

16th July 2014 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
15	The Hippodrome & Hippodrome House 51-58 Middle Street 47 Middle Street 10 & 11 Dukes Lane and land adjacent to 18-19 Ship Street, Brighton	BH2013/04348	<p>Amended conditions 4, 13 & 23 to read:</p> <p>4. The D2 (cinema) use hereby permitted shall not be open to customers except between the hours of 09:00 Sundays to Thursdays and 02:00 the following day and between 09:00 Fridays and Saturdays and 03:00 the following day.</p> <p>Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.</p> <p>13. No works to any property on Dukes Lane shall take place until 1:20 scale elevations and sections of the new bays to the gable ends of 10 and 12 Duke's Lane have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.</p> <p>Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.</p> <p>23. No works to form the portico and stepped access into Hippodrome House shall commence until the adopted highway on Middle Street where the new portico and steps are proposed, as is indicated on drawing no. P101 revision B received on 28 May 2014 (proposed ground floor plan), has been stopped up.</p> <p>Reason: To ensure that satisfactory access arrangements are provided to the development and to comply with policy TR7 and TR8 of the Brighton & Hove Local Plan.</p> <p>Additional Condition:</p> <p>No development shall take place until full details of the elevational treatment of the new building fronting Ship Street, including 1:20 scale elevations and 1:1 scale profiles where appropriate, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in full in accordance with the approved details.</p> <p>Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.</p> <p>Officer comment:</p> <p>Environmental Health officers are satisfied that extending the opening hours of the D2 cinema until 03:00 on Friday and Saturday evenings would not result in</p>

			<p>significant increased amenity harm.</p> <p>Amendment to report: Paragraph 8.7: 'less than significant harm' should read 'less than substantial harm'</p>
73	The Hippodrome & Hippodrome House 51-58 Middle Street, Brighton	BH2013/04351	<p>Amended recommendation: That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be MINDED TO GRANT Listed Building Consent subject to there being no call in of the application pursuant to s13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the Conditions and Informatives set out in section 11.</p> <p>Amendment to report: Paragraph 8.7: 'less than significant harm' should read 'less than substantial harm'</p>
137	240 Dyke Road, Brighton	BH2014/01236	<p><u>Objection</u> on behalf of 238 Dyke Road, objecting to the application on the following grounds ;</p> <ul style="list-style-type: none"> • will suffer noise transmission into neighbouring children's bedrooms, family room and dining room, • overlooking, neighbouring garden is only separated from the garden of 240 by a low wall and is overlooked by the upper floors, • use of pathway at rear to access 240 has the potential to impact on no. 238 in terms of disturbance and security risk, • the proposal is contrary to policies HO8, HO11, QD27 and SU10 of the Brighton and Hove Local Plan, • the property will not simply be a 'children's home' but would in effect be a business, operating a treatment/therapy unit with a high footfall of staff on a daily basis. The proposed staffing levels at any one time are not entirely clear. The proposed level of activity that the use could generate is not appropriate in a semi-detached house. It is not akin to 'normal' family living. No noise assessment has been submitted to demonstrate that the proposed use will not have an adverse impact, • the use of the garden could have its own impact in terms of noise, disturbance and overlooking to 238, • increased highways and parking impacts, an application at 238 for a change of use from a single dwelling to a day nursery (BH1997/00988/FP) was

			<p>refused with two of the three reasons for refusal associated with travel and parking,</p> <ul style="list-style-type: none"> • an application in 2006 by the same applicant for 307 Dyke Road considered that policy HO8 does not explicitly state that it seeks to protect against the loss of C3 uses. In light of the City's current housing shortage consider that this policy must be interpreted as seeing to protect the retention of C3 uses, • to permit the loss of residential accommodation to accommodate young people coming from outside of the Brighton area would be to undermine the efforts that the Council are currently going to, to ensure that it has a "sound" City Plan which can deliver the amount of housing needed in the City, • no independent evidence from agents has been submitted to corroborate that no existing C2 properties are on the market at the present time which satisfy requirements, • attention is drawn to the fact that the property previously had C2 use but this designation was over 30 years ago and the property has been in residential use for a significant time, so limited weight can be given to that, • application BH1997/00988/FP for 238 Dyke Road for change of use to a day nursery was refused for parking, highways and loss of residential reasons. <p>Officer response: Comments are noted. The objection raises no additional material considerations.</p>
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NB. Representations received after midday the Friday before the date of the Committee meeting will not be reported (Sub-Committee resolution of 23 February 2005).