

PART 5: Planning Applications for Decision

Item 5.1

1 APPLICATION DETAILS

Ref: 24/00305/FUL
Location: 172 Foxley Lane, Purley, CR8 3NF
Ward: Purley and Woodcote
Description: Alterations. Change of use from single family dwelling (Use Class C3) to a 6-bedroom 7-person HMO (Sui Generis). Alterations to front boundary treatment.
Drawing Nos: 7099/LO/01; 7099/LO/03_A; 7099/LO/04_A; 7099/LO/05_A; 7099/LO/06; 7099/PL/02; Design and Access Statement; Transport Statement prepared by Crosby Transport Planning dated December 2023
Applicant: Mr K Ali
Agent: Mr Mark Tadman
Case Officer: Andrew Foulkes

1.1 This application is being reported to committee because:

- The ward councillor (Cllr Samir Dwesar) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission.

2.2 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 and reports

Pre-occupation

- 3) Submission of details of Cycle Parking and Refuse Storage.
- 4) Submission of details of mechanical ventilation to kitchens and shower rooms.
- 5) Submission of an HMO Management Plan

Compliance

- 6) External and internal works to be carried out prior to occupation
- 7) The number of bedrooms shall not exceed 6 and the number of occupants shall not exceed 7 people
- 8) Implementation of car parking as shown on plans with no boundary treatments above 0.6m in the sightlines
- 9) Compliance with Fire Safety Strategy

- 10) Development to be carried out in accordance with submitted Transport Assessment
- 11) Any other planning condition(s) considered necessary by the Director of Planning and Sustainable Regeneration

Informatives

- 1) BNG informative
- 2) Any other informative(s) considered necessary by the Director of Planning and Sustainable Regeneration

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 This application seeks planning permission for the conversion of the existing dwellinghouse (C3) to a 6-bedroom, 7-person HMO (Sui Generis), with alterations to the front boundary treatment. An existing swimming pool within the rear garden would be filled in.
- 3.2 The submitted drawings state that 5 bedrooms would be single occupancy and 1 bedroom would be double occupancy for a total occupancy of 7 persons.
- 3.3 The ground floor would consist of one double occupancy bedroom, one kitchen for the use of 5 persons, one kitchen for the use of 2 persons, a management office, a residents office / quiet space, a lounge/dining area, and a shared WC. The first floor would consist of five single occupancy rooms. Each room within the HMO would have an en suite bathroom equipped with a lavatory, sink, and shower.



Figure 1: Street View of 172 Foxley Lane

Amendments

- 3.4 Amended floor plans were submitted to clarify that the second kitchen would be for the use of two occupants, rather than one as originally stated. This clarification did not require further consultation.

Site and Surroundings

- 3.5 The application site is located on the northwestern side of Foxley Lane and contains a large two-storey detached dwellinghouse (Use Class C3). The area is residential in character and comprises mainly of a mix of two-storey semi-detached and detached dwellings as well as some small-scale flatted developments.
- 3.6 The application site has a PTAL value of 1b, indicating very poor access to public transport. The site is located approximately 2.3km / 28 minute walk from the nearest railway station (Purley).



Figure 2: Aerial View of the Site

Planning History

The following planning decisions are relevant to the application:

82/02134/P - Erection of single storey side extension. Permission Granted 11.01.1983.

20/01830/FUL - Demolition of existing dwelling and erection of building to provide 9 residential units, with associated landscaping, parking, cycle, refuse storage and associated works. Permission Refused 10.07.2020.

21/03573/FUL - Demolition of existing dwelling and erection of building to provide 9 residential units, with associated landscaping, parking, cycle, refuse storage and associated works. Permission Refused 21.02.2022.

23/01867/FUL - Alterations. Change of use from single family dwelling (Use Class C3) to a 6-bedroom 7-person HMO (Sui Generis). Alterations to front boundary treatment. Permission Refused 24.08.2024

Refusal Reasons for 23/01867/FUL:

1. The applicant has failed to demonstrate that the proposal would not have a detrimental impact on local highway conditions by contributing to local parking stress, congestion, and therefore an adverse impact on highway safety. The proposed development is therefore contrary to policies SP8, DM29 and DM30 of the Croydon Local Plan.
2. The proposed cycle store, by reason of its inconvenient location, would fail to provide adequate cycle storage and would fail to promote sustainable travel

within the borough, contrary to Policies DM29 and DM30 of the Croydon Local Plan (2018).

4 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development is acceptable in principle meeting a housing need.
- The quality of the accommodation is acceptable for future occupants.
- There would be no unacceptable impact on the living conditions of adjoining occupiers.
- The proposal would retain existing landscaping.
- The level of parking and the impact of the development on highway safety is acceptable.

4.1 The following sections of this report detail the officer's assessment of the application against the material planning considerations and the relevant policies which have contributed to the recommendation that planning permission is granted.

5 CONSULTATION RESPONSE

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

6 LOCAL REPRESENTATION

6.1 Councillor Samir Dwesar objected to the application and asked for the application be referred to the planning committee, citing the following reasons:

- Loss of a family home
- Overconcentration of HMOs in the area
- Residential amenity
- Road Safety
- Cycling storage concerns
- Loss of privacy
- Flooding

6.2 A total of 18 neighbouring properties were notified about the application. 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: 1 Objecting: 1 Supporting: 0 Neutral: 0

No of petitions received: 0

6.3 Purley & Woodcote Residents Association have raised objection to the application, with the reasons summarised as follows:

- Loss of a family home
- Insufficient parking provision
- Out of keeping with the character of the area.

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 (2022). 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
- D7 Accessible housing
- D12 Fire safety
- D14 Noise
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- H1 Increasing housing supply
- H2 Small sites
- H8 Loss of existing housing and estate redevelopment
- SI 2 Minimising greenhouse gas emissions
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

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
- 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
- DM30 Car and cycle parking.

7.1 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)

- 7.2 Government Guidance is contained in the NPPF, updated on 20 December 2023 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.
- 7.3 There are also several Supplementary Planning Documents (SPD), Supplementary Planning Guidance (SPG) documents and London Planning Documents (LPD) 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)
 - Housing Design Standards LPG (2023)
 - HMO Standards reviewed 2024 [Croydon Council]
- 7.4 In addition, the HMO Housing Standards Act (2004) and the Mayor's Housing Supplementary Planning Guidance March 2017 are also relevant to the determination of this application.

8 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the committee must consider are:
- A. Principle of development
 - B. Design and impact on character of the area
 - C. Quality of residential accommodation
 - D. Impact on neighbouring residential amenity
 - E. Access, parking and highway impacts
 - F. Flood risk
 - G. Fire Safety
 - H. Conclusions

A. Principle of development

- 8.2 The application site lies within an established residential area comprising mainly a mix of two-storey semi-detached and detached dwellings with some small-scale flatted developments. Policy SP2.1 states that "In order to provide a choice of housing for people in socially-balanced and inclusive communities in Croydon, the Council will apply a presumption in favour of development of new homes provided

applications for residential development to meet the requirements of Policy SP2, SP3.14 and other applicable policies of the development plan”.

- 8.3 Policy DM10.2 of the Croydon Local Plan does not permit redevelopment that would result in the net loss of 3-bedroom homes (as originally built) or the loss of homes smaller than 130m². Whilst the property does have a number of additions, it is accepted that the original dwelling had four bedrooms and a total internal floor area of approximately 160m². As such the proposal would not result in the net loss of a 3-bedroom dwelling or a dwelling smaller than 130m².
- 8.4 Policy H9 (d) of the London Plan (2021) states that Boroughs should take account of the role of houses in multiple occupation (HMO's) in meeting local and strategic housing needs and are an important part of London's housing offer, reducing pressure on other elements of the housing stock. Paragraph 63 of the NPPF (December 2023) states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
- 8.5 The proposal would result in the loss of a larger family home however it would provide an alternative source of housing in line with London Plan policy H9(d) and Croydon Local Plan policy SP2.1.
- 8.6 It is noted that Foxley Lane currently contains four registered HMOs, these being at 131 Foxley Lane, which is opposite the application site, 51 Foxley Lane, and 61a Foxley Lane, the latter of which containing two registered HMOs. Given Foxley Lane contains in excess of 170 dwellings, it is not considered that the proposal would result in an over-proliferation of HMOs on Foxley Lane. It is further noted that the principle of development was accepted as part of the previous application 23/01867/FUL, with the refusal reasons for this application relating solely to highway matters.

B. Design and impact on character of the area

- 8.7 Policy DM10 of the Croydon Local Plan (2018) requires the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP4.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 also require development to be of a high quality which respects and enhances local character. Policies D2, D3, D4 and D5 of the London Plan (2021) are also of relevance.
- 8.8 London Plan Policy H2 requires boroughs to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

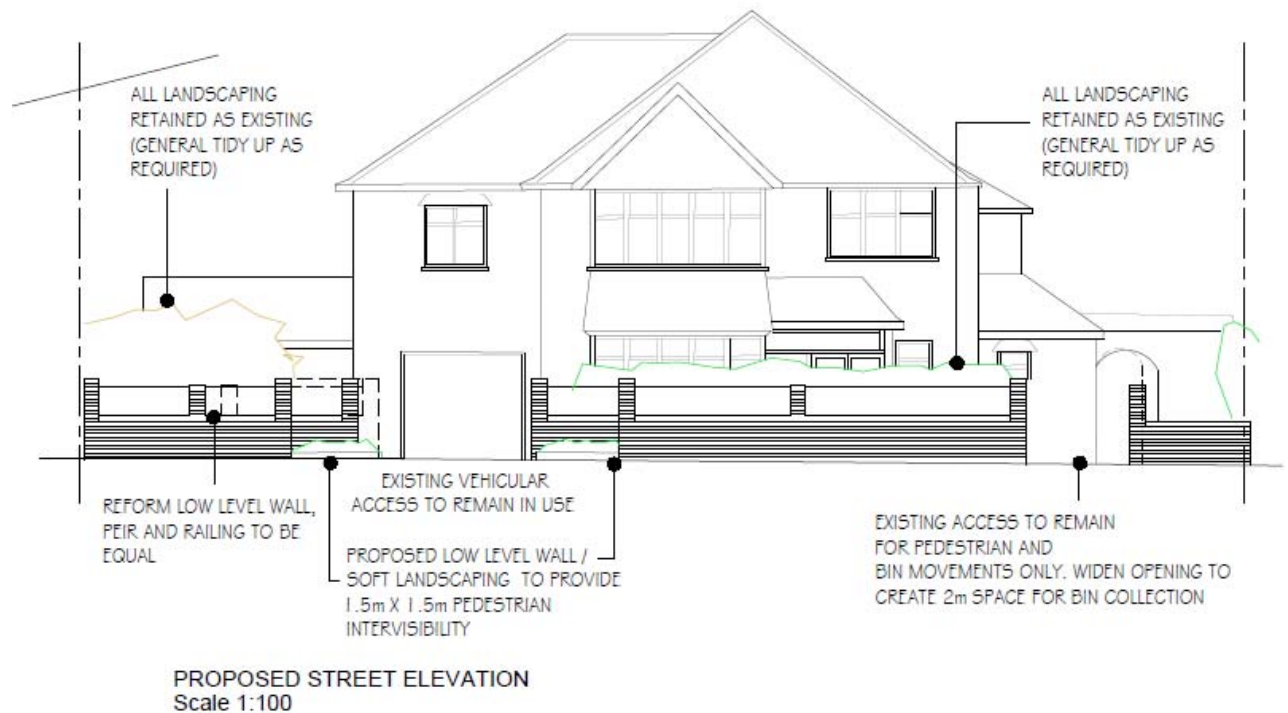


Figure 3 - Proposed Street Elevation

- 8.9 The proposal does not include any external alterations to the building apart from the replacement of the garage door with timber panelling incorporating a door to access the proposed cycle storage within the garage. Minor alterations would be made to the front boundary treatment involving partial removal of the front boundary wall to widen the vehicle access and the narrowing of the secondary access to restrict this to a pedestrian-only access. This change is considered minor and would not significantly impact the character of the host dwelling. The dwelling as existing has a large area of hardstanding to the front. The proposal would not result in any increase in hardstanding to the front and the proposed six parking spaces would be similar to the amount of car parking that is currently possible within the forecourt. The existing swimming pool within the rear garden is currently covered by a wooden decking. The proposed filling in of this swimming pool would therefore not result in a significant alteration to the character of the rear garden. As such the proposal would not have any significant impact on the character of the site and the surrounding area. The proposal would be compliant with Policies SP4 and DM10 of the Croydon Local Plan (2018) and D3 of the London Plan (2021).
- 8.10 The proposal is therefore considered to result in a development that complies with Local Plan Policy DM10.

C. Quality of residential accommodation

- 8.11 London Plan Policy D6 outlines housing development should be of high quality design and provide adequately-sized rooms (see Table 3.1) with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

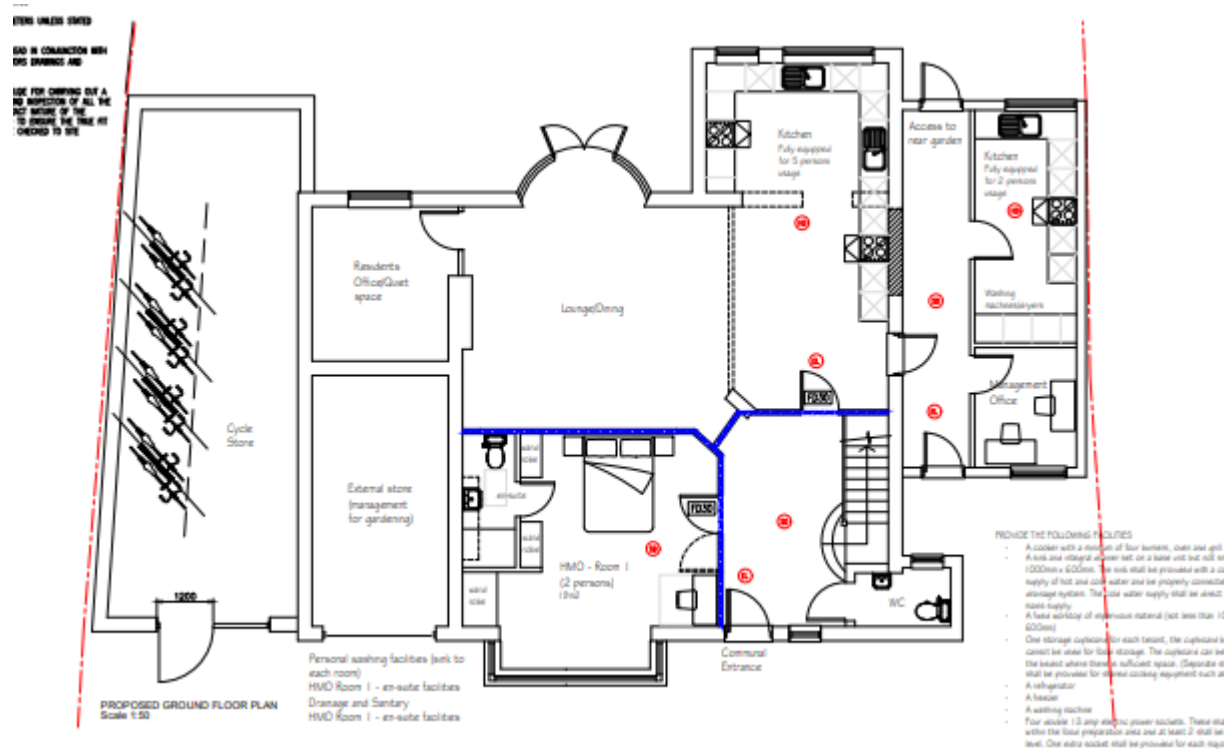


Figure 4 – Proposed Ground Floor Plan

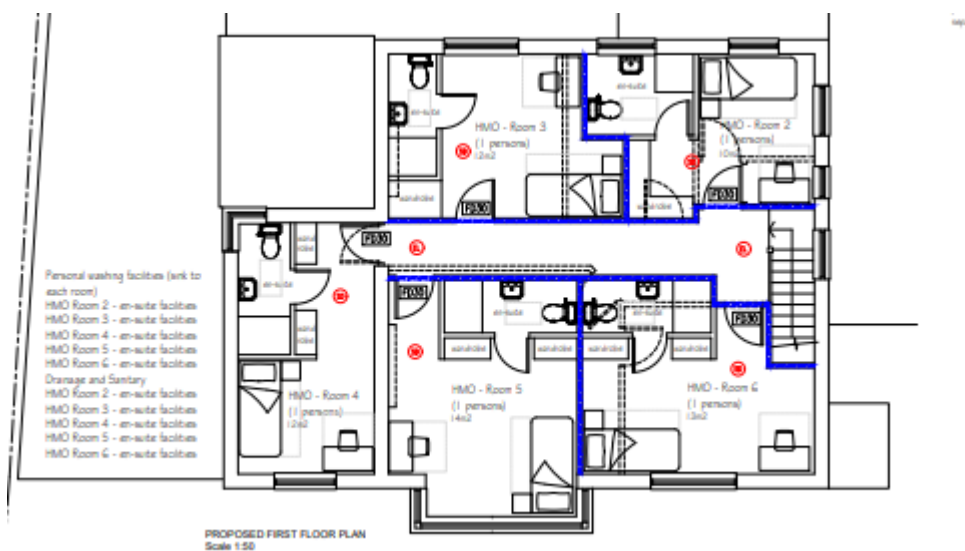


Figure 5 – Proposed First Floor Plan

8.12 The Council's HMO standards set out minimum space standards for single room lettings, which require a single room with shared kitchen and bathroom facilities to have a minimum floor space of 10sqm and a double room to have a minimum floor space of 15sqm. A single room with en-suite facilities should measure 12.5sqm and a double room should measure 17.5sqm. In addition, the Council's HMO standards specify that, if a shared kitchen is provided, then each kitchen shall be shared by not more than 5 persons and shall not be more than one floor distance from any room(s) occupied by the person(s) for whom they are provided. All of the proposed five single occupancy rooms would have a total floor area in excess of 12.5sqm and the proposed double occupancy room on ground floor would have a total floor area in excess of 17.5sqm which exceeds both the Council HMO standards and the

National Space Standards for HMO accommodation. All of the proposed ensuite bathrooms are a reasonable size and would not result in a cramped bedroom space for any of the proposed rooms. Each of the proposed rooms would have one non-obscured window on either a north-westerly or south-easterly aspect. The windows would be of a sufficient size to allow for a good level of daylight and outlook for future occupiers and would not result in intra-overlooking between the rooms. None of the proposed rooms face the rear amenity space at ground floor level and the proposed ground floor room facing the front parking area would be provided with planting to the front to provide a natural barrier to limit overlooking.

- 8.13 The proposed HMO would have a communal lounge/dining area of approximately 25sqm, as well as an office / quiet space of approximately 10sqm. Whilst these are not a requirement to achieve compliance with Croydon's HMO standards, these spaces would provide good quality communal amenity for future occupants.
- 8.14 The HMO standards require that no more than 5 persons share a kitchen, and that the kitchen be no more than one storey separated from the associated bedrooms. The proposed HMO would have two kitchens on the ground floor, one with a floor area of approximately 25sqm for the use of five persons and one with a floor area of approximately 10sqm for the use of two persons, the application meets the HMO standards and is considered acceptable in this regard.
- 8.15 Details of any mechanical ventilation to the kitchens, bedrooms and shower rooms would be required to be submitted and a condition to this effect has been added. In addition any rooms, storage cupboards and understairs cupboards leading from the hallway and landings must be fitted with fire resisting doors and the property would require a fire alarm system in order to meet all of the requirements of the licencing and HMO regulations, Fire Safety Order and the Housing Act, 2004.
- 8.16 Local Plan Policy DM10.4 requires residential developments to provide private amenity space, with 5sqm required for a 1-2-person unit and an extra 1m² per extra occupant thereafter. Policy DM10.4 also states that all flatted development must provide a minimum of 10m² per child of new play space as calculated using the Mayor of London's population yield calculator and Table 6.2 of the Croydon Local Plan. Furthermore, Policy DM10.5 requires the provision of high-quality communal outdoor amenity space for flatted development. The occupiers of the HMO would share a large communal rear garden (600sqm in size). Given the nature of the HMO use, the provision of a communal garden is acceptable.
- 8.17 Overall, each of the proposed rooms would meet Croydon's HMO standards and the proposed development would provide satisfactory accommodation for future occupiers of the development which would result in a development that accords with London Plan Policy D6.

D. Impact on neighbouring residential amenity

- 8.18 Policy DM10.1 of the Croydon Local Plan 2018 states that where a house in multiple occupation is proposed, the Council will also consider the effects of noise, refuse collection any additional car parking on the character of an area. Policy DM10.6 of the Croydon Local Plan 2018 states that the Council will support proposals where the amenity of occupiers of adjoining buildings are protected and that they do not result in any direct overlooking including any private outdoor space within 10m perpendicular to the rear elevation of a dwelling and that they do not

result in any significant loss of existing sunlight or daylight levels to adjoining occupiers. London Plan policies D3 and D6 also require development proposals to consider the relationship with surrounding uses.

- 8.19 The nearest residential properties to the application site are no. 170 Foxley Lane, which lies to the northeast of the application site and contains a block of nine flats, and 174 Foxley Lane, located to the southwest of the application site, which contains a single dwellinghouse. These neighbouring buildings are separated from the subject dwelling at first floor level by approximately 5m and 6m respectively. To the northwest the application site shares a boundary with nos. 6 and 7 Badgers Walk. These dwellings are separated from the subject dwelling by approximately 40m. To the southeast, on the opposite of Foxley Lane lies nos. 129, 131, and 131a Foxley Lane. These dwellings are separated from the subject dwelling by approximately 45m.
- 8.20 The proposed development would not involve any extensions to the building or the installation of any new windows. The relationship between the subject building and nos. 170 and 174 would not significantly change in terms of overlooking as the upper floor rear windows will continue to serve bedrooms, and as such the extent of overlooking would remain typical of that between upper floor rear windows and neighbouring gardens on residential streets. Given the considerable separation distances between the subject building and the properties on Badgers Walk and those on the other side of Foxley Lane it is not considered that these properties would be subject to any overlooking.
- 8.21 Whilst there would be an increase in comings and goings, it is not considered that this would represent a significant increase in noise nuisance above and beyond what is to be expected in a residential neighbourhood.
- 8.22 Subject to suitable management of the premises, the proposed use of the dwelling as a 6 bedroom/7 person HMO is not considered to result in a significant increase in noise, general disturbance, or anti-social behaviour in comparison to the existing use and the requirement for a management plan to be provided to the LPA for approval has been secured by condition 5.
- 8.23 It is considered that the use of this property as an HMO for 7 people would not result in any increase in overlooking compared to the situation today, would not result in any loss of light or loss of outlook, and would not result in a significant increase in noise, subject to the imposition of a management plan condition. As such the proposal would have an acceptable impact on the amenity of neighbouring properties and would comply with Local Plan Policy DM10. The proposed development is therefore considered acceptable in this regard.

E. Access, parking and highway impacts

- 8.24 Policies SP8, DM29 and DM30 of the Croydon Local Plan seeks to promote development which makes full use of public transport, cycling and walking; does not have a detrimental impact on highway safety for pedestrians, cyclists, public transport users and private vehicles; does result in a severe impact on local transport networks; reduces the impact of car parking; provide car and cycle parking spaces as set out in the Local Plan and ensures that cycle parking is designed so that it is secure.

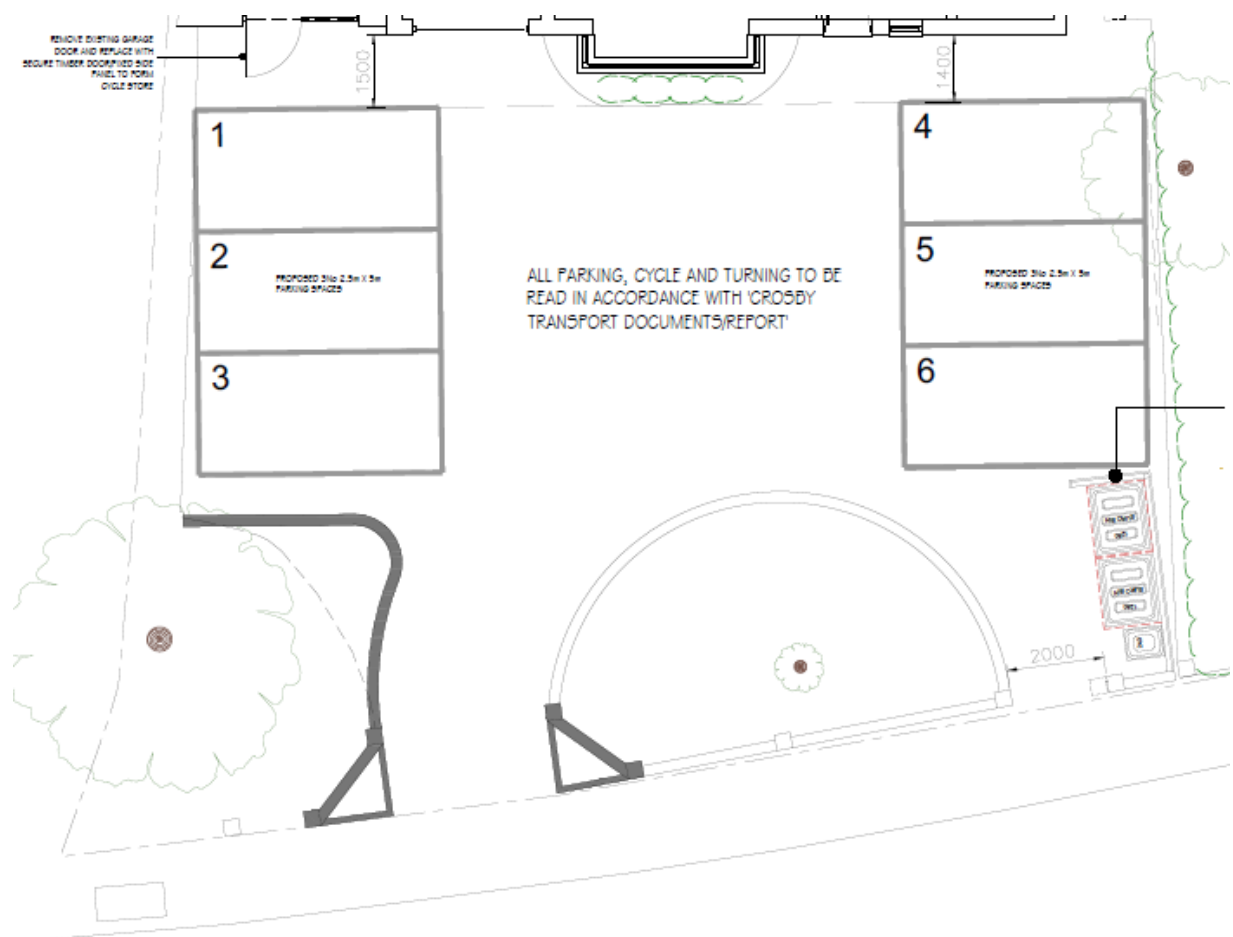


Figure 6 – Proposed Parking Forecourt

- 8.25 The site is in an area with a PTAL level of 1b which is considered to be a very poor level of accessibility. The previous application 23/01867/FUL was refused on the basis that the applicant had failed to demonstrate that the proposed development would not have a detrimental impact on local highway conditions by contributing to local parking stress, congestion, and therefore an adverse impact on highway safety. Where previously two car parking spaces were proposed to serve the development, six parking spaces are now proposed. This would equate to a provision of one car parking space per bedroom. The submitted transport assessment identifies that the proposed HMO would have a likely car ownership of approximately 3.3 cars. The proposed six parking spaces is therefore considered sufficient to ensure that there would not likely be overspill parking. To support the application, a parking stress survey has been provided which identifies a parking stress in the vicinity of the site of 24.1%. It is considered therefore that the proposal would provide sufficient parking for future occupiers and would not result in an unacceptable level of parking pressure in the area. The proposed use as a 7 person HMO would be likely to result in different travel patterns to the occupation of the home as a family home where trips may be taken together, but not to a significant degree. It is therefore not considered that it would be reasonable, or necessary to require a legal agreement to seek contributions towards sustainable development in this particular instance.
- 8.26 Swept path manoeuvres have been provided which demonstrate that vehicles parked in each of the six parking spaces would be able to enter and exit the site in a forward gear. Croydon Council’s transport team initially requested that a 5m x 5m

standing area be provided adjacent to the entrance to allow cars entering and exiting the site to pass one another however given the low speed of Foxley Lane it is considered that drivers looking to enter the site would have sufficient time to see cars trying to leave the site and the introduction of a standing area is not necessary to make the development acceptable in relation the impact on the highway network.

Cycle Parking

- 8.27 Policy DM10.2 requires the provision of cycle storage in a safe, secure, well-lit and conveniently located weather-proof shelters unobtrusively located within the setting of the building. Policy DM30 requires the provision of cycle parking spaces in line with the requirements of the London Plan.
- 8.28 One of the existing garages of the dwelling would be used as cycle storage accommodating 8 cycle spaces, with the garage door being replaced with timber panelling and a door to allow for access to the store. This location would be covered and secure. A condition requiring full details of the proposed cycle storage including the access door is recommended.

Waste / Recycling Facilities

- 8.29 Policy DM13 of the Croydon Local Plan requires development to sensitively integrate refuse and recycling facilities within the building envelope, or within landscape covered facilities located behind the building line; ensure facilities are visually screened; provide adequate space for the temporary storage of waste materials generated by the development; and ensure facilities are safe, conveniently located and easily accessible by occupants, operatives and their vehicles.
- 8.30 The Waste and Recycling in Planning Policy Document August 2015 provides detailed guidance regarding the required provision of refuse storage for residential developments, including HMOs. For an HMO of this size, a minimum of 336L of General Waste, 672L of Dry Recycling, and 32L of Food Waste capacity would be required. The bin store shown on the submitted Site Plan would be of a sufficient size to accommodate the refuse requirements of such a development. A condition (condition number 3) has been included requiring details of the bins store including appearance and access to be provided to the council prior to the occupation of the development.
- 8.31 The proposed refuse arrangement is considered to be in accordance with Policy DM13 of the Croydon Local Plan (2018).

F. Flood risk

- 8.32 Policy SI 12 and Policy SI 13 of the London Plan 2021 seeks that development proposals must comply with flood risk assessment and management requirements and utilise sustainable urban drainage systems (SUDS). The London Plan 2021 seeks that current and expected flood risk from all sources should be managed in a sustainable way and that surface water management issues should be identified, and measures implemented to aim to reduce these risks. Local Plan Policies SP6.4 and DM25 seek to reduce the risk of flooding in the borough and ensure that all developments incorporate sustainable urban drainage systems (SUDS).

- 8.33 The application site is identified as having a low risk of flooding and the proposed external alterations are limited to the replacement of the garage door with timber panelling and a door and minor alterations to the front wall including the widening of the vehicle access to allow for greater visibility for cars leaving the site, and the narrowing of the secondary access to restrict this to a pedestrian only access. It is not considered that the proposals would result in any additional flood risk to the immediate and wider area. The proposals are therefore considered to comply with Local Plan Policy DM25 in this regard.

G. Fire safety

- 8.34 London Plan Policy D12 required that development proposals should achieve the highest standards of fire safety at the earliest possible stage: 'In the interest of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of safety'.
- 8.35 A fire safety statement has been prepared with the level of detail that is appropriate and reasonable to the scale of development. It is considered that the statement that has been submitted is sufficient to fulfil the requirements of D12. The submitted Fire Safety Statement is secured by Condition number 9.

H. Biodiversity Net Gain

- 8.36 The Town and Country Planning Act (as amended) requires a mandatory 10% biodiversity net gain (BNG) to be delivered through planning permissions. This is to ensure that habitats for wildlife are left in a measurably better state than they were before the development. The application was submitted prior to BNG becoming mandatory and given the nature of the application where no additional built form is proposed and the rear garden remains undeveloped, the proposal would not have an adverse impact on biodiversity and is acceptable in this regard.

Conclusions

- 8.37 The proposed change of use of the property from single dwellinghouse (C3) to large HMO (sui generis) would provide a suitable alternative form of housing within the borough and accord with Local Plan policies, regional policies of the London Plan, and national guidance in the NPPF. It would not result in unacceptable impacts in terms of character, highways, amenity, or environmental impacts, and would result in a sustainable form of development. Subject to the imposition of suitably worded conditions the development would be acceptable.
- 8.38 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).