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# Appeal Decision

Site visit made on 23 September 2008

by **G M Hollington MA, BPhil, MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

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email:enquiries@pins.gsi.gov.uk

**Decision date:**  
**2 October 2008**

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## **Appeal Ref: APP/D1780/A/08/2073707**

### **11 Ardnave Crescent, Southampton, Hampshire, SO16 7FL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Bill Shanker against the decision of Southampton City Council.
  - The application Ref. 07/02029/FUL, dated 20 December 2007, was refused by notice dated 11 February 2008.
  - The development proposed is erection of a new 4 bed house and detached garage within rear garden.
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### **Decision**

1. I dismiss the appeal.

### **Main Issues**

2. I consider the main issues in this appeal to be the effects of the proposed development on:
  - (a) the character and appearance of the surrounding area; and
  - (b) the living conditions of occupiers of the existing and proposed dwellings, with particular reference to private amenity space.

### **Reasons**

#### (a) Character & Appearance

3. The appeal site is in an area of predominantly large houses of individual designs on spacious plots with generous planting. There is a more close-knit group of houses at the south-east corner of the crescent, at Cleek Drive, but these impinge little on the generally open and well-landscaped character of the road. The corner plots at nos. 11 and 21 make a particular contribution to this, with their large rear/side gardens adjoining the road.
  4. The proposed house, garage and hard surfacing would occupy a substantial proportion of the appeal site and both it and the remaining curtilage of no. 11 would lack the characteristic plot depth of other properties in the crescent. The development would therefore have a relatively harsh and cramped appearance which would detract from its surroundings.
  5. This would be exacerbated by the need for a substantial retaining wall and by the intended position of the garage, almost adjoining the footway. I saw there
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are other garages close to the road at 12 Ardnave Crescent and 1 Cleek Drive, and 28 Ardnave Crescent has a forward projecting extension. Although each case needs to be considered on its own merits, more of such development would undermine the road's generally open and spacious appearance. The appellant acknowledges it would be ideal to have the garage further back into the site but I consider the proposed arrangement, with the garage also close to the front wall of the house, would appear particularly cramped and intrusive in the street scene. This harm would not be outweighed by partly hiding the retaining wall.

6. My conclusion on this issue, therefore, is that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. It would not accord with the aims of policies SDP1, SDP7, SDP9 and H7 of the City of Southampton Local Plan Review and of the *Residential Design Guide* supplementary planning document.

(b) Private Amenity Space

7. The plot of the proposed dwelling would occupy most of the large and steeply sloping rear garden of 11 Ardnave Crescent. Each of the houses is or would be suitable for family accommodation but neither of the resulting back gardens would achieve the depth of 10m advised by the *Residential Design Guide*.
8. On the other hand, both these gardens would exceed the area of 90 sq.m also sought by the RDG and they could be augmented by the significant garden areas (which could be made private) to the side of each house.
9. I therefore conclude on this issue that the proposed development would result in acceptable living conditions for occupiers of the existing and proposed dwellings, with particular reference to private amenity space. It would not conflict with the aims of Local Plan Policy SDP1 and the *Residential Design Guide*. This favourable view does not, however, outweigh my conclusion in respect of the first main issue.
10. I have also taken into account all the other matters raised in the written representations, including local residents' concerns, but none is of such significance as to outweigh the considerations which have led to my conclusions on the main issues.

*G M Hollington*

INSPECTOR



**DETERMINATION OF APPLICATION**

**TOWN AND COUNTRY PLANNING ACT 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

Mr Shaun Bradley  
Orchard Cottage  
Houghton  
Stockbridge  
Stockbridge  
Hampshire  
SO20 6LW

In pursuance of its powers under the above Act and Order, Southampton City Council as the District Planning Authority, hereby gives notice that the application described below has been:

**REFUSED**

**Proposal:**                    **Erection of two storey four-bed house with detached garage**  
**Site Address:**            **11 Ardnave Crescent Bassett Southampton SO16 7FL**  
**Application No:**        **07/02029/FUL**

For the following reason(s):

01.

The development of the site for a detached dwelling house would by reason of the size and orientation of the plot, the position of the proposed dwelling on the plot, and the size and footprint of the proposed property, be out of character with the established pattern of development in the immediate area and would detract from the character of the surrounding development. As such the proposal is contrary to SDP1, SDP7, SDP9 and H7 of the City of Southampton Local Plan Review March 2006.

02.

Having regard to the size of family house being sought and the character and layout of the area the proposal does not provide adequate private amenity space for the occupiers of the proposed dwelling or the existing dwelling on the site and would thereby prove contrary to the provisions of Policy SDP1 of the City of Southampton Local Plan Review - Adopted Version March 2006 and guidance set out in the Residential Design Guide SPD 2006.

03.

The proposed garage by virtue of its prominent siting within the site frontage would introduce a visually intrusive structure discordant and harmful to the character and

appearance of the wider street scene. Furthermore, it will set an undesirable precedent for further development that will further erode the open landscaped character of Ardnave Crescent. As such, the application has been assessed as contrary to policies SDP1, SDP7 and SDP9 of the adopted City of Southampton Local Plan Review (March 2006) and Council's Residential Design Guide SPD 2006.

00.

**NOTE TO APPLICANT**

Please note that the above application has been assessed on the basis of the following plans received 20.12.07;

Not numbered location plan  
2007/16/02 site plan, section and garage elevations  
2007/16/02 floor plan and elevations  
Design and access statement



**A** **David Rothery**  
**Development Control Manager**

11 February 2008

For any further enquiries please contact:  
**Mrs Anna Lee**

## NOTES

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission for the proposed development, they may appeal to the Secretary of State for the Environment, Transport and the Regions in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of the notice. (An appeal form can be obtained from the Planning Inspectorate website at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) and should be sent to The Planning Inspectorate, 3/15 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the District Planning Authority.
2. If permission to develop land is refused, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the District Planning Authority a purchase notice requiring that the Authority purchase their interest in the land in accordance with Part IV of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the District Planning Authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.

Please address any correspondence in connection with this form, quoting the application No to:

Development Control Service  
Southampton City Council  
Civic Centre  
SOUTHAMPTON  
SO14 7LS

