

<b><u>No:</u></b>	<b>BH2024/00057</b>	<b><u>Ward:</u></b>	<b>West Hill &amp; North Laine Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Brighton Museum And Art Gallery Pavilion Buildings Brighton BN1 1EE</b>		
<b><u>Proposal:</u></b>	<b>Replacement of roof lantern above 20th Century Gallery with lead roof, insulation works, rerouting of ductwork, renewal of roof void walkway and installation of secondary means of escape from North end of roof void. Repair and renewal works to slate roof coverings, leadwork, joinery and guttering.</b>		
<b><u>Officer:</u></b>	Rebecca Smith, tel: 291075	<b><u>Valid Date:</u></b>	09.01.2024
<b><u>Con Area:</u></b>	Valley Gardens	<b><u>Expiry Date:</u></b>	05.03.2024
<b><u>Listed Building Grade:</u></b>	Grade II*	<b><u>EOT:</u></b>	10.04.2024
<b><u>Agent:</u></b>	Donald Insall Associates 12 Devonshire Street London W1G 7AB		
<b><u>Applicant:</u></b>	Brighton And Hove Museums Brighton Museum And Art Gallery Royal Pavilion Gardens Brighton BN1 1EE		

## 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>
Location Plan	4000	P02	9 January 2024
Proposed Drawing	2000	P01	9 January 2024
Proposed Drawing	2001	P03	9 January 2024
Proposed Drawing	2002	P04	9 January 2024
Proposed Drawing	2101	P04	9 January 2024
Proposed Drawing	2102	P02	9 January 2024
Proposed Drawing	2102	P02	9 January 2024
Proposed Drawing	2200	P04	9 January 2024
Proposed Drawing	2201	P04	9 January 2024
Proposed Drawing	3001	P02	9 January 2024
Proposed Drawing	3002	P02	9 January 2024

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. The works hereby permitted shall not commence until a statement setting out details of all proposed new joinery structures and joinery repair, including the proposed new secondary means of escape have been submitted to and approved in writing by the local planning authority. These shall include drawings and sections where necessary at a scale of 1:5. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

**Reason:** As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part Two, and CP15 of the Brighton & Hove City Plan Part One.

4. The development hereby permitted shall not be commenced until details/samples of all new external materials including glazing, slates, lead, grills and panels have been submitted to and approved by the local planning authority. Development shall be carried out in strict accordance with the approved details.

**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part Two, and CP15 of the Brighton & Hove City Plan Part One.

5. Prior to the commencement of development, samples of existing historic paint finishes should be taken, both externally and internally, and shall be used to inform the proposed new paint finishes. A report demonstrating this, including paint samples and specifications of the proposed finishes chosen shall be 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.

**Reason:** As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part Two, and CP15 of the Brighton & Hove City Plan Part One.

6. This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part Two, and CP15 of the Brighton & Hove City Plan Part One.

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. SITE LOCATION

- 2.1. Brighton Museum and Art Gallery is part of the internationally important complex of Grade II\* listed buildings which comprise the Royal Pavilion Estate. It is of significance as a result of forming part of the original royal stables which were then adapted in the late 19th century by Philip Lockwood, to provide a purpose-built museum, art gallery and public library for the citizens of Brighton. It is one of the country's first purpose-built museum spaces. It is located within the Valley Gardens Conservation Area.

## 3. APPLICATION DESCRIPTION

- 3.1. The proposals involve the replacement of the roof lantern to the rear of the main frontage on Church Street. The roof lantern currently contains 1960s materials, with a lead roof that would be ventilated at eaves and ridge level. The lead would be detailed in the form of timber rolls in regular bay sizes. The proposal also involves some minor works comprising like-for-like repairs to the slates, improvements to the capacity of the gutters, lead flashing, the provision of a safe roof access, rerouting of ductwork, the review of the historic heating system to the perimeter of the laylight. Internal decoration and alteration to the internal laylight is also proposed but do not require planning permission, only listed building consent which is sought separately.

## 4. RELEVANT HISTORY

- 4.1. **BH2024/00058 (Listed Building Consent Application)** - Replacement of roof lantern above 20th Century Gallery with lead roof, insulation works, rerouting of ductwork, renewal of roof void walkway and installation of secondary means of escape from North end of roof void. Repair and renewal works to slate roof coverings, leadwork, joinery and guttering. Internal works to replace glazing to laylight with installation of lighting rig above and repair and refurbishment to cast iron grilles, lath and plaster vaulting and gallery interior. Under Consideration

## 5. REPRESENTATIONS

- 5.1. None received from members of the public.
- 5.2. The **Conservation Advisory Group (CAG)** have considered the application and recommend approval.

## 6. CONSULTATIONS

Internal:

- 6.1. **Heritage: No objection**  
There is no objection to the replacement of the roof covering with lead. There is a precedent for this approach to securing an improved roof finish in the changes to the Dome of the Corn Exchange.
- 6.2. Conditions are recommended to secure details for the replacement internal walkway, specifications of the ducting and ventilation and samples for the iron grilles, glazing and new roof slates.

External:

- 6.3. **Historic England: No objection**  
We consider the change of the material of the lantern would cause a low level of harm to the significance of the listed building. However, we appreciate that this harm is outweighed by the public benefits, including heritage benefits which will enable the gallery space to continue its historic use. We therefore have no objection to the proposals subject to conditions to control some of the details.

## 7. MATERIAL CONSIDERATIONS

- 7.1. 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.
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
  - Brighton & Hove City Plan Part Two (adopted October 2022);
  - 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).

## 8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP5	Culture and tourism
CP12	Urban design
CP15	Heritage

Brighton & Hove City Plan Part Two:

DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations

DM26	Conservation Areas
DM27	Listed Buildings
DM29	The Setting of Heritage Assets
DM32	The Royal Pavilion Estate

Supplementary Planning Documents:

SPD09 Architectural Features

## 9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the impacts of the proposal on the design and appearance of the Grade II listed building and surrounding Valley Gardens Conservation area.

**Design, Appearance and Heritage Impacts:**

- 9.2. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Moreover, 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.
- 9.3. Case law has held that the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses, and the desirability of preserving or enhancing the character or appearance of a conservation should be given "considerable importance and weight".
- 9.4. The principle part of the building has a large vault roofed room where the roof is timber framed with a glazed lantern along its length above and plywood boarding along its external sides. It is not clear how much of the roof is original but the glazing is modern, being Georgian glass on and aluminium frame though all of the principle timber rafters, purlins and struts appear to be original. The principle significance of this part of the building lies in its internal timber roof vaults and supporting plaster corbeling with iron vent covers.
- 9.5. Externally, the long roof form contributes to the skyline of the group of buildings which is dominated by the Dome of the theatre. Though it is barely visible away from the building, it can be seen in the context of the Dome. The roof covering of the roof of the Dome has been replaced by lead, so the replacement of the roof lantern with a lead roof is considered to be in keeping with this wider context.
- 9.6. The gallery space is now used by the museum to display items from its 20th Century collection which can be harmed by fluctuations in temperature, changes in humidity and too much light. The present works are proposed to restore the roof to a safe, watertight condition that would reduce fluctuations in temperature and ensure the museum contents are preserved.

- 9.7. The replacement of the glass with lead would cause a low level of harm to the significance of the listed building. This is because there would be some loss of understanding that the historic design of the museum and gallery which incorporated a glazed roof lantern to light the space below. However, the harm identified is considered to be offset by allowing the continuation of the historic function as a public museum and gallery and improving the preservation of the collections housed within the museum. The low level harm can be accepted when weighed against the preservation of the building itself and the function within.
- 9.8. The proposals are not considered to have an impact on the wider Valley Gardens Conservation Area. The changes to the roof are not significantly visible from the public realm as the part of the roof affected is set in from the edge of the building.
- 9.9. Positive consultation responses have been received from the Council's Heritage Officer and from Historic England in relation to the proposals. Both responses suggest that any approval should be subject to conditions seeking further details of the walkway, a method statement for the works and samples used externally. Such conditions are attached to this recommendation.
- 9.10. Therefore, the new roof and external alterations are recommended for approval to preserve the listed building and the setting of the numerous adjacent listed building, including the Pavilion itself, Dome Theatre, Corn Exchange and the registered Pavilion Gardens and there would be no harm to the Valley Gardens conservation area. This is in accordance with policies CP15 of the City plan part One and Policies DM26, DM27 and DM29 of the City Plan Part Two.

## **10. EQUALITIES**

- 10.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of the implications for those with protected characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication that those with any of these protected characteristics would be disadvantaged by this development. The changes are not being made to the access of the building and consist of refurbishments to safeguard the heritage asset in the long-term.