

PARISH

Old Bolsover Parish

APPLICATION

Conversion of house (C3) into children home (C2)

LOCATION

49 Pattison Street Shuttlewood, Chesterfield S44 6QZ

APPLICANT

Divine Angels Care LTD c/o Anjum Design Ltd 435 Stratford Road
Solihull B90 4AA

APPLICATION NO.

26/00033/FUL

FILE NO. PP-14666984

CASE OFFICER

Mrs Karen Wake

DATE RECEIVED

2nd February 2026

SUMMARY

The application is for the change of use of the existing dwelling to a children's home for one child between the age of 6 - 17. The home is intended to operate with two members of staff on site 24hrs a day with a manager also on site during the day. No external changes are proposed to the dwelling.

The application is recommended for approval.

The application is referred to Planning Committee for determination due to a call-in request from Cllr Donna Hales who is concerned about the potential effects of the development on the existing residents, as it is an area for social housing for over 55's and the impact on the highway, parking and increased traffic as well as the lack of facilities in the area and limited public transport.

Site Location Plan



Location Plan
Scale 1:1250



OFFICER REPORT ON APPLICATION NO. 26/00033/FUL

SITE & SURROUNDINGS

Three bedroom, two and a half storey semi-detached dwelling (Second floor accommodation in the roof space). Existing access to the front with two parking spaces side by side on the site frontage. To the rear of the property is a garden enclosed by a timber fence. To the northeast, is a pair of semi-detached dwellings which were built at the same time as the one on site, beyond which are flats. To the south and southeast of the site are also flats, to the north are two storey dwellings and an area of open land. To the west are further semi-detached dwellings.

BACKGROUND

Planning permission was granted for 8 dwellings in a row (four pairs of semi-detached dwellings) in 2021 which replaced a public house on the site.

Planning permission was then granted in 2025 for the change of use of two of the dwellings directly to the northeast of this site to children's homes for one child.

PROPOSAL

The application is for the change of use of the existing dwelling to a children's home for one child between the age of 6 - 17. The home is intended to operate with two members of staff on site 24hrs a day with a manager also on site during the day. No external changes are proposed to the dwelling.

AMENDMENTS

None

EIA SCREENING OPINION

The proposals that are the subject of this application are not EIA development.

HISTORY

20/00551/FUL	Granted	Demolition of existing public house and erection of 8 new
	Conditionally	dwellings

CONSULTATIONS

Parish Council: Objects to the proposal on the following grounds:

1. The proposed development would result in four care homes in very close proximity on Pattison Street. Two homes have already been approved at 50 and 51 Pattison Street, and it is understood that the applicant company may have also acquired four additional properties (44, 45, 46, and 47 Pattison Street). Collectively, this demonstrates a clear trend toward an overconcentration of similar uses, even discounting potential future applications, which could fundamentally alter the residential character of the area.
2. Pattison Street is a residential street with limited parking and narrow carriageways. The increase in staff, visitor, and service vehicle traffic would exacerbate congestion and pose risks to both pedestrians and other road users.
3. The development would place additional strain on already limited local services, and cumulative pressure on multiple public services and infrastructure is significant.

4. The proposed use would generate increased noise and disturbance, potentially at unsocial hours and a loss of privacy. The residential amenity of neighbouring properties, including those currently occupied by families, would be materially affected.
5. The property is currently occupied as a family home. If this development proceeds, it would directly displace a family, potentially causing homelessness or forcing relocation outside the area.
6. The concentration of vulnerable individuals in multiple homes on a single street raises questions about best practice in community-based care. Care provision should promote integration rather than the clustering of vulnerable people, which could be detrimental to both residents and neighbours.

DCC Highways: The property has two on-site parking spaces accessed directly off Pattison Street. Each of the proposed children's homes will accommodate one bedroom for the child and one bedroom for associated staff requirements. Whilst there may be some crossover of staff at times, the existing parking provision for the dwelling is considered appropriate to cater for the potential parking demand. Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. Therefore, no justifiable grounds on which an objection could be maintained. Advise a condition requiring the existing parking provision of two parking spaces to be retained in perpetuity.

Environmental Health Officer: No objections, advise condition to require submission, approval and implementation of a noise management plan before the use commences. The plan should include details of how noise would be managed, including the procedure that is followed to terminate the placement of a child in the event they cannot control the behaviour of someone in their care if they cause repeated and excessive noise impacts upon the community.

Force Designing Out Crime Officer: No safeguarding issues which would lead to objection to this proposal. The adjacent pair of houses at number 50/51 have extant permission for the same use, and number 50 is now in active use for the care of one child. The applicant has also purchased the other new semi-detached houses on Pattison Street, (numbers 44/45 and 46/47,) and intend to apply for the same use in time. It's understood that you can only consider the current proposal, but this is perhaps one to bear in mind when looking at the saturation of uses and their impact on neighbour amenity.

Supported Accommodation Review Team: Children's homes do not fall within the remit of the Supported Accommodation Review Team (SART). However, the property in question is in close proximity to other premises proposed for the same use. This is an important consideration, as it may have an impact on the local community, nearby amenities, and wider service provision within the district and across Derbyshire. For matters relating to children's homes, Derbyshire County Council's Children's Commissioning Team, who would be the most appropriate point of contact.

Derbyshire County Council Children's Commissioning Team: There are fewer children's homes across the Derbyshire district than other authorities. DCC have children placed at a distance and therefore any new provision from private organisations could be useful to increase supply in a more local area.

PUBLICITY

Site notice and 7 neighbours notified. Two letters of objection received which raise the following objections:

1. If this proposal proceeds, it will leave two families of four facing homelessness. Does the Council intend to provide rehousing support should the development be approved.

Families are facing significant financial pressures. The costs associated with securing a new tenancy — including deposits, moving expenses, and associated fees — would be extremely difficult to meet.

2. There are currently very limited suitable, affordable properties available within the local area. Relocating would likely require children to change schools, causing further disruption and distress.
3. It is understood that previous applications relating to vacant properties on the street may have been approved, but the properties included in this current proposal are not vacant. They are occupied family homes, which are central to their stability and wellbeing.

POLICY

Local Plan for Bolsover District (“the adopted Local Plan”)

Planning law requires that applications for planning permission be determined in accordance with policies in the adopted Local Plan, unless material considerations indicate otherwise. In this case, the most relevant Local Plan policies include:

- SS1 – Sustainable Development
- SS3 – Spatial Strategy and Distribution of Development
- LC3 – Type and Mix of Housing
- SC1 – Development within the Development Envelope
- SC3 – High Quality Development
- SC9 – Biodiversity and Geodiversity
- ITCR11 – Parking Provision

National Planning Policy Framework (“the Framework”)

The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

- Chapter 2 (paras. 7 – 14): - Achieving sustainable development.
- Paragraphs 48 - 51: Determining applications.
- Paragraphs 56 - 59: Planning conditions and obligations.
- Paragraphs 96 - 108: Promoting healthy and safe communities.
- Paragraphs 109 - 118: Promoting sustainable transport.
- Paragraphs 124 - 128: Making effective use of land.
- Paragraphs 196 - 201: Ground conditions and pollution.
- Paragraphs 207 - 221: Conserving and enhancing the historic environment.

Supplementary Planning Documents

Successful Healthy Places: A Guide to Sustainable and Healthy Housing Layout and Design: To provide a guide to those promoting developments on how they can create sustainable places that deliver a good quality of life for the people that live there and preventing poor design that comes at a cost to the environment. This requires that our neighbourhoods are designed around the linked concepts of good place making and sustainability.

Local Parking Standards:

This document relates to Policy ITCR11 of the Local Plan by advising how the parking standards contained in appendix 8.2 of the local plan should be designed and implemented with development proposals. This SPD does not revise the standards contained in the Local Plan but does provide suggested new standards for parking matters not set out in the Local Plan, such as cycle parking.

Biodiversity Net Gain Design Note:

In light of the requirement for mandatory 10% biodiversity net gain, the Council has prepared a planning advice note to provide advice on the background to the introduction of mandatory 10% Biodiversity Net Gain, how this statutory provision relates to policy SC9: Biodiversity and Geodiversity in the Local Plan for Bolsover District, and how we will expect those preparing applications to approach this new legal requirement.

ASSESSMENT

It is considered that the key issues in the determination of this application are:

- The principle of the development
- The impact on the character and appearance of the area
- The impact on residential amenity
- Whether the development would be provided with adequate parking and a safe and suitable access

These issues are addressed in turn in the following sections of this report.

Principle

The site is within the development envelope within a predominantly residential area. To ensure the Local Plan for Bolsover District contributes to achieving sustainable development, the Council has produced a Settlement Hierarchy Study which assessed the sustainability of existing settlements and ranked them accordingly. This study finds the largest settlements within the district tend to be the most sustainable. The Council's spatial strategy has a strong focus on sustainable development and on this basis, growth will be directed to the district's more sustainable settlements such as Bolsover and Shirebrook.

Within this hierarchy, Shuttlewood is identified as a small village. Beyond the small towns, emerging towns and large villages, Policy SS3 of the Local Plan supports limited development.

The current proposal is considered to be small scale development which involves the change of use of an existing dwelling to the use as a children's home within the development envelope of the village and as such the proposal is considered to meet the requirements of Policy SS3 of the Local Plan for Bolsover District.

Recent Government advice emphasised the provision set out in paragraph 62 (now 63) of the NPPF, which notes that local planning authorities should assess the size, type and tenure of housing needed for different groups in the community and reflect this in planning policies and decisions. Paragraph 63 says the different groups include but are not limited to "those who require affordable housing (including Social Rent); families with children; looked after children;

older people (including those who require retirement housing, housing with-care and care homes; students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes". In her statement the Housing and Planning Minister said that "Local planning authorities should give due weight to and be supportive of applications, where appropriate, for all types of accommodation for looked after children in their area that reflect local needs and all parties in the development process should work together closely to facilitate the timely delivery of such vital accommodation for children across the country.

In addition, Policy LC3 of the Local Plan for Bolsover District states that the Council will support the provision of housing for older people and specialist housing provision across all tenures including extra care schemes in appropriate locations, close to services and facilities.

Derbyshire County Council Children's Service have confirmed there is a lack of children's homes in the county and that the provision of homes by private providers would help to address this shortfall. They also previously confirmed that in some instances a quieter location is more suitable for some children, and it would be for the placing authority and Ofsted to consider this issue when assessing where to appropriately locate a child.

It is acknowledged that Shuttlewood is small rural village with limited facilities. However, there is a primary school, play area, playing fields and a shop with a post office within easy walking distance of the site. The site is also within easy walking distance of bus stops giving access to Bolsover and Clowne where there are services such as secondary schools, doctors, dentists and shops. Whilst the need to travel to nearby towns for facilities is not ideal and is likely to take place by car, there is a regular bus service which could be utilised as an alternative and this is no different for existing Shuttlewood residents who may have children. On this basis, given the identified need for children's homes in all areas in the county, the proposed use is not considered to represent development which would be so unsustainable as to justify refusal of the proposal on this ground.

Whilst it is appreciated that the staff employed at the care home will result in a more transient residency, which will be compounded by the number of care homes in proximity of one another, the housed children will have a more permanent connection to the area. It is not considered that the use would give rise to community imbalance that would be detrimental to the area in this regard.

There are a number of recent planning appeal decisions which indicate that children's homes of this nature and scale are not considered to represent a material change of use of the property from a single dwelling house. As a result of these decisions this council has granted a number of Lawful Development Certificates for such proposed changes of use as the change proposed was not considered to be material. In this instance the applicant has applied for planning permission and the council must determine the application submitted but a material consideration in this determination must be the fact that if an application for a certificate of lawful proposed development certificate was to be submitted, rather than a planning application, the proposed use could be considered lawful and planning permission would not be required. This conclusion has been reached on similar applications within the district following recent appeal decisions nationally.

The impact on the character and appearance of the area

The development utilises an existing dwelling within the development envelope. The development does not propose any external alterations to the building. The development is therefore not considered to be harmful to the character and appearance of this predominantly residential area.

Residential Amenity

The property is a semi-detached, two and a half storey dwelling with an enclosed rear garden. There are dwellings to each side of the site and to the front and rear, in close proximity of the site.

The proposal does not include any external alterations to the building and as such no new windows are being introduced. The proposed use is therefore not considered to result in any additional overlooking of adjacent dwellings over and above the existing use of the property as a dwelling and as such the proposal is not considered to result in a loss of privacy for adjacent residents.

The proposed use of the site is to home children (one child at a time). These children could need homing for many reasons and may suffer from learning difficulties, emotional difficulties and/or behavioural issues and these issues cannot be specified at this stage as the children would be allocated to the home by the placing authority based on the provision available and the suitability for the child. If planning permission was to be granted for the change of use of the property, the child living there now or in the future could not be controlled by planning condition. As such the use of the property as a children's home needs to be considered in general terms, rather than trying to focus on the specific circumstances of potential future occupiers as this would be controlled by the placing authority and Ofsted. The proliferation of homes within the area and the impact this may have on future residents, whether that be positive or negative impact, would also be a consideration for the placing authority and Ofsted when deciding the suitability of the home for the placement of a child.

As a worst case scenario, the home could be occupied by a child, who could have extremely challenging behavioural issues, if the placing authority deemed that this was an appropriate placement of that child. If this was the case, there is potential for noise and disturbance from the property on a regular basis and potential for aggressive or anti-social behaviour. This would potentially be detrimental to the amenity of local residents.

However, if the residents of the home cause noise and disturbance for adjacent residents this could be investigated and controlled by an abatement notice. The Environmental Health Officer advises this is a protracted process, but they do have the statutory powers to control this issue. In addition, if residents are showing aggressive or anti-social behaviour, this is a matter to be controlled by the Police, not by planning legislation. Furthermore, such disturbances at the home would be an indication that the placement is not suitable and may not be in the best interest of the child. This would be a matter for the placing / local authority (responsible for children's services) to resolve.

Policy SC11 of the Local Plan for Bolsover District states that development likely to cause a loss of residential amenity as a result of, amongst other things, noise, must be supported by a relevant assessment. In addition, paragraph 198 of the NPPF states that planning decisions should mitigate and reduce to a minimum, potential adverse impacts resulting from noise from

new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

In this case a noise assessment has not been submitted with the application. However, the existing property can continue to be used as a three-bedroom dwelling without the need for planning permission. There is nothing to say that the occupiers of the dwelling would not have children with challenging behaviours or wouldn't foster children with challenging behaviours and this would not require any planning permission at all. On this basis, it could be argued that the use of the property as a children's home may not be materially different from its occupation as a dwelling in this respect and as such this is not considered to be a reason to justify refusal of the proposal. However, the probability of this happening is unlikely, and it is the Environmental Health Officer's advice that whilst the two uses are similar, they are not the same and it is therefore considered reasonable and necessary to condition the submission and implementation of a noise management plan to address how the potential for noise issues arising from the site are to be managed.

As set out above, the use of the property as a children's home could increase the potential for anti-social/aggressive behaviour in the area. Policy SC3 of the Local Plan for Bolsover District requires development to take account of the need to reduce the opportunities for crime and the fear of crime, disorder and anti-social behaviour, and promote safe living environments. In addition, paragraph 96 of the NPPF states planning decisions should aim to achieve healthy, inclusive and safe places which, amongst other things, are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Whilst this policy is aimed primarily at larger, new built development, it is clear that these issues are considered to be material planning issues which need to be taken into account.

The details of the child who will potentially be occupying the property is not known, nor is their reason for being in care and as such the challenges presented by these children is unknown because this is a matter for the placing authority who allocate children to suitable homes. Even if the details of the child were known, the child occupying the property could change at any time without any need for planning permission. There is therefore no evidence that the use of this property will result in an increase in crime or anti-social behaviour and whilst there is potential for this to happen in some cases there are also many cases where small scale children's homes operate successfully in residential areas with children settling into community life. In addition, there is always the possibility for the property to be occupied by residents who may bring crime and/or anti-social behaviour to the area and again this cannot be controlled by planning legislation. For this reason, the proposal is not considered to represent a use which would result in an unsafe living environment for existing residents.

The success of the home's residents to integrate into the community will largely depend on the child living there at the time and the management of the home itself, and both matters are controlled by the placing authority and Ofsted. A proliferation of homes in the area may aid or hinder this integration depending on a particular child, but again this is an issue for the placing authority who would match each child with a suitable placement, not a planning issue.

The issue of the impact of the home in terms of noise and disturbance for residents is not restricted to noise and disturbance from residents of the home. It could also be as result from the comings and goings associated with the use of the property as a children's home in terms

of staff, visitors, etc.

Information has been submitted which explains how the home will operate in terms of staff, visitors, etc. However, this information is not particularly detailed, but this is likely to be because of the fact that exact figures cannot be produced because this will partly be dependent on the needs and requirements of the resident and their family at the time of occupation and the staff who are employed at any one and each of these things can vary.

For example, some children may have more family visitors than others, children will have different needs in terms of care and assessment, for example the need for medical attention or psychologist/health and well-being support. Most carers and managers are likely to travel to work by car but on occasion may travel by taxi or bus. Children may be taken to appointments in the carers' cars or by taxi or bus. The precise details of the number and timings of these movements therefore cannot be quantified or qualified and are likely to vary on a regular basis. The impact of any noise and disturbance from such comings and goings would also therefore vary.

It is considered likely that the comings and goings from the property because of its use as a care home could be greater than if the property was a single dwelling. However, if the dwelling was occupied by a family with grown up children/dependant relatives/foster children/occupiers working shift patterns etc this would require no planning permission at all. Such a family would also result in numerous comings and goings and would also have visits from friends/relatives/carers/support workers etc., such that the comings and goings would also be difficult to quantify. On this basis it is considered that the proposed use would not result in such an increase in comings and goings from the site over and above what could be reasonably expected in a residential area that it would result in noise and disturbance to residents of adjacent dwellings of a level that would cause harm to their residential amenity.

Residential amenity for future residents

The home is proposed to accommodate one child. There is a primary school in the village and a secondary school in Bolsover which is accessible by bus. The dwelling on site has a garden which is considered to provide adequate open space to meet the needs of its occupier. Many residents have raised and are raising families in Shuttlewood because they feel it is a safe and healthy environment in which to raise children. In addition, DCC Children's services have previously confirmed that Ofsted will consider the location, amongst other things, when considering the appropriateness of the home. On this basis, the site is considered to be capable of providing an adequate standard of amenity for its future residents.

Access/Highways

As set out earlier in the report, in terms of staff change over patterns, visitors to the home, vehicular movements to and from the home etc is not wholly quantifiable or predictable and will be dependent upon the needs to individual children in occupation at any one time.

The site can accommodate two cars on the site frontage on existing parking spaces. These spaces could be required to be maintained by condition. These parking spaces could accommodate the managers car and the car of one of the two care workers on shift. This would result in the cars of 1 carer parking on the road and potentially 1 or 2 carers parking on the road during the shift hand over period and any visitors to the site would also need to park on the road.

This is not an ideal situation, particularly given the narrowness of the cul-de-sac. However, the existing dwelling could feasibly be occupied by two parents with two grown up children who all drive, resulting in the need for two cars to park on-street on a regular basis, not counting any visitors that dwelling may attract. For this reason, subject to a condition requiring no more than one child with two carers plus one manager based on site at any one time, the proposal is not considered to have a materially greater impact on street parking or highway safety than its occupation as a dwelling. On this basis the proposal is not considered to be harmful to highway safety and is considered to comply with the requirements of Policy SC3 of the Local Plan for Bolsover District and paragraph 115 of the NPPF in this respect.

Ecology and Biodiversity Considerations

The proposal falls below the threshold of needing to provide the mandatory 10% net gain for biodiversity because it doesn't impact on a priority habitat and impacts on less than 25 square metres (5m by 5m) of on-site habitat and less than 5 metres of on-site linear habitats such as hedgerows.

The proposal does not result in external alterations to the building and as such does not result in a net loss for biodiversity in accordance with Policy SC9 of the Local Plan for Bolsover District.

Key Biodiversity Information	
Reason if exempt from the biodiversity gain plan condition	Subject to the de minimis exemption

Issues raised by residents

The issues raised by residents are noted but are not material planning matters which can be taken into account.

The houses are privately owned and who the owner of the properties chooses to rent them to cannot be controlled by the council or planning legislation. The property owner/landlord could terminate the rental contract with the tenant regardless of whether planning permission is granted for the current proposal and the granting of planning permission on the property has no impact on the legality of the existing rental agreement. Whether the property is currently occupied or vacant also makes no difference, in planning terms, to whether the proposed use is acceptable in terms of planning policy. There is no remit within planning legislation to interfere with rental agreements/contracts between private landlords and tenants.

The issue of help from the council to find alternative accommodation sits outside of the scope of this application for planning permission. Any grant of planning permission would be subject to a three-year commencement time limit. Appropriate notice would need to be served on any existing tenants within this period if the permission is implemented.

CONCLUSION / PLANNING BALANCE

There is an identified need for the provision of care homes for children within the county. It is acknowledged that Shuttlewood is not the most sustainable location for such a home, but DCC Children's Services have previously confirmed that a quieter location may be required for some children. The suitability of the location is a matter for Ofsted to assess, having regard to the operators Statement of Purpose, and the placing authority will place children according to their needs and in accordance with their care plan. The proposed development is therefore considered to help contribute towards this need.

There is potential for the proposal to result in noise and disturbance for adjacent residents, particularly given the potential cumulation of such uses in the area but, subject to an appropriate noise management plan being put in place, this impact is not considered to be materially greater than could occur from the continued use of the site as a dwelling.

The potential for anti-social behaviour and the fear of crime as a result of the cumulation of homes is acknowledged but equally the home may provide much needed accommodation for children who would benefit and thrive within a close-knit community, and it is a matter for Ofsted to ensure that children are homed in an appropriate location to suit their needs.

The proposal will likely result in some on street parking, but this is not considered to be significantly greater than if the property remains a dwelling and as such the proposal is not considered to be detrimental to highway safety and there are no objections to the proposal from the Highway Authority.

A children's home of this nature and scale may not be considered to represent a material change of use of the property. As a result, if an application for a certificate of lawful proposed development was to be submitted, rather than a planning application, it could be determined that planning permission would not be required. Such conclusions have been reached on similar applications within the district following recent appeal decisions and this must be a material consideration in the determination of this application.

RECOMMENDATION

The current application be APPROVED subject to the following conditions:

1. The development must be begun before the expiration of three years from the date of this permission.
2. Before the use hereby approved is first implemented, a noise management plan must be submitted to and approved in writing by the Local Planning Authority. The approved noise management plan must be implemented in full concurrent with the first occupation of the site and must continue to be implemented in accordance with the approved scheme thereafter.
3. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises must be used only as a children's care home for 1 child and for no other purpose (including any other use falling within Class C2 of the Order).
4. There must be no more than three members of staff on shift at the premises at any time unless otherwise agreed in writing by the Local Planning Authority.

Reasons

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interest of residential amenity in accordance with policies SC3 and SC11 of the Local Plan for Bolsover District.
3. In the interest of residential amenity and highway safety in accordance with policies SC3 and SC11 of the Local Plan for Bolsover District.
4. In the interest of highway safety in accordance with policy SC3 of the Local Plan for Bolsover District.

Notes

1. BNG 2
2. The three members of staff on shift must include the manager and carers on site.

Statement of Decision Process

Officers have worked positively and pro-actively with the applicant to address issues raised during the consideration of the application. The proposal has been considered against the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the Framework.

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e., “the Public Sector Equality Duty”).

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic.

Human Rights Statement

The specific Articles of the European Commission on Human Rights (“the ECHR”) relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this ‘balancing exercise’ in the above report, officers are satisfied that the potential for these proposals to affect any individual’s (or any group of individuals’) human rights has been addressed proportionately and in accordance with the requirements of the ECHR.