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10 Dukes Lane

BH2025/01338

1st October 2025

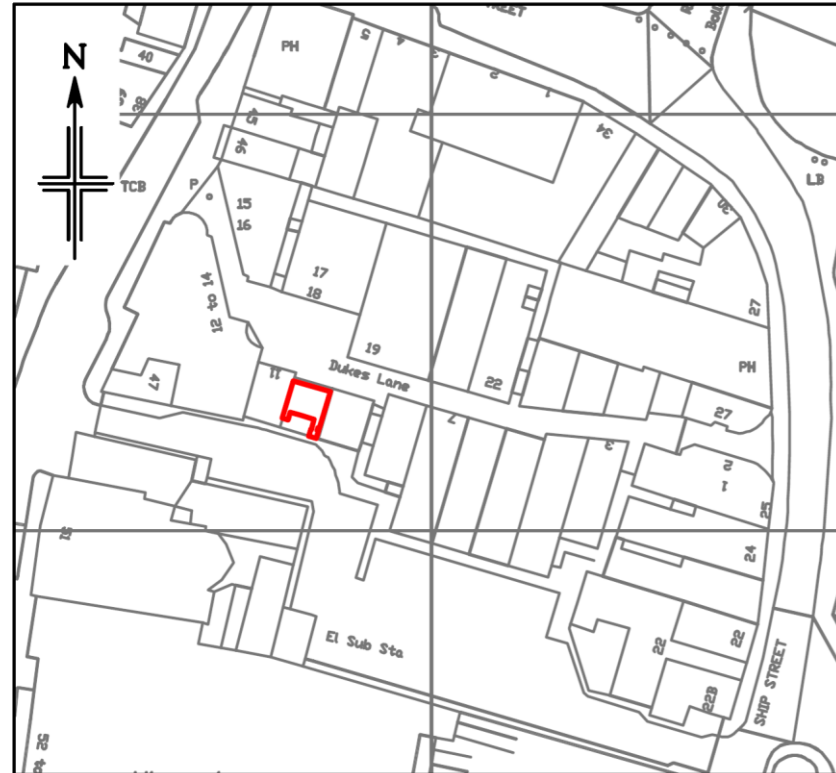


Brighton & Hove
City Council

Application Description

- ▶ Application to vary Condition 2 of planning permission BH2005/02302/FP to permit customer opening hours of 08:00 to 22:30 daily.
- ▶ The original application conditioned opening hours of 08:00 to 18:00 daily

Existing Location Plan



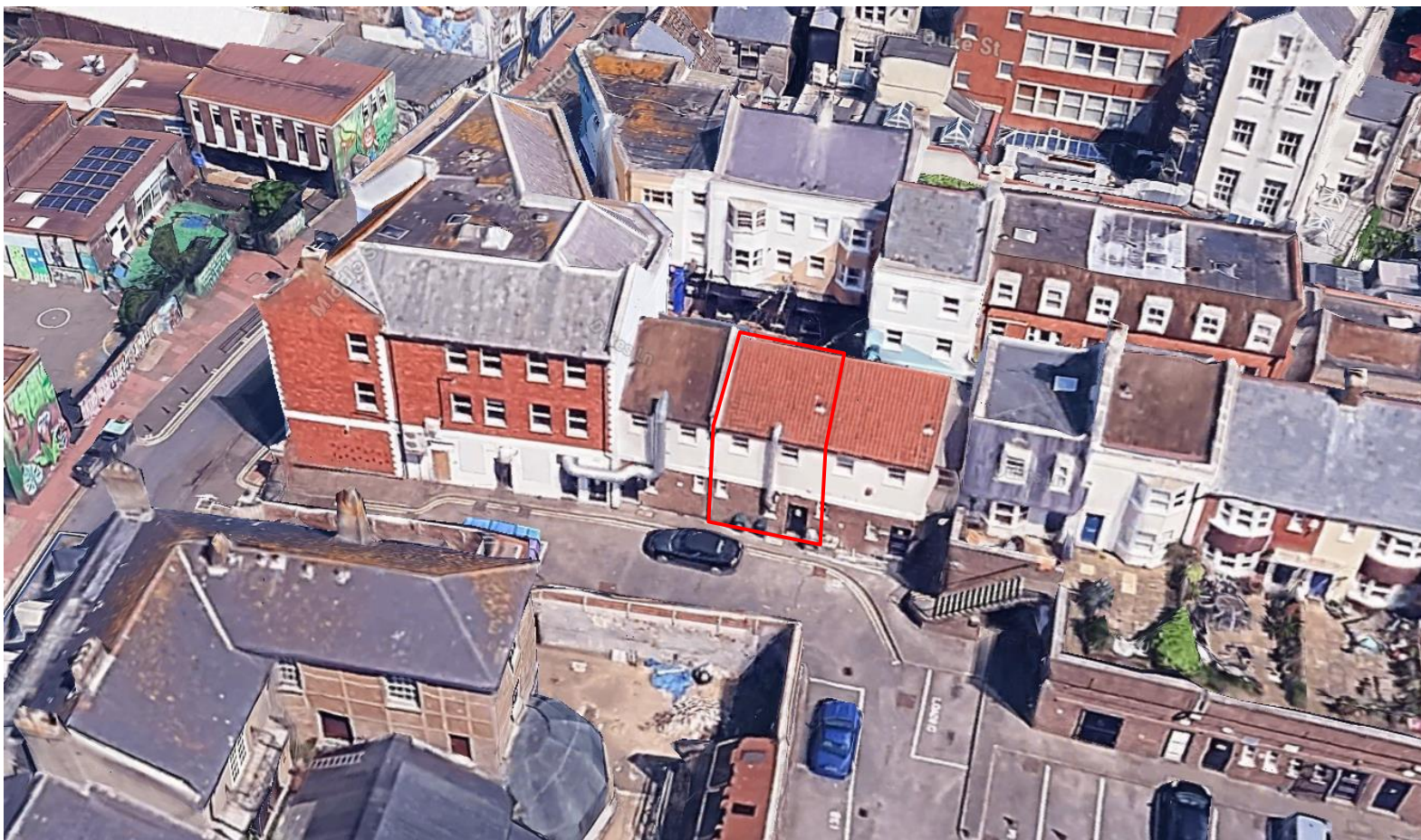
Location Plan

Scale 1:1250

Aerial Photo of Site



3D Aerial Photo of Site



3D Aerial Photo of Site



North

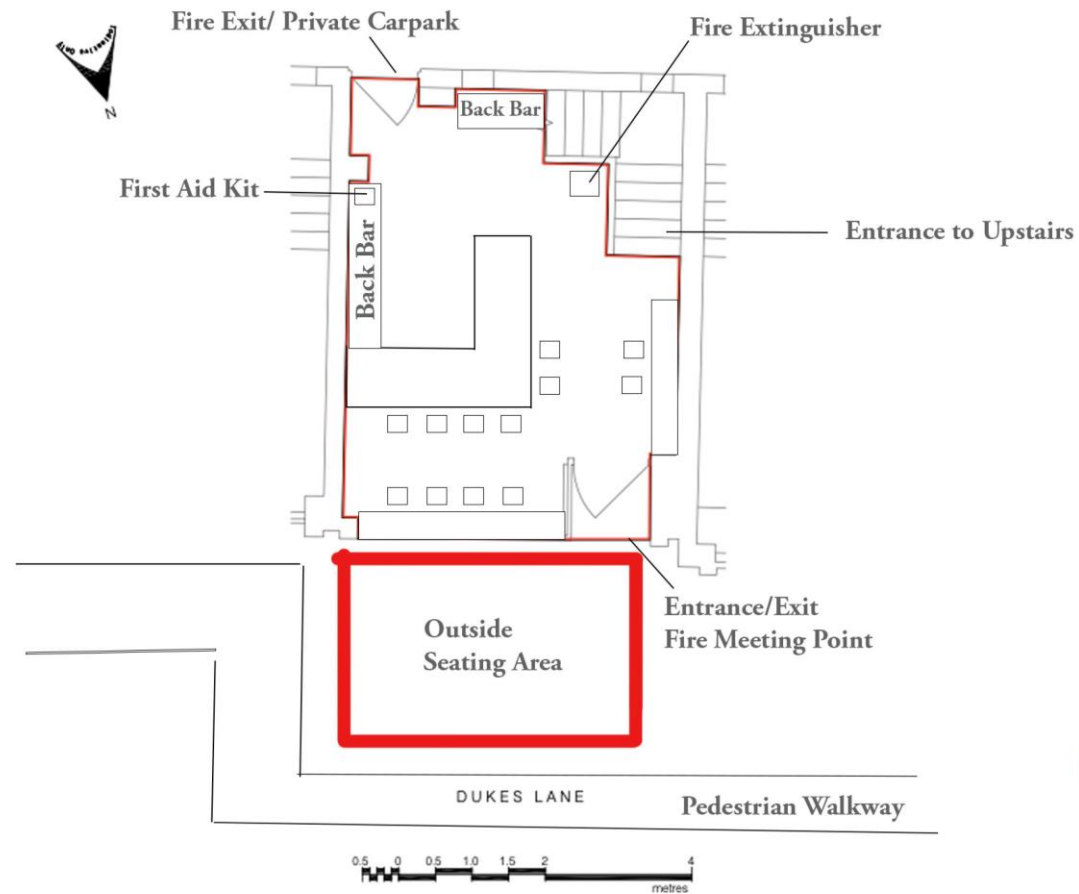
Street View Image



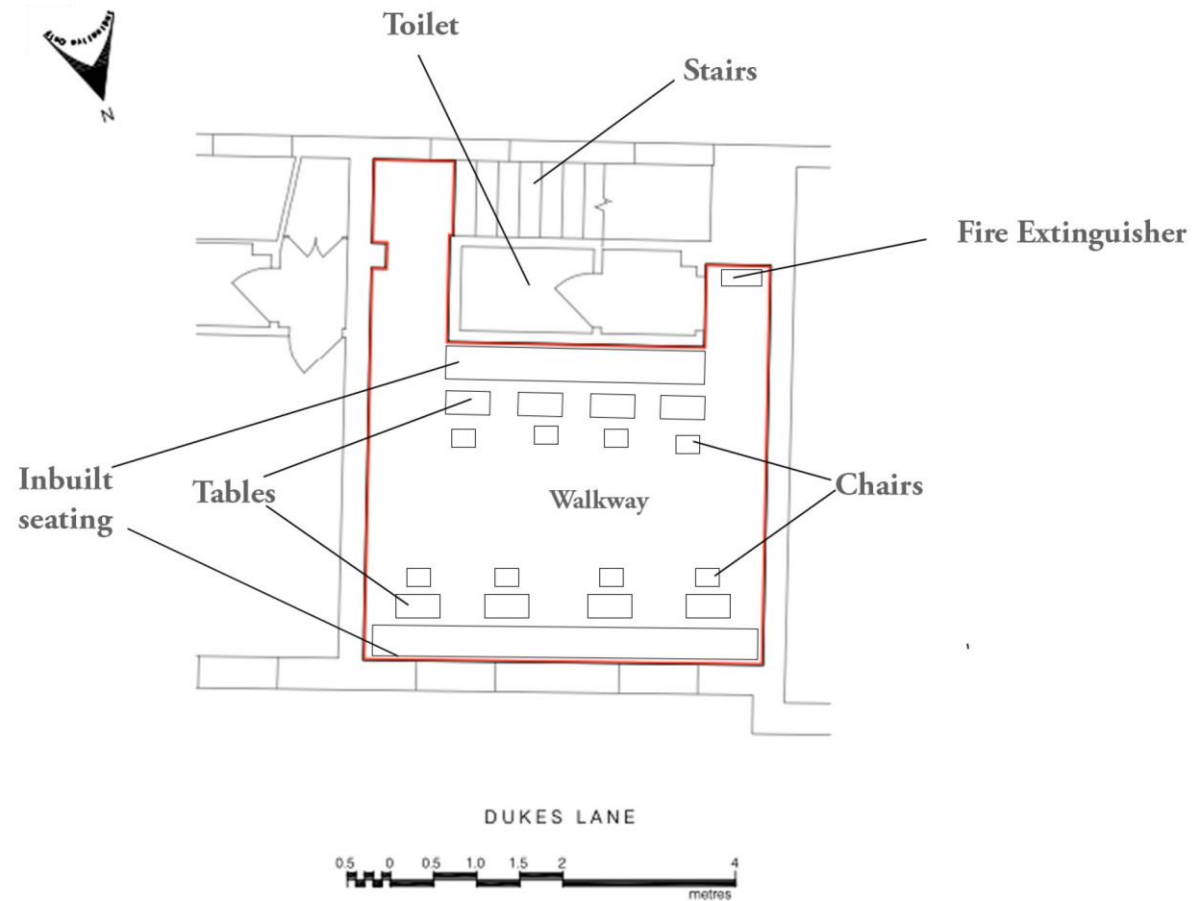
Rear View Image



Ground Floor Plan



1st Floor Plan



Representations

Five (5) representations have been received, objecting to the proposal on the following grounds:

- ▶ The red line on the site location plan does not include the outside area, nor did it on the original planning permission (BH2005/02302)
- ▶ It would not be lawful or reasonable to prescribe opening hours to the outside space; furthermore, there is objection to use of this space beyond 19:00 Monday to Saturday and 17:00 Sundays and Bank Holidays
- ▶ There should be no music played that is audible outside of the application building
- ▶ There is a local covenant in place regarding music
- ▶ Storage of seating after business closure will lead to noise nuisance.
- ▶ The use of the property as a 'drinking establishment' would constitute an unauthorised change of use class.
- ▶ Lack of 'evidence of a Premises Licence or Personal Licence holder'
- ▶ Creation of a drinking establishment in the area, resulting in noise nuisance and antisocial behaviour

Key Considerations

- ▶ The main considerations in the determination of this application relate to the
- ▶ Principle of development,
- ▶ Potential impacts on the amenities of local residents and business-users;
- ▶ Highway safety;
- ▶ Significance of heritage assets in the vicinity.

Conclusion and Planning Balance

- ▶ The proposed development would improve the flexibility of the building to provide for the class E use to operate in the evening, improving the commercial offer of the area.
- ▶ The proposed opening hours extending until 22:30 daily is considered to be acceptable in terms of its impacts on the amenity of residents
- ▶ The proposal is acceptable in terms of highways and heritage impacts.
- ▶ Approval is recommended.

