

Agenda Item:	5.1
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Site:	Waterloo Mount Tower Road Burton Upon Trent DE15 0NL
Proposal:	Change of use of a residential dwelling (Class C3) to children's home (Class C2)

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

[Hyperlink to Application Details](#)

Application Number:	P/2020/00613	
Planning Officer:	Lisa Bird	
Type of Application:	Full Planning Application	
Impact on Heritage Assets under S66(1) and S72	No impacts	
Applicant:	Esland North Ltd	
Ward:	Winshill	
Ward Member (s):	Councillor D Fletcher Councillor R A Faulkner Councillor M Metcalfe	
Date Registered:	01 July 2020	
Date Expires:	12 August 2020. An extension of time has been agreed with the agent.	
Reason for being on Agenda	The scheme has generated significant numbers of objections from local residents.	
Officer Recommendation	Approval subject to conditions	

1. Executive Summary

- 1.1 The application site comprises of a large detached dwelling located on the northern side of Tower Road, Burton upon Trent which is a long predominantly residential private road off Ashby Road.

- 1.2 This is a full application seeking approval for the proposed change of use of the residential dwelling (Class C3) to a children's home (Class C2). No external alterations are proposed to the property and the scheme provides for the 4 No. existing car parking spaces within the site to be retained.
- 1.3 Statutory consultees have raised no technical objections that cannot be overcome by way of planning conditions. Objections were raised by 29 local residents in relation to the principle of the proposal, noise and disturbance, impacts on surrounding residential amenities and the highway implications of the proposal. Winshill Parish Council have not responded to the consultation.
- 1.4 The principle of the use as a children's home is acceptable in this residential area. There are no highway safety implications and it is considered that the scheme would not have a significant impact on residential amenities in terms of noise and disturbance.
- 1.5 Accordingly, it is considered that the scheme complies with the aims and criteria of relevant policies from the Local Plan, the Council's Supplementary Planning Documents (SPDs), the Winshill 'Made' Neighbourhood Plan and the National Planning Policy Framework.
- 1.6 In light of the above conclusions on the planning merits of the case the application is recommended for **approval** subject to conditions.
- 1.7 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

Map of site**2. The site description**

- 2.1 The application site comprises of a large detached dwelling located on the northern side of Tower Road, Burton Upon Trent which is a long private road off Ashby Road.
- 2.2 The dwelling sits in a generous plot measuring approximately 2250 square metres. It benefits from an existing outbuilding which provides garaging and car ports for up to 4 vehicles. The dwelling benefits from four bedrooms at first floor level.
- 2.3 To the south of the site is a detached dwelling and an area of public open space, comprising pathways and a park, which links Tower Road to Brizlincote Valley and Elms Road. Two detached dwellings have been granted planning permission immediately to the west of the site, but have not yet been constructed. There are open fields to the north and north-west separating the application site from Ashby Road (A511). Other than the Water Tower the remaining length of Tower Road is residential in character.
- 2.4 The site is situated within the Settlement boundary as defined in the Local Plan.

3. Relevant Planning history

- 3.1 **P/2019/01530** granted full planning permission on 12th March 2020 for the erection of two detached dwellings within the garden area of Waterloo Mount, this area has now been separated from the application site with close boarded fencing.

3.2 **P/2020/00453** A Certificate of Lawfulness was applied for earlier in the year in respect of using the site as a children’s home under Class C3(b) (dwelling houses). Following discussions the application was withdrawn as it was likely to result in refusal on the grounds that care would be provided for the children on a shift pattern basis, with no permanent adult presence, and therefore children living together cannot be defined as a single household.

4. The proposal

4.1 Consent is sought for the proposed change of use of residential dwelling (Class C3) to a private children’s home (Class C2) for 3 children. No external alterations are proposed to the property.

4.2 The scheme provides for the 4 No. existing car parking spaces within the site to be retained.

4.3 The application submissions indicate that there is going to be 2 no. full time residential 24-hour care workers Monday – Sunday with 3 No. primary care workers arriving and leaving Monday – Friday. The vehicle movement will be twice daily for the school run. A Social worker will visit once a week

List of supporting documentation

4.4 The following documents have been provided as part of the application:

- Application Form
- Location and Block Plan
- Floor Plan layout
- Planning Statement

4.5 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.2	Parish Council	Winshill Parish Council have not submitted comments.
5.3	SCC Highways	Raises no objections in principle.
5.4	Architectural Liaison Officer	Raises no objections.

Internal Consultees		Response
5.5	Environmental Health	An informative is recommended in relation to the food preparation area.

6. Neighbour responses

6.1 Site and Press notices were posted, and notification letters were sent to adjacent properties to the site. Responses were received from 30 local residents raising objections to the proposal which are summarised below:

Neighbour responses (object)	
Principle	<ul style="list-style-type: none"> • The Government are seeking additions to the housing stock, this application would result in the loss of a dwelling. • There are no other businesses on Tower Road and the proposal would be out of keeping and incompatible with the residential area. • The proposal would not improve the economic, social and environmental conditions in the immediate area as required by the Local Plan, however, the benefits of the proposal do not outweigh the harm. • The proposal is not supported by Winshill Neighbourhood Plan.
Impacts on Amenity	<ul style="list-style-type: none"> • The proposal would intensify the way you would expect a normal dwelling to be used • There have been issues with various types of anti-social behaviour at the western end of Tower Road. Such behaviour would be detrimental to young children at risk, undesirable and potentially unsafe for staff, and could have further impacts on existing residents who already feel unsafe. • Given the anti-social behaviour it cannot be a suitable location for a home for vulnerable children. • Consideration should be given to closing the play area access from the footpaths in order to improve the situation for residents. • The information provided states that the children are likely to have complex challenging behaviour, this could impact on residents by noise or disturbance. • Tower Road has been subject to a considerable amount of development which has an impact on the character of the area • Due to the size of Waterloo Mount it is likely that the number of children being cared for and the staff is likely to increase in the future. • The fact that a change of use is required indicates that the type of activity level will not be in keeping with the established residential character of the road and will generate disturbance to the amenity and enjoyment of the nearby properties. • The change of use to a C2 institution will not be limited to the care of children, and could be changed to any type of care without the need for a further change of use. The location of the site is not easily accessible to emergency services or nearby to hospital or treatment facilities appropriate this is therefore an unsustainable location.

Highways Impacts	<ul style="list-style-type: none"> • Tower Road is a private road which has deteriorated rapidly due to recent residential developments, further vehicular traffic will impact this with increased wear and tear. • Vehicle movements would be greater than a family living there and there is likely to be additional medical and maintenance staff, delivery vehicles and relatives visiting, all of which adds to the traffic movements. • Tower Road has no dedicated footways and is unsuitable for vulnerable children or adults to walk along the road to access remote services, schools and shops. • All journeys will be car reliant, the nearest bus stop is some considerable distance away on the A511. • Reckless drivers speed along this usually quiet road.
Other Impacts	<ul style="list-style-type: none"> • There is a Covenant on Tower Road stating that it is for residential use only and no business uses shall take place (<i>this is not a material planning consideration</i>). • This application will set a precedent for other properties to be used for business uses. • The new dwellings granted permission adjacent to the site will be difficult to sell if this application is approved (<i>this is not a material planning consideration</i>). • The proposal will devalue existing properties in this exclusive part of Burton (<i>this is not a material planning consideration</i>). • There is a conflict of interest as the facilities provided by this children’s home will be used by the Council. • Council tax payers are alarmed at the costs involved and ask if the potential costs are justified especially during the current crisis (<i>this is not a material planning consideration</i>). • The new dwellings approved next to the site could be used to expand the care home business. • The applicant makes reference to under-utilised land and buildings, however, the property was occupied until relatively recently, its continued use as a dwelling house has not been tested as it has not been placed on the market. • It is in close proximity to another similar institution on Hamilton Road, and the two are connected by the existing public footpath (<i>this is not a material planning consideration</i>).
Ward Member(s)	<p>Cllr Metcalfe has objected to the application, his comments can be summarized as follows:</p> <ul style="list-style-type: none"> • The area appears to be suffering from antisocial elements. Whilst arguably it is the responsibility of the applicant to determine the suitability of premises for their own needs I would suggest that the likely clients of this home are at greater than average risk of being

	<p>drawn into dubious activity. There is the potential for this to impact on both residents of the care home and residents of Tower Road.</p> <ul style="list-style-type: none"> • Superficially this will still be a house, however, the traffic generated would in no way resemble what would be expected from a typical family. Few residential properties have 7 staff visiting. The area is ill-served by public transport and so staff will need to drive or use taxi services. Additionally there is the potential for a whole host of necessary specialist staff to visit. • Higher levels of noise and disturbance are often associated with this type of use. This is a quiet road with no commercial premises apart from the Water Tower. • The proposal is completely out of character with the area. Many of the residents have lived here a long time and there is a relatively low turnover in the population. The proposal would introduce a continually changing group of children and staff with little or no stake in the area.
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Responses were received from 3 local residents in support of the proposal which are summarised below:

Neighbour responses (support)	
Principle	<ul style="list-style-type: none"> • The home replicates a family home, this type of home is generally more successful in transforming children's lives than other options.
Amenity	<ul style="list-style-type: none"> • The location of the site would be wonderful environment for children to be brought to, to put them on the road to resilience and offered a normal family life. • The location is perfect as it is away from the public eye to protect vulnerable children, but close enough to local links to gain a sense of belonging to the community. The home is not in a deprived area and allows for children to gain opportunity and ambition. • The home exceeds the minimum staffing level requirements, this means that children can be supported throughout times when they can struggle to regulate and this can be contained with little to no impact to the surrounding neighbours.
Other	<ul style="list-style-type: none"> • It is good to know that a company are trying to make a home for vulnerable children in this type of community environment. • The number of children proposed is appropriate for success, allowing children to gain attachments and belonging without have to compete for attention.

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- NP1: Role of Neighbourhood Plans
- SP35 Accessibility and Sustainable Transport
- DP7 Pollution and Contamination

Winshill Made Neighbourhood Plan (2018)

- Policy 9 - Support for Home- working and Local Enterprise
- Policy 11 - Parking

Supplementary Planning Documents

- Revised Car Parking Standards Supplementary Planning Document

8. Assessment

8.1 It is considered that the key issues relevant to the determination of this application are as follows:

- Principle of the Development
- Impact on residential amenities
- Highway Matters

8.2 It is pointed out that as there are no external alterations the scheme would have any material impact on the visual amenities of the locality.

9. Principle of Development

Relevant Policies

9.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

- 9.2 Paragraph 251 of the NPPF states that ‘due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given’.

Development Plan

- 9.3 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government’s presumption in favour of sustainable development.
- 9.4 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:
- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
 - it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
 - retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
 - re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
 - integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
 - designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
 - high quality design which incorporates energy efficient considerations and renewable energy technologies;
 - developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
 - does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
 - creates well designed and located publicly accessible open space;
 - would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
 - would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
 - uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;

- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

9.5 Policy 9 Support for Home- working and Local Enterprise) of the Winshill Neighbourhood Plan states that :-

“Home-based businesses will be supported provided that it can be demonstrated that:

(a) the impact on the amenity of neighbouring properties will not be unacceptably harmed by virtue of noise, smell, traffic generation, health and safety impacts, scale, design, appearance or nature of operations;

(b) the operation of the business activity can be contained within the existing boundaries of the premises;

(c) the operation of the business activity does not require substantial external modification of the premises;

(d) there will not be detriment to the safe operation of the highway.”

Assessment

- 9.6 To reiterate the proposal would result in the re-use of an existing residential dwelling as a privately run children’s care home (Class C2). The premises will provide care for 3 No. children with 2 No. full time residential 24 hour care workers Monday to Sunday and 3 No. primary care workers arriving and leaving Monday to Friday. Vehicle movements are proposed twice daily for the school run, with a Social worker visiting once a week. The use is considered to be consistent with the existing use as a dwelling house and as such there is considered to be no material change to the premises.
- 9.7 The proposal is situated in a sustainable location and would bring the economic benefits of securing a viable business use for the premises and employment for a number of staff, and the environmental benefit of retaining an attractive large building in it’s current form.
- 9.8 It is noted that there are no other business uses on Tower Road, other than the Water Tower. Whilst there appears to be a Covenant on the land restricting business use, this is dealt with under separate legislation, the grant of any planning permission would not override the Covenant.
- 9.9 The site would remain in a residential use, albeit within a different use class to the existing dwelling, and is therefore not considered to be a loss of a residential unit nor is it considered to set a precedent for business use along Tower Road. The use of the premises as a children’s home can be secured via condition to prevent any other uses within Class C2 being implemented without planning permission.

- 9.10 The development would in principle be in compliance with Local Plan Policy SP1 and Winshill Neighbourhood Plan Policy 9. The other relevant technical issues are addressed below.

Impacts on Residential Amenities

Relevant Policies

- 9.11 The National Planning Policy Framework and Policy SP1 of the Local Plan seek to ensure new development will not have an adverse impact on the amenities of new or existing residents. Policy DP7 of the Local Plan deals with pollution impacts including noise and disturbance.

Assessment

- 9.12 In planning legislation it is possible to use a Class C3 dwelling house for *'not more than six residents living together as a single household where care is provided for residents'* without requiring planning permission. However, in this instance it is necessary to consider that the main resident's will be children with no adult carers residing at the application site permanently. In the appeal case of North Devon District Council v The First Secretary of State and Southern Childcare QBD 30.1.03 Collins J(2003) JPL 1191, Mr Justice Collins stated that a household needed more than just children, as children *'need to be looked after. They cannot run as a house. They cannot be expected to deal with all the matter that go to running a home ... children are regarded as needing full-time care from an adult, someone to look after them, someone to run their lives for them and someone to make sure that the household operates as it should'*. The necessity for planning permission therefore does not indicate in itself that the activity levels will be significantly different from those of a dwelling house.
- 9.13 The operation of a children's care home from the site would not result in any impacts over and above the existing use of the site as a dwelling house in terms of noise and disturbance given the number of occupiers and staff proposed. The only difference would be that the adult carers would not reside at the application site permanently.
- 9.14 The intensity of the use can be controlled by a condition restricting the number of occupants (excluding carers) to not more than 3 children at any one time. The use of the premises as a children's home can also be secured via condition to prevent any other uses within Class C2 being implemented without planning permission.
- 9.15 Representations were received in respect of the future use of the residential dwellings approved directly to the west of the site. These dwellings do not form part of this application, and any future proposals to change the use of the dwellings would be considered on their own merits.
- 9.16 It is noted that there has been anti-social behaviour taking place close by, however, this falls outside the remit of planning control, and therefore the police should be notified of any further instances. The play area concerned is not within the application site and therefore the closure of it cannot be considered as part of this application.

9.17 In terms of residential impacts the scheme is therefore compliant with the provisions of Local Plan Policy SP1, DP1 and DP3, the Winshill Neighbourhood Plan and the NPPF.

10. Highway Safety Implications

Relevant Policies

10.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

10.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

10.3 Winshill Neighbourhood Plan Policy 11 states that:-

“Adequate and suitable off-street parking shall be provided for all new developments, including residential conversions and redevelopment. This shall be based on a minimum of two spaces per dwelling up to 3 beds, and a minimum of 3 spaces per dwelling of 4 beds and more, except where it can be demonstrated that a lower provision would not cause significant harm in terms of highway safety. In the case of dwellings particularly targeted at people of retirement age and above, a lower provision may be justified.

Wherever possible, dwellings provided for the specific use of older age groups should incorporate at least one fully accessible parking space for larger mobility vehicles, designed in a way which allows wheelchair users to board and alight from vehicles by means of a tail lift or suitable ramp. Any development which involves the paving of existing garden space to provide parking or access shall incorporate the use of permeable surfaces.”

10.4 As set out in paragraph 9.5 above Winshill Neighbourhood Plan Policy 9 also indicates that in respect of development proposals there will not be detriment to the safe operation of the highway

10.5 The Council’s revised parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.

Assessment

- 10.6 It is noted that representations have been received in relation to vehicle movements and highway safety. The agent has submitted details of expected vehicle movements within the Planning Statement. It is considered that these vehicle movements, taking into account the addition of deliveries and visitors, would not significantly exceed those expected from a normal dwelling house.
- 10.7 The Highway Authority have commented that they are satisfied that the access arrangements to serve the development are acceptable in highway safety terms and that adequate car parking provision can be accommodated to serve the children's home use within the site. A condition would be attached to ensure car parking facilities remain available at all times during the life of the scheme.
- 10.8 Accordingly, in terms of Policies SP1 and SP35 of the Local Plan and the Winhill Neighbourhood Plan Policies 9 and 11 the scheme is considered to be acceptable in relation to highway safety.

11. Conclusions

- 11.1 Having to due regard to the planning merits of the case set out in detail in the Assessment section of this report – and as summarised in the Executive Summary - the application is recommended for **approval** subject to the necessary conditions.

12. RECOMMENDATION

- 12.1 Grant, subject to the following conditions:

Condition 1: Time Limit - 3Yr Standard

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2: Approved Plans

The development hereby permitted insofar as it relates to the extent of the application site and means of access only shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission.

Drawing No. AM20-002-101 showing Existing Floor Plans (at Scale 1:50), Site Plan (at scale 1:500) & Site Location Plans (at Scale 1:1250) dated as received on 16 June 2020

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway in accordance with East Staffordshire Local Plan Policies SP1, NP1, SP24, SP35, DP1, and DP7, the Winhill Neighbourhood Plan, the East Staffordshire Design Guide, Revised Car Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

Condition 3 : Parking Spaces

A minimum of 4 No. car parking spaces shall be retained as available for their designated purposes within the application site all times for the life of the development.

Reason: In the interests of the safe and efficient use of the adjoining highway and to mitigate on- street car parking in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the Winshill Neighbourhood Plan Policies 9 and 11, the East Staffordshire Design Guide Revised Car Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

Condition 4 : Restricted Use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall relate to the use of the premises as a children's home, for a maximum of three children, as described in your application and for no other purpose.

Reason: To ensure any future use of the premises does not adversely affect the amenities of occupiers of adjoining properties and the locality in general in accordance with the National Planning Policy Framework and East Staffordshire Local Plan Policies SP1 and DP7.

Informatives**1. Engagement**

The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding that it is a sustainable form of development which complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has secured a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

2. Food Team Informative**KITCHEN LAYOUT**

The layout, design, construction and size of the kitchen must comply with Chapters I and II of Annex II to Regulation (EC) 852/2004, including the provision of a separate washbasin for cleaning hands, and adequate ventilation as detailed below. For further details the applicant should contact Environmental Health.

GREASE TRAPS

Provision should be made to include the installation of one or more grease traps or oil interceptors within the drainage system to prevent waste from entering directly or indirectly into a public sewer.

VENTILATION

The kitchen must be provided with adequate mechanical ventilation to all cooking equipment other than microwave ovens. The system should be designed, sited and installed so that no noise, vibration or odour nuisance will be caused outside or inside the building and so that the ventilation is balanced.

ODOUR CONTROL

An approved scheme for odour control and noise abatement must be submitted to the environmental health department. This should detail:

- Minimum ventilation rates
- Details of the canopy including velocity requirements, dimensions, material of construction, and grease filtration.
- Details of the fan and duct work including the duct velocities.
- Minimum requirements for odour control including details of the discharge stack and odour arrestment plant performance.
- Minimum requirements for noise control.

For guidance see:- <https://www.gov.uk/government/publications/guidance-on-the-control-of-odour-and-noise-from-commercial-kitchen-exhaust>

WASH-HAND BASINS

Following the Food Standards Agency's Advice on E.coli, wash-hand basins in commercial kitchens should be provided with non-hand operable taps.

Advisory Comment

It would be considered 'good practice' if provision was made for a separate toilet for staff use only.

13. Background papers

13.1 The following papers were used in the preparation of this report:

- Papers on Planning Application file P/2020/00613
- The Local and National Planning Policies and Supplementary Planning Documents outlined in the report above
- Winshill Neighbourhood Plan

14. Human Rights Act 1998

14.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues

are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

15. Crime and Disorder Implications

15.1 It is considered that the proposal does not raise any crime and disorder implications.

16. Equalities Act 2010

16.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

For further information contact: Lisa Bird
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