



## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

#### Town and Country Planning (Development Management Procedure) (England) Order 2010

Concept Design & Planning  
Mr Rob Wiles  
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Roxan Business Centre  
142 Lodge Road  
Southampton SO15 2EA

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

#### MINOR MATERIAL AMENDMENT - REFUSAL

**Proposal:** Minor material amendment sought to planning permission ref 11/02039/FUL including alterations to windows and doors and reduction in widths of dormer windows

**Site Address:** 3 Abbots Way Southampton SO17 1QU

**Application No:** 13/00693/MMA

For the following reason(s):

#### 01. REFUSAL REASON

The introduction of the glazed dormer window in the side elevation as proposed would, given its size and position in proximity to the side boundary, represent an un-neighbourly form of development which appears visually dominant and imposing from habitable rooms, bathrooms and corridors of the adjacent property at 5 Abbots Way. Furthermore, this addition introduces a sense of overlooking and invasion of privacy which the Inspector at paragraph 18 of the appeal decision APP/D1780/A/12/2171564 specifically sought to control and avoid. The proposals are therefore contrary to Policy SDP1 (i) of the City of Southampton Local Plan Review.

  
**Chris Lyons**  
**Planning & Development Manager**

12 July 2013

For any further enquiries please contact:  
**Stuart Brooks**

## NOTES

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, they may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within the timescales set out below.

### **The Householder Appeals Service**

If this is a Householder application made on or after 6 April 2009 there are new appeal procedures and if the applicant subsequently wishes to register an appeal using the Householder Appeals Service, the procedure **must be started within 12 weeks from the date of the issue of this notice** and will be dealt with by electronic means only. For further information regarding this procedure please visit the following web site:

<http://www.planningportal.gov.uk/england/government/en/1115316504483.html>

### **The following appeals will be within scope:**

Appeals against refusals on householder applications which the Secretary of State has determined will proceed on the basis of written representations. This includes refusals of applications for planning permission, as well as refusals of any consent/agreement/approval required by or under a planning permission, development order or local development order.

### **The following appeals will not be within the scope of the Householder Appeal Service:**

- appeals against any grant of planning permission, consent, agreement or approval which is granted subject to conditions;
- appeals against a local planning authority's failure to determine a householder application (i.e. non-determination appeals);
- appeals against Listed Building Consent (LBC) applications or Conservation Area Consent (CAC) applications. (It should be noted that if a LBC / CAC application is related to a householder application which is refused and proceeds to appeal, the householder application will be within the scope of the Householder.

The following procedure should be used for **all other** appeals that are not included in the above procedure

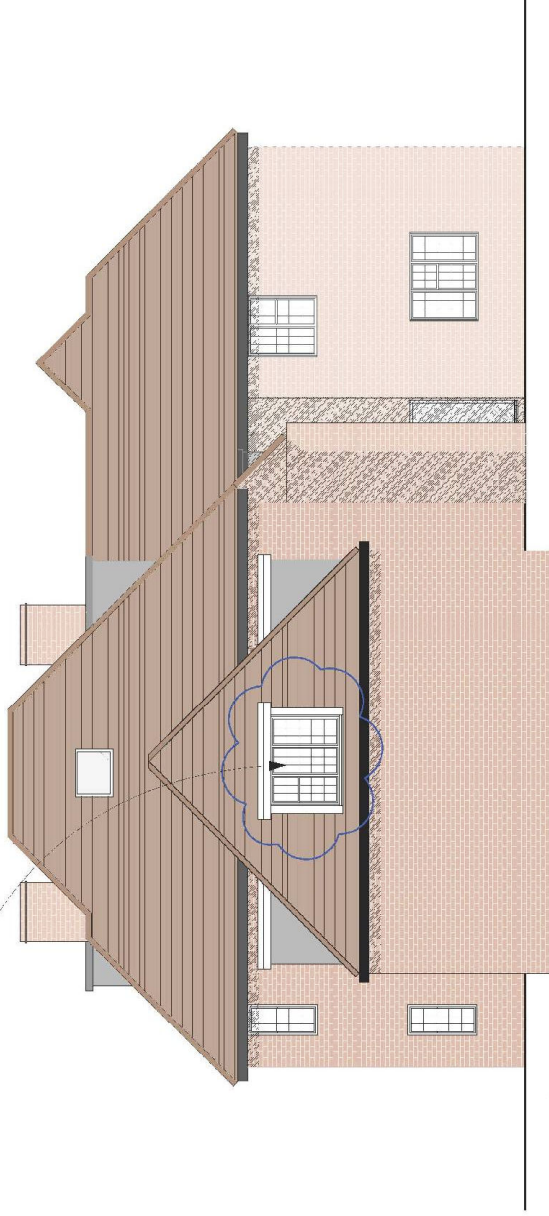
1. Appeals can be submitted on line and **must be registered within six months of the date of this notice at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)** or by a form available from the Planning Inspectorate, 3/15 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS2 9DJ. 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 Local Planning Authority.
2. If permission to develop land is refused, whether by the Local 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 Local 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 Local 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.
5. The applicant is recommended to retain this form with the title deeds of the property.

6. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012)

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**



obscure glazing to bathroom



proposed east elevation

material key:



Red facing brick

Clay tile roof

Hanging tiles

Glass



amendments noted

Rev.	Note	Date
*	MWA application	08/05/2013

Notes:  
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.  
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Project:	3 Abbotts Way
Drawing:	Proposed east elevation
Drawing No:	C13/039.20
Revision:	*
Scale:	1:100 @ A3
Date:	May 2013

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