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Brighton Hippodrome CIC  
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Date: 9 September 2020  
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**Pre-application Advice – Reference PRE2020/00119**  
**Site/Property: Brighton Hippodrome, 52-58 Middle Street, Brighton**

Thank you for your pre-application advice request. The planning authority welcomes the opportunity to review schemes at the pre-application stage when suggestions for improvements or modification are more likely to be constructive for the development team. Brighton and Hove City Council is supportive of sustainable development in the city that supports the growth of the local economy and/or the provision of essential infrastructure that enables that growth.

This letter is the response to your request received 1 June 2020 and further to our meeting on 30 July 2020.

The advice and information set out below is based on the documents submitted, and the robustness of the response reflects the quality and detail provided.

**Background**

The site comprises no.51 Middle Street (Hippodrome House) and adjoining buildings to the north and east, 52-58 Middle Street (The Hippodrome theatre which is Grade II\* Listed) and land at 20 to 21 Ship Street, which is a service yard. There are other listed buildings nearby, including 22B Ship Street, 59 Ship Street, 14 to 17 Ship Street, 13 to 16 Ship Street Gardens, 19 and 20 Middle Street, 60 Middle Street and 2 Boyce's Street (all Grade II Listed).

The site lies within the Old Town Conservation Area, within Central Brighton, the Hotel Core Zone and within an Archaeological Notification Area.

The Hippodrome is in a poor condition having deteriorated over a long period of time such that it has been classified as a 'Building at Risk' on the English Heritage and city council registers. The building has been vacant and unused for approximately 13 years which has contributed to its deteriorating condition.

The last use of the Hippodrome was as a bingo hall. It was originally built in the 1890s as an ice rink, but this use only lasted for 1 year and was then converted into a circus. It was later converted into a variety theatre by the renowned theatre

architect Frank Matcham in 1900s and was used as a music hall and for stand-up comedy and as a television studio, until it was converted into a bingo hall in 1965.

An earlier application for the external and internal alterations to the Hippodrome (BH2007/02204) to facilitate the change of use of the Hippodrome to a live music venue was withdrawn. It is understood that whilst the principles of the development were considered broadly acceptable, the proposal would have been at risk of contravening the council's licensing policy.

A planning application and Listed Building application (BH2013/04348 and BH2013/04351 respectively) were approved on 28 November 2014, they have not been implemented and therefore expired on 28 November 2017. The proposal was for:

“Internal and external alterations to Brighton Hippodrome and Hippodrome House to form an eight screen cinema (D2) and four associated café/restaurants units (A3) to include the following works:

Demolition of the fly tower and other later additions and construction of replacement rear extensions; excavation works to extend existing basements; construction of two storey extension to northern elevation; reinstatement of original Hippodrome entrance on Middle Street; demolition of 11 Dukes Lane to create a new pedestrian route; new bay window to western elevation of 10 Dukes Lane, new windows to 47 Middle Street; new windows and entrance way to Hippodrome House; reconfiguration of existing service yards and parking areas; improvements to pedestrian and disabled access to Middle Street and Dukes Lane; construction of new three storey plus basement unit on land adjacent to 18-19 Ship Street (referenced as 19A Ship Street in supporting documents and plans) comprising A1/A2/A3 use on the ground floor and B1 use on the upper floors; and other associated works.”

This application covered a significantly larger site area than currently proposed for this scheme, incorporating the car park and Dukes Lane properties to the north.

### Proposal

From the information on the plans and drawings submitted and additional information provided at the meeting, it is understood that the proposal is to restore the Grade II\* Listed Hippodrome theatre, internally and externally, and to use the theatre for conferencing, events and performances. This would include touring productions, so the stage and backstage must be of sufficient size and there must be a large enclosed loading bay to accommodate 2 large trucks to load in and out of the stage. The service yard at the back of the theatre is proposed to be developed for use as a hotel. Hippodrome House is proposed to be extended and used as a hotel reception, café and studio theatre with additional hotel accommodation over.

A glazed extension is proposed over the Hippodrome main entrance at first floor level which would accommodate a bar area.

#### Principle of the redevelopment and change of use to a hotel

The principle of bringing this 'at risk' Grade II\* Listed Hippodrome back into use and the retention of the auditorium for a variety of performance/conference/event uses is welcomed and is supported by the Council's Heritage and Conservation Area policies, as well as policy SA2. Policy CP5 seeks to maintain and enhance the cultural offer of the city and therefore the proposed uses of the auditorium would be supported in principle but would need to comply with the criteria of this policy. Further information on the restoration works should be submitted as part of a formal planning application so that the Heritage Officer and Historic England can provide more detailed feedback. The last use of the auditorium, and the extant use, is a bingo hall (D2 use class) and the proposed uses will need to be clarified in order to ascertain which use class they fall under; they are likely to be D1/D2 uses.

The proposed cafe would help to maintain active uses in this central area and would complement the hotel and auditorium uses and would be supported by policy SA2. Based on policy CP6 the Council is likely to support the proposed new hotel accommodation in principle, as the site lies within Central Brighton and the Hotel Core Zone. However, a Hotel Impact Assessment, to demonstrate that the city is able to support additional bed spaces without a significant impact on existing hotels and guest houses, will need to be submitted in support of the application. The Council would take into account that the hotel could serve and help sustain the proposed event use within the building, and thereby help to ensure the long-term retention and maintenance of the Grade II\* Listed building. The application should be supported by a Business Plan to address this matter.

#### Design of the Development

These comments on design incorporate the heritage officer's overall views on the proposal. The more detailed heritage comments are reproduced in full below.

In addition to the Heritage policies referenced above, the Council's general design policies (CP12, CP13 and CP14, QD5 and QD10) and supplementary planning guidance and documents (SPGs and SPDs listed above) need to be considered in the design of the development. The development needs to make a positive impact and preserve and enhance the local heritage assets. Policy CP8 is also relevant and energy requirements will be expected to be met wherever possible. An Energy Strategy should be submitted, and various options for renewable and low carbon energy should be considered. The possibility for incorporating green roofs and green walls should be considered in order to meet the council's biodiversity aspirations (CP10).

If the building would exceed 18 metres in height, it would be assessed as a 'tall building' and SPGBH15 will need to be taken into account. A Tall Building Statement would be required to support an application and it should be demonstrated how the tall building would enhance the conservation area and listed buildings. The design of the building, in particular the roof forms, fenestration and materials, should be of very high quality and appropriate in the site context.

Full elevation plans of the development and street elevations have not been submitted, however an indication of the scale and form of the development can be seen in the views and 3D models submitted. The principle of developing on the car park and infilling the Ship Street frontage are accepted although, whilst it is appreciated that the submitted drawings are necessarily crude at this stage of the process, the indicated new-build elements raise concerns about the impact on the Conservation Area.

On the Ship Street side, the development would rise considerably higher than the surrounding built form. Although this impact would be lessened by the stepping back of the building at each storey, when viewed from in close, on Ship Street or the proposed new lane, it would be clearly evident. The upper floors would potentially be visible in longer views from Ship Street and Prince Albert Street. The scale and massing of this building and its long flat roofline would be uncharacteristic of the generally small scale, tight knit urban grain of the core of the Old Town conservation area. The articulation and treatment of the north façade needs to be given significant attention, to prevent presentation of a stark black frontage.

The side and rear extensions to Hippodrome House are broadly acceptable in scale. Consideration should be given to the treatment of the junction of the side extension to the roofline of Hippodrome House as this could appear awkward. This could be overcome by introducing a set-back. Full plans at submission of a formal planning application should include stair/lift circulation cores so that any additional impact on the roofline/skyline arising can be fully assessed.

The extension over the auditorium is accepted in principle, although full details of the necessary structural interventions would be required to demonstrate whether these can be delivered without causing undue harm to the existing listed structure, historic fabric and plan-form. Details of how fabric, such as the ornate ceiling plasterwork, would be protected during construction, including from vibration, should accompany and submission, together with full phasing of the construction works. A more refined design solution than indicated by the massing sketch, with some form of stepped profile, would be essential over the auditorium. The addition over the auditorium would be clearly visible from Middle Street and, whilst in principle there would be no objection to this, the height, massing and design would be crucial to the overall acceptability.

More detailed analysis of this would require street elevations and additional verified views. Recommended locations for longer key views of the site are set out in the comments of the Heritage Officer copied below.

### Amenity

The Ship Street frontage would be dominated by the servicing activities of the development, which would have the potential to cause noise and disturbance to surrounding properties and the hotel accommodation. It is acknowledged that this area was previously used as a delivery/parking area, however a servicing and delivery strategy would be required to provide details of how this area would function, including vehicle tracking, the frequency and nature of servicing, deliveries and the likely trip generation within a Transport Assessment, in order to assess the highway impacts of the development. It will also need to be demonstrated how the development complies with car, disabled and cycle parking requirements set out in SPD14.

In terms of residential amenity for existing nearby residents, Local Plan policy QD27 applies. Details of fume extraction and ventilation of the café and ancillary hotel uses and any other plant/machinery should be submitted with the application; a noise assessment should also be submitted, and a daylight/sunlight assessment should be carried out, to establish the likely impact of the new development on surrounding residential uses. A plan identifying the location of the surrounding residential properties, their storey heights and the distances of the development from these properties would be useful in assessing the likely impact. Windows for the hotel rooms could potentially cause privacy issues for surrounding residents. Further information on window placement and distances from the neighbouring properties is required to properly assess this.

The proposed mixed-use development would need to carefully manage the adjoining uses within the building and any submission should demonstrate that the occupiers of the hotel rooms will be sufficiently protected from potential noise disturbance from the auditorium and from potential noise and smells nuisance from the café use.

It should be demonstrated through the daylight/sunlight assessment and a ventilation strategy how all the rooms in the hotel will receive acceptable levels of amenity in this respect.

### S106 Requirements

Once a planning application is submitted with the full details of the proposal, consultation would be undertaken with Council and other consultees to establish whether there would be a need for mitigation measures such as for example off-site transport works or a construction employment scheme, which will require a formal legal agreement.

## Heritage Officer Comments

### *General Comments*

The principle of bringing the listed building back into use and restoring it as a flexible theatre space is very much welcomed and would be a major public benefit, both for the listed building itself and the wider conservation area. At application stage we would, however, need to be further convinced that the suggested seating capacity (whether c1200 or c1500) is achievable and viable having regard to length of rows, leg room, sightlines, circulation space and means of escape etc. It is also unclear as to whether the need to acquire a small area of land from 16 Ship Street in order to enlarge the stage is essential or simply desirable.

The need for new development to enable this is accepted and indeed the principle of development on the unsightly car park site is welcomed and the infilling of the gap frontage to Ship Street has the potential to enhance the appearance of the conservation area. The reintroduction of an active frontage along Middle Street would also have major benefits in enlivening this currently dead stretch of road, which has been identified in the Old Town Conservation Area Management Plan (OTCAMP) as a priority for regeneration. The creation of a new pedestrian 'lane' to the north of the site is also supported by the OTCAMP, but a scheme that does not rely on that access may also need to be worked up, given the land ownership issues.

The impact of the new build development on the appearance and setting of the conservation area will also require further consideration once appropriate viewpoints have been identified for consideration. At this stage it is noted that the height of the current proposal means that it would likely be considered a tall building for the purposes of the council's tall building policy and that the site does not lie within one of the areas identified as having the potential to accommodate taller development under policy CP12 of the City Plan Part One. Any proposed development over 18m in height here would therefore be subject to particular scrutiny. It is noted that the height of the fly tower would need to be raised to accommodate modern staging requirements but, notwithstanding this, the height of the fly tower should guide the maximum height for new development and the tallest element of new development should generally be in the area of the fly tower.

### *The Listed Building*

The draft Heritage Statement is considered to be a thorough assessment of the phases of the Hippodrome's historic development and sets out its architectural and historic interest. However, it will be important that the final Statement unambiguously identifies the significance of the various elements of the site and that this assessment is not influenced by the proposals themselves. For example, the significance plan on page 37 assess the significance of the equestrian ramp (and Elephant House) as 'negative' even though they were integral to the circus use and on page 19 it is stated that the ramp may be the only example remaining in the country. The conservatory at the rear is also likely to hold some significance.

Conversely the significance of the fly tower appears to have been overstated and should not be confused with the fact that a fly tower is integral to future theatre use. The current Statement is also lacking an assessment of what impact the proposals would have on the Hippodrome's significance (a Heritage Impact Assessment).

In terms of historic fabric, the proposals appear to involve much loss of 'back of house' areas, whilst a greater understanding is needed of the impact of the proposals on the interior of Hippodrome House and its significance (plan form and architectural features). At this stage it appears that much of likely significance would be lost and this would need very thorough justification, including consideration of alternatives.

Externally, there is currently no information on how and to what degree the Middle Street frontage would be restored. The proposed glass 'box' over the entrance to form a crush bar area is not currently supported from a heritage perspective. It is considered that this street elevation, which would be the only external public view of the building, warrants careful restoration to act as a historic counter to the new build elements elsewhere.

#### *The New Build*

It is appreciated that the massing drawings are necessarily crude at this stage, but nevertheless the indicative scale and massing of the combined new build elements raise clear concerns with regard to the likely impact on the Old Town Conservation Area.

Whilst the principle of developing on the car park and infilling the Ship Street frontage are very much supported, there are concerns about the height and scale of the long east-west hotel block that fronts onto Ship Street. Whilst the proposed stepping back of the Ship Street frontage means that it would appear appropriate in oblique views (particularly from the south), the height and massing of the building would be readily evident in the sheer north elevation (hard on the site boundary) when seen from close by in Ship Street/ Prince Albert Street (and indeed from any new 'lane'). The upper part of the building would potentially be visible in longer views from Prince Albert Street and Ship Street. The scale and massing of this building and its long flat roofline would be uncharacteristic of the generally small scale, tight knit urban grain of the core of the Old Town. The articulation and treatment of the north façade would be a challenge to break down its scale. There is also concern that this building would present a blank, dead frontage at street level in Ship Street due to the pantechicon access.

The side and rear extension to Hippodrome House is generally considered to be acceptable in scale but the junction of the side extension with the roofline of Hippodrome House may look rather awkward when seen from the north and the side extension may therefore need to be set back further to overcome this. The side extension should be designed to have a lightweight feel as far as possible and

should provide visual interest at its prominent north-west corner and return. The stair/lift circulation cores do not at this stage appear to be shown on the roof plans or the massing sketches and may have additional impacts on rooflines and skylines.

There is no objection in principle, in heritage terms, to building over the auditorium roof provided that it can be demonstrated that the necessary structural intervention to support it (as well as acoustic and fire separation) could be accommodated without significant harmful impact on the structure, fabric or plan form of the listed building. We would also need to understand how the ornate ceiling plasterwork would be protected from vibration etc. during construction and how these areas of work (new build and ceiling restoration) would be phased in relation to each other. A much more refined design solution than indicated by the massing sketch, with some form of stepped profile, would be essential over the auditorium. The addition over the auditorium would inevitably be visible from Middle Street; in principle there would be no objection to this, but height, massing and design would be crucial in this respect.

All of the above considerations would need to be tested against key views and a proper assessment of likely visible impacts on the conservation area would need to be undertaken. At this stage it is considered that the following viewpoints will certainly need to be considered:

- Views looking north along Middle Street
- Views looking south along Middle Street
- Views eastwards from Boyces Street to the roofline of Hippodrome House
- Views northwards along Ship Street
- The view from the junction of Ship Street/Prince Albert Street
- The view from the junction of Ship Street/North Street
- Views north-west from Prince Albert Street

#### Further consultation

It is regretful that the Council's Sustainable Transport team were not included in pre-application discussions. The volume of new traffic is likely to be significant, and that associated with the theatre use includes large vehicles which would have to negotiate the comparatively narrow roads of the Lanes area. As well as practical concerns about the ease of large trucks accessing the site, there is further concern that manoeuvring vehicles on Ship Street could give rise to noise disturbance for local residents.

Environmental Health officers, similarly, have not been involved with initial discussions, and would be able to provide better insight into air pollution and any need for mechanical ventilation for the hotel use. They would also be able to advise on noise associated with proposed plant/machinery and any potential ground



contaminants within the yard at the rear of the site which may require remediation/mitigation.

It is recommended that other departments are consulted on the proposals prior to the submission of a planning application in order to provide additional feedback which may be important to consider in the design progression. There is the option of submitting a further pre-application advice request in this regard.

#### Summary of response

- The Local Planning Authority welcomes the bringing back into use of this at-risk building. The proposed uses are considered acceptable in principle.
- Further detail is needed on key aspects of design/heritage.
- Further detail is needed in relation to highways matters which could include a further application for pre-application advice.
- Further detail is needed of matters relating to noise and the wider impact of the proposals on the amenity of occupiers of nearby properties. This could also be included in a further/separate application for pre-application advice which includes the input of the Environmental Health team.
- A Hotel Impact Assessment, to demonstrate that the city is able to support additional bed spaces without a significant impact on existing hotels and guest houses, will need to be submitted in support of the application.

I hope this letter provides you with helpful feedback. Please do not hesitate to contact me if you have any queries and I will be happy to assist.

Yours faithfully



Mark Thomas  
Senior Planning Officer

#### **Disclaimer**

I hope you find this information helpful. Please note that the opinions expressed are informal and are given without prejudice to any future decision that the Council may make in its capacity as the Local Planning Authority. This reflects the nature of the planning application process and which will involve consultation with other bodies and local consultation. The advice given may subsequently be affected by external factors (e.g. new government guidance, local appeal decisions) which could result in a different view being subsequently put forward.

## **Appendix 1:**

### Key Policies

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 JAAP (adopted October 2019).

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.

### Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

SA2 Central Brighton

SA6 Sustainable Neighbourhoods

CP1 Housing delivery

CP5 Culture and tourism

CP6 Visitor Accommodation

CP7 Infrastructure and developer contributions

CP8 Sustainable buildings

CP9 Sustainable transport

CP10 Biodiversity

CP12 Urban design

CP13 Public streets and spaces

CP14 Housing density

CP15 Heritage

CP19 Housing mix

CP20 Affordable housing

### Brighton & Hove City Plan Part Two

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 and Hove Local Plan

TR4 Travel plans

TR7 Safe Development  
TR14 Cycle access and parking  
SU9 Pollution and nuisance control  
SU10 Noise Nuisance  
QD5 Design - street frontages  
QD27 Protection of amenity  
HO1 Housing sites and mixed use sites with an element of housing  
HO5 Provision of private amenity space in residential development  
HO13 Accessible housing and lifetime homes  
HO20 Retention of community facilities  
HO21 Provision of community facilities in residential and mixed use schemes  
HE1 Listed buildings  
HE3 Development affecting the setting of a listed building  
HE4 Reinstatement of original features on listed buildings  
HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH2 External paint finishes and colours

SPGBH11 Listed Building Interiors

SPGBH15 Tall Buildings

Supplementary Planning Documents:

SPD02 Shop Front Design

SPD03 Construction & Demolition Waste

SPD09 Architectural Features

SPD14 Parking Standards

