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<b>APPLICATION NO.</b>	23/02655/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	20.10.2023
<b>APPLICANT</b>	Mrs Emily Dixon
<b>SITE</b>	Arran House, 40 Carisbrooke Court, Romsey, SO51 7JQ <b>ROMSEY TOWN (CUPERNHAM)</b>
<b>PROPOSAL</b>	Demolition of garage, erection of single storey front and rear extensions, first floor side extension, and alterations to access
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Katie Savage

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

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## 1.0 INTRODUCTION

- 1.1 The application has been called to Southern Area Planning Committee at the request of a member.

## 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is a large detached dwelling located on the corner of Carisbrooke Court in Romsey.

## 3.0 PROPOSAL

- 3.1 Demolition of garage, erection of single storey front and rear extensions, first floor side extension, and alterations to access

## 4.0 HISTORY

- 4.1 TVS.00353/1 - 5'0" High Fence - 40 Carisbrooke Court, Romsey. Permission - 09/07/76.
- 4.2 TVS.00353 - Extension - 40 Carisbrook Court, Romsey. Permission - 14/11/74.

## 5.0 CONSULTATIONS

- 5.1 Highways - No objection
- 5.2 Trees – No objection subject to condition

## 6.0 REPRESENTATIONS Expired 23.02.2024

Romsey Town Council: Objection

- Two storey extension overbearing because of angle between the properties, reducing light and amenity
- Concern about the height (about ten feet) and length of the single storey extension such that it may affect the neighbour's trees

- Concern over repositioning of driveway near the junction of Woodley Lane.

One letter of objection from the occupier of Little Firs (summarised)

- Over development of the site
- Height of single storey extension
- First floor extension would be obtrusive from rear windows and the garden
- Loss of light to garden
- Negative impact on TPO trees.
- Repositioning of drive raises highways concern
- Concern over noise from flues and central heating.
- Concern relating to noise and smells from proposed rooflights
- Extension creates a terracing effect when viewed from the street
- The massing of the single storey extension is entirely out of context and would create an overbearing impact from the garden.

## 7.0 **POLICY**

### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### 7.2 Test Valley Borough Revised Local Plan (2016)(TVBRLP)

Policy COM2 – Settlement Hierarchy

Policy E1- High Quality Development in the Borough

Policy E2 - Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5 - Biodiversity

Policy LHW4 – Amenity

Policy T1 – Managing Movement

Policy T2 – Parking Standards

### 7.3 Supplementary Planning Documents (SPD)

Romsey Town Design Statement – Area 6

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring property
- Impact on trees
- Impact on biodiversity
- Impact on parking provision and highways
- Other matters

## 8.2 **Principle of development**

The site lies within the settlement boundary as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

## 8.3 **Impact on character and appearance of the area**

The application site is a 2-storey dwelling set back from Carisbrooke Court Road. As it currently stands, there is a detached garage to the north west of the main dwelling, a single storey side extension to the east elevation. Surrounding the site is soft landscaping in the form of hedges and trees so direct views into the rear are limited. However, the front elevation is fully visible from the street scene when entering and leaving Carisbrooke Court. The application seeks permission for various permissions including the demolition of the existing garage, a first-floor side extension, a small porch extension, a rear extension and alterations to the access. All of these are considered separately below.

### 8.4 Demolition of garage

The existing garage is set in the garden of the existing dwelling to the north and is not fully visible from the street scene. The application seeks permission to remove the garage. It is not considered the removal of the garage would have a detrimental impact on the character and appearance of the area and would not conflict with policies set out within the local plan.

### 8.5 Proposed front extension

The proposed front extension would extend approximately 1.5m from the existing front elevation which would accommodate an extra bedroom and living space downstairs. The proposed extension would have a small mono pitch room and all materials are to match that of the existing dwelling, such development is supported in principle by the Romsey Town Design Statement as it requires development to retain the integrity of the particular area, which the proposal does. The wider street scene is made up of a mixture of single storey and two storey properties, some of which have been extended and altered their front elevations, and it is not considered that this extension would look out of place given it is relatively small in scale and the prevailing character of the area.

### 8.6 Proposed first floor extension

The proposal seeks permission for a first-floor extension to the east elevation. There have been comments raised regarding the first floor being obtrusive as the proposed extension would be built up to the boundary with the neighbouring property, Little Firs. The proposed extension would extend from the existing ridge height of the main dwelling but would remain within the existing footprint of an existing single storey side extension, built in materials which match that of the existing dwelling. The relationship between Little Firs and Carisbrooke Court follows similar examples of tight boundaries around the local area. However, Little Firs is built more centrally into the plot and is set further forward than Arran House and is positioned at an angle away from the boundary between the respective properties.

8.7 There has also been comment raised regarding a terracing effect. As mentioned above, Little Firs is set away from the boundary line and at an angle with the front elevation facing away from the application site and therefore it is not considered that the proposed first floor extension could create a terracing effect as a result of the proposed extension.

8.8 *Proposed rear extension*

The proposed rear extension would extend from the northeast elevation and would be constructed with a flat roof. It would extend approximately 7m into the garden and would have bifold doors on its northwest elevation and a small window on the end of the extension on its north east elevation. The proposed extension would sit off the boundary with the neighbouring property by over half a metre. Public views would be limited due to the position of the extension to the rear. However, glimpsed views may be possible when travelling to the northwest of Carisbrooke Court as the application site sits at a higher elevation compared to the bungalows located further west. The proposal would be built in materials to match the existing dwelling and the other proposed extensions. Taking the above into consideration the design is high quality and accords with the local plan.

8.9 *Proposed alteration to access*

The application would also see changes to the vehicle access. The acceptability from a highways perspective is addressed in paras 8.25-8.27. The surrounding properties mainly have off street parking to the side of their properties which is mainly due to the fact their garages are located to the side. The application site is unique in the fact the garage is accessed via side of the site and the garage is located in the rear garden. The site is located on an unclassified road which wouldn't require planning permission to drop the kerb and some of the works to the driveway could realistically be completed under permitted development. Soft landscaping to the side of the driveway is maintained which is an important feature along Carisbrooke Court and although parking would be to the front of the site, on balance, the proposed development would not look out of place and is considered acceptable.

8.10 In conclusion it is considered that the proposed development, as outlined in Paragraphs 8.3 - 8.9 would not be harmful to the character and appearance of the local area and is in accordance with Policy E1 of the TVBRLP.

8.11 **Impact on neighbouring amenity**

*Overlooking and overbearing impact*

Though the proposed front extension would be further forward than the existing front elevation of the property, it would have a similar outlook to the existing. Due to the positioning of other properties in the street scene and the separation distances between these dwellings and the front extension there would be no material adverse harm to the amenities of the adjoining properties from this part of the proposal. There have been comments raised regarding the dominating impact of the proposed first floor extension on the rear windows and garden of Little Firs. The proposed side extension would result in the roof of the property and first floor wall sitting closer to the boundary line than currently exists.

However, it is not considered that the increased bulk and mass created by this first floor extension would be overbearing given the separation distance between Little Firs and the extension and Little Firs' central and angled position in its plot. A comment has been made regarding the side elevation of the proposal being featureless. The proposal would include a small window at ground floor and no windows at first floor to ensure overlooking does not occur, the lack of detailing on this side elevation would not render the design of the extension harmful as only partial and oblique views would be possible from the public domain.

8.12 The proposed rear extension would extend approximately 7m into the rear garden and would be approximately 3m in height. The rear extension runs adjacent to the boundary, and it is stepped off the boundary by over half a metre. The proposal is a flat roof extension which has no windows on the eastern side with all windows and doors facing into the applicant's rear garden. Such detailing and design ensures that the proposal does not result in overlooking or an overbearing impact on Little Firs.

8.13 Loss of light & Shadow

With regards to the loss of light and shadowing, the application is not supported by a daylight impact report, which is not a formal requirement. Nevertheless, a shadow diagram has been completed which includes the existing situation on site and the impact were the proposed extension to be built. The existing and proposed diagram shows that a shadow would be cast in the application site's garden at 12pm but not within the garden of Little Firs. At 2pm a shadow is currently cast in the applicant's garden, and the proposed extension would result in marginally extend shadow and this would be within part of the garden Of Little Firs. At 4pm the diagram shows both the existing property and the extension would cast a shadow across the Little Firs' garden, although the proposal would be slightly longer due to its proximity to the boundary with Little Firs.

It is important to note that the site is bordered by large mature trees, some of which are protected by virtue of a TPO. The reality is that the both the existing property and trees would already cast a shadow into the garden of Little Firs and whilst there may be a larger shadow cast by the extension, this is not significantly greater than the current situation caused by the trees or existing house. As such it is considered that the proposed side extension would not result in any significant loss of sunlight or daylight or result in excessive overshadowing.

8.14 With regards to the rear extension, this would sit slightly higher than the boundary fence. However, due to the separation between properties and the fact the extension is set away from the boundary it is considered the proposal would not have a detrimental impact on the neighbouring property by means or loss of sunlight, day light or overshadowing.

8.15 As a result, it is considered the proposal is in accordance with Policy LHW4 of the TVBRLP.

#### 8.16 **Impact on biodiversity**

Bats receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Developments that affect bats will need a European Protected Species (EPS) licence from Natural England before any work that affects bats could commence. Local Planning Authorities are required to engage with the Regulations – planning permission should be granted (other concerns notwithstanding) unless: a) the development is likely to result in a breach of the EU Directive, and b) is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

- 8.17 The application is supported by a Bat Survey report of the thorough and professional bat survey work that has been carried out at the site to appropriate methodologies and standards. This report includes results and conclusions of the full survey work, an assessment of the impacts to bats and the measures to ensure that any impacts to bats are avoided or compensated for.
- 8.18 The surveys which accompany the application by Vesper Conservation & Ecology Limited (July, 2023) state that bat droppings were found in the roof space on the eastern gable wall and below on the floor of the roof. The eastern gable wall is subject to a small gab up at the apex and there are hanging tiles on the front elevation which can also be used by bats. The surveys have confirmed that the building is being used by a maternity roost of Common Pipistrelle bats. Given the findings therefore it cannot be ruled out that roosting will not be affected by the proposals, but they can be retained in-situ with disturbance minimised through well planned works. If avoidance measures are not taken then the work has the potential to kill and/or injure individual bats and the proposed development will therefore result in a breach of the EU Directive. A condition to ensure the works are carried out in accordance with the bat survey is applied and therefore, the bat boxes would be included in this.
- 8.19 An EPS licence can only be granted if the development proposal is able to meet three tests:
1. the consented operation must be for ‘preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’; (Regulation 53(2)(e))
  2. there must be ‘no satisfactory alternative’ (Regulation 53(9)(a)); and
  3. the action authorised ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’ (Regulation 53(9)(b)).
- 8.20 The above tests are encapsulated within TVBRLP Policy E5 which the proposal is also be assessed against. In terms of the first test the application will provide as the economic benefit of providing construction work in the local area. The proposed works would provide additional space for the occupants to use, it is therefore considered the proposal would result in a social and economic benefit

in the interest of the public. In addition, there are no other buildings on the site which could provide an alternative to meet needs of applicants and consequently, there is no satisfactory alternative to the proposed development as required by the second test.

- 8.21 In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bats will be avoided and how the loss of the roost/entry point to the roost will be compensated. In this case, a mitigation strategy is provided that includes methods to be followed during the development to ensure bats are not disturbed, killed or injured, together with new roosting opportunities to be provided in the application site.
- 8.22 Subsequently, it is considered that the mitigation measures submitted will ensure that the proposed development is unlikely not to be licensed. As such the application is in accordance with Policy E5 of the TVBRLP.
- 8.23 **Impact on trees**  
The site is host to TPO trees in the rear garden and the neighbouring property also has TPO trees which are sited close to the boundary. The Council's tree officer has been consulted on the application. During the initial consultation the tree officer commented on various TPO trees and their proximity to the proposed single-storey rear extension and the possible affect the extension could have on the root protection area of five of these TPO trees. These trees were identified as T003-T007 in the submitted Technical Arboriculture report reference AIA/AMS-KC/40Carisbrooke/001 dated November 2022. Due to the concerns raised an arboriculturally sensitive foundation design has been proposed using piles to support an above ground beam.
- 8.24 The submitted arboricultural impact assessment and method statement did not consider the demolition of the garage which is within the root protection area of T001. Third party comments have also raised concern over the potential impact on important trees which include damage to their root system, loss of rain reaching the roosts and potential issues to the structural root system and future impact on buildings if these trees become unstable.
- 8.25 Following these comments, additional details regarding the ground floor foundations and a tree protection plan has been submitted along with an arboricultural report which has been reviewed by the tree officer. The tree officer has stated should tree protection measures be implemented as per, Technical Arboriculture's report reference number: AIA/AMS-KC/40CARISBROOKE/001 Revision A dated January 2024 and constructed using the foundation design detailed in WRD Engineers Ltd drawing WRDEL\ 76025\01 and illustrated in drawing reference 2300-P-300 revision A, trees shown for retention will be suitably protected throughout the course of development. Conditions ensuring development is undertaken in accordance with these details has been secured alongside conditions which ensure no materials or waste is deposited in the root protection area of any trees to ensure their retention and protection during the construction phase. As a result, it is considered the proposed development would be in accordance with Policy E2 of the TVBRLP.

## 8.26 **Impact on highways and parking provision**

The application does include the creation of a new access to the front of the dwelling which would accommodate 4 new parking spaces which is in excess of the minimum requirement in Annex G and policy T2 of the TVBRLP. The new access will be created on a non-classified road and is likely to be permitted development. Nevertheless, Hampshire Highways have been consulted on the application and raised no objection to the new access.

8.27 It is highlighted that following any planning permission that may be granted, the applicant would still need to apply to the Highway Authority to create the proposed vehicle access. As a result, it is considered the proposal is acceptable from a highways perspective and in accordance with Policy T1 and T2 of the TVBRLP.

## 8.28 **Other matters**

The proposal includes 3 roof lights on the flat roof extension which would go over the proposed new kitchen and dining area. As the proposal is for a domestic property and not a commercial kitchen it is not considered that the proposal would have a greater impact on any noise or cooking smells over and above those associated with the existing property. If there are issues with noise or smells, there are relevant council departments who can deal with these matters under separate legislation.

8.29 There are also comments raised regarding an air source heat pump which is not shown on the plan and therefore does not form part of the application proposal.

8.30 Third party comments regarding the impact on the character and appearance of the area and potential terracing effect have been considered in paragraphs 8.3 – 8.10.

8.31 Comments regarding the impact of the development on the residential amenity of the area have been addressed in paragraphs 8.11-8.15.

8.32 Concern over the impact on the highway has been addressed in paragraphs 8.26-8.27.

8.33 Comments regarding trees has been addressed in paragraphs 8.23-8.25.

8.34 The supporting plans do show solar panels on the roof of the main house and extension. These are not included in the description of works and therefore not granted permission for. It is possible these works are captured by Permitted Development and will be installed under these guidelines.

## 9.0 **CONCLUSION**

9.1 Whilst proposed first floor extension would sit closer to the boundary line with neighbouring Little firs (43 Carisbrooke Court) with the rear extension extending 7m into the rear garden, taking the above factors into consideration it is concluded that the proposal would not cause detrimental harm to the neighbouring amenity of Little Firs due to the separation distance and intervening boundary treatment in the form of mature trees which run adjacent



to the site. The proposal would be built using matching materials which is preferred by the Romsey Town Statement and is not considered to look out of place in this location. The proposal is acceptable from a biodiversity and trees perspective and the proposed changes to the access are not harmful to the highway. As a result, the application is recommended for permission as it would fully accord with the policies of the Test Valley Borough Revised Local Plan (2016) and in particular policies COM2, E1, E2, E5, LHW4, T1, and T2.

## 10.0 RECOMMENDATION

### **PERMISSION subject to:**

1. **The development hereby permitted shall be begun within three years from the date of this permission.  
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2300-P-110 B, 2300-P-200 B, 2300-P-001 B, 2300-P-105 B, WRDEL/76025/01, TPP-KC/40CARISBROOKE/001/  
Reason: For the avoidance of doubt and in the interests of proper planning."**
3. **The external materials to be used in the construction of external surfaces of the development hereby permitted shall be in complete accordance with the details specified on the submitted application form and approved plans.  
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
4. **The development hereby approved shall be undertaken in full accordance with the provisions set out within the Technical Arboriculture's Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/40CARISBROOKE/001 Revision A dated January 2024.  
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.**
5. **The development hereby approved shall be undertaken in full accordance with WRD Engineers Ltd drawing WRDEL\ 76025\01 and drawing reference 2300-P-300 revision A  
Reason: To prevent the loss during development of trees and natural features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice.**
6. **All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.  
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**

7. **No materials shall be stacked or deposited within the root protection area of the protected trees within the site. Materials and waste shall be removed from application site and shall not be deposited within the site.**

**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase and to protect the character and appearance of the area in accordance with Test Valley Borough Revised Local Plan (2016) policy E2.**

8. **Development shall proceed in accordance with the measures set out in Vesper Conservation & Ecology Limited (July, 2023) Section 5 'Mitigation Strategy' unless varied by a European Protected Species (EPS) license issued by Natural England. Thereafter, the replacement bat roost features and Enhancements shall be permanently maintained and retained in accordance with the approved details.**

**Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.**

**Notes to applicant:**

1. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
  2. **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 Natural England and/or a professional ecologist.**
  3. **Following any planning permission that may be granted, the applicant would still need to apply to the Highway Authority to create the proposed vehicle access. This would require the developer to apply for both a Section 184 and Section 171 Licence.**
  4. **The granting of any planning permission does not grant the applicant the right to build the proposed access. This will require formal engineering drawings and the Highway Authority will reserve the right to require works to have a Section 278 Minor Works Agreement or full Section 278 Agreement if it is deemed that the works necessitate this. It should also be noted that the Highway Development Agreements team are consulted for information on all Section 171 and Section 184 applications. The final decision rests with the Highways Operation Centre and the granting of the Licence is not guaranteed.**
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