

## APPENDIX H. SITE CONSTRAINTS

### H.1 General issues to consider:

- H.1.1 The impact of site constraints should be assessed and evaluated at an early stage in the design of the development and designs modified accordingly and where possible mitigated.**
- H.1.2** Development at some sites may be restricted by physical, environmental or legal factors and require special measures to be taken before an application is submitted and permission is granted. An on-site and desktop analysis of the site and the surrounding area should be carried out to identify constraints (features and hazards). Consultation with the local community and wider may also provide vital local knowledge.
- H.1.3** The list in H1.11 identifies possible site constraints that should be investigated. Attention should be given at the early design stage to protect, mitigate against harm and to create a good quality development that incorporates and optimises the features of the area within the development. Many of the constraints can be used positively to create distinctive and inspirational developments by using innovative design solutions.
- H.1.4** This list is not conclusive and the onus is put on the applicant to identify any further constraints that may apply to the site through new legislation or other means.

### H.1.5 Internationally designated sites:

- Special Protection Areas (SPAs) classified under the EC Birds Directive 1979 (amended 2003);
- Special Areas of Conservation (SACs) designated under the EC Habitats Directive 1992;
- Ramsar sites listed under the provisions of the Ramsar convention on wetlands of international importance.

### H.1.6 Nationally designated sites:

- Sites of Special Scientific Interest (SSSI).

### H.1.7 Locally designated nature areas and Conservation of species protected by Law:

- Local Nature Reserves (LNRs) - statutory designation under Section 21 of the National Parks and Access to the Countryside Act 1949;
- Sites of Importance to Nature Conservation (SINCs) - non-statutory designation by the City Council;
- Protection afforded to species under the Habitats Regulations;
- Protection afforded to species under the European Union Habitats Directive 1992;
- Protection afforded to species by the Wildlife and Countryside Act 1981 (as amended);
- Protection of Badgers Act 1992.

### H.1.8 Tree protection:

- Protection afforded to trees through tree preservation orders under Part VIII of the Town and Country Planning Act 1990 and in the Town and Country Planning (Trees) Regulations 1999 and its amendments in Section 23 of the Planning and Compensation Act 1991;
- Protection afforded to trees through Conservation Areas under Part II of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### H.1.9 Party Wall etc Act 1996.

The Act provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. Adjoining owners can agree with the building owner's proposals or reach agreement with the building owner on changes in the way the works are to be carried out, and in their timing. Where

there is no written consent or agreement, the Act provides for the resolution of 'disputes'.

The Act specifically covers:

- Various work that is going to be carried out directly to an existing party wall or structure;
- New building at or astride the boundary line between properties;
- Excavation within 3 or 6 metres of a neighbouring building(s) or structure(s), depending on the depth of the hole or proposed foundations.

**H.1.10 Conservation of habitats and species outside of designated area:**

- Habitats and species in UK;
- Local Biodiversity Action Plans;
- Landscape features of major importance for wild flora and fauna;
- Water/Riverside/Coast/Estuary;
- Woodlands, trees and hedgerows;
- Open space.

**H.1.11 Other constraints:**

- Listed buildings;
- Locally listed buildings;
- Conservation Areas;
- Parks and Gardens of Special Historic Interest;
- Archaeology;
- Flood risk;
- Highways;
- Railways;
- High voltage overhead lines/Pylons;
- Telecoms and utilities;
- Aerodrome;
- Land instability/slippage;
- Land contamination (on and off site);
- Contaminated land;
- Topography;
- Air quality management areas;
- Noise pollution;
- Light pollution;
- Water Quality;
- Adjacent hazardous industrial uses;
- Rights of way, common land access rights etc;
- Constraints specific to restrictive covenants and deeds.

## APPENDIX I. PLANNING OBLIGATIONS

### I.1 Planning Obligations for Residential Developments

I.1.1 Planning obligations or contributions, popularly known as 'planning gain', provide a means for the City Council to secure financial contributions from the developer towards the provision of infrastructure and services to enable proposed development to proceed.

I.1.2 The City Council has produced separate Supplementary Planning Guidance (SPG) on those planning obligations sought under the powers prescribed by Section 106 of the Town & Country Planning Act 1990. This SPG is available on the Council's website or direct from Planning Policy (see Appendix L).

I.1.3 Circular 05/2005 sets out a series of tests (known as the Necessity Test) which requires planning obligations to be:

- relevant to planning;
- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects.

I.1.4 In most cases the City Council will seek contributions from residential developments of **over 5 dwellings**; however, in some instances smaller developments require a contribution. Details of the contributions sought are outlined in the separate SPG.

I.1.5 After submitting an application Development Control will inform the applicant of a need for a Planning Contribution. However, all applicants are advised that issues of Planning Contributions are best addressed at the pre-application stage. In order to comply with Government targets for processing applications the City Council will expect the S106 process to run parallel with consideration of the application. This is done without prejudice to the decision of the local planning authority. Where such an agreement is not signed within the statutory timeframe for determining the application, planning permission will be refused. The SPG provides further advice on the procedure.

#### Relevant Documents:

**Southampton City Council SPG  
Planning Obligations, August 2005**

**Southampton City Council SPG**

**City Centre Streetscape Manual,**

**HM Government Circular 05/2005,  
Planning Obligations**

- I.1.6 The matters that in most instances are relevant considerations for seeking a contribution for residential development are:
1. *Affordable Housing* – provision of 25% affordable units for developments over 15 dwellings;
  2. *Highways and Public Realm*– providing local high ways and public realm infrastructure improvements or enhancements;
  3. *Transport*- Ensuring the travel needs of the potential occupiers are met;
  4. *Open Space*- providing play space or associated amenity, leisure or open space enhancements;
  5. *Public Art*- contributing to the streetscene;
  6. *Community Safety* – contributing to neighbourhood's safety, e.g. CCTV.
- I.1.7 Applicants are encouraged to consider planning obligations when assessing the viability and designing a proposal. Integrating design with associated contributions towards factors such as the public realm or 'pepper potted' affordable housing are crucial elements of a successful and sustainable development. Contributions should not be a last minute 'add on' rather an important part to creating a successful development ensuring integration with the wider neighbourhood contexts.
- I.1.8 Policy SDP 6 of the Local Plan Review requires a design statement; this combined with Policy IMP 1 justifies the need for a developer to consider planning obligations as integral to enhanced high quality design.

## APPENDIX J. BIBLIOGRAPHY

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Leeds City Council, December 2003

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## Useful Websites.

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## APPENDIX K. GLOSSARY

**Alignment:** To place the frontage of a new building in line with the rest of the frontages on the street.

**AOD:** Abbreviation for 'above ordnance datum', ideally used to describe the height above datum on plans.

**Assembly of dwellings:** A terrace of houses, groups of semi-detached houses or a block of apartments.

**Biodiversity:** A diverse range of species and the complex ecosystems they make up.

**Built form:** The three dimensional shape of the aggregate of all buildings, structures etc. which make up the city.

**Brownfield development:** Land that has previously been developed that is now vacant, derelict and or contaminated.

**Character:** All the built and natural elements which make up a place and contribute to its individuality. The aggregate of the distinctive features of anything; essential peculiarity, nature, style.

**Characteristics:** Distinguishing features or qualities that can be used to describe a place, that identify it as somewhere different from another place.

**Cityscape:** The visual appearance of the City.

**Cohesive:** Harmonious grouping of complementary elements. A cohesive townscape contains objects and architectural elements which have a consistent overall effect.

**Composition:** The art of ordering the parts of a building to form a harmonious whole.

**Context:** The immediate surrounding environment which creates a structure or place within which a building is inserted. This environment has a bearing upon the building, as much of the building's significance is derived from its relationship with its environs.

**Density:** Minimum net: is the minimum number of dwellings per hectare excluding open space, pavements, roads, and other ancillary uses; minimum gross: is the number of dwellings over the whole development area of the site including open space, pavements, roads, and other ancillary uses provided by the development.

**Distinctive:** Easily recognisable, often with strong characteristics that make it unique or different from another.

**Dwelling:** an individual place of residence.

**Dph:** abbreviation used for the number of dwellings per hectare.

**Embodied energy:** The embodied energy of materials is that consumed in their extraction, manufacture, transport and assembly on site.

**End-stop:** closes off a view.

**Façade (facade):** The face or front of a building towards a street or other open place. Especially the principal front.

**Gated developments:** developments that are totally secured from non residents from entering by secure controlled access gates

**Group of dwellings:** Dwellings can be grouped in terraces, mews or as semi-detached houses, as well as apartments.

**Habitable rooms:** Rooms one could live in and/or sleep in eg. all rooms in a house except sanitary facilities, kitchens and stores.

**High hedges:** See Part 8 of the Anti-social Behaviour Act 2003. Legislation refers to high hedges as evergreen hedges over 2 metres in height where the hedge is adversely affecting the complainant's reasonable enjoyment of their property.

**Iconographic:** A building of exceptional quality that is clearly related to a particular city/location.

**Landmark:** A building or structure that stands out from its background by virtue of height, size or some other aspect of design.

**Legibility:** The degree to which a place can be easily understood and recognised and passed through, when moving from one place to another.

**Local identity:** The identity or characteristics that are specific to that place in its locality.

**Marker building:** A building or structure that people use to orientate themselves by; of greater prominence in the townscape than most other buildings, but of less prominence than a landmark building.

**Massing:** The combined effect of the arrangement, volume and shape of a building or group of buildings. This is also called 'bulk.'

**Modelled:** Executed or sculptured in relief.

**Movement frameworks:** A strategy that takes into consideration the network of roads and paths that facilitate movement of all forms of transport including cycles and pedestrians.

**Nearby:** Adjacent to or in close vicinity to, for example; houses on the same street.

**Neutral colours:** Those that fit well with most other colours such as white, black, grey and pastel or grey shades of other colours.

**Orientation:** The direction a building faces, particularly how the building is located on its site in relation to the street frontage.

**Palette:** A group of products of a limited range of colours and materials that are used together in a particular situation, such as a public space.

**Panorama:** a wide unbroken view, usually from a place much higher or lower than the surroundings.

**Pattern:** An arrangement of buildings and plots in a unique and distinctly recognisable form. This could be repetitive or informal, for example; streets of adjacent terraced housing or the ad hoc arrangement of large detached houses on an estate.

**Perimeter block:** A block of development that is built up to the back of the pavement, facing directly onto public routes or spaces, providing a strong block structure and good levels of natural surveillance. A pavilion block is a block of development that is built set well back from the pavement, that does not relate directly to public routes and spaces.

**Permeability:** The degree to which a place has a variety of pleasant, convenient and safe routes through it.

**Place:** A clearly recognisable part of the city's environment e.g. park, neighbourhood, street, district centre.

**Place making:** A process using urban design tools to establish or develop a place as clearly recognisable in its own right i.e. to develop its local identity or distinctiveness.

**Plot:** The area contained within the boundary of one dwelling or a group of linked dwellings, such as a block of flats or a sheltered housing complex.

**Plot series:** A group of adjacent plots that have an identical and repetitive footprint of the same size, such as a row of terraced houses or semi-detached houses of the same design.

**Podium:** A continuous projecting base to a building forming the front of the lower levels.

**Precedent:** A previous occurrence used to justify taking the same action in later similar situations.

**Primary street:** The most important street that passes through an area of development, such as a district 'high' street, but this could also include a main distributor route.

**Proportion:** A comparative relation or ration. Good proportion is gained by harmonious relations between the measurements of an object. A well proportioned building is where the relation of one part of the building to another results in an harmonious whole.

**Respect:** To treat with deference or consideration. To refrain from injuring or interfering with something.

**Rhythm:** A harmonious composition, often repetitive, which has a sense of movement. Generally, movement marked by the regulated succession of strong and weak elements.

**Scale:** A sense of relative size. A large scale building is big in the comparison with its context or what is generally accepted. A small scale building is the opposite. A human scale building has a size or many architectural elements which we can identify with i.e. their size and proportion are related to our bodily dimensions.

**Section 106 agreement:** Also known as planning obligations, provide a means to secure developer contributions towards the provision of infrastructure and services to enable proposed development to proceed. Through planning obligations developers contribute towards sustainable communities via contributions towards a range of infrastructure and services including local roads and public transport schemes, public spaces, community facilities and affordable housing. The legislative basis for planning obligations is Section 106 of the Town and Country Planning Act 1990 (amended by Section 12 of the Planning and Compensation Act 1991).

**Secondary street:** A street that stems off the primary street, usually moving further away from areas of greatest activity such as district centres or local shopping parades.

**Sequential approach:** The approval of one stage before another can commence. In the planning process this approach is required for some proposals for development to ensure that new development is built in the most appropriate locations to where the greatest need and access is. This requires the testing of alternative locations that might be more suitable for development, such as sites of greater accessibility and sites that already have the land use established on it.

**Setback:** The distance of a building alignment from the front property boundary or street frontage.

**Shape:** External form or contour.

**Silhouette:** A building's or townscape's vertical outline. This is most easily seen at dawn or dusk as a dark profile thrown up against the lighter background of the sky.

**Siting:** The location, positioning and orientation of a building, generally taking into account its proximity to adjoining property, buildings and street boundaries.

**Travel plans:** A plan that proposes how residents and occupants of a development are intended to travel to and from the development site and includes proposals as to how private travel is minimised and use of public transport is maximised.

**Typology:** is a set of buildings or built forms which are homogeneous in style and/or material (for example terraced, detached and flats are housing typologies).

**Urban grain:** the pattern of arrangement and size of buildings and their plots in a settlement and the degree to which an area's pattern of street-blocks and street junctions is respectively small and frequent, or large and infrequent.

**Urban morphology:** is the overall shape and structure of a place as revealed by the plan of streets and plots which result from its historical development.

**Vernacular:** the design of ordinary buildings, such as houses, including the use of locally available building materials and details that are derived from these and particular conditions of the location, such as setting and climate.

**View:** Everything that can be seen from a particular place looking in a particular direction.

**Viewpoint:** The origin of a view; the place where the view can be seen from.

**View corridor:** Comprises a series of views along a route; usually a straight one, looking in the same direction.

**Vista:** An enclosed or constrained view, usually a long and narrow one, framed by built or landscape form.



## APPENDIX L. CONTACTS

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Planning Agreements Officer  
Simon Mackie  
Civic Centre  
023 8083 4247

Planning Ecologist  
Ian Barker  
Civic Centre  
023 8083 2727

Planning Policy Manager  
Sarah Cornwell  
Civic Centre  
023 8083 2886

Play Services Officer  
Martin Chase  
Frobisher House  
023 8083 2699

Public Arts Officer  
Elizabeth Smith  
Civic Centre  
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Sustainability Development Advisor  
Helen Krzanowski  
Civic Centre  
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Sustainability Policy Manager  
William Clark  
Civic Centre  
023 8083 2600

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Tree Officer  
Civic Centre  
[trees@southampton.gov.uk](mailto:trees@southampton.gov.uk)  
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**Statutory Consultees:**

Countryside Agency  
Miss Boulton  
Countryside Adviser  
Planning And Sustainable Development  
Sterling House  
7 Ashford Road  
Maidstone  
Kent  
ME14 5BJ

English Heritage  
Graham Steaggles  
Historic Areas Advisor  
South East Region  
Eastgate Court  
195-205 High Street  
Guildford  
Surrey  
GU1 3EH

English Nature  
Mr Stevens  
Conservation Officer  
1 Southampton Road  
Lyndhurst  
SO43 7BU

Environment Agency  
Ms Beard  
Colvedene Court  
Wessex Way  
Colden Common  
Winchester  
SO22 1WP

**Other Consultees**

BAA Southampton International Airport Ltd  
David Cummings  
Managing Director  
Southampton International Airport,  
Wide Lane  
Southampton  
SO18 2NL

City of Southampton Society  
Derek Bound  
Chair  
80 Orchards Way  
Highfield  
Southampton  
SO17 1RE

Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE

Commission For Architecture and the Built  
Environment  
The Tower Building  
11 York Road  
London SE1 7NX

Hampshire Constabulary  
Dave Armstrong  
Police Architectural Liaison Officer  
CPDA Southampton  
Central Police Station  
Havelock Road  
Southampton  
SO14 7LG

Hampshire Fire & Rescue Service HQ  
Leigh Rd  
Eastleigh  
Hampshire  
SO50 9SJ

Health & Safety Executive  
HID  
Priestly House  
Priestly Road  
Basingstoke  
Hampshire  
RG24 9NW

Highways Agency  
Paul Robinson  
Network Strategy South East  
Room 1B Federated house  
London Road  
Dorking  
Surrey  
RH4 1SZ

Network Rail  
40 Melton Street  
London  
NW1 2EE

Network Rail Southern Region  
Floor 14  
Southern House  
Wellesley Grove  
Croydon  
Surrey  
CR9 1RT

## Access Groups:

Southampton Action for Access  
Brian Chapman  
Treasurer  
15a Parsonage Road  
Northam  
Southampton  
SO14 0PP

Southampton Centre for Independent Living  
(SCIL)  
Mark Redman  
Development & Empowerment Opportunities  
Officer  
Unity 12  
9-19 Rose Road  
Southampton  
SO14 6TE

## Service Providers:

British Gas- Transco (Southern)  
3 Hampshire Corporate Park  
Templars Way  
Chandlers Ford  
SO53 3RY

British Telecom  
M Taylor  
C/O RPS Chapman Warren  
10 Queen Street  
Mayfair  
London  
W1J 5PF

Cable and Wireless Communications Plc  
Waterside House  
Waterside Park  
Bracknell  
RG12 1XL

National Grid  
Land & Development Manager  
Land & Development (B1)  
NGT House  
Warwick Technology Park  
Gallows Hill  
Warwick  
CV34 6DA

Southern Electric  
Peter Crew  
Lower Drayton Lane  
Cosham  
Hampshire  
PO6 2SE

Southern Water Services Ltd  
Chris Kneale  
Corporate Planning  
Southern Water  
Southern House  
Yeoman Road  
Worthing  
BN13 3NX

Transco- South of England  
Customer Service Desk  
2 Leesons Hill  
Orpington  
Kent  
BR5 2TN



## APPENDIX M. PROGRAMME FOR PREPARATION AND APPROVAL OF THE RESIDENTIAL DESIGN GUIDE AND ASSOCIATED ENVIRONMENTAL REPORT

November 2004	project initiated and officer project team and officer steering group inaugurated
6 May 2005	report to Local Development Member Steering Group on proposed content of guidance and environmental report
6 May 2005	briefing to officers of proposed content of guidance and environmental report
12 July 2005	report to Local Development Framework Member Steering Group
6 May 2005 13/27 May 2005	workshops with officers and external stakeholders, presentation of proposed content and debate on recent selected planning applications
12 July 2005 18 July 2005 21 July 2005 28 September 2005 29 September 2005	presentation to Neighbourhood Partnerships of proposed content: Eastern Central Northern Southern Western
7 September 2005	briefing to the Leader
16 December 2005	presentation to Developers Forum of key principles
16 December 2005/ 27 January 2006	informal consultation with officers, English Heritage, English Nature, the Environment Agency and the Countryside Agency
17 January 2006	presentation to Community Action Forum of key principles
26 January 2006	report to Local Development Framework Member Steering Group on draft document and cabinet report
27 January 2006	report to Local Development Framework Board on draft document and cabinet report
February 2006	informal briefing of document to Planning and Rights of Way Panel
20 March 2006	Cabinet consultation to approve for formal consultation
3 April 2006	Cabinet decision to approve for formal consultation
24 April/ 5 June 2006	Public consultation on draft supplementary planning document (six weeks) The consultation was announced by adverts in the Echo and Advertiser and on City Web. Letters and emails were also sent to statutory consultees and other relevant stakeholders including English Heritage, English Nature, Environment Agency, Countryside Agency, Commission for Architecture and the Built Environment, the Housing Corporation, South East England Regional Assembly, SEEDA, neighbouring Local Authorities, statutory undertakers, Hampshire Constabulary, local residents amenity and access Groups, Neighbourhood Partnerships, local developers, architects, landscape architects, urban designers and planners, all Council Members and relevant council departments. Documents were circulated to all statutory consultees and all Members as well as those stakeholders requesting a copy. In addition, copies were distributed to all Libraries and Housing Offices. An article was also placed in City View.

	The following events were hosted as part of the formal public consultation exercise:
24 April 2006	- publication of the documents in paper format and on the City Web site
24, 25 April 2006 5 May 2006	- presentations of the documents (five in total) to statutory consultees, local residents amenity and access groups, representatives of Neighbourhood Partnerships, local developers, architects, landscape architects, urban designers and planners, all Council Members and relevant council officers.
26 April 2006	- presentation of the SCC Registered Social Landlords and Housing Developers Group
May 2006	external validation of Environmental Report
28 July 2006	report to Local Development Framework Board on draft document, environmental report and cabinet report
11 August 2006	report to Local Development Framework Member Steering Group on draft document, environmental report and cabinet report
September 2006	briefing of document to Planning and Rights of Way Panel
4 September 2006	Cabinet consultation to approve document as supplementary planning document
18 September 2006	Cabinet decision to approve document as supplementary planning document
12/18 January 2007	delegated final approval from the Leader and Cabinet Member for Environment and Transport to publish.