

# Brighton & Hove City Council

## Tourism, Equalities, Communities and Culture Committee

## Agenda Item 84

**Subject:** Listed Building Heritage Partnership Agreement for the University of Sussex

**Date of meeting:** 10 March 2022

**Report of:** Executive Director of Economy, Environment & Culture

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**Ward(s) affected:** Stanmer

### For general release

#### 1. Purpose of the report and policy context

- 1.1 This report seeks approval for an updated Listed Building Heritage Partnership Agreement (the Agreement) with the University of Sussex and Historic England (formerly English Heritage), following a review of its operation since it was signed in April 2015.
- 1.2 The primary purpose of the Agreement is to grant Listed Building Consent for certain types of work to the eight high-grade listed buildings on the University's campus at Falmer.

#### 2. Recommendations

- 2.1 That Committee agree entering into an updated Listed Building Heritage Partnership Agreement with the University of Sussex and Historic England for land at the University of Sussex under the Planning (Listed Buildings and Conservation Areas) (Heritage Partnership Agreements) (England) Regulations 2014.
- 2.2 That Committee delegates authority to sign the Listed Building Heritage Partnership Agreement to the Head of Planning.

#### 3. Context and background information

- 3.1 Listed Building Heritage Partnership Agreements may be entered into between local planning authorities and owners of large scale listed buildings or major groups of similar listed buildings. They provide owners and local planning authorities with the means of agreeing various matters concerning the management of listed buildings.
- 3.2 In April 2015 a Listed Building Heritage Partnership Agreement was signed for the eight grade I and grade II\* listed buildings at the University of Sussex campus at Falmer. It was only the second such Agreement in England

following the introduction of new legislation in 2014. This is a 10-year Agreement with provision for review at year 5 (2020). That review was delayed until 2021 due to the need for University's staff to concentrate on the response to the pandemic but has now been completed by the partners.

- 3.3 The main function of the Agreement is to grant Listed Building Consent for certain types of work. These Consented Works (the type 2A works) are set out in Part 7 and Annex E of the Agreement and are generic and repetitive works that apply similarly to a number of the listed buildings at the University. They include works to repair or replace external historic fabric; works to original internal fixtures and finishes to enable the University to meet modern teaching expectations; and works required for safety and/or accessibility reasons.
- 3.4 The Agreement would ensure that the Consented Works are carried out in an appropriate manner or design and/or using appropriate details and materials. In order to meet this, each of the Consented Works would be subject to particular conditions as set out in Part 7 of the Agreement.
- 3.5 The Agreement also clarifies the position in respect of other types of work as follows:
- Type 1 works are works which can be categorised as 'de minimis'.
  - Type 2B works are those for which it has been agreed that the University may apply for a Certificate of Lawful Proposed Works, which provide certainty over works that are judged to not require Consent provided they are carried out in a certain way. Details of these are included at Annex F.
  - Type 3 works are those kinds of works which will always need Listed Building Consent and do not fall under the Agreement.
- 3.6 The recent review of the Agreement confirmed that it has worked very well and is greatly valued by all three partners. For the University it has provided greater certainty and enabled forward planning of works to the buildings. For the council it has resulted in a reduction in the number of individual applications (for which no fee is payable) and has prevented the need to investigate potential unauthorised works.
- 3.7 The review found that no major changes were necessary to the agreement but that some additional Consented Works are necessary to address matters that have become apparent since 2015. Additional Type 2B works have also been added and minor textual updating has been carried out. All new or revised text is coloured in red.

#### **4. Analysis and consideration of alternative options**

- 4.1 If the Agreement is not updated it will expire in April 2025 and in the meantime specific Listed Building Consent applications may be required to in respect of certain types of work.

#### **5. Community engagement and consultation**

- 5.1 The Regulations that accompany the legislation require that the Council must publicise the Agreement on its website for a minimum of 28 days and by means of a site notice. Such publicity was carried out on the draft document between 17 January and 14 February 2022. Local amenity

societies were notified of the draft via the Conservation Advisory Group and the 20th Century Society was specifically consulted as the national society with a specific interest in buildings of this period.

- 5.2 The Regulations also require that Historic England be consulted on the draft Agreement, though in this case they are also one of the partners to it.
- 5.3 Historic England responded to advise that it is pleased to endorse this proposed update of the HPA for University of Sussex. No other representations were received.

## **6. Conclusion**

- 6.1 The updated Agreement would provide for a consistent, carefully controlled and cost-effective means of managing future changes to the high-grade listed buildings at the University of Sussex.

## **7. Financial implications**

- 7.1 There are no direct financial implications arising from the recommendations of this report. The cost of officer time associated to producing the updated Listed Building Heritage Partnership Agreement has been met from the existing revenue budget for the Policy, Projects and Heritage team.

Name of finance officer consulted: John Lack Date consulted: 15/02/22

## **8. Legal implications**

- 8.1 The Planning (Listed Buildings and Conservation Areas) (Heritage Partnership Agreements) Regulations 2014 require that where a local planning authority proposes to make a listed building heritage partnership agreement it must consult Historic England ('the Commission') and make the agreement available for public inspection for a period of not less than 28 days.

Name of lawyer consulted: Alison Gatherer Date consulted: 17/02/22

## **9. Equalities implications**

- 9.1 The Agreement covers works to doors that would assist in making the buildings more accessible for all.

## **10. Sustainability implications**

- 10.1 The Agreement includes granting Consent for replacement of existing single-glazed metal windows with double-glazed metal windows, so improving the energy efficiency of the buildings.

## **11. Other Implications**

- 11.1 None

## **Supporting Documentation**

### **1. Background documents**

1. Listed Building Heritage Partnership Agreement relating to land at the University of Sussex (2022)
2. Representation from Historic England