

PART 5: Planning Applications for Decision

Item 5.1

1 APPLICATION DETAILS

Ref: 21/05313/FUL
 Location: Land And Garages Rear Of 1 To 4 Mulberry Lane Accessed Between 36 And 38 Havelock Road
 Ward: Addiscombe East
 Description: Demolition of garages and construction of 4 mews houses with associated landscaping, cycle storage and refuse provision
 Drawing Nos: ML_L_070 P01, ML_L_075 P01, ML_L_080 P02, ML_L_090 P02, ML_L_100 P13, ML_L_110 P08, ML_L_120 P08, ML_L_200 P07, ML_L_201 P05, ML_L_202 P04, ML_L_203 P04, ML_L_204 P04, ML_L_205 P02, ML_L_300 P02
 Applicant: Mr Walsh
 Agent: Ms Brownfield
 Case Officer: Victoria Bates

Housing Mix							
	1 bed (1 person)	1 bed (2 person)	2 bed (3 person)	2 bed (4 person)	3 bed (5 person)	3 bed (6 person)	TOTAL
Existing	0	0	0	0	0	0	0
Proposed (market housing)	1	0	1	1	0	1	4
Proposed (affordable rent)	0	0	0	0	0	0	0
Proposed (shared ownership)	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	1	4

Vehicle and Cycle Parking (London Plan Standards)	
PTAL: 4	
Car Parking maximum standard	Proposed
0.5-0.75 per unit	0
Long Stay Cycle Storage minimum	Proposed
7	7
Short Stay Cycle Storage minimum	Proposed
0	0

1.1 This application is being reported to committee because:

- Objections above the threshold in the Committee Consideration Criteria have been received

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission
- 2.2 That the Director of Planning Sustainable Regeneration is delegated authority to issue the planning permission subject to:
- C. The prior completion of a legal agreement to secure the following planning obligations:
- a) Restriction of parking permits
 - d) Any other planning obligation(s) considered necessary by the Director of Planning and Sustainable Regeneration
- 2.3 That the Director of Planning and Sustainable Regeneration is delegated authority to negotiate the legal agreement indicated above.
- 2.4 That the Director of Planning and Sustainable Regeneration is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) Commencement time limit of 3 years
- 2) Carried out in accordance with the approved drawings

Pre-commencement

- 3) Construction Logistics Plan to include a survey of the public highway

Prior to above ground floor slab level

- 4) Sustainable urban drainage (SuDS)
- 5) External materials and samples
- 6) Landscaping

Compliance

- 7) Accessibility (M4(2) and M4(3))
- 8) Refuse, cycle stores and play space to be provided as approved
- 9) In accordance with the Tree Survey
- 10) In accordance with the Fire Statement
- 11) Energy and water efficiency requirements
- 12) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) Granted subject to a Section 106 Agreement
- 2) Community Infrastructure Levy
- 3) Code of practice for Construction Sites
- 4) Highways informative in relation to s278 and s38 works required
- 5) Compliance with Building/Fire Regulations
- 6) Construction Logistics Informative

7) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

2.5 That, if by 10 February 2023 the legal agreement has not been completed, the Director of Planning and Sustainable Regeneration is delegated authority to refuse planning permission.

3 PROPOSAL AND LOCATION DETAILS

Proposal

3.1 The application seeks planning permission for the erection of four, part single part two storey dwellings. The houses would be accessed from the Havelock Road. Each house would have its own private external amenity space, bin store and cycle store.



Amendments

3.2 Amended plans were received during the course of the application to address officer concerns. These included the straightening of steps to the dwellings to improve accessibility, removal of first floor terraces, the resizing of a bedroom in Unit 4 to meet standards and increased planting to the front of each dwelling.

3.3 Given that the changes were minor amendments, no further consultations were considered necessary by the LPA.

Site and Surroundings

3.4 The site is located at the rear of the properties that face onto Havelock Road, Mulberry Lane and Outram Road. It is accessed from a single lane road from Havelock Road. Garages currently occupy the site. It is within the East India Conservation Area and has a low risk of surface water flooding. The site is close to 41-47 Outram Road which are locally listed.



Planning Designations and Constraints

3.5 The site is subject to the following formal planning constraints and designations:

- PTAL: 4
- Flood Risk Zone: Low surface water flooding risk
- East India Conservation Area

Planning History

3.6 The following planning decisions are relevant to the application:

21/01134/PRE - Demolition of garages and the erection of 2 x single storey buildings with accommodation in the roof space consisting of 4 maisonettes with associated cycle parking, refuse storage and landscaping

20/03184/FUL - Demolition of garages and erection of a two storey building consisting of 5 flats with associated car parking, cycle parking, refuse storage and landscaping - Refused on character, harm to trees, neighbour amenity, transport, refuse and accessible units

20/01045/PRE - Demolition of existing garages and erection of a two storey building to provide 6 flats

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The principle of the intensified residential development is acceptable given the residential character of the surrounding area and the need for housing nationally and locally;
- There is an acceptable mix of unit sizes with all dwellings capable of being classified as family homes;
- The quality of accommodation is acceptable for future residents;
- The design and appearance of the development is of an acceptable quality, and would preserve and enhance the character of the surrounding Conservation area;
- The proposal would not create undue harm to the amenity of nearby residential properties and their occupiers;
- The development would be car free, not adding to on street parking pressure
- All remaining sustainability aspects can be controlled by conditions.

4.1 The following sections of this report summarise the officer assessment and the reason for the recommendation.

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5.2 The following were consulted regarding the application:

6 LOCAL REPRESENTATION

6.1 A total of 43 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of one or more site notices displayed in the vicinity of the application site. The application has also been publicised in the local press. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 52 Objecting: 48 Neutral: 1 Supporting: 3

(One of the comments of support was from the applicant)

6.2 The following local groups/societies made representations:

- HOME Residents Association [objecting]
- Mid Croydon Conservation Area Advisory Panel [objecting]

6.3 The following MP made representations:

- Sarah Jones MP

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objection	Officer comment
Character and design	
Overdevelopment/high density	Acknowledged and addressed in paragraphs 8.6 – 8.19 of this report.
Harm to Conservation Area	
Inappropriate materials	
Obtrusive by design	
Neighbouring amenity	
Loss of light	Acknowledged and this is addressed in paragraphs 8.28 – 8.35 of this report.
Overlooking	
Overshadowing/dominance/visual intrusion	
Disruption through construction	
Quality of accommodation	
Constrained accommodation	Acknowledged and this is addressed in paragraphs 8.20-8.21 of this report.
No shared amenity space or playspace	This is not required for schemes of less than 10 dwellings

Fire Safety	Acknowledged and this is addressed in paragraph 8.47 of this report.
Transport and Highways impacts	
Highway Safety of access road	Acknowledged and this is addressed in paragraphs 8.38 – 8.43 of this report.
Stress on on-street parking	
Tress and ecology	
Detrimental impact on trees	Acknowledged and this is addressed in paragraphs 8.36-8.37 of this report.
Lack of landscaping	
Flooding	
Drainage/flooding	Acknowledged and this is addressed in paragraphs 8.55 of this report.
Support	Officer comment
Benefit of new homes	
Improvement from the existing dilapidated garages	
High quality family housing	
Respects surroundings	

7 RELEVANT PLANNING POLICIES AND GUIDANCE

Development Plan

7.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2012). Although not an exhaustive list, the policies which are most relevant to the application are:

London Plan (2021)

- D1 London's form, character and capacity growth
- D3 Optimising site capacity through the design led approach
- D4 Delivering Good Design
- D5 Inclusive Design
- G5 Urban Greening
- G6 Biodiversity and access to nature
- G7 Trees and Woodlands
- SI 2 Minimising Greenhouse Gas Emissions
- SI 8 Waste Capacity and Net Waste Self-Sufficiency
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- HC1 Heritage Conservation and Growth

Croydon Local Plan (2018)

- SP2 Homes
- SP4 Urban Design and Local Character
- SP6 Environment and Climate Change
- DM1 Housing Choice for Sustainable Communities
- DM10 Design and Character

- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM18 Heritage Assets and Conservation
- DM19 Promoting and Protecting Healthy Communities
- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM27 Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion

7.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

Planning Guidance

National Planning Policy Framework (NPPF)

7.3 Government Guidance is contained in the NPPF, updated on 20 July 2021, and accompanied by the online Planning Practice Guidance (PPG). The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Delivering a Sufficient Supply of Homes
- Promoting Sustainable Transport
- Achieving Well Designed Places

SPDs and SPGs

7.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- London Housing SPG (March 2016)
- London Mayoral Affordable Housing SPG: Homes for Londoners (August 2017)
- Technical Housing Standards: Nationally Described Space Standard (2015)
- National Design Guide (2021)
- East India Estate Conservation Area Appraisal and Management Plan (CAAMP)

8 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principle of development
2. Design and impact on character of the area
3. Quality of residential accommodation
4. Impact on neighbouring residential amenity

5. Trees, landscaping and biodiversity
6. Access, parking and highway impacts
7. Flood risk and energy efficiency
8. Fire
9. Other Planning Issues
10. Conclusions

Principle of development

- 8.2 The Croydon Local Plan sets out a housing target of 32,890 homes over a 20-year period from 2016-2036 (1,645 homes per year). The London Plan requires 20,790 of those homes to be delivered within a shorter 10 year period (2019-2029), resulting in a higher target of 2,079 homes per year.
- 8.3 The Croydon Local Plan (CLP) also sets out a target for development on Windfall sites of 10,060 homes (approximately 503 per year). The London Plan requires 6,410 net completions on small sites (below 0.25 hectares in size) over 10 years, with a small-sites housing target of 641 per year.
- 8.4 CLP Policies SP2.7 and DM1.1 set a strategic target for 30% of all new homes over the plan period to have 3 or more bedrooms to meet the borough's need for family sized units and ensure that a choice of homes is available in the borough.
- 8.5 Of the 4 units proposed, 1 unit would have at least 3 bedrooms. This equates to 25%. Given the small number of units, this provision is deemed acceptable.

Design and impact on character of the area

- 8.6 CLP policy SP4.1 states that the council will require development of a high quality, which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape to create sustainable communities.
- 8.7 CLP policy DM10.1 has a presumption in favour of 3 storey dwellings, which should respect the development pattern, layout; siting, the scale, height, massing, and density; and the appearance, existing materials, and built and natural features of the surrounding area.
- 8.8 CLP Policy DM10.7 requires developments to incorporate high quality materials that respond to the local character in terms of other things durability, attractiveness, sustainability, texture and colour. This policy also requires roof forms to positively contribute to the character of the local and wider area with proposals being sympathetic with its local context.
- 8.9 CLP Policy DM18.2 which says that new development affecting heritage assets should be 'of a high quality design that integrates with and makes a positive contribution to the historic environment'.
- 8.10 The site is in the East India Estate Conservation Area. The area is characterised by a concentration of high-quality historic buildings, formal street layout, and spacious character with buildings in generous plots. The existing garages and hardstanding don't make any particular contribution to the special character of the area, but the buildings are small and not widely visible, so the openness of the rear garden area in which the site sits is preserved.

- 8.11 There is no in principle objection on heritage grounds to demolition of the existing buildings and redevelopment of the site. However, demolition should only be considered acceptable where the new development would be of a high quality and would make a positive contribution to the character of the area (as is set out in Croydon's Conservation Area General Guidance SPD 5.1D) and in the East India Estate CAAMP (9.1 Demolition).
- 8.12 Dwellings have been proposed as opposed to the flats proposed in the previous application, and their footprint clearly responds to that of the surrounding building pattern. The articulated, stepped massing further emphasises this relationship to the width of surrounding buildings and creates opportunity for views through the site (creating a greater sense of openness) and providing more space for greenery in the private amenity areas and communal mews. The overall design approach has improved and demonstrates a higher quality and more considerate response than previous proposals.
- 8.13 Massing is subservient in height to the surrounding dwellings. Height slopes up towards the middle of the site - further reducing impact on neighbours whilst providing an effective frontage to the mews street and capturing south light for the first floor rooms.
- 8.14 A sunken ground floor and courtyards is supported from a design perspective to allow an additional storey of accommodation and better internal ceiling heights without excessive height perceived from neighbouring properties.
- 8.15 The dwelling sizes are proportionate to the surrounding plot widths and building widths, which demonstrates consideration of the building pattern.
- 8.16 Massing responds to the stepping articulation. This stepped articulation reduces the impact of the massing on the neighbours (by avoiding an expansive elevation), allows for long views and vistas to be achieved through the site and allows the units to have amenity space and large glazing without direct overlooking and whilst still receiving good levels of daylight and outlook. This strategy has enabled good quality accommodation to be provided on what is a very compact site.
- 8.17 The new mews is lined with planters and in-built seating which will create a pleasant environment. Improvements to the access through reinstating boundary treatments and resurfacing is welcomed.
- 8.18 The proposed use of pale/tallow brick to reference surrounding character is acceptable. Given the importance of materials in this scheme, full details would be conditioned.
- 8.19 Conclusion: The development would be a significant improvement on the existing deteriorating garages and access. The design approach is considered to respect the character of the East India Conservation Area, in terms of design, height, scale, massing and layout and the proposed landscaping is well considered. This is in accordance with DM10 and DM18 of the Croydon Local Plan and HC1 of the London Plan as the proposal is considered to preserve and enhance the appearance of the East India Conservation Area.

Quality of residential accommodation

8.20 London Plan (LP) policy D6 states that housing developments should be of a high quality and provide adequately sized rooms with comfortable and functional layouts. It sets out minimum Gross Internal Area (GIA) standards for new residential developments. CLP policy SP2.8 also deals with quality and standards. The table below demonstrates the GIAs of each residential dwelling:

Unit	Size (bedroom/person)	GIA (sqm) proposed	Min. GIA (sqm)	Amenity Space (sqm)	Min. Amenity Space (sqm)	Built in storage space (sqm)	Min. built in storage space (sqm)
1	2b3p	70m ²	61m ²	21m ³	6m ²	3	2
2	2b4p	80m ²	70m ²	13m ³	7m ²	2.1	2
3	3b6p	102m ²	102m ²	27m ²	9m ²	2.5	2.5
4	1b1p	39m ²	37m ²	9m ²	5m ²	1	1

Table 1: scheme considered against London Plan Policy D6 and Table 3.1

8.21 As shown on the table above, all units comply with LP standards on minimum floorspace areas and amenity space. In particular, units 1 and 2 would be 10 and 20sqm larger than the minimum requirements and all amenity spaces would be larger than the minimum requirements also. All bedrooms within the proposal comply with parts 2, 3, and 4 of policy D6 in relation to bedroom size standards. Each dwelling would also have a floor to ceiling height of 2.5m for at least 75% of the floor space of the entire dwelling. All of the dwellings are dual aspect, therefore allowing for adequate light levels and ventilation.

8.22 The dwellings would be partly below ground. The height of the floor levels would not be so deep to compromise outlook or access to light.

8.23 CLP policy DM10.4c states: All proposals for new residential development will need to provide private amenity space that provides a minimum amount of private amenity space of 5m² per 1-2 person unit and an extra 1m² per extra occupant thereafter.

8.24 All of the units have adequate private amenity space in excess of the standards. In addition, there is a courtyard in front of the dwellings which could be informally used by residents as this space will be car free.

8.25 LP policy D7 states that 10% of new build housing should meet Building Regulation requirement M4(3) 'Wheelchair User Dwellings'; and all other dwellings should meet the Building Regulation requirement M4(2) 'Accessible and Adaptable Dwellings' which requires step free access to all units and the facilities of the site.

8.26 Unit 4 would be M4(3) compliant and the other three units would be M4(1) as there are steps down to the front door and tight staircases internally which are unlikely to be suitable for stairlifts. On balance this is considered acceptable as this design has been chosen to keep the height of the building down to minimise impact on neighbouring amenity.

8.27 Overall, the standard of accommodation is considered to be acceptable, subject to conditions.

Impact on neighbouring residential amenity

- 8.28 CLP policy DM10.6 states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels. CLP policy DM10.6(c) outlines that proposals for development should not result in direct overlooking of private outdoor space (with the exception of communal open space) within 10m perpendicular to the rear elevation of a dwelling.
- 8.29 To the north of the site is 1-4 Mulberry Lane. This is a two storey terrace that abuts the site. Currently, at the end of their gardens is the 2.9 metre wall of the garages. The separation distance at first floor to the boundary is 18 metres. At ground floor, the properties have original and non-original projections measuring between 1.5 metres and 3.3 metres. 1-3 have sheds and outbuildings at the rear of the gardens. All properties are at a slightly higher level than the application site, with steps down to the gardens.
- 8.30 The northern elevation of the development has been designed to minimise impact on these neighbours. The ground floor would be no higher than the existing garages (and shorter at the rear of 1 Mulberry Lane)- shown by the blue dotted line on the image below. The elements of first floor would measure 1.6 metres taller than the existing garages – 4.4 metres in total. The first floor elements have been separated into three sections in order to minimise the visual dominance of this elevation. In addition, all of the properties have sections of single storey at the rear of the garden. The proposal would therefore not cause a loss of outlook or would appear oppressive or excessive in size from 1-4 Mulberry Lane. No windows are proposed on the northern elevation, so privacy would be protected.



- 8.31 To the east of the site is 53 Outram Road which is converted into flats. The wall to wall separation distance between the rear of number 53 and the side elevation of the 3 bedroom unit is 18.2 metres. The two storey element of this dwelling would be set off the boundary by 2 metres. 18 metres is considered sufficient by the London Housing Guide. The eastern elevation would also only have three small windows serving the living room which would not result in a loss of privacy given their size and separation.

- 8.32 To the west, the properties that face onto Havelock Road would be separated from the western elevation of the development by at least 22 metres. Given the separation distance, this relationship is acceptable.
- 8.33 It is considered that other properties in the vicinity of the site are of a sufficient distance to mitigate against any unacceptable amenity impacts. Details of external lighting could be secured via condition to ensure that the proposal would not result in light pollution.
- 8.34 It is acknowledged that with any build, whilst there may be slight disturbances and inconveniences for neighbouring properties, there are no grounds to refuse planning permission based on construction impacts. A Construction Logistics Management Plan can be secured through condition which would seek to protect neighbouring amenities as far as possible during this time. In addition, under the Control of Pollution Act 1974, the council has a Construction Code of Practice which sets out when construction and demolition work can occur, and it is not expected that works will be permitted to take place out of these hours. This would be placed as an informative (in the event planning permission is granted) and is enforceable under the Environmental Health Acts.
- 8.35 Overall, any potential amenity impacts on neighbouring occupiers are considered to have been adequately mitigated by spatial separation between neighbouring properties. Furthermore, the orientation of the proposed development and the existing orientation of the surrounding neighbouring properties is favourable to mitigate adverse impacts. The proposal would therefore comply with policy DM10.6.

Trees, landscaping and biodiversity

- 8.36 LP Policy G7 and CLP policy DM10.8 and DM28 seek to retain existing trees and vegetation. CLP policy DM10.8 requires proposals to incorporate hard and soft landscaping.
- 8.37 The applicant has submitted a Tree Survey and landscaping plan which has been reviewed by the Tree Officer who raises no objection. The proposal would introduce landscaping where there is currently none which would result in a net gain in biodiversity.

Access, parking and highway impacts

- 8.38 The site has a PTAL (Public Transport Accessibility Level) of 4 which is good on a scale of 1a-6b. The site is within walking distance of Sandilands tram stop and bus services. The site is currently occupied by garages.
- 8.39 A contribution of £1,500 per unit would be secured towards improvements to sustainable transport including but not limited to on street car clubs with EVCP's as well as EVCP's in general as per SP8.12 and SP8.13 of the Croydon Local Plan.
- 8.40 The development would be car free. No car parking is proposed on site and a legal agreement will be sought to restrict future occupants from applying for parking permits for the surrounding Controlled Parking Zone (CPZ). The applicant has provided information that the existing garages are either empty or used for storage, so the proposal would not result in an increase in on street parking.
- 8.41 As the development is car free, only users of the remaining garages would enter/exit the site which would be infrequent. Planting would prevent residents from parking

within the development. The Council are satisfied that that the swept path analysis shows that vehicles are able to enter and exit the site safely and pedestrians would have safe passage along the access road.

- 8.42 CLP Policy DM30 and LP policy T5 (and Table 10.2) requires the provision of a total of 7 no. cycle parking spaces for residents. Each unit would have their own store in their courtyard. Residents of three of the four units would have to access their store (and front door) down a couple of steps. Although not ideal, this is not considered overly difficult for residents and is therefore acceptable.
- 8.43 A condition would be attached to require submission of a Construction Logistics Plan (CLP) which shall include a survey of the surrounding footways and carriageway prior to commencement of works on site.

Flood risk and energy efficiency

- 8.44 In accordance with Policies SI 12 and SI 13 of the London Plan 2021 and Policy DM25 of the Croydon Local Plan the development is required to provide SuDS to reduce the cause and effect of flooding. The site is within Flood Zone 1, an area of low risk of surface water flooding. The following SUDs are proposed- green roofs and permeable paving. The current site has hardstanding and this would improve the situation. Full details would be conditioned.
- 8.45 CLP policy SP6 requires development proposals to both achieve the national technical standard for energy efficiency in new homes.
- 8.46 To ensure that a reduction in CO2 emissions beyond the Building Regulations Part L is achieved and that a minimum water efficiency standard of 110 litres/person/day as set out in Building Regulations Part G is met a condition is deemed necessary.

Fire safety

- 8.47 LP policy D12A states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. The applicant has submitted a Fire Statement which sufficiently demonstrates that the proposal complies with the requirements of the London Plan 2021, which will be conditioned, with final fire safety measures secured at the Building Regulations stage. The furthest unit would be 79 metres from the street. The standing advice from the Fire Brigade is that all two storey dwellings should be provided with individual fire suppression systems in the form of mist or sprinkler systems if 90 metres from the street. The proposal would comply with this advice.

Other Planning Issues

- 8.48 The development would be liable for a charge under the Community Infrastructure Levy (CIL).

Conclusions

- 8.49 The scheme would provide 4 homes including one family sized home on a site which is currently occupied by dilapidated garages. The development has been carefully designed to limit impact on neighbouring amenity, whilst respecting the character of the East India Conservation Area. The design is considered high quality and would allow views through the site. The proposal would introduce landscaping where there is

currently none, resulting in a increase in biodiversity. The scheme would also be car free, and would provide a good standard of accommodation for future residents.

8.50 All other relevant policies and considerations, including the statutory duties set out in the Equalities Act 2010, the Human Rights Act, the Planning and Compulsory Purchase Act, and the Town and Country Planning Act, have been taken into account. Given the consistency of the scheme with the Development Plan and weighing this against all other material planning considerations, the proposal is considered to be acceptable in planning terms subject to the detailed recommendation set out in section 2 (RECOMMENDATION).