

GADD PROPERTIES LTD

**ERECTION OF 7 NO. DETACHED DWELLINGS ON LAND TO THE REAR OF
14-28 STOKE ROAD, TAUNTON AS AMENDED**

Grid Reference: 323871.123308

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to a S106 Agreement to secure leisure and recreation contribution as well as allotment and community hall contributions,

The proposal, for residential development, is located within defined settlement limits in a sustainable location where the principle of new housing is considered acceptable. The proposed access and parking would be satisfactory and the development would not have a significant detrimental impact on access and traffic or on the amenity of surrounding residential properties and is considered in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49, retained Taunton Deane Local Plan Policies C4 (Recreation Provision) and M4 (Residential Parking Provision) and Core Strategy 2011-2028 policies CP4 (Housing), CP5 (Inclusive Communities) and DM1(General Requirements).

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A2) DrNo SPP/1414/1A Vegetation Survey
(A1) DrNo Vertexe SGB233 Measured Building Survey
(A3) DrNo A1202 407A House Type 12 Plans/Elevations
(A3) DrNo A1202/406 House Type 11 Plans/Elevations
(A3) DrNo A1202/405A House Type 10 Plans/Elevations
(A3) DrNo A1202/404 House Type 9 Plans/Elevations
(A3) DrNo A1202/402B Site Layout Plan
(A3) DrNo A1202/401 Site Location Plan
(A2) DrNo SPP/1414/3A Landscape Proposals

(A3) DrNo A1202/409 Site Block Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No wall construction shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. A sample panel of the brick and mortar shall be constructed on site and agreed with the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Core Strategy Policy DM1.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before **the building(s) are occupied** and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area in accordance with Taunton Deane Core Strategy Policy DM1.

6. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Ambios Ecology's submitted report, dated March 2012 and up to date bat surveys and include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when species could be harmed by disturbance;
- Measures for the enhancement of places of rest for the species.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds and bats shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses **have** been fully implemented

Reason: To protect and accommodate wildlife and their habitats in accordance with the NPPF.

7. Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to and approved by the Local Planning Authority before development commences and thereafter installed and maintained in accordance with the approved details unless any variation thereto is first approved in writing by the Local Planning Authority.

Reason: In the interests of satisfactory design and visual amenity in accordance with Taunton Deane Core Strategy Policy DM1.

8. The window(s) in the first floor side elevations of plots 1 and 7 shall be glazed with obscure glass and be limited opening to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional windows in these elevations without the further grant of planning permission.

Reason: To ensure the privacy of the adjoining occupiers in accordance with retained Taunton Deane Local Plan Policy H17(A).

9. The garages hereby permitted shall be constructed in accordance with the approved plans and shall be retained as such and not be converted to additional habitable accommodation.

Reason: To ensure satisfactory parking facilities available off street in the interests of highway safety in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

10. The drives shall be hard surfaced (not loose stone or gravel) before being brought into use. They shall be made of porous material, or alternatively provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the properties.

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

11. The areas allocated for parking on drawing A1202/402B shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure adequate off road parking is provided in the interests of highway safety.

12. At the proposed access there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays shown on the submitted plan A1202/408. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

13. Before development commences (including site clearance and any other preparatory works) a scheme for the protection of any trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2005. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Taunton Deane Core Strategy Policy DM1.

14. No works on site should commence until a surface water management plan has been submitted to and approved in writing by the Local Planning Authority and plan shall thereafter be carried out as agreed prior to occupation of any

dwelling.

Reason: To prevent future flooding in accordance with Policy CP1(C) of the Taunton Deane Core Strategy.

Notes for compliance

1. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.
2. The developer should contact Wessex Water in respect to all connections and sewers, www.wessexwater.co.uk.developerservices and/or contact 01225 526222 for water supply and 01225 526333 for waste water.
3. Having regard to the powers of the Highways Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, Taunton Deane, Burton Place, Tel 0845 3459155. Application for such a permit should be made at least four weeks before access works are intended to commence.
4. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

PROPOSAL

The proposal is to erect 7 detached dwellings on land to the rear of 14 -28 Stoke Road with access and parking off the north side of Harp Chase.

SITE DESCRIPTION AND HISTORY

The site consists of the end 26m of gardens of properties on Stoke Road and is a reduced scheme following a dismissed appeal for 8 houses in May 2009. This appeal on application 38/08/0459 was dismissed on the impact on TPO trees to the west of the site and other issues were considered acceptable.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP – No Objection (amended comments dated 31/10/2012)

The Highway Authority have received additional information (15th October 2012) from the agent working on behalf of the applicant relating to visibility and vehicle parking provision for the proposal, the following comments and observations are similar to that of my initial response dated 7th September 2012, however include information requested by the Highway Authority on the 7th September 2012.

The proposed site is situated within a residential area of Taunton, within development limits. As a result, the principle of development in this location is acceptable.

The site is situated to the rear of properties fronting onto Stoke Road, however, vehicular access is gained via Harp Chase a designated unclassified highway to which a 30mph speed limit applies. From my site visit it was observed that Harp Chase is a residential cul-de-sac serving 21 properties and a nursing home/care facility, to which access to the wider highway network is obtained at the junction with South Road/Shoreditch Road, which forms part of the B3170 and is a Class 2 highway and a well utilised route.

In terms of detail, the proposal seeks to erect seven dwellings fronting onto Harp Chase with off street vehicle parking. I have the following observations relating to specific details of the proposal, they will be addressed below with separate headings.

Vehicle and Pedestrian Access - Access for each property is derived from Harp Chase, Drawing No. A1202/408 indicates the vehicular and pedestrian points of access. The Highway Authority would like to make the applicant aware that the appropriate licences need to be obtained from the Taunton Deane Area Highways Office for the installation of dropped kerbing along Harp Chase.

Vehicle and Pedestrian Visibility - Information prepared by Hydrock Consultants on behalf of the applicant have provided a Technical Note (Ref: C12544) relating to visibility for the proposed development. Firstly, the amended drawing A1202/408, now incorporates the necessary pedestrian visibility splays for each property. The proposed accesses incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0m x 2.0m with no obstruction greater than 600mm above adjoining road level.

Secondly, my initial email stated that the Highway Authority would wish to see visibility splays of 2.4m x 25m to the nearside carriageway edge, with no obstruction to visibility greater than 900mm are provided for each access as it was considered that vehicle speeds are approximately 20mph, this is implemented from Manual for Streets documentation. The Technical Note submitted by Hydrock Consultants states that the 'X' distance for visibility should be reduced from 2.4m to 2.0m due to Harp Chase being lightly trafficked and low levels of vehicle speeds past the site frontage. Therefore the Highway Authority considers X and Y distances of 2.0m x 25m acceptable in this location.

It is noted from the submitted drawing and technical note that Plot 1 will have a reduced 'Y' coordinate (Sight Stopping Distance) of 17m in a westerly direction for vehicles emerging from Plot 1. The Highway Authority considers this is acceptable

due to the 85%ile speed is likely to be 15mph, which coincides with design guidance stated in Manual for Streets that Sight Stopping Distances would need to be 17m, which is attainable in this location.

Highway Network - From the plans provided and from visiting the site it is apparent that the construction of new vehicular accesses would require the relocation of three street lighting columns. Therefore the applicant will need to liaise directly with the Street Lighting Department so that arrangements can be made to relocate the street light, which will be completed on a recharge basis. The Street Lighting Department can be contacted through the Somerset Direct Call Centre on 08453459155 asking for the Street Lighting Department.

Prior to any works being undertaken a condition survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to works commencing on the site. Any damage to the existing highway as a result of this development is to be remedied by the developer before occupation of the development. Contact should be made with the Highway Service Manager (Taunton Area) 08453459155 to arrange for such a survey to be undertaken.

Vehicle Movements - It is evident that Harp Chase will see an increase in vehicle movements as a result of the erection of seven dwellings. Therefore, referring to TRICS database the estimated vehicle movements for a single residential unit are approximately 6-8 movements per day. As a consequence, it is anticipated that the potential level of vehicle movements the site will result in is 42-56 trips per day, which equates to five vehicle movements in the peak hours.

Harp Chase currently serves 21 residential dwellings and a nursing home/care facility. Therefore, it is likely that the junction with South Road/Shoreditch Road will see an approximately a 33.3% increase in residential vehicle movements accessing the wider highway network. The inclusion of the 40 bedroom care facility (Orchard Court) is estimated to see a 20.3% increase in overall traffic using the junction with South Road/Shoreditch Road. It is noted that there will be increase in vehicle movements along Harp Chase, however, the Highway Authority consider that the surrounding highway network can accommodate the traffic levels that are likely to be generated by the development.

Parking Arrangements - Initially the Highway Authority raised concerns over the level of vehicle parking the development would provide for each property. However, the submitted amended Drawing No. A1202/408 is now inline with the Somerset County Council – Parking Strategy as each property now provides the optimum level of vehicle parking for new residential dwellings.

Furthermore, it should be added that the Highway Authority would wish to see the area allocated for vehicle parking to be properly consolidated and hardsurfaced (not loose stone or gravel) to prevent any debris from being carried onto the public adopted highway.

Therefore taking into account the above information I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached.

At the proposed access there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays shown on the submitted plan. A1202/408 Such visibility splays shall be constructed

prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

The proposed access (or drive) shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0m x 2.0m. Such visibility shall be provided before the development is brought into use and shall be maintained at all times.

Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority.

WESSEX WATER - Water supply and waste water connections will be required from Wessex Water to serve the development. New regulations require all sewer connections to be subject to a signed adoption agreement with Wessex Water before connection can be made. Further information can be gained from the New Connections Team.

Wessex Water have become responsible for private sewers and drains and it is important a full survey of the site and surroundings is taken to determine local drainage arrangements.

DRAINAGE OFFICER - I note surface water is to be disposed of to main sewers. Have Wessex Water been contacted regarding acceptability to accept surface water. Disposal of surface water to sewer should be a last option and a SuDS scheme should be investigated. No works on site should commence until a surface water management plan has been agreed with Wessex Water and this authority and should be a condition of any approval given.

LANDSCAPE LEAD - The loss of southern boundary vegetation will open up the site considerably. However subject to substantial planting on the Harp Chase boundary it may be possible to provide some useful replacement of the boundary. Details of the landscaping need to be agreed at an early stage.

29/11/12

Subject to the implementation of tree planting as proposed as well as details of front garden shrub/hedge planting and protection of existing beech tree, the proposals are acceptable.

BIODIVERSITY OFFICER - The application is for the erection of 7 detached dwellings on garden land to the rear of 14-28 Stoke Road, Taunton. The proposed access from Harp Chase will require the removal of a strip of hedgerow. Ambios Ecology carried out an ecological impact assessment of the site in March 2012.

Bats - None of the trees are mature enough or suitable to provide features that could be used by roosting bats. The area is possibly used by commuting and foraging bats. I support the recommendation by the surveyor to carry out bat surveys prior to the removal of any vegetation on site.

Badgers - No badger setts or evidence of badgers were found on site at the time of

survey.

Reptiles - Small areas of rough grassland in some gardens may provide a suitable habitat for slow worms. I support the recommendation for the translocation of individuals but would like to be advised of the receptor site for such individuals.

Hedgehogs - The gardens appear to provide suitable habitat for hedgehogs. The area should be checked in spring or autumn to relocate individuals.

Birds - The site is likely to support nesting birds. Clearance of vegetation should take place outside the bird nesting season.

As with all developments of this nature there are opportunities for biodiversity gain. I would like to see wildlife protected and accommodated in this development and suggest a condition and note.

COMMUNITY/LEISURE DEVELOPMENT - In accordance with Local Plan policy C4, provision for play and active recreation should be made for the residents of these dwellings. A contribution of £2668 for each 2bed+ dwelling should be made towards the provision of children's play. The contribution to be spent on additional facilities for the benefit of the new residents. A contribution of £1454 for each dwelling should be made towards the provision of facilities for active outdoor recreation. The contribution should be index linked.

A contribution of £194 per dwelling should be sought for allotment provision along with a contribution of £1118 per dwelling towards local community hall facilities. The contributions should be index linked. A public art contribution should be requested either by commissioning and integrating public art into the design of the buildings and the public realm or by a commuted sum to the value of 1% of the development costs.

HOUSING ENABLING LEAD - The housing enabling lead supports this application based on need and the comments do not reflect the suitability of the site in terms of planning. The affordable housing requirement for this scheme is one affordable unit for discounted open market sale (70% of the open market value). The affordable housing should meet the Homes and Communities Agency Design and Quality Standards 2007, including Code for Sustainable Homes Level 3, or meet any subsequent standard at the commencement of development.

Details of the affordable housing unit must be submitted to and approved in writing by the Housing Enabling Lead at Taunton Deane Borough Council

Representations

1 letter of SUPPORT on behalf of site owners.

25 Letters of OBJECTION on grounds of:

- Impact on TPO Cherry trees
- Loss of light and privacy, particularly to the Nursing Home

- Loss of trees and hedgerow
- Impact on trees due to construction
- Impact on wildlife, habitat and loss of nature
- Density overpowering for small area
- Garden grabbing
- Overdevelopment, will spoil the character of the neighbourhood
- Intrusive and high density
- Impact on residents of Harp Chase and 30 Stoke Road
- Loss of privacy to gardens
- Loss of light and security
- Loss of view and loss of value,
- Properties will have an overbearing nature to the existing community
- Increase in vehicles with congestion, noise and pollution
- There will be only one usable off street parking space and parking is already a problem.
- Concern over safety of adults and children on Harp Chase
- Concern over construction traffic.
- The road is too narrow for vehicles to park on either side and loss of on street parking
- Cul-de-sac has parking access and service issues, problems for refuse lorries, school buses and deliveries.
- Increase risk of flooding.
- The site was previously rejected by the Council and the Planning Inspectorate and the community have spoken.

WARD CLLR objects on basis of back garden grabbing, removal of protected trees, overdevelopment of the site, overbearing and detrimental to the amenity of the area. Impact on nursing home which already has access problems without more parking on the street.

19 further OBJECTIONS on the amended plan raising issues of

- consistency as other applications have been refused.
- will restrict access to nursing home with cars parked on the road.
- reduction in on road parking will increase parking in cul-de-sac which is already at capacity
- loss of character of area, loss of garden and amenity and increased density.
- number of houses inappropriate and no need
- increase in traffic and congestion
- insufficient parking provided and concern over size of spaces
- impact on tree roots
- loss of TPO trees
- trees planted too close to dwellings and will cause loss of light to existing dwellings
- conflict between planting and visibility
- harmful impact to wildlife.
- overlooking, loss of privacy and light with overshadowing.
- increase in risk of surface water flooding.
- impact on infrastructure such as hospitals and schools.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
STR2 - Towns,
STR4 - Development in Towns,
S&ENPP1 - S&ENP - Nature Conservation,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
M4 - TDBCLP - Residential Parking Provision,
EN8 - TDBCLP - Trees in and around Settlements,
CP4 - TD CORE STRATEGY - HOUSING,
CP5 - TD CORE STRATEGY INCUSIVE COMMUNITIES,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£7,553
Somerset County Council (Upper Tier Authority)	£1,888

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£45,321
Somerset County Council (Upper Tier Authority)	£11,330

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with the proposal are the design, the amenity impact of the dwellings on existing residences, the wildlife, landscape and tree implications and access and parking. At the time of writing the report a consultation has been carried out which relates to plans clarifying the layout plan. Any further comments will be reported on the update sheet.

The proposal is to erect 7 dwellings on the ends of the rear gardens of 14-28 Stoke Road with accesses out onto Harp Chase. The current properties have 50m plus long rear gardens and the proposal will still maintain rear garden lengths of over 25m for the existing properties. The new plots proposed are approximately 10m x 25m and are considered to be of an appropriate size to accommodate the dwellings proposed. The scale of two storey development and the design are also considered appropriate and in keeping with the character of the area and are at a lesser density than Harp Chase. The first floor windows in the side of the end plots serve bathrooms and will be obscure glazed and restricted opening and will not give rise to any adverse overlooking issues. Similarly the distance from the new properties across the road (16m minimum) and to the gardens to the rear is considered sufficient not to raise overlooking and privacy as issues to warrant an objection. There is also not considered to be any significant adverse impact from new planting.

The proposal involves the re-use of existing garden areas and the removal of trees and shrubs will be required to provide the development. A wildlife report has been submitted with the proposal and no loss of protected habitat has been identified. Mitigation measures have been suggested in terms of site clearance and reptile safeguarding and the conditioning of these matters together with a suitable landscaping condition to secure replanting of trees and hedges is considered necessary to secure habitat replacement in accordance with the NPPF in line with the submitted illustrative landscaping scheme.

The layout has been amended to address the position of the protected cherry trees. A tree report has been produced by a qualified arboricultural consultant and of the three trees, one is largely dead and the other two are in poor condition. The recommendation is that as the trees are in poor state and have a short life expectancy they should be removed and replaced. This has been agreed with a separate Landscape Consultant and the Council's Landscape Officer. The TPO cherry trees are therefore proposed to be replaced on site with 3 similar trees which will still be covered by the protection order and a condition to secure this is considered appropriate. The layout has been amended to reflect the position of the new trees.

The site lies within the existing built up area of the town and the site is served by an adopted highway that is considered suitable by the Highway Authority to serve as a means of access to the proposed site. The junction onto Shoreditch Road is considered suitable to cope with the traffic created and the amended layout shows parking for 3 vehicles for every property provided within each plot. Despite concerns of local residents this is more than required in the Local Plan policy M4 and complies the Highway Authority requirements. The provision of tree planting as shown is not considered to conflict with driveway visibility. A condition with regard to drop kerbs is considered unnecessary as this is covered by the Highways Act. Whilst a considerable number of objections have been made on access and parking grounds, in light of the previous Inspector's decision, the Highway Authority view and policy it is considered that the access and parking provision is acceptable and there are no grounds to object to the proposal on this basis. Conditions with regard to drive surfacing and parking are considered appropriate.

The scheme provides for 7 new dwellings and a requirement for leisure and recreation provision is therefore triggered. In addition Community Leisure Services request contributions towards allotments and community halls. The provision for the necessary contributions will need to be secured through a Section 106 agreement. In addition under the new Core Strategy policy CP4 affordable housing is required on sites of 5 or more and so the provision of one affordable unit on site or a commuted sum would normally be required. However an independent viability assessment has been carried out which indicates the site would be unviable with the affordable housing requirement. It is therefore recommended that the Section 106 provisions relate to the leisure and recreation requirements only.

The previous application on this site in 2008 was refused because of the impact of Plot 1 on existing properties at 19 and 21 Harp Chase. The subsequent appeal was dismissed because of the impact on the TPO cherry trees. The current scheme in deleting a plot has addressed both of these issues. A tree survey has been carried out and the existing cherry trees are in poor health and unlikely to last much longer. The proposal replaces the cherry trees with new specimens and this and other

planting has been agreed with the Landscape Officer. The Inspector on appeal considered the access and parking provision previously proposed to be acceptable. Consequently there is not considered to be any highway grounds on which to object to the proposal.

The Government has previously issued a statement concerning 'garden grabbing', however this does not prevent the suitable use of land in built up areas. The existing and proposed plots created would still be around 25m in length and be bigger than existing properties in Harp Chase. The development is therefore not considered to be too high a density and out of keeping with the character of the area and the submitted proposal is therefore considered acceptable.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr G Clifford Tel: 01823 356398