**APPENDIX 1**

**HUMAN RIGHTS ACT**

Your officers have taken the view that the following Articles listed below are relevant in the processing of all applications and enforcement matters which appear in this report. They have therefore reflected this in their recommendation. Members will need to address these issues in coming to their decision. The Council’s Solicitor & Monitoring Officer is happy to advise on the application of the Human Rights Act to any particular application at the meeting.

Articles 6, 7, 8, 9, 10, 11, 14 and 18

Article 1 1st Protocol

**APPENDIX 2**

### ****USE CLASSES****

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 puts uses of land and buildings into various categories known as 'Use Classes'. The following list gives an indication of the types of use which may fall within each use class.

**Use Class E – Commercial, Business and Service**

**Shops -** Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

**Financial and professional services -** Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

**Restaurants and cafés -** For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes. (**Note:** Pubs and bars, drinking establishments with expanded food provision and hot food takeaways are now a Sui Generis use.)

**Business -** Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

**Medical or Health Services -** Clinics, health centres

**Creches, Day Nurseries or day centres** - not including a residential use

**Indoor Sport, Recreation or Fitness –** leisure centres, gymnasiums

**Use Class F.1 – Learning and Non-Residential Institutions**

Education, schools, art galleries (other than for sale or hire), museums, libraries, public or exhibition halls, places of worship, church halls.

**Use Class F.2 – Local Community**

**Local Shop – Not more than 280sqm mostly selling essential dry goods, including food, to visiting members of the public and at least 1km from another similar shop. (Other shops found on the high street and town centre would be Class E)**

**Hall or Meeting Place – Principal use of the local community.**

**Area or place for outdoor Sports and Recreation – including Indoor and Outdoor Swimming Baths or skating rinks.**

**Use Class B2 General industrial**

Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

**Use Class B8 Storage or distribution**

This class includes open air storage.

**Use Class C1 Hotels**

Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).

**Use Class C2 Residential institutions**

Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

**Use Class C2A Secure Residential Institution**

Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.

**Use Class C3 Dwellinghouses**

**T**his class is formed of 3 parts:

**C3(a)**: covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

**C3(b):** up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

**C3(c)** allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

**Use Class C4 Houses in multiple occupation**

Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

**Sui Generis**

Certain uses do not fall within any use class and are considered 'sui generis'.

Such uses include: pubs and bars, drinking establishments with expanded flood provision, hot food takeaways, live music venues, cinemas, concert halls, bingo halls, dance halls, theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.