

<b>Agenda Item</b>	<b>Committee Date</b>	<b>Application Number</b>
A7	4 April 2016	15/01593/OUT
<b>Application Site</b> Land North Of Royal Oak Meadow Hornby Lancashire	<b>Proposal</b> Outline application for the erection of up to 23 residential dwellings with associated new access	
<b>Name of Applicant</b> Mr John Beard	<b>Name of Agent</b> Mr Stuart Booth	
<b>Decision Target Date</b> 20 <sup>th</sup> April 2016	<b>Reason For Delay</b> Not Applicable	
<b>Case Officer</b>	Mr Mark Potts	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

## **1.0 The Site and its Surroundings**

- 1.1 The site is located on the northern periphery of the village of Hornby with the site being located 0.4km to the north of Hornby St Margaret's Primary School. The site is a greenfield site that is grazed with livestock and occupies an area of 1.08 hectares. The site is bound by a combination of hedgerow and tree belts. The site gently slopes away from the north east to the south west with a difference of 4metres across the site.
- 1.2 The A683 (Melling Road) borders the site to the west and north, with open countryside to the east and to the south residential properties on Royal Oak Meadow and Hornby Bank. Access to the site would be off the A683 via Hornby Bank until you reach the sites access point (adjacent to number 46 Hornby Bank).
- 1.3 The site is located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB hereinafter), and is countryside area for the purposes of the saved local plan. It is located circa 80 metres from ancient woodland, circa 300 metres to the south east of the River Lune Biological site and circa 400 metres to the north of the Hornby Village Conservation Area. The western part of the site falls within a mineral safeguarded zone.

## **2.0 The Proposal**

- 2.1 The application proposes the erection of up to 23 dwellings with an associated access point off Hornby Bank. Whilst the application is made in outline form with only access being applied for an indicative layout has been submitted in support of the scheme showing how the proposed site could support the quantum of development being applied for.
- 2.2 Access to the development would be afforded from Hornby Bank and as part of the proposal the existing northern section of Royal Oak Meadow would be closed to through traffic by the provision of a central bollarded island. A new cul-de-sac arrangement on Royal Oak Meadow is proposed and a turning head will be formed at the northern end of the road, with a new spur for turning provided using part of the development land. This will act as a pedestrian and cycle route out of the western end of the new residential land.

### 3.0 Site History

3.1 There is little in the way of site history for the site apart from a scheme that was submitted for 26 houses in 2015 (15/00459/OUT) which was withdrawn. This was due to the need for additional information pertaining to site access details, concerns over density, drainage, highways, and provision of a Landscape and Visual Assessment.

### 4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
County Council Highways	<b>No objection</b> - there should be a prohibition on driving along Royal Oak Meadow, upgrading of bus stops and implementation of approved gateway treatment measures.
Environmental Health	<b>No objections</b> , recommend conditions associated with contaminated land, bunding of tanks, hours of construction and a scheme for dust control.
Hornby Parish Council	<b>Objection</b> on the basis that the proposed access is unworkable, and the development would be better served by a roundabout, the existing highway infrastructure is under pressure and would be detrimental to pedestrians.
Strategic Housing Officer	<b>No objection</b> , and 40% affordable housing should be provided equating to 9 units.
Forest of Bowland AONB	<b>Objection</b> , notable lack of reference to the Forest of Bowland AONB Landscape Character Assessment and they believe that the scheme does constitute Major Development in the AONB and raises concerns with the LVIA.
County – Mineral Safeguarding	No responses received within the required timescales.
United Utilities	<b>No objection</b> provided that foul and surface water is drained on separate systems together with conditions associated with surface water drainage and also a management plan.
Tree Protection Officer	<b>Objection</b> subject to the removal of the encroachment into the root protection areas of retained veteran trees T7 (oak) and T8 (hawthorn). An amendment to the design would be required to remove this encroachment. Consideration of the relationship of T5 to the proposed new dwelling to the south should also be reconsidered.
Forward Planning Team	Recommend that special consideration is given to whether the development constitutes major development in the AONB.
County Planning (Education)	An education contribution is not required at this moment in time, however should be re-evaluated at which point the application is considered for decision.
Lead Local Flood Authority	<b>No objection</b> subject to conditions regarding a surface water drainage scheme, surface water management and maintenance plan.
Conservation Section	<b>No objection</b> however there will be some impact on the Grade II listed property Launds Farmhouse, recommend the development be limited to 2 storeys.
Greater Manchester Ecology Unit	<b>No objection in principle</b> , recommend conditions associated with mature trees to be retained and protected, new planting scheme, biodiversity enhancement measures, no clearance on the site between March and July (bird breeding season).
Environment Agency	No requirement to consult
Natural England	Do not wish to comment on the application however advise to seek the advice of the Forest of Bowland AONB.
Public Realm Officer	<b>No Objection</b> , recommends 418m <sup>2</sup> of Amenity Space is required on site. The proposed plan indicates a proposed open space of 520m <sup>2</sup> exceeding the requirement. However, there must be a barrier between this space and the main road. An off-site contribution of an amount of approximately £32,176 would also be required.
Lancashire Constabulary	<b>No Objection</b> , however secured by design should be employed at reserved matters stage.
County Archaeologist	<b>No Objection</b> ; The site may well have been crossed by the Roman Road from Lancaster to Over Burrow, but it is not considered that this earthwork is so significant as to require preservation in situ at the expense of the development. A condition is recommended regarding archaeological work

## **5.0 Neighbour Representations**

5.1 To date there has been 13 letters of objection to the scheme. The reasons for the objection include;

- Highway concerns along Hornby Bank, Royal Oak Meadow and Melling Road;
- Alignment issues along Melling Road causes a blindspot for vehicles;
- Making a turn into Royal Oak Meadow from the north is dangerous;
- Raises issues regarding the upgrade of the bus stop;
- Safety of residents;
- Absurd for bollards to be erected outside 12 and 14 Royal Oak Meadow;
- Alternative means of access and egress into this development site should be explored further;
- Narrow pavements to access the amenities within the village;
- A roundabout should be put in place at the Gressingham junction;
- The site does flood as was evident during the recent storm events;
- Road blocks completely when delivery and refuse wagons visit the site; and,
- Privacy concerns.

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

Paragraphs 7, 12, 14 and 17 - Sustainable Development and Core Principles  
Paragraph 32, 34 and 38 - Access and Transport  
Paragraphs 49, 50 and 55 - Delivering Housing  
Paragraphs 56, 58, 60, 61 and 64 – Requiring Good Design  
Paragraphs 69,70, 72 and 73 – Promoting Healthy Communities  
Paragraph 103 – Flooding  
Paragraphs 109, 115,116, 117,118 – Conserving the Natural Environment  
Paragraphs 128-134 – Conserving and Enhancing the Historic Environment  
Paragraphs 186, 187, 196, 197, 203-206 – Decision-taking

### **6.2 Lancaster District Core Strategy (adopted July 2008)**

SC1 – Sustainable Development  
SC4 – Meeting the District’s Housing Requirements  
SC7 – Development and the Risk of Flooding

### **6.3 Lancaster District Local Plan - saved policies (adopted 2004)**

E3 – AONB  
E4 – Countryside Area

### **6.4 Development Management DPD**

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM26 – Open Space, Sports and Recreational Facilities  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM32 – The Setting of Designated Heritage Assets  
DM34 – Archaeology  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-off and Sustainable Drainage  
DM41 – New Residential dwellings  
DM42 – Managing Rural Housing Growth  
DM48 – Community Infrastructure

## 6.5 Joint Lancashire Minerals and Waste Local Plan

M2 – Safeguarding Mineral Sites

## 6.6 Other Material Considerations

- National Planning Practice Guidance
- Meeting Housing Needs Supplementary Planning Document
- Lancaster City Council 2015 Housing Land Supply Statement
- Landscape Character Assessment, Lancashire County Council (2000)
- Forest of Bowland AONB Management Plan
- Forest of Bowland – Landscape Character Assessment (2009)

## **7.0 Comment and Analysis**

7.0.1 The application raises the following issues;

- Principle of Development and Housing Needs;
- Affordable Housing / Market Housing;
- Highways;
- Landscape Impacts;
- Drainage;
- Design/Layout;
- Trees/Ecology;
- Cultural Heritage;
- Education Provision;
- Open Space Provision; and,
- Mineral Safeguarding.

### 7.1 Principle of Development and Housing Needs

7.1.1 The NPPF is very clear, and states that great weight should be given to conserving the landscape and scenic beauty in AONBs (which have the same landscape protection as National Parks) and that in line with Paragraph 116 of the NPPF planning permission should be refused for major developments in these designated areas except in exceptional circumstances. The issue therefore is whether this application constitutes a major development in the AONB.

7.1.2 The site has been assessed for the purposes of the Strategic Housing Land Availability Assessment (SHLAA) as being deliverable within the 1-5 year phase and therefore whilst this is only an evidence base the Local Planning Authority determined during the plan making process that the development on this land could be accommodated otherwise it would not have been included within the SHLAA Assessment.

7.1.3 The Framework does not define major development, however the usual definition of ten houses being major development comes from the Town and Country Planning (Development Management Procedure) (England) Order 2015 and is used for determining the publicity which should be given to a proposal and the statutory time period for an applications assessment. Furthermore in the National Planning Practice Guidance (PPG) it is clear that "*whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context*". Officers are of the view that the definition was not intended to be applied to all planning situations and an element of fact and degree is needed, and that the intention of Paragraph 116 is to capture development which have a major *impact* on the AONB. To support this view the local planning authority recalls the Planning Inspector's conclusions in a recent appeal decision in Caton for 30 houses (Ref: 14/00768/OUT, appeal decision January 2016). In determining the Caton case the Inspector concluded that "*...notwithstanding the appreciable scale of the proposed development, I do not consider it warrants the specific classification 'major' for the purposes of national policy articulated in paragraph 116 of the*

*Framework...but this does not diminish the great weight that the objects of the AONB designation merit in respect of the intentions of Paragraph 115”.*

7.1.4 In terms of the criteria in paragraph 116 of the NPPF, there is a clear need for residential development to overcome the shortfall in housing land supply. Whilst a consideration of alternatives has not been submitted with the application, the Council in its Strategic Housing Land Availability Assessment has assessed sites within the village of Hornby with three of these being deliverable within 5 years (of which the application site is one of these). These sites are also undeveloped and within the AONB and therefore whilst the other sites are smaller they offer no clear environmental advantage over the application site. It should also be noted that Hornby is a Sustainable Settlement for the purposes of the Development Management DPD under Policy DM42, where the Authority will look to support sustainable housing.

7.1.5 When taking into account the context of the development proposals in relation to the size of the village, it's positioning (to the north of the built form and enclosed by the A683), and the limited local landscape and visual impact of the scheme; as a whole it is considered that the scheme is not a major development in the AONB. Notwithstanding this there is still a need to comply with the provisions of the Policy DM42 of the Development Management DPD. It is considered that the scheme is well related to the existing built form of the settlement (essentially rounding off the village) and the development of 23 units is proportionate to the existing scale and character of Hornby. Other criteria as noted within Policy DM42 will be assessed as part of this report.

## 7.2 Affordable Housing / Market Housing

7.2.1 The scheme originally only proposed in the region of 35% on site affordable provision which equates to 8 units. The site is greenfield, has little in the way of abnormal costs, and the application has not been accompanied by a viability assessment and therefore there is no rationale as to why the 40% is not being provided on this scheme. Following discussions with the agent the applicant is now amenable to providing the 40% and this can be secured by legal agreement.

7.2.2 The Supplementary Planning Document entitled '*Addressing the local needs of the district*' demonstrates that in Hornby there is a demand for predominately semi-detached and terraced properties of namely 2 and 3 bedrooms. The indicative sketch provides for the erection of terraced units to cater for the affordable element of the scheme and the remainder being detached units. Whilst the smaller affordable units may be meeting a local demand, there is concern that the market housing may not be meeting a local need. This raises concern, however can be addressed at the reserved matter stage of the application, as there is considered capacity on the site to accommodate the number of units proposed.

## 7.3 Highways

7.3.1 The initial submission provided for access off Royal Oak Meadow which was seen as unacceptable from the County Council's perspective as Highway Authority. The revised proposal makes provision for access to be taken off Hornby Bank with the existing northern section of Royal Oak Meadow closed off to through traffic, by the provision of a central bollarded island. The location of such will be that the two existing residential properties on the road are still able to easily manoeuvre into their driveways. The island will allow for cyclists to pass and allow for the existing drainage on Royal Oak Meadow to be retained. Internally the scheme proposes a carriageway with a width of 5 metres with a footway of 2m in width. Given internal layout is not being considered at this it needs to be assessed whether the access point is appropriate for the development that is being applied for and secondly whether the local highway network can accommodate the development safely. The application is accompanied by a detailed Transport Statement.

7.3.2 The Parish Council have made reference to discussions that have taken place with a developer regarding development of land to the north west of Fleet Lane regarding potentially installing a roundabout to access that development, as they have regarding access directly from the A683 (to the north of the site). The Parish have stated that they are not averse to the development of the site for housing yet feel access has not been fully addressed. Many of the representations received in support of the application have requested that access is taken directly off the A683 (to the north of the site), this would unlikely to be acceptable given the requirement to ensure that sightlines can be provided for. In any event each application needs to be judged on its own merits, and as noted in Section 4.1 County Highways have not objected to the scheme.

7.3.3 The County Council have reviewed the submitted Transport Assessment and whilst there has been local concern regarding some of the content of the assessment, in the absence of anything to the contrary to the County's statutory comments then it is considered that in capacity and safety terms the proposed scheme is acceptable subject to the imposition of conditions as recommended by the County Council, which are seen as reasonable given the development that is being applied for.

7.3.4 Officers understand the concerns of the local residents namely the parking arrangements along Hornby Bank and Royal Oak Meadow. However the County Council do not raise an objection to the scheme on highway safety grounds and therefore whilst officers recognise the concerns raised, this in itself would not be defensible should a scheme be refused on this basis. It is therefore considered that the proposed access off Hornby Bank is acceptable.

#### 7.4 Landscape Impacts

7.4.1 Policy DM28 of the DM DPD and the NPPF is relevant to the determination of this planning application given the land is within a protected landscape and therefore the greatest of weight to the protection of nationally important designated sites should be considered by the decision maker. Given this is an outline application, matters associated with siting, design, materials and external appearance of landscaping will be determined at the reserved matters stage should this be supported. One of the weaknesses of the withdrawn scheme was the lack of a Landscape and Visual Assessment, one now accompanies the planning application, albeit the LVIA does lack photomontages to show the likely impact that the development would have on the protected landscape of which the applicant's proposal sits within.

7.4.2 From a purely landscape character perspective the applicants conclude that it is considered that overall the impact on the Bowland Fringe and Pendle Hill National Landscape Character area is deemed to be negligible adverse, and at the local landscape character level being negligible adverse, with negligible adverse impacts on the Forest of Bowland AONB. It is stated at 15 years the combined significance of effects will be 'moderate adverse' effects at the pure site level.

7.4.4 It is considered that views into the site from the A683 will give rise to major adverse impacts however this is inescapable given the site will lose its greenfield nature, and therefore any development is likely to bring with it localised significant effects. Mitigation here will be important, and new landscaping and ensuring that properties face the A683 is paramount (rather than the backs of houses) and it is considered that whilst there would be a change, this would reduce to 'moderate adverse' once the landscaping has established. From longer distance views it is considered that the development would be seen in the context of the current village and therefore would not be seen in isolation and would relate well to the existing built form.

7.4.5 The Forest of Bowland AONB Partnership raises objection to the scheme and have significant reservations regarding the landscape assessment that has been produced, the failure to consider the Forest of Bowland AONB Landscape Character Assessment 2009, in particular Valley Floodplain – J1 Lune. The AONB unit maintain that there is limited capacity to accommodate change without comprising key characteristics. Whilst these views are acknowledged it is considered that in landscape terms given the positioning of the site and the A683 which wraps along the western and northern boundary and the existing man-made development to the south of the site, that the proposed development can be supported, albeit, inevitably there will be a marked change from greenfield to built form, and whilst it is acknowledged there will be inevitable landscape impacts associated with the scheme, it is not considered that these would be so significant to warrant refusal. It is therefore considered that subject to a sensitively designed scheme at the reserved matters stage the principle of the scheme in landscape terms can be supported and therefore complies with Policy DM28 of the DM DPD.

#### 7.5 Drainage

7.5.1 The site is within Flood Zone 1 which has the lowest probability of flooding (less than 1 in 1,000 annual probability of river or sea flooding <0.1%). However, given the size of the site, a site specific flood risk assessment (FRA) was required in support of the application; this is following concerns raised by the Lead Local Flood Authority that the scheme did not propose an indicative drainage strategy.

7.5.2 The FRA demonstrates that the site is at a low risk of flooding and the applicant has provided an indicative drainage strategy, which demonstrates the site can be drained suitably using sustainable urban drainage system features given the favourable ground conditions present. The Lead Local Flood Authority, United Utilities and the Environment Agency have raised no objections on flood risk/drainage grounds; subject to appropriate conditions to secure a suitable scheme design and implementation. It is unfortunate that the application is not supported by ground investigations to determine whether infiltration can be used, however given the outline nature of this application this is considered acceptable. The scheme has been amended to make provision for the area of open space to be located on the lowest part of the site and the applicants are now proposing to utilise this area as an infiltration facility. This could consist of a large soakaway assuming the ground conditions were favourable for this. Therefore, this can be used for a dual purpose, as drainage attenuation and open space. At this indicative stage it is proposed that highway drainage would be collected via a large soakaway with individual soakaway's in the rear of gardens, and therefore the proposals can be considered acceptable subject to conditions whereby the detail would be developed when the layout is designed. The proposal is therefore compliant with Policies DM38 and DM39 of the DM DPD.

7.5.3 With respect to foul drainage a condition can be imposed on any consent requiring details of the arrangements to be submitted and agreed in advance of any development on the site commencing.

## 7.6 Design/Layout

7.6.1 Whilst the applicants are not applying for layout as part of the scheme, given the site is located within the AONB development proposals should through their siting, scale, massing, design and materials seek to contribute positively to the conservation and enhancement of the protected landscape.

7.6.2 The current proposal provides for three dwellings fewer than the previous iteration of the scheme that was withdrawn, and its layout is in general terms more acceptable and appropriate to its surroundings. The proposal accords with the general principles of Policy DM35 of the DM DPD in terms of maintaining the privacy to those neighbouring properties; on the whole generous garden sizes have now been embedded in the scheme and areas of open space and it is considered that whilst there would need to be some improvements made at reserved matters stage, there is sufficient confidence a high quality scheme befitting of the sites location within the Forest of Bowland could be achieved here.

## 7.7 Trees/Ecology

7.7.1 As mentioned previously there are trees and hedgerows that bound the site, however within the site itself the site is devoid of trees. The application has been supported by an arboricultural assessment, the results of which indicate that the site can be developed in accordance with the scheme proposed with minimal interference with trees. The Tree Protection Officer does object to the development based on the development encroaching into root protection zones and whilst it may be prudent to amend the layout so units are located outside of the root protection zones it is not essential that this is done at this stage of the application process. It is therefore considered that this can be appropriately conditioned to be addressed at reserved matters stage (assuming members approve the scheme).

7.7.2 The Council's appointed ecology advisors have no objections in principle on ecology grounds, and the site is dominated by species poor improved agricultural grassland and wet grassland typical of the area, however recommend that trees and hedgerows are retained where possible and enhanced with new planting and that a high quality landscape plan be prepared for the site, incorporating biodiversity enhancement measures. These matters can be addressed by means of planning condition.

## 7.8 Cultural Heritage

7.8.1 As noted in paragraph 1.3 of the report, the Hornby Conservation Area is sited approximately 400 metres from the proposed development, and the closest listed building to the site is the Grade II Launds Farm which has commanding views over the site and is situated 300 metres to the north of the proposal site.

7.8.2 Given the distance to the Conservation Area, coupled with the built form between this and the development site it is not considered that the proposed development would result in any harm to the setting of the Conservation Area. With respect to the impact on listed buildings, the property that is most likely to be impacted by the development proposals is the Grade II listed Launds Farm as noted above. Given the relationship between the development and the listed building it is not considered that the setting would be substantially harmed. The views of the Conservation Officer have been sought on the application who raises no objection of the development and it is highly unlikely that the development will adversely affect the setting of the Grade II building.

7.8.3 With respect to archaeology there may well be the potential that a Roman Road from Lancaster to Over Burrow may have crossed the site. Whilst the earthwork is not so significant to require preservation in situ it would require investigation and recording as part of the development proposals, and therefore this could be controlled by planning condition. This is a view supported by the County's archaeologist. From a heritage perspective the scheme is considered acceptable.

## 7.9 Education Provision

7.9.1 The County Council have stated that there is no requirement for an education contribution to be made in relation to the scheme however this should be re-assessed when the scheme is determined, therefore this will be reported verbally to members when the scheme is presented for consideration and can be controlled by means of Legal Agreement if this is required.

## 7.10 Open Space Provision

7.10.1 The previously withdrawn planning application lacked sufficient open space, however with the removal of the three units this has allowed for amenity space to be provided on the site in accordance with the recommendation from the Public Realm Officer. A financial contribution has been requested to be £32,176 (£25,000 towards children's and young people's facilities with £7,176 contribution to Williamsons Park). It is considered that the request is reasonable, however given bedroom numbers are not known and the final number of units this can be addressed by means of legal agreement to be assessed at reserved matters stage. The applicant is amenable to entering into a Legal Agreement to secure this.

## 7.11 Mineral Safeguarding

7.11.1 The site falls within a mineral safeguarding zone and the County Council as Mineral Planning Authority have been consulted on the scheme however to date have yet to respond to the consultation. It is highly unlikely that the site would be able to commercially work for aggregate given the size of the site and secondly its relationship with residential properties. Given this it is considered that the proposed development is unlikely to sterilize any minerals.

## **8.0 Planning Obligations**

8.1 The applicant is amenable to securing the following requirements by way of legal agreement. These requirements are considered to meet the tests set out in paragraph 204 of the NPPF.

- The provision of up to 40% of affordable housing to be based on a 50:50 (social rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs and viability);
- Public Open Space contribution to be assessed at reserved matters stage;

With Committee's support, Officers seek delegation to ensure that the Section 106 Agreement is signed within the 13 week time period for decision-making (i.e. 20<sup>th</sup> April 2016). If the applicant fails to sign the Section 106 in-time then the application should be deleted back to the Chief Officer for refusal.

## **9.0 Conclusions**

9.1 The site is located in a sustainable location and would essentially serve to round off the northern part of the village of Hornby, providing an important contribution towards housing supply. It is considered that the development will not be sufficiently harmful enough to the landscape qualities of the AONB to warrant refusal of this development and therefore the principle of development can



therefore be considered acceptable on this site. At reserved matters stage, there is sufficient confidence that a sensitively designed scheme can be achieved on this site and therefore it is recommended to members that the scheme be approved.

### **Recommendation**

That subject to the applicant entering into a Section 106, Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard outline condition with all matters reserved except for access
2. Dwellings limited to 2 storey's in height
3. Access Details to be agreed
4. Offsite Highway Works – To be agreed
5. Scheme for foul water to be agreed
6. Surface Water Drainage Scheme to be agreed
7. Long term maintenance of surface water scheme to be agreed.
8. Construction Management Scheme
9. Standard Condition – Unforeseen Contamination
10. Written Scheme of Investigation – Archaeology
11. Removal of Permitted Development Rights
12. Tree Protection Plan / AIA
13. Finished Floor Levels
14. Biodiversity Scheme

### **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the agent to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.