

<u>No:</u>	BH2022/01505	<u>Ward:</u>	Regency Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	Brighton And Hove High School Montpelier Road Brighton BN1 3AT		
<u>Proposal:</u>	Installation of commemorative blue plaque to east boundary wall to replace existing commemorative stone plaque.		
<u>Officer:</u>	Alice Johnson, tel: 296568	<u>Valid Date:</u>	31.05.2022
<u>Con Area:</u>	Montpelier & Clifton Hill	<u>Expiry Date:</u>	26.07.2022
<u>Listed Building Grade:</u>	Grade II	<u>EOT:</u>	
<u>Agent:</u>	Bidwells Bidwell House Trumpington Road Cambridge CB2 9LD		
<u>Applicant:</u>	Brighton Girls School Brighton And Hove High School Montpelier Road Brighton BN1 3AT		

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 works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. No machine tools such as angle grinders shall be used to remove existing pointing, bricks or other masonry, and the works hereby consented shall all be carried out by hand tools.
Reason: To limit any potential for damage and ensure the satisfactory preservation of this listed building and the wider conservation area, to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan, policy CP15 of the Brighton & Hove City Plan Part One and policies DM26 and DM27 of the Brighton and Hove City Plan Part Two.
3. Any works to the wall required as part of the removal of the existing plaque or fixing of the new one hereby consented shall be made good to match the existing finishes, material, colour, style, bonding and texture of the existing wall.
Reason: To ensure the satisfactory preservation of this listed building and the wider conservation area to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan, policy CP15 of the Brighton & Hove City Plan Part One and policies DM26 and DM27 of the Brighton and Hove City Plan Part Two.

Informatives:

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

Plan Type	Reference	Version	Date Received
Location Plan			5 May 2022
Proposed Drawing			5 May 2022
Proposed Drawing	Plaque Details		31 May 2022
Other	Fixings Information		5 October 2022

2. SITE LOCATION

- 2.1. Brighton and Hove Girls School (formerly Brighton and Hove High School) is grade II listed and its boundary wall is independently listed grade II also (since 1952). Both the school buildings and the wall are in the Montpelier and Clifton Hill Conservation Area.
- 2.2. The application site comprises of a stone plaque to the boundary wall on the eastern boundary at the entrance to Denmark Terrace. The wall is from 1819 and is made of brick, cobbles and flint. The existing stone plaque, while not being contemporary with the wall, predates the listing and is described in the list description. The plaque commemorates that Thomas Read Kemp was the founder of Kemp Town and erected the Temple building at the site.

3. RELEVANT HISTORY

- 3.1. **BH2021/00414:** External works to the Montpelier, Vicarage and Temple Buildings involving window replacements, canopies and entrance accessibility changes, together with hard and soft landscaping to include new play area, cycle parking, external lighting and boundary treatment. Approved 7/4/21.

4. APPLICATION DESCRIPTION

- 4.1. Listed Building Consent is sought for the installation of a commemorative blue plaque to the east boundary wall to replace the existing commemorative rectangular stone plaque (24.4cm x 47cm). The new plaque would be circular and of ceramic material and 45.7cm in diameter. It would commemorate Thomas Kemp.

5. REPRESENTATIONS

- 5.1. **Conservation Advisory Group:** Objection
The Group recommended refusal following an in-depth discussion and request the application be heard at Planning Committee.
- 5.2. The stone item was installed in 1959 and is not part of the original listing of 1952. The set of other stone plaques erected in the 1950's 60's and 70's because of illegibility have either been replaced, removed or remain:

- Marlborough House - removed
- Prince Metternich - replaced stone which is weathering badly
- Thomas Read Kemp Sussex Square - replaced with blue plaque
- St Pancras Priory BTH - replaced with blue plaque
- Thrales - replaced with blue plaque
- Lewis Carroll - replaced with blue plaque
- Busby - removed Cubitt replaced with blue plaque
- Dr King - illegible present owner wants blue plaque
- Duke of Devonshire - illegible
- The Temple - illegible

5.3. It was noted that there are different Listings for the main building and the wall. Although the proposed blue plaque would be 16 ins in diameter not as stated 18 ins it was felt that it would be vulnerable to vandalism. It is accepted that the Plaque Panel's remit is for a plaque to be legible from the public highway, so it could not be placed on the main building. Suggestion that if the stone panel was removed complete it could be placed inside the building. The stone panel is illegible and needs cleaning. There is no methodology statement for the fixing provided.

6. CONSULTATIONS

6.1. **Heritage: Original comments – Objection**

The existing plaque is part of the historic significance and removing it would result in harm and loss of significance. Though it is a worn piece of masonry, it is not out of place with the thoroughly weathered brick and flint wall. The attachment of a standard roundel blue plaque would not complement the historic character of the building and not contribute the same significance to its appearance. The work would cause less than substantial harm without providing significant public benefit.

6.2. The wall dates from the time of the building itself and the listing gives that as 1819. Its presence in the conservation area, its boundary to this imposing listed house and its material construction of brick and Knapped flint all contribute to its historic significance. The existing plaque has been part of the wall for more than 70 years and may date from much earlier. Though aesthetically it oddly located on the face of the wall, historically it retains its significance.

Updated comments following information provided for fixing:

6.3. Some harm is caused by the removal of the historic plaque however it is less than substantial harm, and if the works can be justified in terms of the improved visibility of the sign it maybe might be sufficiently beneficial to justify the work. Conditions should be added that ensure the works to restore the revealed area of the masonry occurs without any harm caused by the removal of the existing plaque. this Machine tools such as angle grinders are therefore not considered to be appropriate for use on the wall.

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 Joint Area Action Plan (JAAP) 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. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One (CPP1)

SS1 Presumption in Favour of Sustainable Development
CP15 Heritage

Brighton & Hove Local Plan (BHLP) (retained policies March 2016)

QD14 Extensions and alterations

HE1 Listed buildings

HE4 Reinstatement of original features on listed buildings

HE6 Development within or affecting the setting of conservation areas

Brighton and Hove City Plan Part Two

The Inspector published her Final Report into the Examination of the City Plan Part Two 19 July 2022. The Report is a material consideration. The Inspector has concluded that with her recommended changes (the schedule of changes as appended to the Report) that the Plan is sound and can be adopted. The Inspector's report concludes the examination of City Plan Part Two. City Plan Part Two policies, as amended by the Inspector's schedule of Main Modifications, can be afforded significant weight but they will not have full weight until the City Plan Part Two is formally adopted.

DM26 Conservation Areas

DM27 Listed Buildings

DM29 The Setting of Heritage Assets

Supplementary Planning Documents

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the design and appearance of the proposal, and its impact on the special character and appearance of the Grade II Listed building and conservation area.
- 9.2. A site visit has not been undertaken in this instance, however, the impacts of the proposal can be clearly assessed from the plans and photos provided and from recently taken aerial imagery of the site.
- 9.3. In considering whether to grant listed building consent 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 listed building consent 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.
- 9.4. 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".

Design and Appearance

- 9.5. The removal of the existing plaque is considered to cause some harm to the listed building given its age and historic significance. Though it is a worn piece of masonry, it is not out of place with the thoroughly weathered brick and flint wall. It is considered that the proposed new blue plaque would not contribute the same significance. The Heritage Team consider, however, that the harm caused by the proposal would be 'less than substantial' and may be outweighed by public benefit.
- 9.6. Paragraph 202 of the National Planning Policy Framework states that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."
- 9.7. The proposed plaque would remain close to the existing in terms of location and would not be overly large. The current plaque is not easily legible and would be replaced with a clear legible blue plaque. Whilst the replacement would be new and certainly be more prominent, such blue plaques are becoming more commonplace in the city and elsewhere and help the public identify heritage assets. Whilst the original plaque would be removed the new legible plaque would be more easily identifiable as a marker of significance whilst remaining in the same place. The proposed method of fixing is considered sympathetic. These aforementioned factors along with the increased visibility of the plaque

and the public benefit are considered to outweigh the less than substantial harm to the listed building in this instance. Planning conditions are recommended to ensure the wall is made good and not damaged during the works.

- 9.8. The proposals are therefore considered to be in accordance with policies HE1, HE4 and HE6 of the Brighton & Hove Local Plan, CP15 of the Brighton & Hove City Plan Part One and DM26 and DM27 of the Proposed Submission City Plan Part 2 (both of which can be given significant weight).

10. EQUALITIES

- 10.1. None identified