

Officers Report

Planning Application No: 135868

PROPOSAL: Outline planning application for residential development of up to 9 no. dwellings - all matters reserved.

LOCATION: Land off Carr Road North Kelsey Market Rasen LN7 6LG

WARD: Kelsey

WARD MEMBER(S): Cllr L Strange

APPLICANT NAME: Mr Thomas Atkinson

TARGET DECISION DATE: 16/06/2017

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: Rachel Woollass

RECOMMENDED DECISION: Grant permission

Description:

The site comprises a field off Carr Road, which is bounded by hedging. The site lies within North Kelsey which is defined as a medium village in the Central Lincolnshire Local Plan. There are residential properties to the south, a pond to the east, Beeches Farm to the west and residential garden to the north of the site.

The application seeks outline permission for a residential development of up to 9 dwellings with all matters reserved.

Relevant history:

None

Representations:

Chairman/Ward member(s) - Cllr Strange: The access and exit to Carr Lane is narrow. Cannot see how a safe footpath can be safely considered. The current and future planning guidance is for a growth of 10%. Reference that normally only nine dwellings would be expected on a development at any one time, unless exceptional circumstances prevail however these circumstance are not exceptional. The immediate neighbours were worried how close the development would be to their properties in terms of overlooking and loss of light; safety issues raised over accessibility to the proposed pond by children;

- A major ongoing concern has to be flooding and removal of surface water from such a low lying site and the only public transport in the village is the problematic call connect service so every family will have to travel in and out of Carr Lane by their own transport; it has been stated that a refusal to build adjacent to the site was made previously on the grounds of lack of car parking 133940.
- Residents and Parish Council of North Kelsey are not NIMBYs, should other developments come forward to submit for say five developments of no more than ten properties at access points to the village elsewhere say on Eastfield Road or Brigg Road around the cemetery area, then I think there would be general support – but not on Carr Road

Following the re-consultation for a reduction in houses the Ward Councillors comments remained the same.

North Kelsey Parish Council: Object with the main concerns:–

Flood Risk – A high flood risk area

- Traffic generation – Access and highway safety
- No exceptional circumstances: Previously 10 affordable homes 133246 has already been granted for 7 dwellings. It is referenced that only 9 dwellings would be expected on a development at any one time unless exceptional circumstances prevail.

Following the re-consultation to reduce the housing the Parish Council reiterated their previous comments.

Local residents: Objections received from Lucas House, Resthaven Cottage, Harlaxton Cottage, The Jays, Lakeland House, Tudor House, Axholme, Holme Lea, Beeches Farm, Pinfold Farm, The Walnuts, Barn Cottage, Sunny Bank, Lindum, Woodbine Farm, Berkeley House, Lyndon, Rosemount, 1 Pinfold Close, Barrowling Farm, Fir Tree Cottage, Brushwood, Catalina, Beck House, The Beeches with the main concerns –

- Too high density and inappropriate for a small rural village
- Development of this size will put too much pressure on already inadequate infrastructure such as drains, sewerage, roads and facilities in the village such as the school
- Flooding issues
- Speeding is an issue – further traffic load is adding to the safety risk
- No green/open spaces
- Land is home to Barn Owls
- Highway safety
- Traffic issues
- - Lack of amenities
- Road is narrow and unsafe
- Road would require significant upgrading
- Lack of parking
- Carr Road is the only access to the children's playing field therefore significant impact of traffic associated with the initial construction and afterwards will substantially increase the risks of accidents
- Due to the number of stables down Carr Road horses are exercised on a regular basis down this road adding to the problem and increasing the risk
- Road not wide enough to accommodate the turning circle of Lorries and other construction vehicles onto site
- Any disruption to the access of Carr Road during the development will cause major issues to those businesses
- Drainage issues
- Why is this application being considered at all when the Central Lincolnshire Local Plan is to prioritise brownfield site development and not greenfield agricultural land?
- Loss of privacy
- Many brownfield sites available
- School is full

- Overshadowing
- Loss of light
- Protection of trees
- Visually overbearing
- Not in-keeping with existing residential properties
- Represents an un-neighbourly form of development
- The development will lead to the necessity to widen the roads
- Public Transport in the village will be a necessary addition
- Street lighting will need improvement in most areas of the village
- Police presence will be a necessary requirement
- Concern over route of construction traffic
- Destroy the character of the village
- No mobile phone coverage
- In the summer the pond come become stagnant
- Who will maintain the pond, ditch and proposed pump system?
- Established population of Great Crested Newts at Brushwood

The applications was reduced from 24 dwellings to 9 dwellings and a re-consultation was sent 22nd May 2017. Comments were received from the following properties – Lucas House, Barrowling Farm, Holme Lea, 1 Pinfold Close, Lakeside Lodge, Brushwood, Axholme, Beck House, Beeches Farm, Lakeland House, The Beeches and Rosemount with the main concerns

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- Object to the driveways to plots 1, 2 and 9, object on safety grounds
- Highway safety
- No visitor parking
- Road is neither suitable nor wide enough
- 9 houses on the plan but room for more at a later date?
- No pond showing, where is the excess water to drain?
- Drainage issues
- School is full
- Gardens need to allow room for fuel storage as no gas in the village
- Provision of car parking still likely to be inadequate
- No regular bus service
- Driveways directly onto Carr Road
- Safety of children accessing the playing fields
- Absence of a footpath
- Does not meet exceptional circumstances stated by the planning regulations
- Adverse effect on residential amenity, the addition of a housing estate would change the area forever with noise, disturbance and loss of an existing view
- Overdevelopment of the site
- Overbearing and out of scale
- Beeches farm has two resident barn owls which are protected species
- A suitable site should be found to the north and east of the village on Station Road and Easthall Lane which would not affect the volume of traffic in the village. Another area which could be considered is North Kelsey Moor.
- No need for 9 luxury houses
- Not in-keeping with the area
- Only development that could be seen sympathetic is the construction of 4/5 properties built on the roadside

- Overshadowing and loss of light
- Loss of privacy

A further consultation was undertaken following receipt of an Archaeological Desk Based Assessment and an Ecology Report. One comment was received from Beeches Farm –

We welcome the Archaeological and Ecological reports relating to this development. However, may we bring to your attention that the Ecological report relates to the first site proposal (24 homes with pond), yet the site visit was undertaken on 23rd June, a full five weeks after the revised planning proposal was submitted (9 homes with no pond). The report recommendations and summary go into some detail on the benefits of the pond to wildlife etc., but seeing as this feature was long ago removed from the proposal, its value now seems somewhat redundant, and accordingly should be revised.

One from Brushwood –

Reiterate comments regarding Great Crested Newts
Pond is no longer being created yet it refers to it in the report

One from Beck House –

- Would like to point out that the ecology and archaeology assessments, although interesting, are not the prime reasons for public objections. Prime reasons remain highway safety and flood risks.
- Where is the assessment to go alongside the sequential test? Based on the test development will be on greenfield. If any meaningful assessment has been carried out then I believe it would have come to have a different outcome.
- Sequential test is meaningless and not substantiated by any detailed assessment.
- No assessment for housing need for the type of development.
- Continue to believe that this site is not suitable nor appropriate for any development other than possibly infill along the side of Carr Road.

LCC Highways: The principle of development is acceptable to the Highway Authority (HA). As the site exceeds 10 dwellings, it will be required to drain via SUDs principles and the current proposal outlined in the drainage strategy is acceptable provided the outfall is a viable option. The current drainage on Carr Road is poor with areas susceptible to surface water flooding, including in particular the proposed area for outfall from this development. In order for this development to be viable it must not exacerbate any current drainage problems. Before the HA can recommend final conditions it would request the applicant investigates suitability of the outfall or provide a fall back solution in terms of drainage should the proposed outfall not prove suitable at a later stage.

The HA have only considered layout in terms of drainage at this point, however it should be noted that there appears to be insufficient parking provision. The proposed frontage footway shown will be required approx. 1.2m wide linking to the existing footway at West Street.

Following a re-consultation which reduced the number of housing to up to 9 dwellings the following comments were received –

The current proposal is acceptable, however, as per the previous proposal the situation of the outfall for draining the site will require addressing before the Highway Authority can support this application. The current drainage on Carr Road is poor with areas susceptible to surface water flooding, including in particular, the proposed area for outfall from this development. In order for this development to be viable it must not exacerbate any current drainage problems and provide improvement where possible.

Before the HA can recommend final conditions it would request the applicant investigates suitability of the outfall and any improvements necessary, or provide a fall back solution in terms of drainage should the proposed outfall not prove suitable at a later stage.

Access and layout are reserved matter however the access points shown are acceptable as the access road serves more than 5 dwellings it will need building to an adoptable standard. A frontage footway will be required, approx. 1.2m wide linking to the existing footway at West Street.

NHS England: Please be advised that NHS England will not be requesting contributions or commenting on the above subject planning application at this time.

Anglian Water: Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

- The foul drainage from this development is in the catchment of North Kelsey Water Recycling Centre that will have available capacity for these flows.
- The sewage system at present has available capacity for these flows.
- The proposed method of surface water management does not relate to Anglian Water operated assets. The local planning authority should seek the advice of the Lead Local Flood Authority or Internal Drainage Board. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted.

Following the re-consultation for a reduction in the amount of housing the Anglian Water comments remain the same.

Developer Contributions Officer: I would suggest that the quota be secured at this time and that the detail including type and tenure be agreed at reserved matters. Defining the number and the type of dwelling at this point of an outline application restricts the development unnecessarily at this point.

- Current policy requirement for the delivery of affordable housing will be 25% of the total units to be delivered as affordable housing.

- The Parish Council are keen to understand if they are able to request further contributions to facilities within the village to mitigate the impact of this development. I have advised this be put in the formal consultation response and will be considered as part of the application.

Following the amendments the amount of housing would not trigger the requirement of affordable housing but should the total floor area be over 1000sqm then a contribution will be required.

Lincolnshire Police: Do not have any objections to this development.

Following the amendments the Lincolnshire Police had no objections.

Environment Agency: Does not wish to make any comments on this application. It does not appear to match any of the criteria on our consultation checklist.

Archaeology: There are known archaeological features on this proposed site. Medieval to Post-Medieval earthworks and ditches have been identified from aerial photographs on this site.

Insufficient information is available at present with which to make any reliable observation regarding the impact of this development upon any archaeological remains. I recommend that further information is required from the applicant in the form of an archaeological evaluation to be considered alongside the application. This evaluation should provide the local planning authority with sufficient information to enable it to make a reasoned decision on this planning application.

The agent provided more information in the form of a desk based assessment however more information was still required. A geophysical survey was provided and following this no further archaeological input was required.

Relevant Planning Policies:

National guidance

National Planning Policy Framework

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

National Planning Practice Guidance

<http://planningguidance.communities.gov.uk/blog/guidance/>

Central Lincolnshire Local Plan

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP21: Biodiversity and Geodiversity

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Main issues

- Principle
- Highways and Drainage

- Residential Amenity
- Affordable Housing
- Ecology
- Archaeology

Assessment:

Principle

The application seeks outline permission for the erection of up to 9 dwellings. The proposal was initially for 24 dwellings however there were no exceptional circumstances to permit this level of dwellings therefore the proposal was reduced to up to 9 to be in accordance with policy.

The proposal is within the village of North Kelsey which is defined as a medium village in the Central Lincolnshire Local Plan.

Policy LP2 states that unless otherwise promoted via a neighbourhood plan or through the demonstration of clear local community support, the following applies in these settlements:

- they will accommodate a limited amount of development in order to support their function and/or sustainability.
- no sites are allocated in this plan for development, except for Hemswell Cliff and Lea.
- typically, and only in appropriate locations, development proposals will be on sites of up to 9 dwellings or 0.25 hectares for employment uses. However, in exceptional circumstances proposals may come forward at a larger scale on sites of up to 25 dwellings or 0.5 hectares per site for employment uses where proposals can be justified by local circumstances.

The term 'appropriate locations' means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan (such as, but not exclusively, Policy LP26). In addition, to qualify as an 'appropriate location', the site, if developed, would:

- retain the core shape and form of the settlement;
- not significantly harm the settlement's character and appearance; and
- not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.

The proposal would be deemed an appropriate location. The proposal site would retain the core shape and form of the settlement, would not significantly harm the settlements character and appearance and would not significantly harm the character and appearance of the surrounding countryside or the rural setting of the area.

Objections have been received that they have already had enough development with two other housing developments to the north of the village. The remaining growth however as of 06/04/18 and the time of writing the report is 24. Therefore there is ample growth left within the village.

Other areas of North Kelsey have been suggested by the objectors for preferable growth. There is however no neighbourhood plan directing developers to preferable land and the suggestion of North Kelsey Moor would not be appropriate as there is no growth allocated there. In any event the submitted planning application is the one under consideration and the proper consideration of those sites suggested as alternatives would be when and if planning applications are submitted for formal consideration.

Other objections received state that the land is the lowest priority for housing. Whilst preferable sites to develop are brownfield sites, it is considered that the village does not have brownfield sites that could be developed.

The sequential test has provided little in the way of other land availability, never the less the site is considered an appropriate location and would therefore be in accordance with policy LP2.

An objector states that they should have included within their sequential test land with planning permissions however this is not land that could be considered "available".

The proposal would not be overdevelopment or out of character. The proposal can comfortably accommodate up to 9 dwellings retaining the core shape of the settlement. Whilst it is noted that some comments have been received stating that a row of dwellings to the front of the site would be acceptable, the current proposals are also considered to be acceptable and appropriate.

The demonstration of exceptional circumstances is no longer required as the number of dwellings has been reduced to 9. The development is considered to accord with policy LP2.

Highways and Drainage

The highways team have been consulted upon and they do not have any objection to the principle of development at the site.

Many objections have been received regarding highway safety to all users. The highways team have not raised any objections on the grounds of highway safety. They have stated that a frontage footway will be required linking to the existing footway at West Street.

Objections have been received regarding the amount of accesses onto Carr Road. The highways team have stated that these access points are acceptable. The plan however is only indicative and this is subject to change in the reserved matters application.

Objections have been received that there is no visitor parking however the site plan is indicative only at this stage, therefore the parking is not known at this time. The site is large enough to accommodate adequate parking.

The foul drainage from this development is in the catchment of North Kelsey Water Recycling Centre that will have available capacity for these flows.

The highways team did require some more information for surface water drainage of the site to prior to determination.

The current drainage on Carr Road is poor and susceptible to surface water flooding, including in particular, the proposed area for outfall from this development. The proposal must not exacerbate any current drainage problems and provide improvement where possible.

The applicants were requested to investigate the suitability of the outfall and any improvements necessary, or provide a fall back solution in terms of drainage should the proposed outfall not prove suitable at a later stage. This was subsequently provided in the form of CCTV surveys and highways now have no objections subject to the imposition of conditions.

Residential Amenity

Concerns have been raised with regards to overshadowing, loss of light, loss of privacy and the proposal being overbearing. At this stage the site plan is indicative only and therefore these concerns cannot be assessed. As only the principle of development has been applied for the layout, appearance and scale are all matters to be reserved. There is concern with the indicative layout with regards to plot 1; however, this together with consideration of the other plots is considered capable of satisfactory resolution at Reserved Matters.

It is not felt that an additional 9 houses in this area would create an unacceptable level of noise and disturbance to existing residents.

Affordable Housing

As the number of dwellings has been reduced to 9 this level of dwellings would not trigger the requirement for affordable housing. However should the cumulative floor space exceed 1000sqm then this will require a contribution. A condition will be attached for the proposal for no more than 9 dwellings and there shall be no more than 1000 square metres of combined gross internal floor space on the site.

Ecology

'The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF paragraph 109).

A protected species report has been submitted following a request from the officer.

The site is considered to have low potential to support common reptile species and is likely to provide foraging opportunities for bats and barn owl. Precautionary measures have been provided within the report and should be followed to prevent harm to these species. This will be conditioned.

Additional precautionary measures and ecological enhancements are required in order to ensure legal compliance and no net loss to biodiversity. These are as follows:

- Appropriate timing with regards to nesting birds
- Provision of bird boxes
- Best practice in relation to bats – retention of boundary hedgerows and appropriate lighting across the site.
- Provision of bat roosting units
- Best practice in relation to badger and other ground mammals during development works
- Best practice in relation to hedgehogs within the development, and maintenance of commuting routes and connectivity with wider landscape
- Provision of an amphibian hibernaculum and creation of wildlife pond
- Use of native species and wildflowers in the landscaping scheme

Comments have been received regarding the pond being removed on the amended plan and that the ecological survey still references that there is a pond which would improve the foraging of bats. The recommendation is for the creation of a wildlife pond. Whilst this has been removed on the amended plan, this plan is indicative only and therefore the pond can be included once the layout is submitted in the reserved matters application.

A resident opposite the site have stated that they have Great Crested Newts on their property. No evidence has been submitted with regards to this. The survey has assessed for its potential to support great crested newts. Although there are recent records for great crested newts in the area, none have been recorded in the ponds closest to the pond adjacent to the survey site. As such, it is considered unlikely that any great crested newt will be found on the survey site, and no further survey work or mitigation will be required for this species.

The adjacent neighbours have a breeding pair of barn owls. This is acknowledged in the survey. Recommendations have been made in order for the proposal not to have a detrimental impact on owls.

Archaeology

North Kelsey is a village which has its roots in the Anglo-Saxon period. At the time of the Domesday survey there was a minimum population of 52 as well as a manor and a mill. There is also a moated site nearby.

There are known archaeological features on this proposed site. Medieval to Post-Medieval earthworks and ditches have been identified from aerial photographs on this site.

Insufficient information was provided. The agent then submitted a desk based survey however the potential of the site was still unknown, the desk based assessment identified information already known about this site that there are features that potentially relate to the medieval development of North Kelsey and further investigation. The developer was therefore requested to commission and undertake a geophysical survey.

Following receipt of further information, no further archaeological information was required.

Other matters

A development of this size would not warrant a contribution towards education.

A loss of an existing view would not be a material consideration with regards to this type of application.

Overall planning balance and conclusion

The decision has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP3: Level and Distribution of Growth, LP4: Growth in Villages, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk and LP21: Biodiversity and Geodiversity of the Central Lincolnshire Local Plan in the first instance and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance. The proposal would be in an appropriate location and would not, subject to the imposition of appropriate conditions, have a detrimental impact on the interests of satisfactory drainage, highway safety, the amenities of existing residents and the interests of bio diversity.

Recommendation: Grant Planning Permission subject to the conditions below:

Conditions stating the time by which the development must be commenced:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No development shall take place until, plans and particulars of the appearance, layout and scale of the buildings to be erected and the landscaping of and access to the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

4. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a 1.2 metre wide link footway and uncontrolled tactile paved crossing point, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before (any of) the dwelling(s) is/are occupied. Or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each dwelling/ in the interests of residential amenity, convenience and safety and in accordance with Policy LP 13 of the Central Lincolnshire Local Plan.

5. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority

Reason: To ensure that the future maintenance of the streets serving the development thereafter, are secured and shall be maintained by the Local Highway Authority under Section 38 of the Highways Act 1980 or via an established private management and maintenance company in the interests of highway safety and to ensure a satisfactory appearance to the highways infrastructure serving the development in accordance with Policies LP 13 and LP26 of the Central Lincolnshire Local Plan.

6. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance Policies LP 13 and LP26 of the Central Lincolnshire Local Plan.

7. Notwithstanding the drainage details submitted, no development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
 - a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;

- b) Provide attenuation details and discharge rates which shall be restricted to 5 litres per second;
- c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime. The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site in accordance with policy LP 14 of the Central Lincolnshire Local Plan.

Conditions which apply or require matters to be agreed before the development commenced:

- 8. No more than nine dwellings shall be erected on the site. There shall be no more than 1000 square metres of combined gross internal floor space on the site.

Reason: For the purposes of proper planning and to ensure that affordable housing is not required.

Conditions which apply or are to be observed during the course of the development:

- 9. The applications shall be in accordance with the recommendations within the Ecology and Protected Species Survey by Scarborough Nixon Associates Limited dated June 2017.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and policy LP21 of the Central Lincolnshire Local Plan.

Notes to applicant

- 1. Prior to the submission of details for any access works within the public highway you must contact the Head of Highways - on 01522 782070 for application, specification and construction information.
- 2. You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

3. Please contact Lincolnshire County Council Streetworks & Permitting team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report