

<b>Agenda Item</b> A11	<b>Committee Date</b> 27 June 2016	<b>Application Number</b> 16/00551/FUL
<b>Application Site</b> Land Adjacent To Caton Road Lancaster Lancashire	<b>Proposal</b> Erection of a two storey restaurant with associated drive-thru, canopy, car parking, landscaping, retaining wall and raised land levels	
<b>Name of Applicant</b> McDonald's Restaurants Ltd	<b>Name of Agent</b> Mr Matthew Carpenter	
<b>Decision Target Date</b> 28 June 2016	<b>Reason For Delay</b> N/A	
<b>Case Officer</b>	Mr Andrew Holden	
<b>Departure</b>	Yes	
<b>Summary of Recommendation</b>	Approve subject to conditions	

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

- 1.1 The application site is situated approximately 1.5 miles north of Lancaster City Centre and occupies a corner location fronting Caton Road and the access road to Kidds Transport Ltd. The site is generally flat and level, set slightly above the surrounding road network and extends to 0.32ha. The land to the north of the site falls steeply away to a neighbouring haulage yard. An access road to the yard runs along the east side of the application site, falling to the lower level to the north. The frontage of the site has a number of mature sycamore trees running along its length.
- 1.2 The surrounding area consists of industrial units to the east and extending south to the River Lune. To the immediate south are the Lansil Golf Course and Club House. Immediately to the west of the site is a small pay and display car park operated by the Canal and River Trust primarily for leisure use by members of the public wishing to use the adjacent Lancaster Canal. The Canal sits at a significantly higher level than the application site with an aqueduct over Caton Road. Some 300m to the north is a further aqueduct over the River Lune. This structure is a Grade I Listed Building.
- 1.3 There are a number of residential properties to the east fronting Caton Road on its south side. A further business park is located closer to the M6 which also houses office units, a pub, restaurant, gymnasium and hotel. Caton Road provides an important link to the M6 at junction 34 from the city centre.

## **2.0 The Proposal**

- 2.1 The application site has a general east-west orientation and is rectangular in form. The site as a whole measures 90m along the Caton Road frontage and is approximately 40m deep. The area is relatively flat with a tree-lined frontage with a low stone wall and an existing site access at its western end.
- 2.2 The site seeks to utilise the existing entrance which is to be upgraded to enable two-way movement. The access would lead directly into a car parking area for 38 cars including 3 mobility/mother & child spaces and two customer waiting spaces. The main building and circulatory 'drive-thru' lie at the eastern end of the site. The 'drive-thru' lane provides a potential 19 car spaces within the circulatory road. In addition parking provision is made for 4 motorcycles and 10 cycles.

- 2.3 The main building is two storeys in height with an internal footprint of 520 sq.m and has an external seating/patio area to the front of the building. The 'drive-thru' runs around the outside of the building. The route splits into two lanes on the northern side to allow for orders to be given and converges to the rear of the building emerging as a single lane back into the main car parking area. Cycle parking is provided at the front of the building alongside the 'drive-thru' access.
- 2.4 The building is designed in a contemporary form over two storeys with a flat roof. The building measures approximately 27m long x 12.5m wide rising to 7.3m to the roof which over sails the walls of the building by 1.5m all around. The building uses a simple palette of materials incorporating large glazed areas as well as cladding, vertical boarding and grey faced blocks. The glazing is to be dark grey aluminium framed, the cladding is walnut effect in large horizontal proportioned panel with area of grey block separating the glazed areas from the cladding.
- 2.5 The four elevations of the building differ in elevational treatment but all use the same palette of materials. The front entrance facing the car parking area and external seating has large glazed areas to both floors and vertical cladding. The 'drive-thru' elevation to the south introduces predominantly cladding and grey block as well as pay-and-collect windows at ground floor. The front entrance to the west is predominantly glazed with the rear elevation almost wholly clad in the walnut cladding. A similar clad refuse store (5m x4m x 2.4m high) lies immediately to the east of the rear of the building.
- 2.6 Approximately 40% of the internal area is made over to customer dining area. The ground floor has a smaller area of dining space, the majority of the area being used for food preparation, storage and servicing the 'drive-thru'. Access to the upper floor is gained via an integral staircase or a customer lift. The upper floor contains plant and staff areas as wells as accessible toilets.
- 2.7 The mature tree lined frontage to Caton Road is to remain along with the low stone boundary wall. In total, three trees are to be lost to improve the site access but the specimens also have health and safety issues and poor long-term health. The sycamores are to be crown-raised and lifted to increase visibility of the building. The soft landscaped areas are mainly turf with low shrubs. The hard landscaped areas vary depending upon the level of use anticipated. The main car park and footways are to be tarmac, the 'drive-thru' is to be printed concrete. The service route for pushed deliveries and refuse store is a brushed-concrete path. The main parking area for service vehicles utilises the car parking areas.
- 2.8 Site security plays an important role in the design of the building and external spaces. The building has been designed with large glazed areas to provide natural surveillance both into and out of the building, CCTV system are provided to monitor the external areas of the site linked to the manager's office and kitchen area. Lighting is provided around the car park and drive-thru areas to avoid dark areas and hiding places. Litter collection is to be addressed with a minimum of three daily litter patrols picking up general litter as well as company litter within the vicinity of the restaurant.
- 2.9 Off-site works are to be provided in a number of forms to improve the accessibility and sustainably of the restaurant. To ensure traffic flows are maintained along Caton Road the road is to be widened slightly on it northern side. This enables two wide lanes to be maintained along with a provision of a right turning lane. The turning lane will be formed by white lining and a new pedestrian island to aid pedestrian movements across Caton Road. To improve cycle linkage to the city centre an existing narrow footway running from the west of the site under the aqueduct to the entrance of Dennison trailers is to be upgraded to a 3m-wide shared pedestrian/cycle route linking the application to the cycle network running alongside the canal north to the main Lune Cycleway.

### **3.0 Site History**

- 3.1 Land levels have been raised within the application site to develop a level plot which is distinctly separate from the haulage yard immediately to the north west of the site. These changes to land levels are longstanding. The site has a limited planning history with no planning applications for over 20 years until 2014. Under planning application 14/00775/FUL consent was granted in January 2015 for the *Erection of a two storey restaurant with associated drive-thru, canopy, car parking and landscaping.*
- 3.2 The development has not commenced but a number of follow up applications have been considered by the local planning authority to agree most of the detail reserved by planning condition.

## **4.0 Consultation Responses**

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

<b>Consultee</b>	<b>Response</b>
<b>County Highways Policy Section</b>	No response as yet, if received views will be verbally reported.  The strategic position has not changed since the determination of the earlier application in late 2014. This indicated that the land had been allocated for employment purposes within both the adopted Lancaster District Local Plan and the emerging allocations found within the Draft Preferred Options Land Allocations DPD. This site has been an established employment area for a number of decades and there is no indication that the employment area is no longer viable and will lead to future de-allocation. Therefore a proposal for a restaurant and drive-thru is contrary to Adopted Local Plan Policy EC5 and Emerging Policy EMP1 of the Draft Preferred Options Land Allocations DPD.  Whilst there is a clear conflict with adopted and emerging planning policy, a number of non-employment generating uses are established within the area, particularly opposite on the Lancaster Business Park which contains a pub, restaurant, gym and hotel. Therefore it is recognised that a precedent has already been set in relation to leisure-type uses being established in employment areas along Caton Road. Furthermore it is noted that the creation of this restaurant will deliver 65 jobs to the local area, which will particularly target bringing young people into the workplace. Therefore, whilst not a formal 'B-Class' employment use it is clear there will be significant job growth associated with this proposal which should be taken into consideration when balancing against the loss of employment land.  On balance, the creation of new employment opportunities and the precedent for leisure uses in this area of Lancaster outweigh the loss of the allocated employment land and departure from planning policy.
<b>Environmental Health</b>	No response as yet, if received views will be verbally reported.
<b>Environment Agency</b>	<b>No objections</b> – development should be undertaken in accordance with the submitted Flood Risk Assessment
<b>Conservation Officer</b>	<b>No objections</b> to the development. The separation distance to the Grade I Listed Lune Aqueduct together with changes in level and substantial tree screening and presence of industrial buildings would not lead to an impact upon the significance of the heritage asset.
<b>Tree Protection Officer</b>	No response as yet, if received views will be verbally reported.
<b>United Utilities</b>	No response as yet, if received views will be verbally reported.
<b>Canal and River Trust</b>	<b>Comments</b> - Confirms that the site is not viewed from the Lune Aqueduct but as an important Grade I listed structure, impact upon of the proposal upon the significance of the listed structure needs to be considered in accordance with para 128 of the National Planning Policy Framework.
<b>Lancaster Canal Trust</b>	No response as yet, if received views will be verbally reported.
<b>Lancashire County Council</b>	No response as yet, if received views will be verbally reported.
<b>Lancaster Civic Society</b>	No response as yet, if received views will be verbally reported.
<b>Fire Safety Officer</b>	No response as yet, if received views will be verbally reported.
<b>Parish Council</b>	No response as yet, if received views will be verbally reported.

## **5.0 Neighbour Representations**

5.1 No to date, any comments will be reported verbally to committee

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

### **6.1 National Planning Policy Framework**

Paragraphs 7, 14 and 17 (Sustainable Development and Core Principles)

Paragraphs 18-22 (Building a strong competitive economy).

Paragraphs 56 – 57 (Requiring Good Design)

Paragraphs 64 - (Requiring Good design)

Paragraphs 128-129, 131, 137 and 141 (Conserving and enhancing the historic environment)

### **Development Management DPD**

DM1 – Town Centre Development

DM20 – Enhancing Accessibility and Transport linkages

DM21 – Walking and Cycling

DM32 - The setting of Designated Heritage Assets

DM35 - Key Design Principles (Gateway location)

### **Lancaster Core Strategy**

SC1 - Sustainable development

SC2 - Urban Concentration

SC5 - Good Design

E1 - Environmental Capital

### **Lancaster District Local Plan – saved policies**

EC5 – Employment Area

T26 – Links to Cycle network

## **7.0 Comment and Analysis**

7.1 It is considered that the main issues relating to the development of the site are:

- Background to current application
- Principle of development
- Highway and traffic matters
- Impact upon heritage assets

### **7.2 Background to current application**

7.2.1 As outlined in the site history (Section 3 above) the site has an extant consent for the erection of a restaurant and drive thru' approved under 14/00775/FUL. Following the grant of consent further applications have been submitted to agree details reserved by condition. These are in the main completed, however, an issue has arisen over the ability to develop the site as originally approved and the potential impact of the development on the trees fronting Caton Road. These trees are considered to be highly valuable both in terms of ecology as part of a longer green corridor running along Caton Road and linking to the neighbouring Lancaster Canal as well as the visual benefit to one of the main access corridors into Lancaster.

7.2.2 In refining the details for the drive thru' construction and contaminated land remediation it has become clear that the development of the site as approved will potentially effect the frontage trees. Following discussion with the agent it is clear that all parties are wishing to seek a solution to this issue and to keep a strong tree line to the site frontage.

7.2.3 The scheme as originally approved incorporated a large embankment to the rear of the site running across its full width. The original scheme included the embankment within its development but sought to simply landscape this area.

7.2.4 The current application is essentially a repeat of the original scheme including point of access onto the highway, building size, footprint and design and the layout of the external areas, including parking and drive thru' design. The key difference in the current arrangement to that approved has been the loss of the embankment and the construction of a retaining wall located at the toe of the current embankment. This simple redesign has allowed the whole footprint of the development to be moved into the site by approximately 5m. This re-positioning will enable the land remediation and

drive thru' lanes to be developed in a location outside the root protection area of the frontage trees safeguarding the green corridor along Caton Road.

### 7.3 Principle of Development

7.3.1 The site is allocated as employment land (Caton Road) and as such development within this area should be limited to B1 (Business), B2 (General Industrial) and B8 (Storage and Warehouse) uses only. The proposal is considered to be a mixed A3/A5 (Restaurant and Hot-Food Takeaway) use. Development as a restaurant will lead to future de-allocation of this site, and as such the development is contrary to the Development Plan.

7.3.2 However, the principle of the use and detail of the application has been previously accepted and the applicant has a viable fall-back position of the extant consent 14/00775/FUL. Whilst this fall-back position is not ideal for the long term protection of the trees, this resubmission is not considered to warrant a renegotiation of any matters previously agreed. In particular, in responding to the current proposal, the policy section has confirmed that the strategic position in respect of employment land has not changed since the earlier decision and on the creation of new employment opportunities and the precedent for leisure uses in this area of Lancaster outweigh the loss of this particular allocated employment land and departure from planning policy.

### 7.4 Highway and traffic matters

7.4.1 The current proposal seeks to retain the previously agreed access position and the off-site improvement works all of which gained the support of the highway authority. The current application has been supported by an agreed travel plan to be updated and audited, a Car Park Management and Delivery Plan/Strategy and Construction Management and Routing Plan. A site-specific travel plan will be drawn up (within 6 months of opening) to help facilitate modal shifts where possible. The plans will be annually updated and assessed over the next 5 years of operation. To aid assessment of the audited plans by the County Council, a request for a contribution figure of £6000 has been previously made which will be provided by the developer and secured by way of a Section 106 Agreement with the City Council. The applicant has recognised the need to provide this contribution and it is anticipated that the current proposal will be supported by a formal deed of variation (of the former agreement) or a self-standing S106 agreement.

7.4.2 A Section 278 Agreement under the Highways Act will be required for the off-site highway works. This will be entered into directly with the applicant and the County Council as Highway Authority. Operation of the restaurant would not be able to commence until the agreed works had been fully implemented. The requirement for the works and the timing of operation would be secured by condition.

7.4.3 Finally, the access design is not considered to highlight any operational concerns. Internally, the car park provides for sufficient car parking provision. The agreed management plan addresses parking, servicing, deliveries, waste collection, security, parking enforcing and prevention of misuse. The agreed plan will need to be implemented prior to the use of the car park and be aligned with the developing Travel Plan.

### 7.5 Impact on the Lune Aqueduct and other Heritage Assets

7.5.1 The site is located to the north east of the Lancaster Canal and west of the Grade I Lune aqueduct both of which are considered to be designated heritage assets. The canal towpath lies at a level of 21.6m Above Ordnance Datum (AOD) and the application site has a finished floor level of 12m AOD, some 10m below the canal towpath. The closest point of the canal is 65m from the edge of the site and over 120m to the building. The intervening area comprises a large tree-lined embankment supporting the canal and a recently constructed car-parking area for use by canal visitors. Views of the site from the canal towpath are limited to a narrow viewpoint on the bridge over Caton Road. The geometry of the canal preventing views on approach from the west, level change and vegetation prevent views of the site on approach from the north.

7.5.2 Lancaster Aqueduct is a Grade I construction which spans the Lune Gorge. It is a spectacular construction when viewed from the banks of the Lune and the lower areas of land surrounding the aqueduct. The aqueduct is situated approximately 260m from the application site at a significantly different level with only a visible backdrop of large industrial buildings to the east and west where the

extensive tree cover allows. Inter-visibility between the development site and the aqueduct is only gained on the bend of the canal over Caton Road. In this location the aqueduct is approximately 300m away and is perceived only as a stone balustrade. The nature of the aqueduct, its spanning of the Lune Gorge and its physical form are only appreciated much closer to the structure, further north along the canal than the application site.

- 7.5.3 Comments has been made by the Canal & Rivers Trust to seek assurance that the potential impact of the development upon the neighbouring heritage assets (the Lune Aqueduct and to a lesser degree the Lancaster Canal as a heritage asset in its own right) are considered in line with guidance set out in the National Planning Policy Framework. These consultation comments have been given careful consideration with a detailed site inspection having previously been undertaken by the Conservation Officer. The inspection included taking views along the canal, from the listed canal bridge on Halton Road and along the banks of the River Lune. The Conservation Officer concluded that proposal is not considered to have an impact on the setting of the Grade I listed aqueduct.
- 7.5.4 A limited view of the western end of the site i.e. the car park, is gained from the bridge over the canal but this restricted not only in position by the presence and retention of the trees along the site frontage and to a lesser degree by retained trees on the west boundary. Again, the development is not considered to have an undue impact the designated heritage asset, the Lancaster Canal.
- 7.5.5 Comment has also been raised over the effect of the development upon the recently developed Lune Aqueduct Habitat Enhancement Scheme. This is an area of land at the base of the canal embankment bounded on its eastern side by large portal framed buildings. The improvement were developed in conjunction with a new car park alongside the canal on its eastern side and improvements to cycle linkage from the Lune Cycleway onto the canal on its western side. They include a footpath link at the northern end of the enhancement scheme. Overall improvements included the retention of trees along the western boundary and additional tree planting to create a visual buffer between the nature area and the industrial site, including the current application site. The new building and car park could be partially visible, but it is not considered that development of the site will unduly impact upon the use of the nature area.

## 7.6 Other Matters

- 7.6.1 Trees – The scheme will result in the loss of three trees on the Caton Road frontage in part due to health but also to facilitate the widened site access. Works are also proposed to crown-raise the trees. The revisions to the scheme, in particular the re-positioning of the building and external works have allowed the remedial works to address de-contamination to be undertaken wholly outside the tree protection area resulting in no further impact on the frontage trees other than the loss of trees to facilitate the site access and address health and safety. The application is supported by a detailed tree survey and Arboricultural Impact Assessment and a landscaping scheme which includes the development of a 'living wall' to the north edge of the protected trees. The approach to the development and ongoing landscaping has the support of the Tree Protection Officer. The scheme is considered to satisfactorily address previous concerns over possible root damage in implementing the earlier extant planning consent. Subject to suitable conditions to ensure construction in accordance with the submitted AIA and landscape plans, the proposal is considered acceptable.
- 7.6.2 Contamination – The site lies close to railway sidings and a silk/acetate works in addition the land has been subject to levels changes (fill) in the relatively recent past. The application has been the subject of detailed examination since the grant of the original consent in 2015. The current proposal is supported by a suite of documents addressing contamination at the site. This includes a Radon report, a revised gas and radon assessment, a remedial and verification strategy to support the contamination report. The NPPF acknowledges that consideration must be given to assessing contamination and has already been the subject of discussion with the contaminated land officer.
- 7.6.3 The final views of the Contamination Officer have yet to be received but it is considered that given the nature of the development, assessment and remediation, if required, these issues can be satisfactorily addressed by condition subject to approval of the principle of the development.
- 7.6.4 Residential Amenity – The site lies on the north side of Caton road surrounded by industrial uses to the immediately to the north and east. The industrial operation have no restrictions on the hours of operation and many operate 24 hours a day. Caton Road is one the main arterial roads to and from Lancaster with direct links to the M6 at junction 34. The road is used at all times of the day and

night. A larger development of residential properties lie to the east of the site some 100m from the car parking area and site access and small number of dwellings are located directly opposite the site some 50m from the site entrance. The normal hours of operation for this development is 24 hours a day, 7 days a week and given the presence of the uncontrolled industrial development and main access road it is not considered reasonable to restrict the operational hours of the development.

- 7.6.5 Flood Risk – the site lies outside Flood Zone 2 and 3 but is immediately alongside areas which fall within the flood zones. In practice, the land contained within the application site lies significantly higher than the neighbouring land which is at the base of 3/4m high embankments. The drainage scheme has been designed to minimise the risk of flooding or affecting neighbouring land. The application has been supported by a Flood Risk Assessment (FRA) which is acceptable to the Environment Agency. Subject to development in accordance with the agreed FRA, the approach to flood protection is considered acceptable.
- 7.6.6 Drainage – the scheme is to be developed on a separated system, the foul water flows will be directly into the public sewer. The surface water strategy has investigated a soakaway system of drainage but given the site levels and the presence of embankments and lower level land uses this is not considered to be feasible. Instead the surface water will be connected to existing surface water drainage infrastructure in the area. The onsite drainage system will contain elements to minimise runoff and reduce the risk of flooding on site and to surrounding areas. Drainage will be designed to cater for a 1:100 year with 30% climate change rainfall. The discharge rate from the site will be controlled to greenfield runoff rates at less than 5l/s. This will be achieved using on-site attenuation storage. The approach and design of the drainage system has gained the support of Untiled Utilities as part of the agreement of condition under 14/00775/FUL. Subject to development in accordance with the submitted plans, the approach to foul and surface water drainage of the site is considered acceptable.
- 7.6.7 Litter Patrol – the supporting Planning Statement identifies that it is company policy to conduct a minimum of three daily litter patrols whereby employees pick up not only McDonald's packaging but also any other litter that may have been discarded in the vicinity of the restaurant.
- 7.6.8 The agents have set out in their response that it is considered that in principle litter patrols should not be conditioned as part of the planning consent. Litter is covered by the Environmental Protection Act 1990, Sections 89(1), 89(2), and 86(9). Matters which are covered by legislation outside of planning, should not be controlled by planning permissions. Controlling McDonald's litter patrols via condition is considered unreasonable and would fail the test set down within guidance.
- 7.6.9 Notwithstanding this view some further information has been provided as to the company's general approach to litter patrol being general collection within a minimum of 150m radius of the site. The precise routing and frequency only being determined after the restaurant is open. Litter bins are provided outside all restaurants, and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. Anti-littering signage is displayed within restaurants and car parks. McDonalds consider that it is the communities' responsibility to reduce littering and they actively encourage this with their links to Keep Britain Tidy initiatives, and National Tidy Groups.
- 7.6.10 It is considered that the position statement set out by the applicant is correct, and whilst historically some restaurants have litter patrol conditions attached to them such issues are addressed by other legislation and as outlined, attachment of a condition demanding litter patrol via the planning consent is considered to unnecessary, not relevant to planning and unreasonable would fail the test set down in the National Planning Policy Framework.
- 7.6.11 The control of litter pollution will be addressed independently by public education, community involvement and on a day to day basis by the company's own policy to reduce litter in the location of the restaurant.

## **8.0 Planning Obligations**

- 8.1 County Highways have identified and agreed a need to provide a site specific Travel Plan following occupation of the development. This will enable specific staff travel modes to be understood and a site specific plan to be adopted to encourage modal shift to more sustainable transport measure. To aid assessment of the audited plans by the County Council, a request for a contribution figure of £6000 has previously been made and secured by way of a S106 Agreement with the City Council.

The applicant has previously recognised the need to provide this contribution with the provision of a S106 Agreement. The current proposal will need to be supported by a formal deed of variation (of the former agreement) or a self-standing S106 agreement.

## **9.0 Conclusions**

9.1 In conclusion, given the specific elements relating to this site it is concluded that upon balance, the creation of new employment opportunities and the precedent for leisure uses on this particular site outweigh the loss of allocated employment land and departure from planning policy. A position previously agreed under the extant consent 14/00775/FUL. It has been demonstrated that subject to the specific off-site highway works the development can be accommodated without significant impact on the highways network, character and appearance of the area or designated heritage assets and is an improvement upon the original consent in respect of its relationship to the protected trees along the Caton Road frontage. Subject to appropriate conditions, the development should be supported.

## **Recommendation**

That Planning Permission **BE GRANTED** subject to the following conditions with the determination being delegated to the Chief Officer to enable the following S106 agreement to be drafted, signed and endorsed.

- *The S106 legal agreement/Deed of Variation to provide for £6,000 to aid the assessment of the audited travel plans by the County Council.*

1. 3 year time limit
2. Development in accordance with the approved plans (General arrangement, foundation plan, external finishes, retaining wall construction, site levels, lighting arrangement, landscaping plan)
3. Off-site highway works as approved plans
4. Off-site works to be implemented prior to occupation
5. Agreed Travel plan to be audited and updated
6. Developed in accordance with the agreed Car Park Management and Delivery Plan/Strategy
7. Developed in accordance with the agreed Construction Management plan
8. Developed in accordance with the agreed Flood Risk Assessment
9. Developed in accordance with the agreed Ground gas and Radon Assessment
10. Developed in accordance with the agreed Remediation Strategy and Verification Plan
11. Developed in accordance with the agreed Arboricultural Impact Assessment and Method Statement
12. Gross floor areas not to be increased or parking areas reduced
13. Redundant vehicle crossing to be reinstated at the developer's expense
14. Development to be drained on a separated system
15. Hours of Construction

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

In accordance with the above legislation, the City Council can confirm that 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