

Committee: Development Committee	Date: 6 th December 2017	Classification: Unrestricted	Agenda Item Number:
--	---	--	----------------------------

Report of: Director of Place	Title: Application for Planning Permission
Case Officer: Julian Buckle	Ref No: PA/17/01527
	Ward: Bow West

1.0 APPLICATION DETAILS

Location:	431 Roman Road, London E3 5LX
Existing Use:	Restaurant (Class A3) at ground floor level and first floor level.
Proposal:	Conversion of kitchen, bathrooms, and storage space for restaurant on the first floor (Use Class A3) to two self-contained residential flats (Use Class C3) consisting of 2x 1person studios measuring 37sqm and 39sqm. Associated internal and external changes to ground and first floors.
Drawing and documents:	Site Location Plan PA/1763/001 Existing plans and elevations PA/1763/002 Rev B Proposed plans and elevations Design, Access & Impact Statement
Applicant:	Mr A Ahmed
Ownership:	Applicant
Historic Building:	N/A
Conservation Area:	Driffield Road Conservation Area

2.0 EXECUTIVE SUMMARY

- 2.1 The Council has considered the particular circumstances of this application against the Council's Development Plan policies contained in the London Borough of

Tower Hamlets adopted Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan (MALP) 2016 and the National Planning Policy Framework and relevant supplementary planning documents.

- 2.2 This report considers an application for the conversion of the first floor kitchen, bathrooms, and storage space (Use Class A3) to two self-contained residential studio flats (Use Class C3). The proposal includes associated internal and external changes. This includes a separate residential entrance on the ground floor, new window arrangement on the first floor front elevation, and removal of existing non-habitable room windows on the eastern elevation and introduction of habitable room windows and creation of external amenity space on the eastern elevation.
- 2.3 The proposed design of the scheme is considered to be unacceptable in terms of the overall quality of residential accommodation created. The proposed units would have insufficient daylight and overly enclosed private amenity space.
- 2.4 The proposal would adversely impact on the adjacent site No 433 and cause an unacceptable increase in the level of overlooking. In addition there are amenity concerns with regards to loss of privacy and overlooking for the proposed new units.
- 2.5 On balance it is considered that the proposal would fail to contribute to sustainable development objectives and would not be in accordance with the National Planning Policy Framework. The application fails to accord with the provisions of the Local Development Plan and having examined all the material planning considerations it should be refused.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to REFUSE planning permission.
- 3.2 The proposed units by way of their design would result in both flats being in effect single aspect and the overall quality of the residential accommodation would be poor. The proposal is therefore not in accordance with the provisions of the NPPF, Policy SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) which seek to ensure residential dwellings provide a suitable internal living environment.
- 3.3 The proposed private amenity spaces for both units would provide insufficient levels of privacy for the future occupiers and would create an unacceptable sense of enclosure for any of its users. The proposal is therefore contrary to the provisions of the NPPF, Policy SP10 of the Core Strategy (2010), and Policy DM25 of the Managing Development Document (2013) which seek to ensure that development safeguards the amenity of surrounding existing and future residents and building occupants.

- 3.4 The proposed private amenity spaces and the introduction of habitable room windows by way of their proximity and position on the boundary with No 433 and in relation to nearby habitable room windows would result in an unacceptable loss of privacy for the neighbouring occupants. The proposal is therefore contrary to the provisions of the NPPF, Policy 7.6 of the London Plan (2016), Policy SP10 of the Core Strategy, and Policy DM25 of the Managing Development Document (2013) which seeks to protect the amenity of surrounding, existing and future residents and building occupants.
- 3.5 The proposed bin store by way of its location within a communal corridor and position inside the building would fail to provide adequate waste storage for the residential use, and as such does not meet the requirements of policy DM14 which seek to ensure that any development suitably demonstrates appropriate waste storage facilities for residual waste and recycling.
- 3.6 The proposed cycle parking facilities by way of their vertically stacked design and position within the communal corridor would be unsuitable for all users and not easily accessible. Therefore they would fail to meet the provisions of the NPPF and Policy 6.9 of the London Plan (2016) which seek to ensure cycle parking facilities are convenient and accessible, and intern contribute to sustainable development objectives.

4.0 SITE AND SURROUNDINGS

- 4.1 The site is located on the north side of Roman Road and is within the Roman Road East District Centre and the Driffield Road Conservation Area. The site is accessed from the north side of Roman Road and the rear of the site abuts the terraces along Driffield Road.
- 4.2 The application site is a two storey building that is part of a parade of shops and restaurants that follow an east-west axis along Roman Road. The ground floor functions as the main seating area with the kitchen, toilets, and storage space at first floor level. It features a very small yard space at the rear measuring circa 2.5sqm.
- 4.3 The site is towards the eastern end of Roman Road and within the Bow West ward. The Hertford Union Canal is approximately 0.35km due north, beyond which is Victoria Park. The surrounding streets to the north and west are relatively uniform in scale at between two-three storeys in height. They follow largely a north-south axis and thus create a highly legible street pattern. Their use is overwhelmingly residential. South-west of the site is the Lanfranc estate, an example of 12 post-war housing blocks that are in the main 4 storeys in height.
- 4.4 The site has a PTAL rating of 3 meaning it does not have 'good' public transport accessibility (defined as 4 and above in the London Plan). Bus stop 'Medway Road' is located on the street just in front of the site. Mile End underground station is 1.1 km due south and is approximately 15 minutes' walk

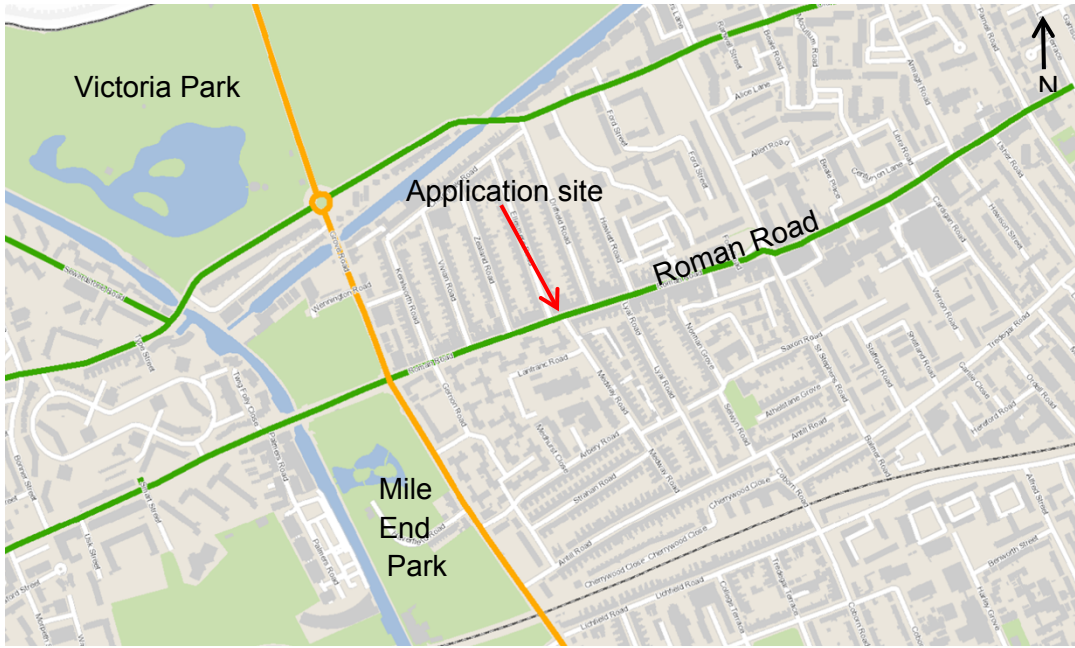
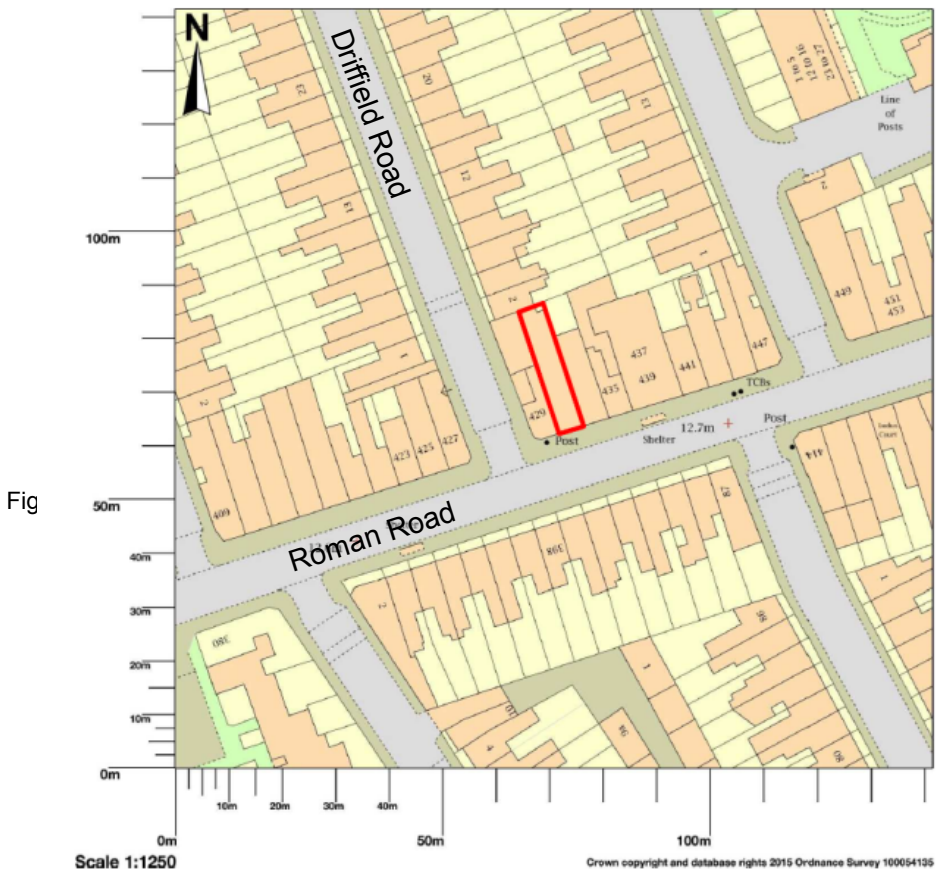


Figure 1: Wider Site Location Plan



Fig

Figure 2: Site Location Plan

Application site



Figure 3: Site Photo

5.0 RELEVANT PLANNING HISTORY

- 5.1 PA/84/00408 – Permitted 16/01/1985
Change of use of ground floor and rear third of first floor to restaurant.
- 5.2 BW/88/00107 – Permitted 01/11/1988
INSTALLATION OF NEW SHOPFRONT
- 5.3 BW/90/00130 – Permitted 01/11/1990
INSTALLATION OF NEW SHOPFRONT
- 5.4 BW/90/00131 – Permitted 31/10/1990
INSTALLATION OF INTERNALLY ILLUMINATED FASCIA AND PROJECTING BOX SIGN
- 5.5 BW/93/00091 – Permitted 28/10/1993
EXTENSION OF OPENING HOURS FROM 8AM TO 12PM, SUNDAYS AND BANK HOLIDAYS
- 5.6 PA/04/01854 – Withdrawn 04/02/2005
Erection of external air conditioning unit to the east-facing rear wall of the existing restaurant.
- 5.7 PA/05/01001 – Permitted 27/10/2005
Erection of an outdoor air conditioning unit at roof level
- 5.8 PA/16/00922/R – Refused 10/06/2016
Alterations to the shopfront and internal rearrangement.

- 5.9 PA/16/00923/R – Refused 10/06/2016
Installation of a front advertisement sign.
- 5.10 PA/17/00835 – Refused 19/05/2017
Conversion of existing toilets, kitchen and storage space at first floor level to two self contained residential flats (Use Class C3) consisting of 1x1 person studio and 1x2 person 1 bed. Ground floor alterations to relocate kitchen and toilets for existing restaurant (Use Class A3).
- 5.11 PA/17/01167/NC – Permitted 20/06/2017
Replacement of shop front and reintroduction of first floor window. Proposed new external extractor fan and duct to the rear elevation.
- 5.12 PA/17/01168/NC – Permitted 20/06/2017
Advertisement consent for replacement of shop front and installation 1x externally illuminated fascia sign.

6.0 RELVANT POLICY FRAMEWORK

- 6.1 Government Planning Policy
National Planning Policy Framework
Planning Practice Guidance
- 6.2 London Plan (MALP 2016)
3.3 Increasing Housing Supply
3.4 Optimising Housing potential
3.5 Quality and Design of housing developments
4.7 Retail and town centre development
6.9 Cycling
7.4 Local character
7.5 Public realm
7.6 Architecture
7.8 Heritage assets and archaeology
- 6.3 Tower Hamlets Core Strategy (2010)
SP01 Refocusing on our town centres
SP02 Urban living for everyone
SP10 Creating distinct and durable places
- 6.4 Managing Development Document (2013)
DM0 Delivering Sustainable Development
DM1 Development within the town centre hierarchy
DM3 Delivering Homes
DM4 Housing standards and amenity space
DM20 Supporting a sustainable transport network
DM22 Parking
DM23 Streets and the public realm

- DM24 Place sensitive design
- DM25 Amenity
- DM27 Heritage and the historic environments

6.5 The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits

Statutory public consultation on the 'Regulation 19' version of the above emerging plan commenced on Monday 2nd October 2017 and will close on Monday 13th November 2017. Weighting of draft policies is guided by paragraph 216 of the National Planning Policy Framework and paragraph 19 of the Planning Practice Guidance (Local Plans). These provide that from the day of publication a new Local Plan may be given weight (unless material considerations indicate otherwise) according to the stage of preparation of the emerging local plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the NPPF. Accordingly as Local Plans pass progress through formal stages before adoption they accrue weight for the purposes of determining planning applications. As the Regulation 19 version has not been considered by an Inspector, its weight remains limited. Nonetheless, it can be used to help guide planning applications and weight can be ascribed to policies in accordance with the advice set out in paragraph 216 of the NPPF.

7.0 CONSULTATION

7.1 The views of the Directorate of Place are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

External consultees

7.2 None.

8.0 LOCAL REPRESENTATION

8.1 A total of 18 planning notification letters were sent to nearby properties as detailed on the attached site plan. A site notice was also displayed and the application was advertised in local press.

8.2 A petition with 31 signatures was received in support of the proposal. The main reason is that the proposal will continue to provide much needed housing in the borough and will ensure the Roman Road area continues to be a viable place.

9.0 MATERIAL PLANNING CONSIDERATIONS

Land Use

9.1.1 Taking into account the strategic need to optimise housing output (Policy 3.4 London Plan 2016) and increase housing supply (Policy 3.3 London Plan 2016). The London Plan (2016) seeks to enable the potential for small sites to make a substantial contribution to housing delivery in London and recognises that sites below 0.25ha play a crucial role.

- 9.1.2 Policy SP02 of the Core Strategy (2010) seeks to ensure the council delivers the housing targets outlined in the London plan (2016) by focusing new housing strategically in the eastern part of the borough.
- 9.1.3 Part 4 of Policy DM1 of the Managing Development Document (2013) provides guidance for the location of A3, A4 and A5 uses within the town centre hierarchy. This policy recognises the role that these uses have in town centres, where a dynamic mix of uses is beneficial to the character of these areas.
- 9.1.4 The proposal would result in the loss of 94.5sqm of restaurant (Class A3) space at first floor level which is currently used for the kitchen, toilets, and storage. These elements would be relocated to the ground floor level and this would allow for the restaurant and associated facilities to be housed entirely on the ground floor, with two new residential units (Class C3) at first floor level.
- 9.1.5 Whilst officers recognise that there would be a reduction in the overall internal floor area for the restaurant use, there would still be 83sqm of Gross Internal Area. This would be enough internal floor space for a restaurant to function as evidenced through other restaurants along Roman Road having both larger and smaller total internal floor areas.
- 9.1.6 It is considered that whilst the restaurant floor space would be reduced with moving the kitchen and toilets downstairs, the site would still have sufficient internal floor space to operate as a viable restaurant. Therefore the proposed reduction in floor space would not harm the vitality and viability of the Roman Road East District Centre which is characterised by a mix of A1, A3, A4 and A5 uses. Policy DM1 of the Managing Development Document (2013) recognises the role of having a dynamic mix of uses within town centres provided it is beneficial to the character of these areas. Thus retaining the ground floor as an A3 use would be in accordance with this policy and recognises the role such uses play within the town centre hierarchy.
- 9.1.7 Furthermore, a planning permission for a revised shopfront, new extract duct and new restaurant layout incorporating all of the services at ground level was approved under planning reference PA/17/01167. Therefore, the existing A3 Use could operate within the ground floor only.
- 9.1.8 The principle of residential development within this district centre is supported as it is recognised that even a small contribution to the housing targets outlined in the London Plan (2016) – in this case two units – is beneficial to meeting housing demand within the borough. In addition the units would be wholly separate from the restaurant use and therefore the two uses would not be in conflict with one another.

9.2 Design and Heritage

- 9.2.1 Paragraph 137 of the National Planning Policy Framework (2012) states that local planning authorities should look for opportunities for new development within

Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements and make a positive contribution to or better reveal the significance of the asset should be treated favourably.

- 9.2.2 London Plan (2016) policies 7.4, 7.6 and 7.8 broadly aim to develop places with regard to the pattern, proportion and grain of existing spaces and have regard to the character of the local context. More specifically development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 9.2.3 Policy SP10 of the Core Strategy (2010) seeks to preserve or enhance the wider built heritage and historic environment of the borough, enabling the creation of locally distinctive neighbourhoods. Part 4 of the policy specifically seeks to promote good design principles in order to achieve high-quality, sustainable, accessible, attractive, durable, and well-integrated spaces and places.
- 9.2.4 Policy DM23 of the Managing Development Document (2013) relates to the streets and public realm, policy DM24 seeks to ensure that design is sensitive to, and enhances the local character and setting, and policy DM27 states that development will be required to protect and enhance the borough's heritage assets, their setting and their significance as key elements in developing a sense of place for the borough's distinctive 'Places'.
- 9.2.5 The proposal would still maintain the active frontage as required under policy DM23 by having the ground floor use as A3. It would be of a sufficient width and the residential entrance would be located separately to the side. This would mimic similar relationships exhibited along the street whereby there are active frontages at ground floor and residential uses above.
- 9.2.6 The proposal would not extend the building outside of its existing footprint, but rather it is proposed to cut into the existing building form to create two private amenity spaces and new habitable room windows would be introduced to the side elevation of the building which is on the boundary with the neighbouring property at No 433. This disruption to the existing form by effectively cutting down into the existing building envelope is symptomatic of poor design which fails to respect the existing form of the building and would introduce an alien feature that bares no relation to the existing building or its immediate context.
- 9.2.7 The proposal however would re-introduce a window to the principal elevation, repair the cornice, and introduce window surrounds to match the two properties adjacent, all of which would enhance the character of the host building and the wider conservation area. Figure 4 below shows the existing and proposed elevations from which you can see the symmetry to the first floor of the façade would be restored and detailing to the windows and cornice would be more in keeping with the traditional arrangement exhibited along the street.



Figure 4: Existing (left) and Proposed (right) Elevations

9.3 Layout

- 9.3.1 The national described space standards (DCLG 2015) outline the minimum Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
- 9.3.2 The London Plan (2016) policy 3.5 seeks to achieve high quality and good design of housing developments, specifically part A states they should be of the highest quality both externally and internally. Part C states that new homes should have adequately sized rooms, and both convenient and efficient room layouts which are functional and fit for purpose to meet the changing needs of Londoners over their lifetimes.
- 9.3.3 Since 2011 the London Plan has provided the basis for a range of housing standards that address the housing needs of Londoners and these are brought together in the Housing Supplementary Planning Guidance (SPG) (2016).
- 9.3.4 Policy SP02 of the Core Strategy (2010) seeks to ensure all housing is appropriate high-quality, well-designed and sustainable. Policy DM04 of the Managing Development Document (2013) that all residential development should meet the most up-to-date housing standards, this includes providing a minimum of 5sqm of private amenity space for 1-2 person dwellings.
- 9.3.5 The proposed units would have a Gross Internal Area (GIA) of 37sqm and 39sqm which is in accordance with the minimum internal floor area of 37sqm required for studio dwellings with a shower. The studios would have 5sqm of private amenity space each and the depth of the terraces would exceed the minimum of 1.5m. The proposal would thus be in accordance with the nationally described space standards (DCLG 2015) and the policies aforementioned. Figure 5 shows the existing and proposed floor plans at ground and first floor level.

9.3.6 Nonetheless the overall quality of the residential accommodation is poor. It is considered that both private amenity spaces are effectively north facing as they are within the building envelope and would be heavily overshadowed by the building's structure directly to the south. Furthermore Flat 2 is east facing single aspect and as such would benefit from very little natural daylight and sunlight. The amenity implications arising from the layout of the units will be considered in greater detail within the following section.

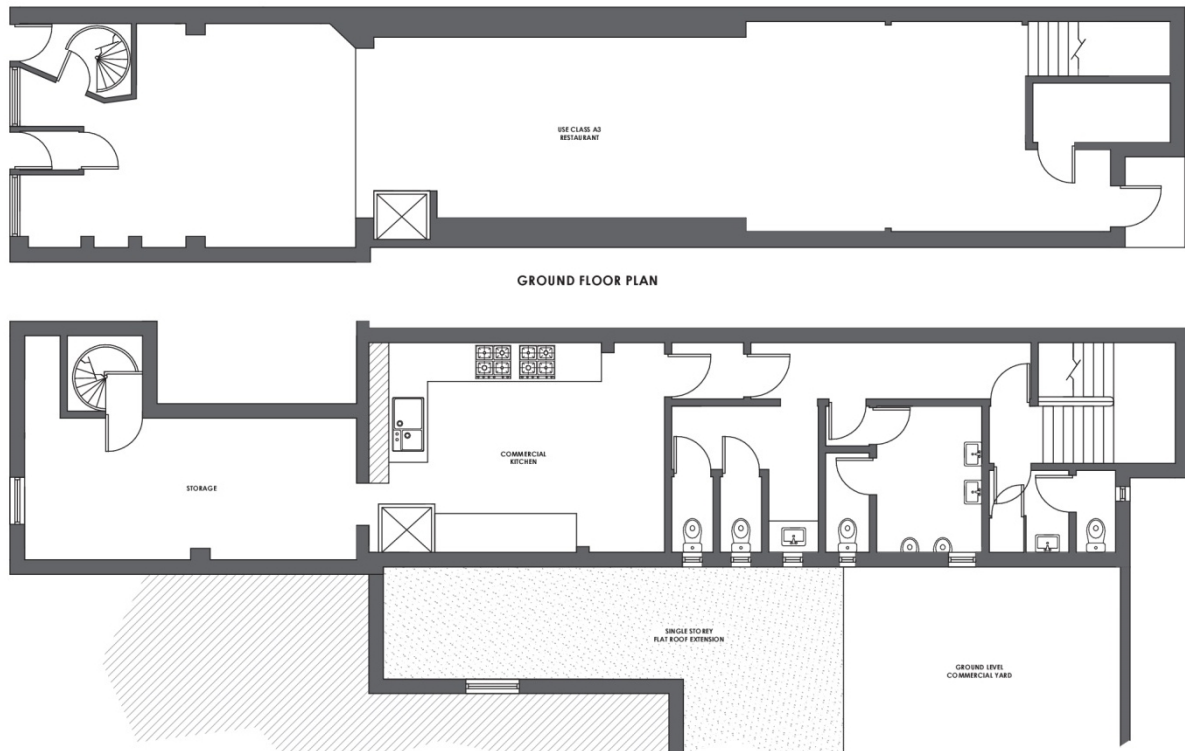


Figure 5: Existing Ground and First Floor Plan

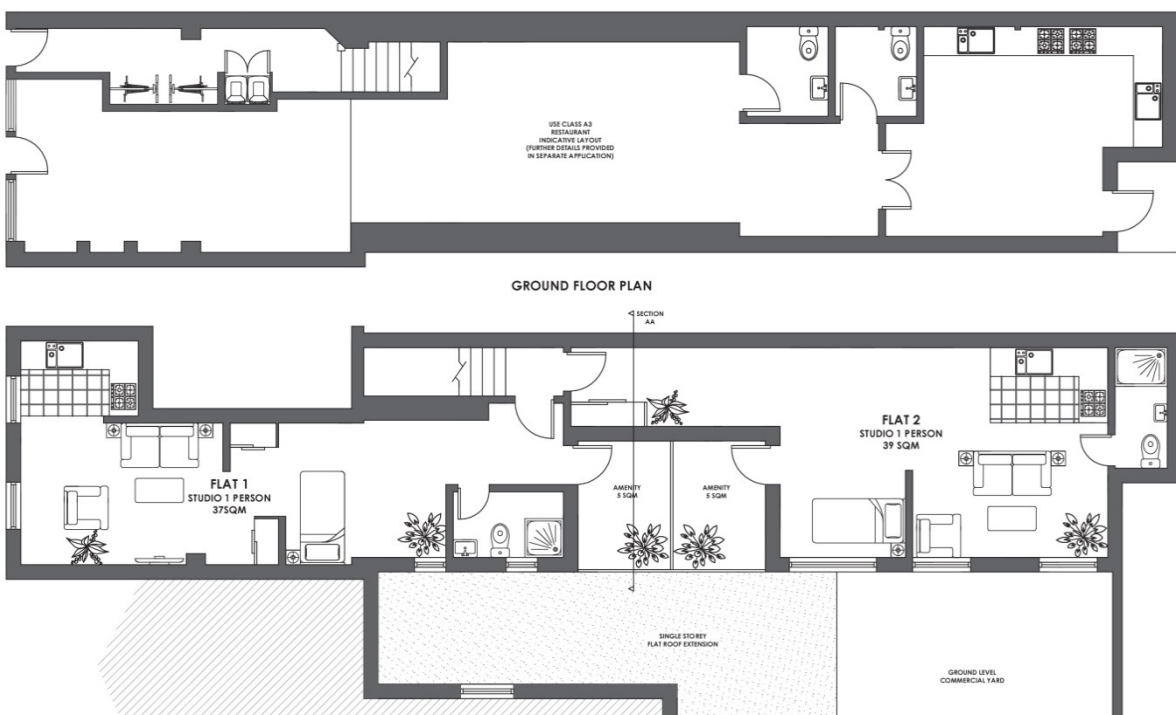


Figure 6: Proposed Ground and First Floor Plan

9.4 Amenity

- 9.4.1 GLA Housing SPG (2016) Standard 29 states that developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided.
- 9.4.2 GLA Housing SPG (2016) Standard 32 states that all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight.
- 9.4.3 SP10 of the Core Strategy (2010) seeks to ensure that buildings and neighbourhoods promote good design principles and that development protects amenity, and promotes well-being (including preventing loss of privacy and access to daylight and sunlight).
- 9.4.4 DM25 of the Managing Development Document (2013) states that development should seek to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm by:
- a. not resulting in an unacceptable loss of privacy, nor enable an unreasonable level of overlooking or unacceptable increase in the sense of enclosure;
 - b. not resulting in the unacceptable loss of outlook;
 - c. ensuring adequate levels of daylight and sunlight for new residential developments
 - d. not resulting in an unacceptable material deterioration of the sunlighting and daylighting conditions of surrounding development including habitable rooms of residential dwellings and not result in an unacceptable level of overshadowing to surrounding open space.
- 9.4.5 DM4 (4.6) of the Managing Development Document (2013) is clear in stating that private amenity space is important in meeting the needs of residents carrying out day-to-day activities. The supporting text of the paragraph states it is important the space meets the minimum standards and ensure that residents have sufficient space to carry out activities such as enjoying a meal outside and drying clothes.
- 9.4.6 Flat 1 would introduce obscure glazed windows with an openable section above 1.7m to the side elevation facing No 433 Roman Road. In effect this would make the unit single aspect as there would be no benefit in terms of outlook as a result of the restricted design of these windows. Their position on the boundary and proximity to the adjacent building means they would receive no direct sunlight. However, the primary aspect to Flat 1 is south facing with two windows providing outlook to Roman Road, as such Flat 1 would provide a better quality internal environment than Flat 2.

- 9.4.7 Flat 2 would be single aspect and east facing into the neighbouring premises at No 433 and No 435. Officers consider that Flat 2 would only receive direct sunlight for a small part of the day during the morning, and in winter months when the sun is lower this is likely to be further reduced. The outlook would also be fairly limited and wholly relies on the curtilage of the neighbouring properties for its outlook. This is un-neighbourly extension which relies on private land for both its outlook and sunlight and daylight.. Flat 2 as proposed is considered to provide a poor internal living environment for the future occupiers by way of it being single aspect and its location and positioning of the habitable room windows.
- 9.4.8 The proposed private amenity spaces would provide a poor quality space that would feel far too enclosed and would make for an unpleasant outdoor area. By cutting down into the building form they would be heavily overshadowed. Furthermore, the privacy screen shown on Figure 8 separating the two amenity spaces is proposed at 1m in height. This would be insufficient to protect the privacy of the future occupiers of either Flat 1 or Flat 2. Even if the screen was increased in height it would further contribute to an overbearing sense of enclosure to these spaces.
- 9.4.9 The property No 433 features a bedroom window to the rear elevation at first floor level. It should be noted this window is not shown on the first floor plan (Figure 6) but from the site visit and planning history officers are satisfied that it serves a habitable room. The window in question would be unduly overlooked from the private amenity space of Flat 2. On the basis that it would be approximately 8m from the amenity space of Flat 2 and have a direct line of sight. This would result in an unacceptable loss of privacy for the occupiers at No 433.
- 9.4.10 Overall the private amenity spaces proposed would fail to accord with policy by way of creating an undue sense of enclosure and providing insufficient privacy to both the occupants and neighbours. The multitude of amenity issues these outdoor areas raise is a consequence of their poor design.

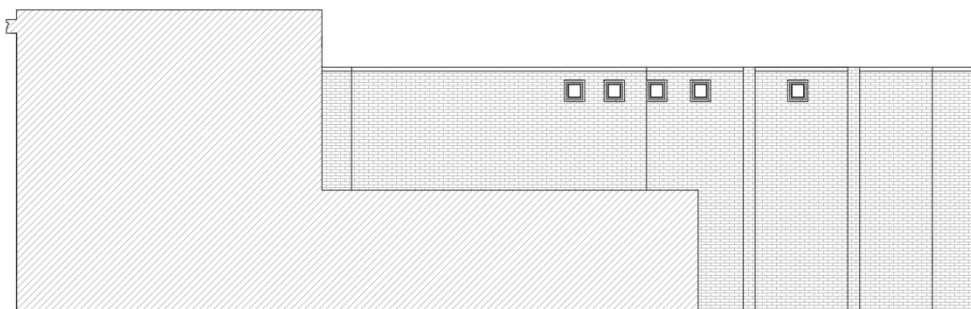


Figure 7: Existing side elevation (east)

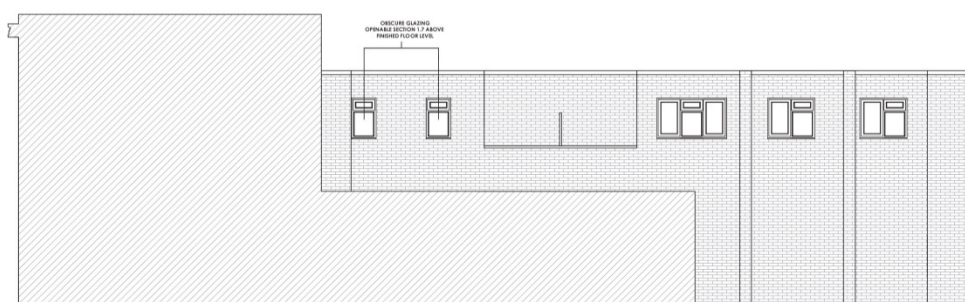


Figure 8: Proposed side elevation (east)

9.5 Highways and Waste

- 9.5.1 Policy 6.9 of the London Plan (2016) states that all new dwellings should provide one cycle space per studio/one bedroom unit, and two spaces per all other dwellings, and that developments provide secure, integrated, convenient and accessible cycle parking facilities.
- 9.5.2 Policy DM22 part 2 of the Managing Development Document (2013) states that where development is located in areas of good public transport (PTAL) the council would stipulate that it is car-free. And that no additional car parking space would be provided.
- 9.5.3 Policy SP05 of the Core Strategy (2010) seeks to ensure that local residents reduce and manage their waste effectively. Policy SP12 aims to improve and develop a network of sustainable and well-designed places through ensuring places offer the right layout to support the day-to-day activities of local people.
- 9.5.4 DM14 of the Managing Development Document (2013) ensures that development demonstrates how it will provide appropriate storage facilities for waste. Appendix 2 outlines the expected additional minimum capacity per week for a 1 bedroom unit to be 100 litres of refuse, and 60 litres of dry recyclables co-mingled, as well as 20 litres of compostable waste for units without a garden.
- 9.5.5 The proposal would include the provision of cycle parking at ground floor level for the residential units. According to the London Plan (2016) the development would be required to provide 2 cycle parking spaces. However, the proposal is for a vertical stands which is not suitable and not accessible for all users. Therefore, the proposal is not considered to meet the requirement as set out in the policy, and as such the proposal would not provide adequate cycle parking that is accessible secure, sheltered, integrated, and inclusive.
- 9.5.6 The proposed waste storage facilities raise concern as there would be a requirement for the waste collection personnel to enter the premises and go through the communal corridor to access the bin store. This arrangement is contrary to council policy whereby the bin store should be directly accessible from the public highway.
- 9.5.7 Furthermore no information has been submitted outlining where the waste collection vehicle would park to load and unload. Nor has information been provided on the expected volumes of waste to be generated. The store's position within the interior of the building means there would be a requirement for mechanical ventilation which has not been proposed. On balance officers consider that the waste storage facilities fail to meet policy DM14 of the Managing Development Document (2013) and the proposal does not demonstrate a coherent waste strategy for the new residential use.

10.0 HUMAN RIGHTS CONSIDERATIONS

- 10.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:
- 10.2 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
 - Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
 - Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".
- 10.3 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.
- 10.4 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.
- 10.5 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 10.6 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

11.0 EQUALITIES ACT CONSIDERATIONS

11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

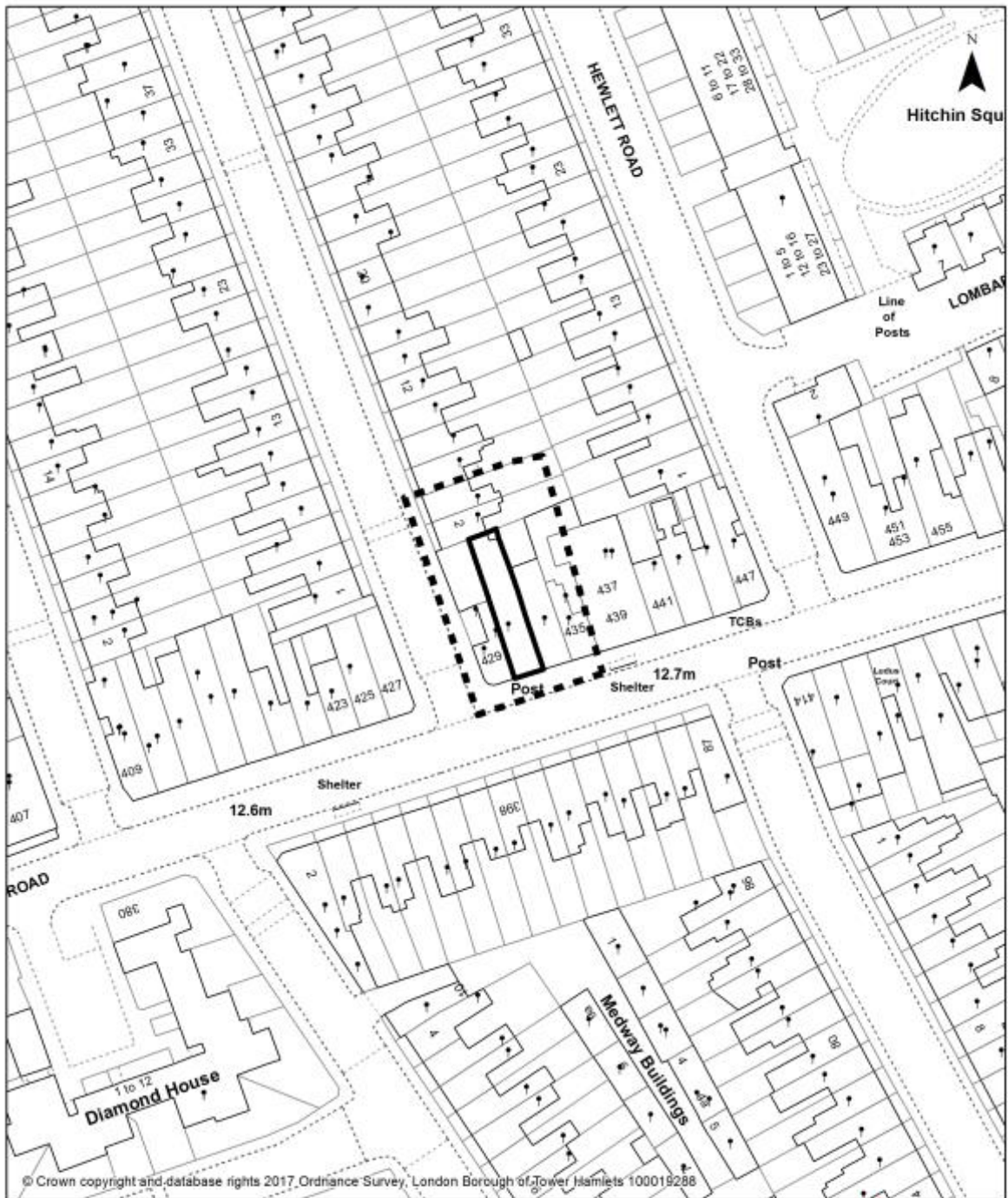
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

11.3 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation it is identified that level access is provided into all parts of the building thus promoting equality with regards to disability. There are no other identified equality considerations.

12.0 CONCLUSION

12.1 All relevant policies and considerations have been taken into account. Planning Permission should be REFUSED for the reasons set out in the MATERIAL PLANNING CONSIDERATIONS section of this report



Planning Application Site Map PA/17/01527

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.

- Consultation Area
- Planning Application Site Boundary
- Statutory Listed Buildings
- Locally Listed Buildings

Scale @ 1:800
10 5 0 10 20 30 Meters



GIS for Place Directorate
LONDON BOROUGH OF TOWER HAMLETS
Date: 20/11/2017

