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);

H.1.8 Tree protection:

• 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 highways 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.
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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.

Embodyed 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.
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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  workshops with officers and external stakeholders, presentation of proposed content and debate on recent selected planning applications

12 July 2005  presentation to Neighbourhood Partnerships of proposed content:

18 July 2005  Central

21 July 2005  Northern

28 September 2005  Southern

29 September 2005  Western

7 September 2005  briefing to the Leader

16 December 2005  presentation to Developers Forum of key principles


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  
- 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.

5 May 2006  

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.