dwellings under application reference 23/01574/FUL, and for 247 dwellings under application reference 23/01575/FUL (giving 566 dwellings in total). PCC HRA has been given approval to proceed to the delivery stage and commence tender preparation for the first phase of development, as documented by the Cabinet Report from 3 March 2026 in Appendix 1.

(c) Policy compliance

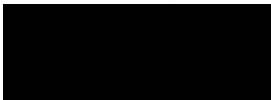
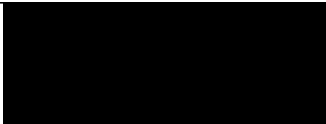
3.5 Policy PLP15 of the Portsmouth Pre-Submission Local Plan 2024, as set out in Appendix 2, sets out the development requirements for Somers Orchard.

3.6 Neither party know of any material considerations that would make it impossible to meet all of these development requirements. Planning permissions 23/01574/FUL and 23/01575/FUL demonstrate that the proposed scheme is compliant with emerging policy PLP15.

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 there are no substantial areas of disagreement between the parties relating to the Portsmouth Pre-Submission Local Plan 2024 and will both continue to work proactively on any key strategic issues identified in this SCG.

Signed: 	Signed: 
Name: Lucy Howard	Name: Michael Wood
Position: Head of Planning Policy	Position: HRA Development Project Manager
Portsmouth City Council	Portsmouth City Council, Housing Revenue Account
Date: 04/03/2026	Date: 04/03/2026

**Appendix 1 Cabinet Report on Somers Orchard Project - Delivering Phase 1
(Block C) 3 March 2026**



SUPPLEMENTARY AGENDA

CABINET

TUESDAY, 3 MARCH 2026 AT 2.00 PM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Anna Martyn Tel 023 9283 4870

Email: Democratic@portsmouthcc.gov.uk

Membership

Councillor Steve Pitt (Chair), Councillor Dave Ashmore (Cabinet Member), Councillor Chris Attwell (Cabinet Member), Councillor Kimberly Barrett (Cabinet Member), Councillor Peter Candlish (Cabinet Member), Councillor Nicholas Dorrington (Cabinet Member), Councillor Lee Hunt (Cabinet Member), Councillor Hugh Mason (Cabinet Member) and Councillor Matthew Winnington (Cabinet Member)
Councillor Darren Sanders (Vice-Chair)

(NB This supplementary agenda should be retained for future reference with the main agenda and minutes of this meeting).

SUPPLEMENTARY AGENDA

12 Somers Orchard Project - Delivering Phase 1 (Block C) (Pages 3 - 28)

The report originally marked on the agenda "to follow" was published on 24 February 2026.

Purpose

To provide Cabinet with an update on the Somers Orchard development and outline the intention to take forward the procurement of Phase 1 of the masterplan.

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Agenda Item 12



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Title of meeting:	Cabinet
Subject:	Somers Orchard - Delivering Phase 1 (Block C)
Date of meeting:	3 rd March 2026
Report by:	James Hill, Director of Housing, Neighbourhood & Building Services
Report Authors:	James Fitzgerald, Assistant Director of Finance Emma Randall, Head of Housing Supply Mike Wood, HRA Project Manager William Taylor, Senior Finance and Commercial Analyst Richard Lock, Assistant Director
Cabinet Member:	Councillor Darren Sanders
Wards affected:	St Thomas Ward

1. Requested by

- 1.1 Councillor Steve Pitt, Leader of the Council (with portfolio responsibility for Culture, Regeneration & Economic Development) and Councillor Darren Sanders, Cabinet Member for Housing & Tackling Homelessness.

2. Purpose

- 2.1 This report provides Cabinet with an update on the Somers Orchard development and outlines the intention to take forward the procurement of Phase 1 of the masterplan.
- 2.2 Phase 1 will initiate the delivery of the masterplan for the Somers Orchard scheme and comprises the direct delivery by the council of Block C providing 175 social rent homes.
- 2.3 Phase 1 is a direct investment by the council to support the delivery of much needed social housing to help meet its statutory obligations, enabling communities to thrive by regenerating this part of the city and encouraging investment opportunities to the city economy. It contributes to the achievement of the council's corporate priorities and its aspirations for the city in alignment with its Capital Strategy.
- 2.4 This report confirms the current financial viability assessment of Phase 1, Block C, sets out the next steps for its implementation and delivery, and outlines the

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intentions for the remaining phases of the wider development.

- 2.5 Cabinet's decision report of 22 March 2022 granted all necessary approvals and delegations to progress Block C. Accordingly, this report is provided for information only, to update Cabinet on progress.

3. Background

- 3.1 The Somers Orchard development sits on the sites of the former council owned tower blocks Horatia House and Leamington House, Somerstown.
- 3.2 The development opportunity arose from the requirement to deconstruct two large panel system tower blocks due to the need to meet regulatory fire, building safety and compliance standards. This created the potential for a comprehensive regeneration of the site.
- 3.3 A masterplan for the development was prepared following engagement with the local community, and the administration established clear expectations to deliver a scheme prioritising social and affordable housing, in alignment with the Council's corporate priorities and housing strategies.
- 3.4 The development, like many others locally and nationally, was adversely affected by national and international financial market volatility, rising construction costs, increased interest rates, inflationary pressures, and supply chain disruptions. These combined factors significantly impacted development appraisals, rendering the scheme financially unviable under the prevailing economic conditions.
- 3.5 In response, the Council has undertaken a comprehensive review of delivery options, including revised phasing, value engineering, and alternative funding mechanisms, whilst maintaining a strong emphasis on securing some direct delivery to retain control and ensure alignment with the councils corporate strategy and priorities to deliver affordable homes to the city.
- 3.6 This move towards financial viability for Block C unlocks the first phase of direct delivery for the Somers Orchard masterplan, providing essential council owned affordable housing.
- 3.7 The background detail is contained in the project documentation and are all available via a dedicated webpage accessed via the Portsmouth City Councils website [Somers Orchard - former Horatia and Leamington Houses site - Portsmouth City Council](#). This dedicated web page also includes all the previous cabinet reports.
- 3.8 The background cabinet reports, including the most recent March 2022 decision

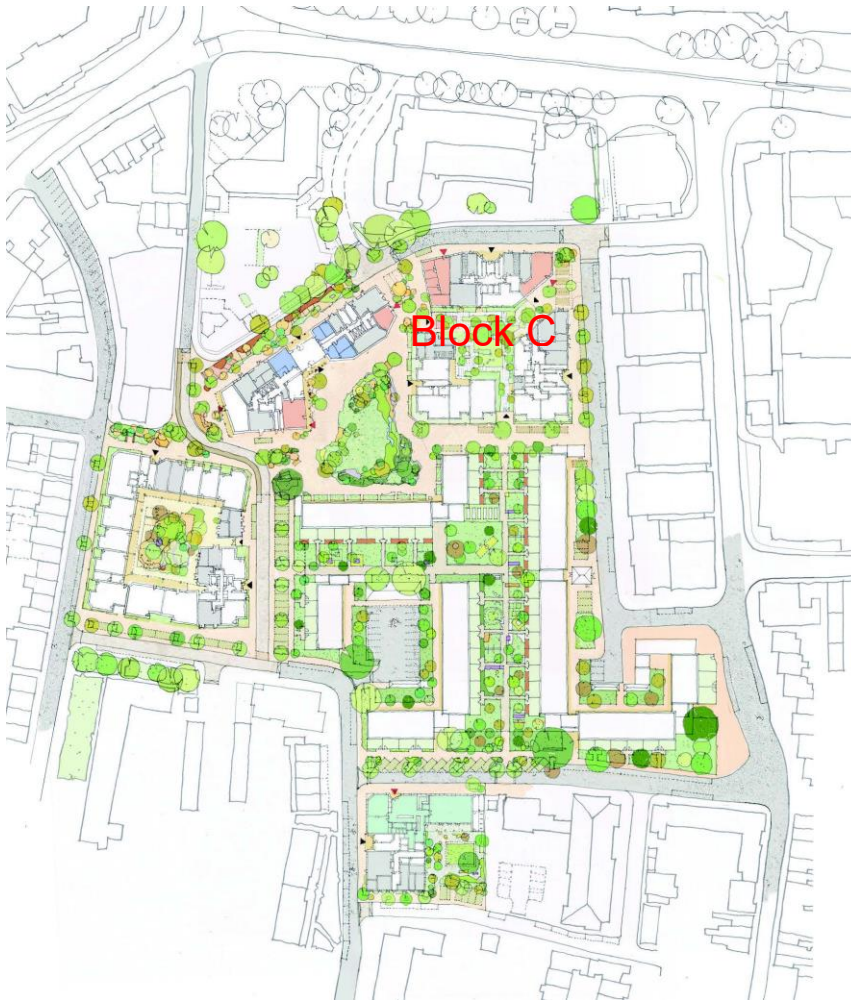
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report are also listed in the document table at the end of this report.

4. Somers Orchard Masterplan - planning status

- 4.1 The Somers Orchard masterplan has two consents: one for the affordable housing blocks A, C and D (23/01574/FUL) and one for the Build to Rent Block B (23/01575/FUL). Both were approved at committee in August 2024, subject to conditions and legal agreements.



Plan One - Masterplan for the Somers Orchard Development.

- 4.2 Following a prolonged and complex negotiation process, the legal agreements were finalised and sealed in December 2025 each with a significant number of planning obligations attached. Decision notices provided at **Appendix A**.
- 4.3 Decision notices for both applications were issued on 2 December 2025. Under Condition 1, works must commence within three years of the permission date.

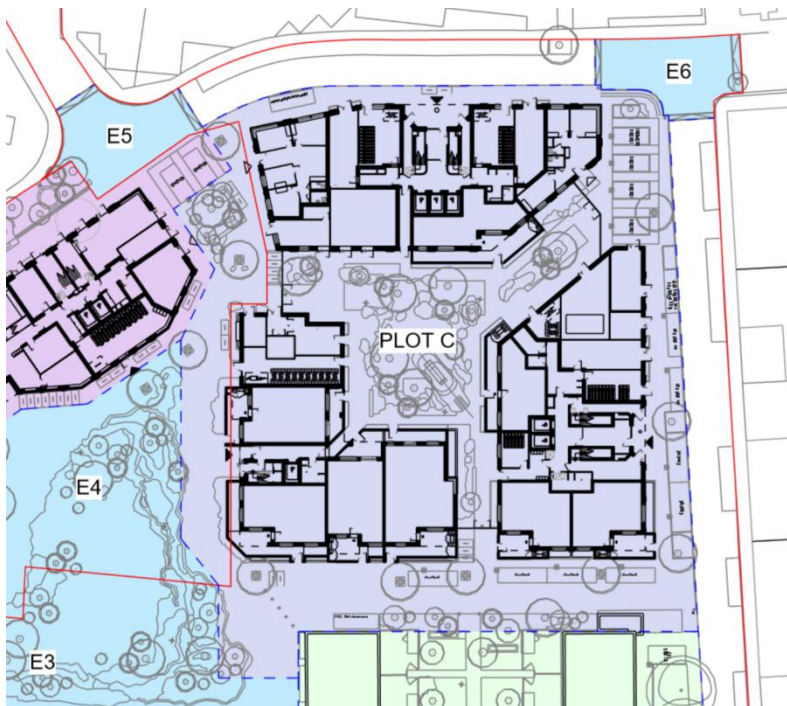
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- 4.4 This paper confirms the intention to bring forward Block C as the first phase of development. Work will now begin to discharge the pre-commencement conditions associated with planning consent 23/01574/FUL.
- 4.5 Commencement on site will be achieved when meaningful physical works start on site. At that point the planning application will be formally implemented and not lapse. This is expected in summer 2027 for application 23/01574/FUL.
- 4.6 This phase does not include commencement of any works relating to Build to Rent Unit (Block B) under planning consent 23/01575/FUL. Further work is required to assess delivery routes and funding options before that element can be progressed.

5. Phase 1 - Delivery of Block C

- 5.1 Phase one relates to the delivery of Block C within the masterplan. Block C has a plot size of 0.48 hectares as outlined with a dashed blue line and coloured mauve in the plan below.



Plan Two - shows Phase one outlined with blue dashed line and coloured mauve.

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5.2 Phase one includes:

- Construction of Block C incorporating 4-storey, 10-storey and 18-storey residential buildings delivering a total of 175 homes;
- Two ground floor commercial units;
- Communal lobby and circulation space;
- A publicly accessible changing places toilet facility;
- Provision of secure communal courtyard gardens to serve residents and public realm linked to Block C (see Plan Three);
- Utilities and drainage infrastructure required for Block C, along with associated infrastructure installations that may also enable future phases where this is justified and represents value for money within the Council's emerging delivery strategy.



Plan Three - View of secure residential courtyard from south-west looking north east for illustrative purposes.

- 5.3 The homes will be delivered and managed by Portsmouth Homes, the council's social housing landlord, and will be held in the council's Housing Revenue Account at social rent. A total of 29 homes will be fully accessible to M4(3) standards. The tenure will include general needs and supported housing to reflect the current housing need and demand.

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5.4 The proposed accommodation mix includes:

Unit Type	Building C1 18 Storey	Building C2 10 Storey	Building C3 4 Storey	Total for Block C
1B2P	69	9	0	78
2B4P	11	18	12	41
3B6P	28	21	7	56
Total by building	108	48	19	175



Plan Four - Birds-eye view of Block C from south

- 5.5 Phase 1 will deliver 10 disabled parking bays, 2 car club parking bays, 2 drop off / pick up bays and 118 secure internal communal cycle storage spaces, 14 external cycle hoops and provision within each flat for additional single cycle storage.
- 5.6 Demolition of the Wiltshire Street car-park will be required to enable the delivery of infrastructure needed for Phase 1. The associated infrastructure works to close vehicular traffic to parts of Melbourne Place and Wiltshire with conversion of two-way roads to one-way road at Waltham Street, Meriden Road, Earlsdon

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Street and Sackville Street with formation of parking access point off Earlsdon Street will not be undertaken within this phase as it is not required for the delivery of Block C.

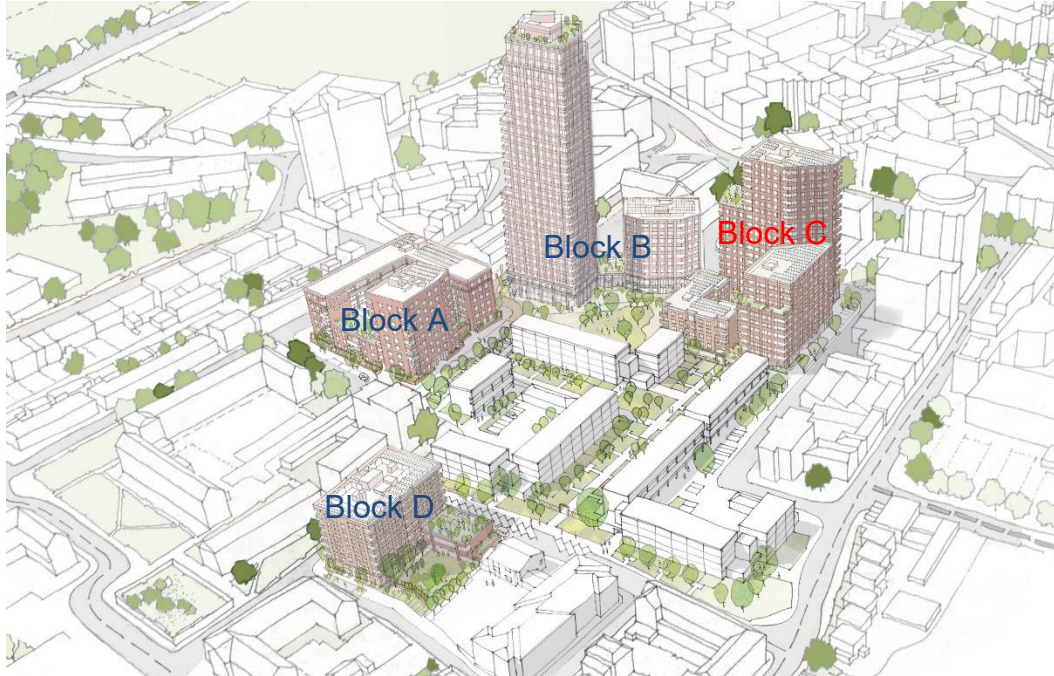
- 5.7 It is proposed that the residential buildings for phase 1 will achieve Decent Homes Standard and be designed to meet the best possible energy performance certification within the budgeted construction costs. The focus will be on ensuring the delivery of highly energy efficiency homes and the reduction of energy poverty for the residents of these Portsmouth Homes. Additionally new and emergent legislation and regulations will continue to be considered to ensure the design is future proofed against emerging policies.
- 5.8 There will be further opportunities for the community panel to provide feedback on aspects of design, landscaping and material selection during this phase, within the constraints of the approved budgets.

6. The wider development

- 6.1 Phase 1 deliberately prioritises the delivery of affordable and social homes and has been assessed for its suitability, feasibility and acceptability whilst considering the risks associated with the investment to ensure that they can be effectively managed by the council considering its current resources.
- 6.2 Delivery of phase 1 is an achievable and manageable level of development for the council as a direct delivery scheme with the resources it has available.
- 6.3 There are three sites that form the remaining phases of Somers Orchard, including Block A (98 general needs affordable homes), Block B (249 build to rent homes with 20% affordable private rent) and Block D (46 affordable supported units with community space re-provision) and associated public realm. Combined will deliver 393 homes in addition to the 175 being delivered as phase 1.

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Plan Five - Birds eye view identifying the different Blocks.

- 6.4 The council is committed to delivering the remaining phases of Somers Orchard as quickly and efficiently as possible by working with partner agencies such as the Ministry of Housing, Communities and Local Government ("MHCLG") and Homes England to help achieve financial viability and accelerate delivery by exploring opportunities for different types of grant funding.
- 6.5 To achieve a vibrant community with a mix of affordable and private market tenures the council will explore alternative delivery strategies which could include a sale or long leasehold disposal.
- 6.6 During this phase further assessment will be undertaken to assess the viability of each site and likely infrastructure investment required to enable the delivery. This will necessitate the procurement of professional services to undertake the financial assessment and undertake a structured market engagement with support from procurement to explore market interest in developing the remaining sites.
- 7. Community Engagement**
- 7.1 A core principle of the project is ensuring the local community, and the community panel representing them, remain at the heart of the project and receive significant updates about the project directly from the Council. This approach will continue.

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- 7.2 We have re-engaged the Community Panel to inform of this milestone and update on planning approvals, legal agreements, 2025 completed pre-liminary market engagement, the wider viability position and the decision to proceed to tender for phase 1 (Block C), delivering 175 homes.
- 7.3 Regular community panel meetings will re-commence, for the delivery stage with involvement at key milestones such as contractor selection, preferred bidder identification and a “meet the contractor” event following appointment.
- 7.4 Engagement will continue throughout the contract period to keep the community informed of progress and to involve residents in decisions on specific matters, including finishes and material choices.
- 7.5 The engagement strategy for the next stage is being finalised, and contact will be made shortly with panel members to secure maximum attendance at the first delivery stage meeting.
- 8. Somers Orchard - meanwhile use**
- 8.1 In 2023, Councillors approved the use of part of the site for a community garden and meanwhile use.
- 8.2 It was an opportunity to maintain community engagement with the wider redevelopment and offer the chance for residents to take ownership of individual beds and grow flowers and vegetables for their own use.
- 8.3 A total of 32 raised beds have been created and allocated to residents, university students, community groups and charities.
- 8.4 Plans for 2026 include development of a sensory garden to support wellbeing and relaxation via the use of sound, smell and touch using tactile planting.
- 8.5 A sunflower competition using seeds from the 2025 sunflower crop will take place in spring 2026 alongside a number of small garden-based events across the spring and summer months.
- 8.6 Initial establishment of the garden was funded through Social Value Programme, contributions from local businesses and private donations
- 8.7 The Victorious festival has provided significant support in establishing the garden by donating sheds, garden tables, perimeter fencing and screening free of charge along with labour to help install the fencing and manufacture some of the first raised planting beds using salvaged pallets.
- 8.8 Local artists have been commissioned to decorate the hoardings and provide wayfinding signage for the garden.

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- 8.9 The phased delivery of Somers Orchard allows the community garden to continue operating during construction of Block C. Additional funding will be required to meet ongoing annual running costs.
- 8.10 The retained area adjacent to the community garden has potential to provide additional meanwhile use. Currently it is regularly utilised for staff and large lorry parking during the Victorious festival period each year.
- 9. Somers Orchard Masterplan - financial viability work**
- 9.1 As stated above, the financial viability of the development was adversely affected by national and international financial market volatility, requiring detailed financial modelling to identify a workable solution and enable the project to proceed.
- 9.2 As a result of the work undertaken by the wider project team, the financial modelling currently demonstrates that Phase 1 (Block C) is financially viable whilst ensuring the scheme delivers an appropriate mix and quality of homes.
- 9.3 The work undertaken to reach this point has included:
- Value engineering the project construction costs to take account of responses received via a preliminary market engagement procurement exercise undertaken with principal contractors;
 - Reviewing the scale and timing of borrowing required, taking account of projected Public Works Loan Board ("PWLB") interest rates;
 - Assessing social rent levels in line with the recently updated Council policy;
 - Using market insight reports to update inflation forecast assumptions and aligning to the construction programme;
 - Ensuring the scheme aligns with the recently revised grant funding requirements, including the Homes England Social and Affordable Homes Programme 2026–2030, and strengthening relationships with key partner agencies such as the Ministry of Housing Communities and Local Government ("MHCLG") to maximise available grant opportunities.
 - Assessing and addressing annual cashflow pressures, particularly during the early construction period before rental income is realised and considering the impact on the wider Housing Revenue Account.
- 9.4 These actions have enabled the development of a robust financial model that allows the project team to apply sensitivities and test a range of scenarios. This provides greater financial assurance by clearly identifying the impact of potential

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changes on the scheme's viability and informing the approach required to secure a deliverable and financially sustainable first phase.

9.5 Ongoing financial dependencies include long-term borrowing rates via the PWLB and availability of the HRA discount rate.

9.6 Financial viability will continue to be tested at each stage of the procurement process. Risks will be identified and costed with relevant mitigating measures outlined.

9.7 Phase 1 (Block C) forms part of the Affordable Housing Scheme which was taken forward as part of the approvals from the 22 March 2022 Cabinet Report. This report also delegated authority to the Director of Housing, Neighbourhood and Building Services and the Section 151 Officer to tender and enter into contract with the preferred bidder for the design and build work following full evaluation of the tender.

10. Procurement impact for Phase 1

10.1 A Preliminary Market Engagement ("PME") was undertaken in January 2025 to inform the business case and financial appraisal. Its purpose was to test market appetite for delivering Phase 1, understand preferred procurement routes, validate construction cost assumptions and identify opportunities for value engineering. This approach helps reduce procurement and cost-risk exposure by validating contractor interest and confirming achievable delivery routes.

10.2 The exercise generated 17 expressions of interest to the Prior Information Notice ("PIN") with three compliant responses at the formal Expression of Interest ("EOI") stage (two tier 1 and one tier 2 contractor). Following initial briefings, where contractors submitted supporting information for consideration, one contractor withdrew and 2 contractors (one tier 1 and one tier 2) completed the process.

10.3 The PME included informal briefings, one to one meetings, review of financial information, reports and presentation material, clarification discussions and preparation of the findings and recommendation report.

10.4 The PME concluded in October 2025. Contractors expressed a clear preference for a two-stage procurement route with an agreed Guaranteed Maximum Price, delivered either as an advertised tender or a framework call off.

10.5 A two-stage procurement approach supports cost control, buildability and early contractor involvement.

10.6 Although market interest was limited, those who engaged demonstrated

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relevant experience, capacity and appetite to deliver phase 1.

- 10.7 Contractors proposed several credible value engineering opportunities relating to construction methodology, design standards, material specification and rates, which were reviewed with the project design team and considered achievable.
- 10.8 Overall, the PME provided confidence that Phase 1 is deliverable and confirmed viable procurement routes. The responses have informed the review of construction costs that validate the supporting consultant cost reports.
- 10.9 This project team will now work with the design and consultancy partners to incorporate PME feedback, finalise the tender documentation and confirm the procurement timetable under existing delegations.
- 10.10 The procurement will be undertaken in full accordance with Procurement Regulations and within the established project governance arrangements and within approved delegated authorities. This approach ensures the procurement strategy remains transparent, compliant and capable of securing best value for the council.

11. Project Governance

- 11.1 The programme and project governance structure is set out below:
- 11.2 A Programme Board chaired by the Director of Housing, Neighbourhood and Building Services will continue to oversee the Somers Orchard development. The Director of HNB remains the Senior Responsible Officer 'SRO'.
- 11.3 A Project Board chaired by the Project Manager and comprising relevant officer leads will oversee the day-to-day operational management and delivery and report to the Programme Board.
- 11.4 The project is listed as a major project, reporting to the Corporate Projects Board, chaired by the Chief Executive.
- 11.5 The Leader and Cabinet Member for Housing and Tackling Homelessness will receive monthly briefings.
- 11.6 Cabinet, ward members, MPs and stakeholders will be updated as and when the project hits key milestones.
- 11.7 A community panel has been at the heart of the project and will meet monthly with the project team and design team to receive project updates and engage with the project decisions.
- 11.8 The programme and governance structure will be reviewed and adjusted as

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necessary, with additional communication and briefings used as appropriate.

- 11.9 This flexible approach has already been demonstrated in the preparation of this Cabinet report, with confidential advance briefings provided to Group Leaders, ward members and other key stakeholders due to the significance of the update.

12. Legal comments

- 12.1 The council's legal services team have supported the project to date and form part of the project's governance structures.
- 12.2 A review of the resources required to deliver the next stage, tender and award contract, will be undertaken, and any additional resource (including external specialist legal advice in relation to procurement and construction contracts) will be procured as necessary.
- 12.3 A Right to Light assessment has been undertaken to identify any risks and strategies for the masterplan development. Specialists will be procured to provide further assessment and advice during the tender preparation to assess how a phased delivery strategy for the overall development may impact any rights to light considerations.
- 12.4 Phase 1 will be impacted by an existing licence agreement in place for the part of Wiltshire Street car-park. The licence end date will unlikely impact the tender phase and will have terminated prior to the estimated start on site.
- 12.5 Legal support will now be required to secure wayleaves and easements required for apparatus and equipment for new utility and service connections and alterations and termination of existing leases as required.
- 12.6 No disposal is proposed as part of this update. This update confirms the intention for the council to directly deliver phase 1 using the Housing Revenue Account. The council has the power through section 9 of the 1985 act to provide housing accommodation on land acquired for these purposes by erecting homes, or converting buildings into houses.
- 12.7 The works to design and develop HRA housing as set out in this report must be subject to public procurement process required under the relevant procurement regulations, as the works will meet the relevant threshold under that legislation.



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Signed by James Hill, Director of Housing, Neighbourhood & Building Services

Appendices:

Appendix One - Planning Decision Notices

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Leamington House and Horatia House Next Steps Cabinet Report 26th February 2019	Leamington House and Horatia House Next Steps Cabinet Report with appendices 1-4.pdf
Leamington House and Horatia House Update and Engagement Next Steps Cabinet Report 8th October 2019	Leamington House and Horatia House Update and Engagement Next Steps Report.pdf
Leamington House and Horatia House Next Steps Cabinet Report Cabinet 15 th September 2020 and Full Council 13 October 2020	Leamington House and Horatia House Report.pdf
Horatia and Leamington Development – Delivery Next Steps Cabinet Report 22 nd March 2022	Horatia and Leamington Development - Delivery Next Steps.pdf
Somers Orchard dedicated webpage containing all the project documents, including project updates, community feedback, FAQs, and videos.	Somers Orchard - former Horatia and Leamington Houses site - Portsmouth City Council

Ms Jennifer Ross
JenRossConsulting
Lantern House
2b Morocco Street
London
SE1 3HB

On behalf of: Mr Michael Wood Portsmouth City Council

LOCATION:

Site Of The Former Melbourne Place Car Park And Part Of Land Associated With The Former Leamington Tower, Land At Wiltshire Street, Waltham Street, And Melbourne Place.

DESCRIPTION OF DEVELOPMENT:

Redevelopment involving the construction of mixed-use buildings ranging in height from 10 to 32 storeys (excluding roof plant & flues) to provide commercial space (Use Class E) at ground floor level and mixed tenure Build to Rent homes (Use Class C3) above; landscape, drainage and ecological enhancements, car and cycle parking, lighting and all other associated infrastructure works.

In pursuance of powers under the above mentioned Acts the City Council, as Local Planning Authority, **GRANT PLANNING PERMISSION** for the development indicated above in accordance with the application, drawings and other particulars valid on 18 December 2023 **and subject also to compliance with the following conditions:-**

The reasons for the conditions are:-

1) Time Limit

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) Approved Plans (includes brick specifications)

Unless otherwise agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the drawings listed in Drawing Issue Register 12/8/24, with San Anselmo Blanco replacing Ibstock Clerkenwell London White in the Exterior Material Palette Dwg. No. 4101.

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

3) Phasing Plan

Prior to the commencement of development, a phasing plan shall be submitted for approval in writing by the Local Planning Authority (referred to in the remainder of this

Decision Notice as the Approved Phasing Plan). The Approved Phasing Plan shall include details of the development to be implemented within each phase of the development (referred to in the remainder of this decision notice as Phase or Phases as appropriate and with applicable descriptive terminology to discriminate between different Phases). The development shall only be implemented in accordance with the Approved Phasing Plan. The Approved Phasing Plan shall not be amended without the written consent of the Local Planning Authority. Any proposal to amend the Approved Phasing Plan shall provide evidence to demonstrate that such changes would not give rise to any likely significant environmental or amenity impacts

Reason: To ensure the development is delivered in a coordinated and planned way given its scale and likely construction period.

4) Land Contamination (Pre-commencement)

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

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

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

c) A remediation method statement report detailing the remedial scheme and measures to be undertaken to avoid risk from contaminants and/or gases when the development hereby authorised is completed, detailing proposals for future maintenance, monitoring and arrangements for contingency action as necessary. If identified risks relate to bulk gases, this will require the submission of the design report, installation brief, and validation plan as detailed in BS8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings and have consideration of CIRIA 735 Good practice on the testing and verification of protection systems for buildings against hazardous ground gases. The remedial options appraisal shall have due consideration of sustainability as detailed in ISO 18504:2017 Soil quality – Sustainable remediation. It shall include the nomination of a competent person to oversee the implementation of the remedial scheme and detail how the remedial measures will be verified on completion (Phase 3 report).

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with saved Policy DC21 of the Portsmouth City Local Plan (2006), Policy PLP37 of the Pre-Submission Portsmouth Local Plan (2025-2040), and paragraph 196 of the National Planning Policy Framework (2024). The responsibility for safe development rests with the landowner / developer.

5) Land Contamination (Pre-occupation)

Each phase of the development as shown on the Approved Phasing Plan shall not be occupied until a stand-alone verification report has been submitted by the competent person approved pursuant to condition 4c 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 condition 4c.

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), Policy PLP37 of the Pre-Submission Portsmouth Local Plan (2025-2040), and paragraph 196 of the National Planning Policy Framework (2024). The responsibility for safe development rests with the landowner / developer.

6) Archaeological evaluation, mitigation, recording

No development of each Relevant Phase including demolition, preparatory work, hard/soft landscaping work, shall take place until the Applicant has secured the implementation of a programme of Archaeological Evaluation and Fieldwork, in accordance with a Mitigation Strategy that has been submitted to and approved by the Local Planning Authority. The Mitigation Strategy shall include appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present, to mitigate the impact of the development upon these heritage assets, and to ensure that information regarding these heritage assets is preserved by record for future generations, in accordance with Policy PCS23 of the Portsmouth Plan (2012), and Policy PLP56 of the Pre-Submission Portsmouth Local Plan (2025-2040).

7) Noise and Vibration Assessment

No works pursuant to the relevant Phase of the development hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Noise and Vibration Assessment as per BS 5228-1:2009+A1:2014 Parts 1 & 2 including all specified measures to mitigate any identified observed adverse effect levels of work activities/operations that may generate significant noise levels. The mitigation measures shall be implemented prior to the commencement of works and thereafter maintained.

Reason: In order to protect the amenity of the surrounding occupiers in accordance with Policy PCS23 of the Portsmouth Plan (2012) and Policy PLP1.5 of the Pre-Submission Portsmouth Local Plan (2025-2040).

8) Delivery of Construction works

No works pursuant to the relevant Phase of the development hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority a

Construction Management Plan, concerning building construction, highway amendments, and Public Realm improvements as relevant to the Phase. It shall cross-refer and coordinate with the Construction Phasing Programme for the adjoining development 23/01574/FUL. The Programme shall be complied with as approved. The Construction Phasing Programme shall include details of:

- (a) parking for vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials;
- (d) programme of works (including measures for traffic management);
- (e) provision of boundary hoarding behind any visibility zones;
- (f) HGV deliveries and hours of operation;
- (g) vehicle routing;
- (h) measures to prevent the deposit of materials on the highway;
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
- (j) on-site turning for construction vehicles

Reason: In order to minimise effects on local movement and amenity, in accordance with Policies PCS17 and PCS23 of the Portsmouth Plan (2012) and Policies PLP1.5 and PLP47.7 of the Pre-Submission Portsmouth Local Plan (2025-2040).

9) Delivery of Drainage

No works pursuant to the relevant Phase (and/or Drainage Catchment) of the development hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority. The drainage for each Phase (and/or Drainage Catchment) shall be implemented as approved, unless otherwise agreed in writing.

Reason: In order to reduce the risk of flooding to the proposed development and future occupants, both on and off site in accordance with Policy PCS12 of the Portsmouth Plan (2012) and Policies PLP31 and PLP32 of the Pre-Submission Portsmouth Local Plan (2025-2040).

10) Flood warning and Evacuation

For each respective Block, the Site Owner or Developer shall sign-up to the Environment Agency's Flood Warning Service, and submit a Flood Warning and Evacuation Plan for the written approval of the Local Planning Authority. It must be approved by the LPA, and implemented as approved, prior to first occupation of each respective Block. The provisions of the Plan shall be maintained as approved for the lifetime of the development, unless otherwise agreed in writing.

Reason: To protect future occupants from the risk of flooding in accordance with Policy PCS12 of the Portsmouth Plan (2012) and Policy PLP31 of the Pre-Submission Portsmouth Local Plan (2025-2040).

11) Delivery of Highway amendments

No works pursuant to the relevant Phase of the development hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority any corresponding programme of approved highway amendments. The programme shall set out the completion of the highway amendments relative to the progression of the adjoining development Phases and the adjoining application 23/01574/FUL. This Programme will include details of the closure to vehicular traffic of parts of Melbourne Place and Wiltshire Street, the provision of one-way streets (for vehicular traffic) at Meriden Road, Earlsdon Street, Sackville Street, and

amended Traffic Road Orders, signage, and the proposed timing of delivery of each area of highway amendments,

Reason: In order to provide safe and efficient local movement, in accordance Policy PCS17 of the Portsmouth Plan (2012) and Policy PLP47 of the Pre-Submission Portsmouth Local Plan (2025-2040).

12) Delivery of Parking

The proposed buildings in each Relevant Phase shall not be occupied until the location of vehicle parking to serve each building has been submitted to and approved in writing by the Local Planning Authority, and that parking has been provided, surfaced and drained in accordance with details of each relevant Phase.

As well as parking allocated to the particular Phase in question, the submission(s) must also address wider Masterplan parking, eg Meriden Road Residents' Parking Zone (Zone LA) parking, and cross-refer and coordinate with the delivery of parking for the adjoining development 23/01574/FUL.

Reason: In order to provide sufficient parking and layout for the occupants in accordance Policy PCS17 of the Portsmouth Plan (2012) and Policy PLP48 of the Pre-Submission Portsmouth Local Plan (2025-2040).

13) Parking Management Plan

The proposed buildings in each Relevant Phase shall not be occupied until a Car Parking Management Plan for each respective Phase has been submitted to and approved in writing by the Local Planning Authority, and that Car Parking Management Plan has been implemented as approved. The provisions of the Plan shall be maintained as approved for the lifetime of the development, unless otherwise agreed in writing.

Reason: In order to provide sufficient parking and layout for the occupants in accordance Policy PCS17 of the Portsmouth Plan (2012) and Policy PLP48 of the Pre-Submission Portsmouth Local Plan (2025-2040).

14) Electric Car Charging points

No Phase of the development shall be occupied until details of the provision of the electric vehicle charging points for each relevant Phase has been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The charging points as approved shall be implemented prior to occupation of the relevant Phase in accordance with the approved details and shall thereafter be maintained.

Reason: In order to provide sufficient electric charging points for the occupants in accordance with Policy PCS17 of the Portsmouth Plan (2012) and Policy PLP48 of the Pre-Submission Portsmouth Local Plan (2025-2040).

15) Cycle Parking

The development hereby permitted shall not be occupied/brought into use until bicycle storage facilities have been provided in accordance with a detailed scheme for each Phase has been first submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to: (a) details of any storage structures, lockers, maintenance facilities, electric charging 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: In order to provide sufficient cycle parking spaces for the occupants in accordance Policies PCS17 of the Portsmouth Plan (2012) and Policy PLP48 of the Pre-Submission Portsmouth Local Plan (2025-2040).

16) Travel Plan

The Travel Plan submitted with the application shall be implemented as submitted, prior to first occupation of each Phase, and its provisions shall be maintained as submitted for the lifetime of the development, unless otherwise agreed in writing.

Reason: In order to provide suitable travel provisions in accordance with Policy PCS17 of the Portsmouth Plan (2012) and Policy PLP47 of the Pre-Submission Portsmouth Local Plan (2025-2040).

17) Delivery of Open Space, Trees and Landscape

No Phase of the development shall be occupied until there has been submitted to and approved in writing by the Local Planning Authority an Open Space, Trees and Landscape Delivery Programme. This Programme shall cross-refer and coordinate with the Open Space, Trees and Landscape Delivery Phasing Programme for the adjoining development 23/01574/FUL. The Programme shall set out the timing of the provision of open space, trees and landscape relative to occupation of the respective Buildings in the Phase.

Reason: In order to secure the delivery of new and improved public open space commensurate with the delivery of new dwellings, in accordance with Policy PCS13 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41, PLP45 of the Pre-Submission Portsmouth Local Plan (2025-2040).

18) Communal Roof Terraces

The roof terraces shown on the approved plans and on page 109 of the Design and Access Statement shall be maintained for access for recreational use by the residents of each respective block during the lifetime of the development.

Reason: In order to contribute towards the total amount of communal outdoor amenity space sought by Policy PCS13 of the Portsmouth Plan (2012) and Policy PLP22 of the Pre-Submission Portsmouth Local Plan (2025-2040).

19) Landscaping - Details, and management and maintenance

Prior to the occupation of the buildings in each relevant Phase and prior to the commencement of works for the respective areas of highway amendments and Public Realm improvements in any relevant Phase, details of hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The landscape works shall cross-refer and coordinate with those for the adjoining development 23/01574/FUL. These details shall include:

- i) A statement setting out the design objectives and how these will be delivered;
- ii) Details of tactile surfacing, paving loading strength, desire lines, levels, kerbs railings and bollards;
- iii) Size and sunlight to planting areas, volume of soil to roof terrace beds, to public realm beds (around the building edges) and to ground floor terraces (forecourt gardens), planting species' longevity and maintenance (mowing, watering), drainage;
- iv) interaction of solar panels and green roofs; and
- vi) a strategy for the management and maintenance of the landscape works.

Soft landscape works shall include, without limitation, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.

The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following substantial completion of the relevant Phase of the development. The completed scheme shall be managed and maintained in accordance with the approved strategy of management and maintenance.

Reason: In order to provide a high quality aesthetic new environment, with ecology, drainage and health equally important, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

20) Trees: Pre-commencement Meeting

Prior to the commencement of each Phase of the development hereby approved (be it preparatory site work, demolition, building construction, highway amendments, or Public Realm improvements), a pre-commencement meeting shall be held on site and attended by the developer's appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed, or, that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

Reason: In order to properly manage the retention/protection of trees, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

21) Trees and open areas

Prior to the commencement of each Phase of the development hereby approved (be it preparatory site work, demolition, building construction, highway amendments, or Public Realm improvements), details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
 - e) use within tree Root Protection Areas (RPAs);
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- 5) types and dimensions of all boundary treatments

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required

by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details. Please also see Informative 2.

Reason: In order to properly manage the retention/protection of trees, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

22) Tree protection

Prior to the commencement, be it preparatory site work, demolition, building construction, highway amendments, or Public Realm improvements, of each Phase of the development hereby approved, a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS include:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) a specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Veteran and ancient tree protection and management

The development thereafter shall be implemented in strict accordance with the approved details. Please also see Informative 3

Reason: In order to avoid damage to retained trees, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

23) Tree Planting

Prior to the completion of each Phase of the development hereby approved (be it preparatory site work, demolition, building construction, highway amendments, or Public Realm improvements), 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 and sizes, nursery stock type, supplier and defect period. 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.

Please also see Informative 4.

Reason: In order to provide a high quality aesthetic new environment, with ecology, drainage and health equally important, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

24) Tree Pruning

Details of all proposed Access Facilitation Pruning (see BS5837:2012 for definition) shall be submitted to and approved in writing by the Local Planning Authority. The approved tree pruning works shall be carried out in accordance with BS3998:2010, prior to the commencement of each Phase of the development hereby approved (be it preparatory site work, demolition, building construction, highway amendments, or Public Realm improvements). The development thereafter shall be implemented in strict accordance with the approved details.

Please also see Informative 5.

Reason: In order to properly manage the health of retained trees, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

25) Retained trees

No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building or use of the land for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason: In order to retain identified and established trees, in accordance with Policies PCS12, PCS13, PCS14, PCS23 of the Portsmouth Plan (2012) and Policies PLP38, PLP39, PLP40, PLP41 of the Pre-Submission Portsmouth Local Plan (2025-2040).

26) Water Efficiency

Each respective Block shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings have 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 water efficiency calculator.

Reason: To ensure that the development complies with PCS13 of the Portsmouth Plan 2012 and Policy PLP44 of the Pre-Submission Portsmouth Local Plan (2025-2040), and does not exceed the scope of Nitrate Mitigation Credits purchased.

27) Bat tubes and boxes

The proposed buildings in each Relevant Phase shall not be occupied until details of bat tubes and/or boxes across the relevant Phase and/or wider application site have been submitted to and approved in writing by the Local Planning Authority, and installed as approved

Reason: In order to provide suitable ecological benefits for the scheme in accordance with Policy PCS13 of the Portsmouth Plan (2012), and Policy PLP39.1 and 2(e) of the Pre-Submission Portsmouth Local Plan (2025-2040).

28) Fixed plant or equipment

Unless submitted in an additional planning application, prior to the installation of any fixed plant or equipment, an assessment of noise from the operation of the plant shall be undertaken using the procedures within British Standard BS4142:2014 and a report submitted to the Local Planning Authority including proposed measures to mitigate any identified observed adverse effect levels. Upon approval, all mitigation measures shall be implemented prior to the commencement of the use of the plant or equipment, and thereafter maintained as approved.

Reason: In order to protect the amenity of the surrounding occupiers in accordance with Policy PCS23 of the Portsmouth Plan (2012) and Policy PLP1.5 of the Pre-Submission Portsmouth Local Plan (2025-2040).

29) Materials

Aside from bricks approved in Condition 2, details of the materials to be used for the external surfaces of the building for each relevant Phase shall be submitted to and approved by the Local Planning Authority prior to their installation. The development shall then be constructed in accordance with the approved materials and detailing. Sample panels shall be provided for selected areas of buildings.

Reason: To order to secure the satisfactory appearance of the development in accordance with Policy PCS23 of The Portsmouth Plan and Policy PLP1.2(b) of the Pre-Submission Portsmouth Local Plan (2025-2040).

30) Lighting

Prior to the installation of the ground floor slab details of each Phase, or the completion of works for highway amendments and Public Realm improvements, a lighting scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall consider residential amenity, public safety, and ecology (bats). The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: To order to protect the amenities of the occupiers of residential properties, to ensure safe and secure development and contribute to reducing crime and disorder, and in the interests of biodiversity, in accordance with the adopted Policies PCS13 and PCS23 of the Portsmouth Plan and Policies PLP1.4, PLP 1.5, PLP1.2 f), PLP39 and PLP49 of the Pre-Submission Portsmouth Local Plan (2025-2040).

INFORMATIVES

1) Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or

insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from a professional ecologist.

2) The following British Standards should be referred to:

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

3) The following British Standards should be referred to:

- a) BS: 3998:2010 Tree work – Recommendations
- b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

4) 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)
- 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

5) The following British Standards should be referred to:

- a) BS: 3998:2010 Tree work – Recommendations
- b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

Planning and Economic Growth
Civic Offices
Guildhall Square
Portsmouth PO1 2AU
Telephone (023) 9282 2251

Ian Maguire
Assistant Director, Planning and Economic Growth
2 December 2025

planning@portsmouthcc.gov.uk
Web: www.portsmouth.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant permission subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

IT DOES NOT CONSTITUTE AN APPROVAL UNDER THE BUILDING REGULATIONS

You should also be advised that you may have obligations under the Party Wall Act 1996

THE APPLICANT IS RECOMMENDED TO KEEP THIS DOCUMENT WITH THE TITLE DEEDS OF THE PROPERTY

THE APPLICANT IS NOW ADVISED TO REMOVE ANY SITE NOTICES FROM AROUND THE PROPERTY

Appendix 2 Policy PLP15 from the Portsmouth Pre-Submission Local Plan 2024

Somers Orchard

Introduction

5.89 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.

5.90 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.

5.91 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/>

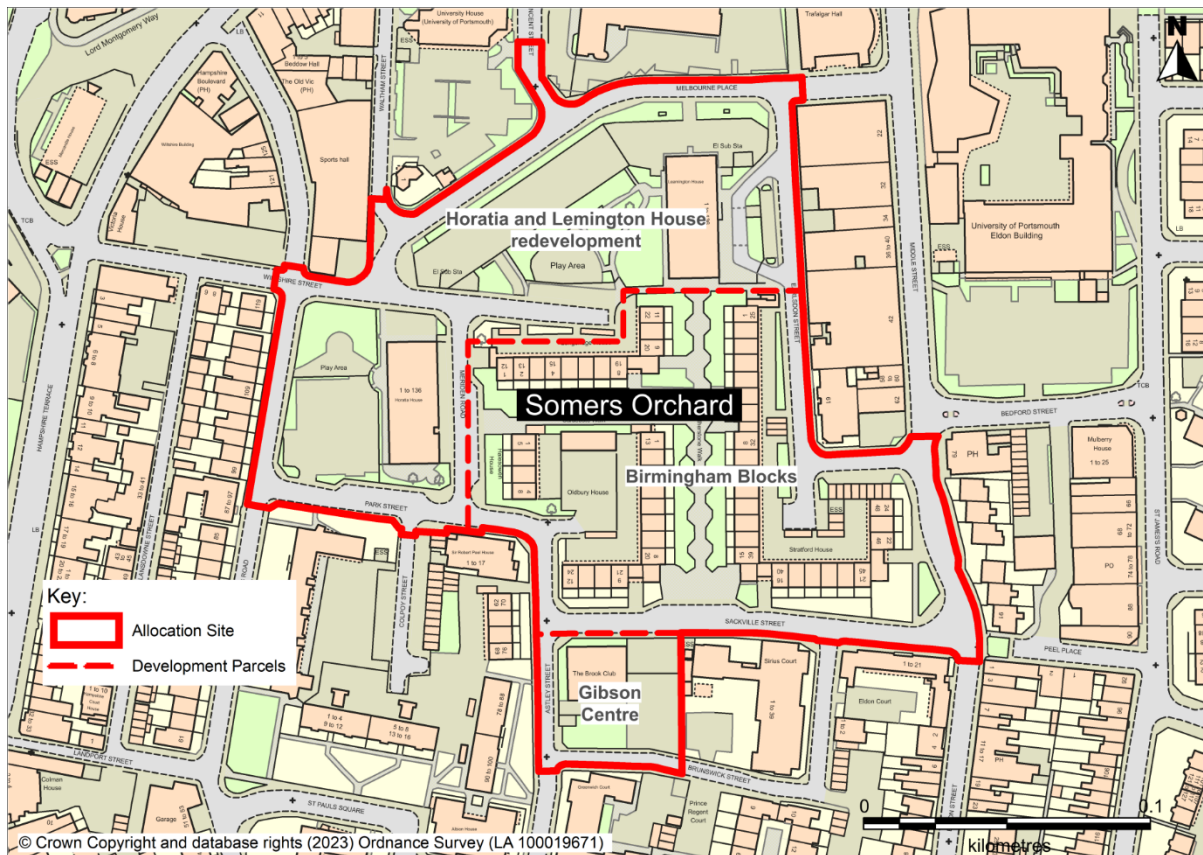


Figure 5.7: Map of Somers Orchard

- 5.92 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.
- 5.93 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.
- 5.94 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.
- 5.95 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.
- 5.96 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