

<b><u>No:</u></b>	<b>BH2020/03419</b>	<b><u>Ward:</u></b>	<b>St. Peter's And North Laine Ward</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>Pavilion Theatre 29 New Road Brighton BN1 1UG</b>		
<b><u>Proposal:</u></b>	<b>Replacement of fibrous plaster ceiling within Pavilion Theatre. Raising of parapet to North and South hip ends to Corn Exchange Roof. (Part Retrospective)</b>		
<b><u>Officer:</u></b>	Rebecca Smith, tel: 291075	<b><u>Valid Date:</u></b>	25.11.2020
<b><u>Con Area:</u></b>	Valley Gardens	<b><u>Expiry Date:</u></b>	20.01.2021
<b><u>Listed Building Grade:</u></b>	Listed Building Grade II		
<b><u>Agent:</u></b>	FCB Studios Bath Brewery Toll Bridge Road Bath BA1 7DE		
<b><u>Applicant:</u></b>	Brighton & Hove City Council Major Projects & Regeneration Hove Town Hall Norton Road Hove BN3 3BQ		

This application has been referred to Committee for determination under the Scheme of Delegation part 15 section 1e) listed buildings

## 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** Listed Building Consent subject to the following Informatives.

### Informatives:

1. This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Drawing	1729 SK 180219 MM 01 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 010 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 02 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 03 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 04 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 05 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 06 REV B		24 November 2020
Proposed Drawing	1729 SK 180219 MM 07 REV B		24 November 2020

Proposed Drawing	1729 SK 180219 MM 08 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 09 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 21 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 23 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 24 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 25 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 26 REV A		24 November 2020
Proposed Drawing	1729 SK 180219 MM 27 REV A		24 November 2020
Proposed Drawing	1729/550		24 November 2020
Proposed Drawing	1729/P/100 P2		24 November 2020
Location Plan	1729/P/130		24 November 2020
Report/Statement	Design _ Access		24 November 2020

## 2. SITE LOCATION

- 2.1. The application site refers to The Pavilion Theatre (also referred to as the Studio Theatre) which is a grade II listed building and the neighbouring Corn Exchange (with the Dome Theatre building) which is Grade I listed. The site lies within the wider Royal Pavilion Estate which has numerous other designated heritage assets. The site also lies within the Valley Gardens conservation area.

## 3. RELEVANT HISTORY

- 3.1. **BH2016/06449** - Refurbishment and alterations to Corn Exchange, Studio Theatre and 29 New Road. Works include demolition of existing single storey link building and erection of three storey infill extension to West of Corn Exchange, incorporating new foyers, bar, box office, WCs, production space, public stairs and lifts. Alterations to Corn Exchange including retractable seating beneath new balcony and replacement roof coverings. Alterations to Studio Theatre including new side balconies, lift, fire escape stairs and dressing rooms. Renovation of existing café, to be opened to New Road and Royal Pavilion gardens. Installation of new plant equipment, alterations to entrances on New Road and Church Street and associated alterations. Erection of bin store to South of Brighton Dome access road. **Approved 16.02.2017**
- 3.2. **BH2016/05127** - Application for variation of condition 2 of application BH2014/02612 (Refurbishment and alterations to Corn Exchange, Studio Theatre and 29 New Road. Works include demolition of existing single storey link building and erection of three storey infill extension to West of Corn Exchange, incorporating new foyers, bar, box office, WCs, production space,

public stairs and lifts. Renovation of existing café, to be opened to New Road and Royal Pavilion gardens. Installation of new plant equipment, alterations to entrances on New Road and Church Street and associated alterations.) to allow amendments to drawings (additional plans received). **Approved 24.01.2017.**

#### **4. APPLICATION DESCRIPTION**

- 4.1. The application seeks listed building consent for a like-for-like replacement of the ceiling within the Pavilion Theatre with upgraded structural support. The application also seeks consent for the raising of the parapets on the roof of the Corn Exchange. The part-retrospective nature of the proposal refers to the raising of the external parapets to the north and south ends of the Corn exchange roof.

#### **5. REPRESENTATIONS**

- 5.1. **One (1)** letter has been received supporting the proposals from the **Theatres Trust** for the following reasons:
- Supportive of access for inspections to Pavilion Theatre ceiling.
  - Supportive of replacement of Pavilion ceiling.
  - Supportive of parapet works to facilitate preservation of heritage asset.

#### **6. CONSULTATIONS**

##### **EXTERNAL:**

- 6.1. **Conservation Advisory Group (CAG):** No Objection  
CAG have discussed the application and hope to see the application approved.
- 6.2. **Historic England:** No objection  
Historic England has looked at the plans and the supporting detailed technical documentation. Can see that the works are clearly justified, and it is proposed to use appropriate specialists to undertake the repairs, therefore do not object to the proposals.
- 6.3. **Heritage:** No objection  
A detailed survey of the existing suspended ceiling demonstrates the need for like-for-like replacement in full and no concerns are raised about the inclusion of an inspection panel. Similarly, the submission has demonstrated that the existing parapets are in need of repair owing to their poor condition and a raised height is required to facilitate water run-off which does not harm the fabric of the building. Overall, the works would be justified to support the long-term preservation of the listed buildings and their viable use.

#### **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 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).
- 7.3. 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.

## 8. **POLICIES**

### The National Planning Policy Framework (NPPF)

#### 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, which ended on 30th October 2020.

#### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP15	Heritage

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

HE1	Listed Building Consent
HE6	Development within or affecting the setting of conservation areas
HE11	Historic parks and gardens

#### Supplementary Planning Guidance:

SPGBH11	Listed Building Interiors
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#### Supplementary Planning Documents:

SPD09	Architectural Features
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## 9. **CONSIDERATIONS & ASSESSMENT**

This application seeks listed building consent for internal alterations to allow for repairs to the ceiling of the Pavilion Theatre and the raising of the parapets to the North and South ends of the Corn Exchange roof externally.

- 9.1. The main considerations are whether the proposed works to these Grade II and Grade I listed buildings are suitable and whether there is any impact on the setting of the Royal Pavilion Estate or the wider Valley Gardens conservation area.
- 9.2. Due to the ongoing coronavirus pandemic a physical site visit has not taken place during the assessment of this application. Instead a desktop assessment has been made, using photographs of the site from the design & access statement and street view imagery, which is considered sufficient to assess the acceptability of the proposal.

Internal alterations to the Pavilion Theatre Ceiling:

- 9.3. The application sets out that the fibrous ceiling is to be replaced as the current suspended ceiling is damaged beyond repair. The need for the replacement ceiling and structural frame from which the fibrous ceiling is suspended was confirmed and justified following an expert report submitted as part of the design and access statement. The replacement ceiling would be like-for-like, it would follow the same profile and arrangement of the current ceiling and accord with the 'Moorish inspired ceiling' cited in the entry for this Grade II listed building. It is noted that the proposals also include upgraded structural support above.
- 9.4. The application also sets out plans to incorporate a sympathetic removable panel into the ceiling to improve access for future inspections of the historic fabric. This panel will facilitate easier inspections of the suspended ceiling.

External alterations to the Corn Exchange roof:

- 9.5. The application form sets out that the parapets to the North and South hip ends of the Corn Exchange roof are to be raised. The raising of the parapets is necessary to help control water run-off from the roof and prevent damage to the fabric of the building.
- 9.6. The existing parapets are in poor condition and the works to raise the parapets are necessary in order to maintain a practical height relationship with the newly-insulated pitched roof and to meet modern construction standards to ensure that water run-off from the roof is directed appropriately, so that the restored historic fabric is protected. Each parapet, which is of different construction, would be rebuilt to match the historic construction form and materials at the slightly higher height. The impact of these changes on the appearance of the Corn Exchange, as seen from Church Street, New Road and the Pavilion Gardens, would be negligible.
- 9.7. As noted above the works to the parapets have already been started. These works are necessary to ensure that the building is watertight, thus preventing harm to the historic fabric of the building through water ingress.

- 9.8. In considering whether to grant Listed Building Consent 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 feature of special architectural or historic interest which it possesses. 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 should be given "considerable importance and weight".
- 9.9. As set out above the proposed works have been justified and would help to ensure the long-term preservation of the listed buildings and their continued viable use. Overall it is considered that the proposed works would not harm the historic character or appearance of the Grade II listed Pavilion Theatre of grade I listed Corn Exchange, wider Royal Pavilion Estate or wider Valley Gardens conservation area, in accordance with policies HE1, HE6 and HE11 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
- 10. EQUALITIES**  
None identified