

<b><u>No:</u></b>	<b>BH2019/03387</b>	<b><u>Ward:</u></b>	<b>Central Hove Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>126 Church Road Hove BN3 2EA</b>		
<b><u>Proposal:</u></b>	<b>Change of use from retail (A1) to cafe/restaurant (A3) incorporating new shopfront, installation of canopy, ventilation ducting and associated works. (Part-retrospective)</b>		
<b><u>Officer:</u></b>	Michael Tucker, 292359	tel: <b><u>Valid Date:</u></b>	13.12.2019
<b><u>Con Area:</u></b>	Cliftonville	<b><u>Expiry Date:</u></b>	07.02.2020
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Lewis And Co Planning SE Ltd 2 Port Hall Road Brighton BN1 5PD		
<b><u>Applicant:</u></b>	Persia Hove 126 Church Road Hove BN3 2EA		

## 1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Report/Statement	Marketing	-	12 November 2019
Report/Statement	Retail Survey	-	12 November 2019
Other	Extraction Details	-	17 December 2019
Proposed Drawing	1952 01	B	13 March 2020

- 2 Within 2 months of the date of this decision and notwithstanding the drawings hereby permitted, further details of the proposed shopfront joinery including doors, corbels, projecting cornices and fascia shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details within 2 months of the subsequent date of approval and retained as such thereafter.

**Reason:** To ensure a satisfactory appearance to the development and to respect the character of the area, in accordance with policies CP12 and CP15 of the Brighton and Hove City Plan Part One and policies QD14 and HE6 of the Brighton and Hove Local Plan.

- 3 Within 3 months of the date of this a decision a scheme for the soundproofing of the building between the ground and first floors shall be submitted to and approved in writing by the Local Planning Authority.  
The approved scheme shall be implemented in strict accordance with the approved details within 3 months of the date of approval and shall be retained as such thereafter.  
**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 4 Within 3 months of the date of this permission, a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details within 3 months of the date of approval and shall thereafter be retained as such.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 5 Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014. In addition, there should be no significant low frequency tones present.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 6 The use hereby permitted shall not be open to customers except between the hours of 11:00 and 23:00 from Monday to Saturday and 12:00 to 22:00 on Sundays and Public and Bank Holidays.  
**Reason:** To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 7 No vehicular movements nor any loading or unloading of vehicles shall take place on the site except between the hours of 08:00 and 13:00 Monday to Sunday.  
**Reason:** To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 8 Take-away use at the restaurant hereby permitted shall be as pedestrian take-aways use only and shall not be used to operate or be used by a take-away food cycle/motorcycle/vehicle or similar delivery service.  
**Reason:** In order to ensure the safe operation of the development and to comply with policy CP9 of the Brighton and Hove City Plan Part One and policy TR7 of the Brighton & Hove Local Plan.

- 9 Access to all flat roofs to the building shall be for maintenance or emergency purposes only and these flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.

**Reason:** In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 10 Notwithstanding any such approval from the Local Highways Authority, the area of pavement to the front of the building shall not be used for commercial activity of any kind, except for loading and unloading.

**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. The scheme for soundproofing should be designed to achieve soundproofing of 5dB better than that required by Approved Document E performance standards.

## **2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1. The application relates to a retail shop on the ground floor of a two-storey mid-terrace property on the southern side of Church Road. The site is located within the Cliftonville Conservation Area and is within the prime frontage of the Hove Town Centre shopping area as designated by policy SR5 of the Brighton and Hove Local Plan.
- 2.2. Planning permission is sought for the change of use of the site from retail (A1) to a cafe/restaurant (A3), incorporating a new shopfront and canopy, ventilation ducting and associated works. The application is part-retrospective as the change of use has already occurred and the new shopfront has been partly implemented.

## **3. RELEVANT HISTORY**

- 3.1. **BH2018/00552** - Change of use at 126 Church Road from shop (A1) to restaurant and bar (A3/A4) with alterations to rear incorporating new extension at basement level and stairs and handrail at first floor level. Alterations to shopfront at 126-128 Church Road. Refused, appeal dismissed.
- 3.2. The reasons for refusal were as follows:
  1. The proposed development would result in an unwelcome concentration of non-A1 uses evidenced by a significant break in the retail frontage and

a localised concentration of restaurants (A3) and bars (A4). The loss of this retail use fails to address community needs for a range of comparison and convenience goods shops, having a detrimental impact on the viability of the shopping centre. The proposal is contrary to policy SR5 of the Brighton and Hove Local Plan.

2. The relocation of the entrance to the maisonette at 126 Church Road to the roof terrace at the rear of the building means that a significant amount of activity would occur at an elevated position, in close proximity to windows serving residential uses at no. 22 Medina Villas to the south. It is considered unreasonable for occupiers of this property to experience the noise and disturbance associated with the intensification of use of the rear of the building with noise arising at times and to a degree beyond what would reasonably be expected of the rear of the subject buildings. For these reasons, the proposed development would be contrary to policies QD14, QD27, SU9 and SU10 of the Brighton and Hove Local Plan.
3. The proposed shopfront removes existing recessed entranceways which provide a welcome visual relief by breaking up the frontage. The impact would be compounded by the amalgamation of the units to form a wider continuous frontage. The loss of the fascia and corbal brackets at no. 126 Church Road represents the loss of important historic architectural feature of the building which had contributed significantly to the buildings character and the historic character of the conservation area. To the rear, the introduction of a UPVC door and metal balustrading to the flat roof, when viewed in the context of numerous incremental changes, including wall mounted lighting, plant/machinery, high timber screening and altered fenestration and roof cladding, result in a discordant and cluttered rear elevation. Overall, the proposed development would have a significantly harmful impact on the character and appearance of the building and the wider conservation area contrary to policies CP12 and CP15 of the Brighton and Hove City Plan Part One and policies QD14 and HE6 of the Brighton and Hove Local Plan Part One.

#### 4. REPRESENTATIONS

4.1. **Three (3)** letters have been received, objecting to the proposal for the following reasons:

- Loss of retail unit detrimental to character of area
- Noise disturbance from additional licensed premises
- Flue already installed
- Flue has the potential for noise/odour disturbance
- Rooflights detrimental to neighbouring properties
- Applicant has a history of non-compliance
- Detrimental effect on property value
- Noise
- Overdevelopment
- Pre-existing retail unit not redundant
- Neighbouring property at no. 124 is not a mixed-use unit

- 4.2. **Councillor Moonan** has objected to the proposal and asked for it to be considered at planning committee if the officer recommendation is to approve. A copy of this correspondence is attached to this report.

## 5. CONSULTATIONS

5.1. **Environmental Health:** No objection

There are concerns regarding noise and odour from the extraction flue, and possible breakout noise from the restaurant into the residential above. Conditions should be attached to secure soundproofing measures between the restaurant and the residential unit above, and an up-to-date acoustic report to demonstrate that the extraction equipment complies with the Council's noise standard.

5.2. **Sussex Policy Community Safety:** No objection

Hours of opening should be made a condition of consent. Alcohol should be ancillary to food prepared on the premises and served at table by waiting staff. Substantial food should be available at all times in order to safeguard against a more general A4 use. Police Licensing at Sussex Police should be directly consulted by the applicant.

- 5.3. There is evidence that the outdoor seating to the frontage of the site is obstructing the doorway to the residential use above. This should either be removed, or a physical barrier erected.

- 5.4. All new doors and easily accessible windows should conform to a minimum standard of at least PAS 24-2016 or equivalent.

5.5. **Heritage:**

First response: Seek amendments

- 5.6. It is acknowledged that the aluminium shopfront that was present prior to recent changes did not preserve or enhance the character of the conservation area.

- 5.7. The current scheme incorporates separate recessed entrances to the first floor and ground floor and this is welcome, as is the use of painted timber joinery for the doors and folding windows, and the glazed tile stallriser.

- 5.8. However, the proposed drawings show the height of the opening containing the new folding shop windows to be lower than the neighbouring window to the east, with the top of the windows to no. 128 (Barcode) being much higher than the proposal, giving variety between the units and leaving sufficient room for a narrow fascia in the traditional position above the window. The scheme as implemented however, has the window opening in-line with Barcode, thereby creating an over-large shop frontage with elongated casement sashes.

- 5.9. The addition of a fascia sign, as may reasonably be required by future occupiers (and indeed as currently present although not subject to any application) would further increase the scale of this shopfront in proportion to the building frontage, in the same way as at no 128.
- 5.10. The corbels that formerly book-ended the fascia prior to the unauthorised works have been removed and the loss of these traditional shopfront features, along with a projecting cornice and fascia is considered to create a bland, 2 dimensional contemporary shopfront which does not preserve or enhance the character of the Conservation Area. These are elements of the previous scheme that were criticised by the Inspector when dismissing the recent appeal against refusal of that scheme.
- 5.11. It is therefore considered that the proposed drawings should be amended to include a traditional fascia with corbels, in accordance with the guidance in SPD 02, and it follows that the shopfront as currently built should be altered to conform with the plans.

Second response following receipt of amended drawings: No objection

- 5.12. The general arrangement shown is acceptable however the scale of the drawings provided and lack of detail for the traditional shopfront elements on the submitted drawings means that the proposed detailing is unclear. As a result, the plans do not provide any reassurance that the features required will be acceptable within this historic setting.
- 5.13. As a result, unless further information is submitted any approval of this scheme will need to be subject to conditions requiring further details of the shopfront joinery (including doors), corbels, projecting cornice and fascia.

5.14. **Sustainable Transport:**

Verbal comments: Further information required

- 5.15. The proposal is unlikely to result in a significant increase in trip generation.
- 5.16. Further information on deliveries should be sought.
- 5.17. Any front awning/blind should not come down lower than 2.3m above the adopted (public) highway footway and not within 0.45m of the carriageway/footway kerb face.
- 5.18. A condition restricting take-away/delivery service should be applied for pedestrian safety reasons.

Verbal comments following receipt of additional information: No objection

- 5.19. The submitted information regarding deliveries to the site is considered by the Highways Authority to be acceptable.

## 6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
  - Brighton & Hove Local Plan 2005 (retained policies March 2016);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
  - Shoreham Harbour Joint Area Action Plan (adopted October 2019);
- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## 7. POLICIES

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part 2:

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

#### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP3	Employment land
CP4	Retail provision
CP9	Sustainable transport
CP12	Urban design
CP15	Heritage

#### Brighton and Hove Local Plan (retained policies March 2016):

TR7	Safe Development
TR14	Cycle access and parking
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD5	Design - street frontages
QD14	Extensions and alterations
QD27	Protection of amenity
SR5	Town and district shopping centres

HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD02 Shop Front Design  
SPD09 Architectural Features  
SPD12 Design Guide for Extensions and Alterations  
SPD14 Parking Standards

## 8. CONSIDERATIONS & ASSESSMENT

8.1. The main considerations in the determination of this application relate to the principle of the development, the design and appearance of the proposed external alterations and the impact of the proposal on neighbouring amenity. Sustainable transport is also a material consideration.

Background:

8.2. The current application follows the refusal of BH2018/00552, which sought permission for a change of use of the site from A1 to A3/A4 and the incorporation of no. 126 into the existing A3/A4 use at no. 128 Church Road. BH2018/00552 also proposed the relocation of the access to the upper floor residential use from the front to the rear of the building.

8.3. BH2018/00552 was refused for three reasons, relating to:

1. The change of use conflicting with Policy SR5 of the Brighton and Hove Local Plan;
2. The relocated access route harming the amenity of nearby residential uses through increased noise disturbance at an elevated position; and
3. The design and appearance of the proposed shopfront resulting in the loss of historic features and not respecting the character of the area.

8.4. An appeal was submitted, which was dismissed due to the Inspector finding that the proposal would harm the amenity of nearby residents and the character and appearance of the area (reasons for refusal 2 and 3). The Inspector did not uphold the first reason for refusal, finding that the loss of the A1 unit would not conflict with Policy SR5.

8.5. Since the dismissal of BH2018/00552 at appeal, the site has made use of the available temporary permitted development rights in Part 4, Class D of the GPDO and is currently in A3 use.

Current Application:

8.6. The current application seeks permission for a change of use from A1 to A3, a new shopfront, ventilation ducting and associated works.

8.7. The current application differs from BH2018/00552 insofar as:

- the proposed use is A3 (rather than A3/A4);
- the amalgamation of nos. 126 and 128 is no longer proposed;
- the residential access is no longer proposed to be relocated;
- a revised shopfront design is proposed.

**Principle of Development:**

- 8.8. Policy CP4 of the City Plan Part One identifies a significant need for new retail floorspace over the period of the plan and states that It is important that Brighton & Hove's shopping centres and local neighbourhood shopping facilities remain vibrant, attractive and accessible.
- 8.9. Policy SR5 of the Brighton and Hove Local Plan sets out that, within the prime frontage, changes of use from A1 to A3 will be allowed so long as each of four criteria are met.
- 8.10. *a. A clear predominance of Class A1 uses would be maintained:*  
The application includes a retail survey which concludes that, within the entirety of the prime frontage and considering the application site as its pre-existing A1 use, 52.94% of units are in A1 use. With the application site in A3 use this figure is 52.63%. It is likely that there has been some change of use within the prime frontage since the date of the retail survey (January 2018) and the findings of the retail survey are therefore likely out of date.
- 8.11. Nevertheless, it is noted that commercial uses are not evenly spread throughout the centre. The Inspector for BH2018/00552 considered that *"Church Road is a significant eating and drinking destination, and that appears in-line with its character and appearance as a wide, busy through road and public transport artery. George Street is largely pedestrianised during shopping hours and has a more intimate and welcoming character and appearance, conducive to strolling, comparison shopping and frequent crossing from one frontage to the other, something that the traffic use and width of Church Road does not lend itself to."*
- 8.12. In light of these comments, and notwithstanding that the proportion of units in the overall prime frontage may be more or less than the figure given in the retail survey, in this case it is considered that the use of the site as an A3 unit would not negatively affect the predominance or distribution of retail and other commercial uses within the centre.
- 8.13. *b. as a result of the proposal there would not be a significant break in the shopping frontage of more than 15 metres:*  
The adjacent unit at 124 Church Road is a mixed A1/A3 use. To the other side, no 128 is a mixed A3/A4 use, and on the other side of Osborne Villas is an A1 use. The gap in the shopping frontage (not including the width of Osborne Villas itself) would therefore be equal to the width of nos. 126 and 128 Church Road, or approximately 12m. It is recognised that the Officer for BH2018/00552 held concerns over the mix of A1 and A3 at no.124, however the Inspector found that no.124 should be considered as a mixed A1/A3 use as this remains the lawful use of no. 124 in planning terms.
- 8.14. *c. it would have a positive effect on the shopping environment of the area by encouraging combined trips and attracting pedestrian activity to the centre:*  
A restaurant use at the site would attract footfall and activity to the area, as well as linked shopping trips.

8.15. *d. the development would not be materially detrimental to the amenities of occupiers of nearby properties or the general character of the area:*

As will be set out below, subject to conditions the proposed use is considered not to be materially detrimental to the amenities of occupiers of nearby properties or the general character of the area.

8.16. It is therefore considered that, in light of the Inspector's comments for BH2018/00552 which concluded that "the criteria of Policy SR5 would be met and the proposal would not cause harm to the viability of the shopping centre or the prime frontage.", the proposed change of use from A1 to A3 would not conflict with policy SR5 of the Brighton and Hove Local Plan and is acceptable in principle.

8.17. The application also includes details of marketing by Tom Graves Ltd of the pre-existing A1 unit from February 2018, although it is not stated for how long the marketing took place, nor are any comparator sites included so it is not possible to determine whether the proposed terms were reasonable.

8.18. The marketing letter concludes that demand for an A1 use of the site is low, whereas demand for an A3 use could be much higher. Whilst the marketing evidence is given reduced weight due to its above limitations, it does nevertheless support the application by indicating that the proposed change of use would be less likely to result in the unit lying vacant for extended periods.

**Design and Appearance:**

8.19. When considering whether to grant planning permission for development in a conservation area the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

8.20. Case law has held that the desirability of preserving a listed building or its setting or the character or appearance of a conservation area must be given "considerable importance and weight".

8.21. The proposed external alterations include a new shopfront, the insertion of rear rooflights and the installation of ventilation ducting at roof level. The application also includes an awning however it is considered that the awning benefits from 'deemed consent' under Schedule 3, Part 1, Class 5 of the Advertisement Regulations.

8.22. Both the Officer and Inspector for BH2018/00552 raised concerns regarding the then-proposed shopfront, specifically the loss of historic features such as the corbels and recessed doors, as well as the amalgamation of nos. 126 and 128 resulting in the erosion of the historic presentation of the narrow-frontage plots.

8.23. The current application has sought to overcome these concerns, with the following notable changes being made:

- no. 126 is to be retained as a separate frontage;
  - separate recessed entrances to the ground and first floor are to be reinstated;
  - painted timber joinery is to be used for the doors and folding windows;
  - a glazed tile stallriser is to be inserted;
  - window height has been reduced to match no. 124 rather than no. 128.
- 8.24. Following comments from the Heritage team the proposed drawings were revised to include a traditional fascia with corbels. The Heritage team considers the amended proposed shopfront to be acceptable in principle, however further detail of the joinery is required. This will be secured by a suitably worded condition.
- 8.25. As amended and subject to the recommended conditions, the proposed shopfront is considered to be of an appropriate design that would not cause harm to the character and appearance of the building or the wider conservation area.
- 8.26. No objection is raised to the proposed rooflights to the rear which would not have a significant impact upon the appearance of the building. The proposed flue at second-floor roof level would be somewhat visible from within the conservation area in views northwards from Medina Villas and Osborne Villas and views at a distance westwards from Church Road. It is however considered that the visual impact of the flue would not be so significantly detrimental as to warrant the refusal of the application.
- 8.27. No expansion of the building is proposed. The existing rear extension (to which the rooflights are proposed) does not appear to have any planning history of an approval, notwithstanding this it has, however, been in situ for over ten years (according to Google satellite imaging) and is therefore immune to enforcement action and is therefore considered as a lawful and existing part of the premises.
- Impact on Amenity:**
- 8.28. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.29. BH2018/00552 was refused and dismissed at appeal in part due to the impact on neighbouring amenity of a relocated access route to the residential units on the upper floors. As part of the current application this element of the scheme is no longer proposed.
- 8.30. The proposed A3 use has the potential to result in an increase in noise disturbance for occupiers of the residential uses on the upper floors, and so a noise assessment and scheme for soundproofing shall be secured by condition. Any noise impacts upon the wider area are unlikely to be significant given the central location of the site on a busy commercial thoroughfare.

- 8.31. Hours of opening of 11:00-23:00 from Monday to Saturday and 12:00-22:00 on Sundays have been confirmed by the applicant and will be secured by condition. This is within the hours deemed acceptable by Sussex Police.
- 8.32. The flue has the potential to result in noise disturbance for neighbours, and an acoustic report and details of noise control equipment to mitigate this shall be secured by condition. The flue will terminate above the roof levels of the surrounding buildings and so is unlikely to result in odour disturbance.
- 8.33. The comments raised by objectors to the scheme regarding the proposed rear rooflights are noted, however for clarify "rooflights" in this context refers to windows flush with the roof rather than any external light source. The proposed rooflights are considered not to be detrimental to neighbouring amenity.
- 8.34. Sussex Police have raised concerns regarding outdoor seating obstructing access to the residential flats above. In order to protect the amenity of residents a condition will be attached to prevent outdoor areas being used as seating, serving or smoking areas.

**Sustainable Transport:**

- 8.35. The proposal is unlikely to result in a significant uplift in trip generation.
- 8.36. The site is well served by public transport and the site is located within Controlled Parking Zone (CPZ) N.
- 8.37. No new cycle parking is proposed as would be required by SPD14, although given the constraints of the site, the current lack of provision and the availability on street stands, this is considered not to warrant the refusal of the application.
- 8.38. The application has stated that deliveries are made by transit van size vehicles early in the day between 08:00 and 13:00, taking no longer than 20 minutes. This is considered acceptable and not to require a delivery and servicing management plan.
- 8.39. There is a high level of pedestrian movement on Church Road outside of the site and it is considered appropriate to attach a condition requiring take-aways to be pedestrian only.

**Conclusion:**

- 8.40. In light of the Inspector's comments for BH2018/00552, the proposed change of use from A1 to A3 is considered not to conflict with Policy SR5 of the Brighton and Hove Local Plan. Subject to securing further detail by condition the proposed shopfront as amended is considered to be of an acceptable design that would not harm the character or appearance of the site or the wider Cliftonville Conservation Area. The rear rooflights and flue are considered not to have a significant detrimental impact upon the appearance of the building or wider area. Impacts of the proposed use on neighbouring amenity through increased noise disturbance can be satisfactorily mitigated by conditions. No

concerns are held regarding sustainable transport impacts. The proposal has responded positively to the reasons given by the Inspector for the dismissal of BH2018/00552. Approval is therefore recommended, subject to conditions.

**9. EQUALITIES**  
None identified

