

<b><u>No:</u></b>	<b>BH2025/01655</b>	<b><u>Ward:</u></b>	<b>West Hill &amp; North Laine Ward</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>Corn Exchange Church Street Brighton BN1 1UE</b>		
<b><u>Proposal:</u></b>	<b>Installation of roof access systems.</b>		
<b><u>Officer:</u></b>	Vinicius Pinheiro, tel: 292454	<b><u>Valid Date:</u></b>	01.08.2025
<b><u>Con Area:</u></b>	Valley Gardens	<b><u>Expiry Date:</u></b>	26.09.2025
<b><u>Listed Building Grade:</u></b>	<b><u>EOT:</u></b>		
<b><u>Agent:</u></b>	Will Davis Maritime House Brighton BN41 1WR United Kingdom		
<b><u>Applicant:</u></b>	Hazel Buck Hove Town Hall Norton Road Hove BN3 4AH		

## 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.

Plan Type	Reference	Version	Date Received
Location Plan			01-Jul-25
Proposed Drawing	003		01-Jul-25
Proposed Drawing	004		01-Aug-25
Proposed Drawing	005		01-Jul-25

2. 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.

### 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. This application relates to the Corn Exchange, Church Street. This building together with the associated and attached Brighton Dome and Studio Theatre form a complex of different arts venues of the highest historical significance. The buildings as existing are the result of a number of conversions, alterations and additions over time but in a manner which presents a coherent street frontage to Church Street. The buildings are largely unified by the use of tan brick with stone dressings and by their architectural style and motifs.
- 2.2. This application relates to the Corn Exchange which is a grade I listed building, originally built as a riding school and stables by William Porden, between 1803-08, for the Prince of Wales, in connection with the Royal Pavilion, and extended in 1831.
- 2.3. These buildings occupy a very prominent place within the Valley Gardens conservation area and provide a very significant backdrop and setting to the registered park & garden (Grade II) of the Royal Pavilion gardens and form part of the setting of the Pavilion itself. They also form part of the setting of a number of other listed buildings in Church Street and New Road, including the Grade II\* Theatre Royal.

### 3. RELEVANT HISTORY

- 3.1. **BH2025/01654** Installation of roof access systems. Concurrent full planning application under consideration
- 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
- 3.3. **BH2014/02613** 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. Approved 16.06.2015
- 3.4. **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.  
Approved 10.11.2015

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

- 4.1. Listed Building consent is sought for the installation of roof access systems. The proposed roof access system comprises the installation of guard rails to the existing rooflights; replacement of the existing caged ladder; gates added to the existing ladders; new ladders and steps; and new guard rails.

#### **5. REPRESENTATIONS**

None received

#### **6. CONSULTATIONS**

- 6.1. **Historic England** 07.08.2025 No comment
- 6.2. **Heritage** 15.10.2025 No objection  
Although the building is listed, the roof is not of historic significance as it has been much altered in the past. Although the works to the south elevation would be partially visible, they are not considered harmful enough to warrant a refusal given that they would be obscured by the trees to the rear (Pavilion Gardens). The front alterations would be set away from the front elevation and are not considered harmful.

#### **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; revised October 2024);
  - 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

#### Supplementary Planning Documents:

SPD09	Architectural Features
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#### Other Documents

Valley Gardens Conservation Area Character Statement

## **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 proposal comprises a series of external alterations to the building and it is understood that the proposed works are required to facilitate the safe maintenance of the roof by staff members. The proposed roof access system comprises the installation of guard rails to the existing rooflights; replacement of the existing caged ladder; gates added to the existing ladders; new ladders and steps; and new guard rails. All the works are proposed at roof level and the majority of the works would not be visible from the public realm.
- 9.4. To the south elevation, a new guard rail is proposed to the rear balcony at roof level. The guard rail would be metal and would have approximately 1.1 metres in height. Whilst the addition would be partially visible within the streetscene, as noted by the Heritage Officer, the works would be located adjacent to the park area to the rear and would be largely screened by existing tree coverage. It is therefore considered that the proposal would not result in any unacceptable impact upon the character or appearance of the building or the wider conservation area.

- 9.5. To the north elevation, at roof level the existing caged ladder is proposed to be replaced with a new caged ladder. It would be metal and would be approximately 2.5 metres in height. Furthermore, two new guard rails are proposed to be installed behind the existing parapet. They would be metal and approximately 1.1 metres in height. These elements would be added to the north elevation at roof level and would be set back approximately 2.5 metres from the front elevation meaning that they would not be readily visible from the public realm, thereby limiting any visual impact.
- 9.6. The remaining works, including the installation of gates to the ladders, additional ladders, and guard rails located on the roof, would not be visible from the public realm and are therefore considered to have a negligible impact on the external appearance of the building.
- 9.7. It is considered that the proposed works would not harm the historic character or appearance of the Grade I Listed Building or the wider conservation to warrant refusal. The development is considered to be in accordance with policies CP15 of the Brighton & Hove City Plan Part One and DM26 and DM27 of City Plan Part Two.

## **10. EQUALITIES**

- 10.1. Section 149(1) of the Equality Act 2010 provides:
- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 10.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

