

**Planning Committee – Tuesday, 17 December 2019**

**Written question from Cllr Michael Lilley to the Chairman of the Planning Committee Cllr Chris Quirk**

How does the IWC define the human rights of residents when making a recommendation or refusal in any application that involves building housing on greenfield or agricultural land or changing the use of the land from farming near to an existing village or town conurbation where the said land has existed for generations in harmony with this community which the application will historically and environmentally change the character of the area the residents chose to live within?

## ***Response***

We support human rights, and the issue is considered on every application, and every set of papers issued for Planning Committee contains the following statement compliant with the Human Rights Act 1998.

Members are advised that every application on this report has been considered against a background of the implications of the Human Rights Act 1998 and, following advice from the Monitoring Officer, in recognition of a duty to give reasons for a decision, each report will include a section explaining and giving a justification for the recommendation.

I am only aware of a Northern Ireland "Information Leaflet 7" that relates to Planning and Human Rights, this is not a document that relates directly to England, although the principles will be consistent.

You infer that Planning decisions may impact negatively on individuals Human Rights, but I am at a loss to understand which item on the list of Human Rights relates to "building housing on greenfield or agricultural land or changing the use of the land."

Here is the UN's simplified list of Human Rights:

- 1. We Are All Born Free & Equal.** We are all born free. We all have our own thoughts and ideas. We should all be treated in the same way.
- 2. Don't Discriminate.** These rights belong to everybody, whatever our differences.
- 3. The Right to Life.** We all have the right to life, and to live in freedom and safety.
- 4. No Slavery.** Nobody has any right to make us a slave. We cannot make anyone our slave.
- 5. No Torture.** Nobody has any right to hurt us or to torture us.
- 6. You Have Rights No Matter Where You Go.** I am a person just like you!
- 7. We're All Equal Before the Law.** The law is the same for everyone. It must treat us all fairly.

**8. Your Human Rights Are Protected by Law.** We can all ask for the law to help us when we are not treated fairly.

**9. No Unfair Detainment.** Nobody has the right to put us in prison without good reason and keep us there, or to send us away from our country.

**10. The Right to Trial.** If we are put on trial this should be in public. The people who try us should not let anyone tell them what to do.

**11. We're Always Innocent Till Proven Guilty.** Nobody should be blamed for doing something until it is proven. When people say we did a bad thing we have the right to show it is not true.

**12. The Right to Privacy.** Nobody should try to harm our good name. Nobody has the right to come into our home, open our letters, or bother us or our family without a good reason.

**13. Freedom to Move.** We all have the right to go where we want in our own country and to travel as we wish.

**14. The Right to Seek a Safe Place to Live.** If we are frightened of being badly treated in our own country, we all have the right to run away to another country to be safe.

**15. Right to a Nationality.** We all have the right to belong to a country

**16. Marriage and Family.** Every grown-up has the right to marry and have a family if they want to. Men and women have the same rights when they are married, and when they are separated.

**17. The Right to Your Own Things.** Everyone has the right to own things or share them. Nobody should take our things from us without a good reason.

**18. Freedom of Thought.** We all have the right to believe in what we want to believe, to have a religion, or to change it if we want.

**19. Freedom of Expression.** We all have the right to make up our own minds, to think what we like, to say what we think, and to share our ideas with other people.

**20. The Right to Public Assembly.** We all have the right to meet our friends and to work together in peace to defend our rights. Nobody can make us join a group if we don't want to.

**21. The Right to Democracy.** We all have the right to take part in the government of our country. Every grown-up should be allowed to choose their own leaders.

**22. Social Security.** We all have the right to affordable housing, medicine, education, and childcare, enough money to live on and medical help if we are ill or old.

**23. Workers' Rights.** Every grown-up has the right to do a job, to a fair wage for their work, and to join a trade union.

**24. The Right to Play.** We all have the right to rest from work and to relax.

**25. Food and Shelter for All.** We all have the right to a good life. Mothers and children, people who are old, unemployed or disabled, and all people have the right to be cared for.

**26. The Right to Education.** Education is a right. Primary school should be free. We should learn about the United Nations and how to get on with others. Our parents can choose what we learn.

**27. Copyright.** Copyright is a special law that protects one's own artistic creations and writings; others cannot make copies without permission. We all have the right to our own way of life and to enjoy the good things that art, science and learning bring.

**28. A Fair and Free World.** There must be proper order so we can all enjoy rights and freedoms in our own country and all over the world.

**29. Responsibility.** We have a duty to other people, and we should protect their rights and freedoms.

**30. No One Can Take Away Your Human Rights.**

It is the responsibility of the Local Planning Authority to balance the interests of the individual with those of the wider public interest. It seems to me that the Planning Process positively supports items 7,13,14,17, 22 and 25. Perhaps you can identify where you consider that planning decisions may negatively impact on the Internationally accepted scope of Human Rights.