

| | | | |
|--------------------------------------|--|----------------------------|---|
| <u>No:</u> | BH2024/00058 | <u>Ward:</u> | West Hill & North Laine Ward |
| <u>App Type:</u> | Listed Building Consent | | |
| <u>Address:</u> | Brighton Museum And Art Gallery Pavilion Buildings Brighton BN1 1EE | | |
| <u>Proposal:</u> | 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. | | |
| <u>Officer:</u> | Rebecca Smith, tel: 291075 | <u>Valid Date:</u> | 09.01.2024 |
| <u>Con Area:</u> | Valley Gardens | <u>Expiry Date:</u> | 05.03.2024 |
| <u>Listed Building Grade:</u> | Grade II* | | |
| <u>Agent:</u> | Donald Insall Associates 12 Devonshire Street London W1G 7AB | | |
| <u>Applicant:</u> | 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** Listed Building Consent 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. The works hereby permitted shall not take place until a statement setting out details of all proposed new joinery structures and joinery repair, including the proposed new secondary means of escape are 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.

3. 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.

4. 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.

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

| Plan Type | Reference | Version | Date Received |
|------------------|-----------|---------|----------------|
| Proposed Drawing | 3003 | P02 | 9 January 2024 |
| Proposed Drawing | 3004 | P02 | 9 January 2024 |
| Proposed Drawing | 3134/M/01 | P01 | 9 January 2024 |
| Proposed Drawing | 5000 | P01 | 9 January 2024 |
| Proposed Drawing | 5001 | P01 | 9 January 2024 |
| Proposed Drawing | 5002 | P01 | 9 January 2024 |
| Proposed Drawing | 5101 | P01 | 9 January 2024 |
| Proposed Drawing | 5102 | P01 | 9 January 2024 |
| Proposed Drawing | 5200 | P01 | 9 January 2024 |
| Location Plan | 4000 | P02 | 9 January 2024 |
| Proposed Drawing | 2000 | P01 | 9 January 2024 |
| Proposed Drawing | 2102 | P02 | 9 January 2024 |
| Proposed Drawing | 2001 | P04 | 9 January 2024 |
| Proposed Drawing | 2002 | P01 | 9 January 2024 |
| Proposed Drawing | 2101 | P04 | 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. 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 and is included in this application but not the corresponding application for planning permission.

4. RELEVANT HISTORY

- 4.1. **BH2024/00057 (Full Planning 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. Under Consideration
- 4.2. **PRE2023/00171** - Proposed works to the roof and lantern above the 20th Century Gallery at the Brighton Museum and Art Gallery. These works involve the replacement of the external roof lantern and slate roof coverings, an improvement of thermal performance, and ancillary works to leadwork, joinery, and lead guttering.
Summary of advice:
On balance the proposed development should not result in substantial harm to the historic fabric of the listed building and improved insulation and repair of damaged elements of the building should offer benefits to its continued historic use.

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

- 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.
- 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. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development
CP15 Heritage

Brighton & Hove City Plan Part Two

| | |
|------|--------------------------------|
| DM26 | Conservation Areas |
| DM27 | Listed Buildings |
| DM29 | The Setting of Heritage Assets |
| Dm32 | The Royal Pavilion Estate |

Supplementary Planning Guidance:
SPGBH11 Listed Building Interiors

Supplementary Planning Documents:
SPD09 Architectural Features

9. CONSIDERATIONS & ASSESSMENT

- 9.1. 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.
- 9.2. 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 area should be given "considerable importance and weight".
- 9.3. 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.
- 9.4. 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.
- 9.5. 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.

- 9.6. 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.
- 9.7. Additionally, this Listed Building Consent application considers the proposed internal alterations to the internal laylight, changes to ducting and ventilation and decoration. These changes are also supported in principle; however it is noted that both the Heritage Officer and Historic England seek additional details of these aspects by conditions which have been imposed.
- 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 polices CP15 of the City plan part One and Polices DM26, DM27 and DM29 of the City Plan Part Two.

10. EQUALITIES
None identified