

Mr Robert McGuinness
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Staffordshire
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Mr Mercer
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Application no: SMD/2022/0220

Determined on: 12/08/2022

**Planning (Listed Buildings and Conservation Areas) Act 1990
The Planning (Listed Buildings and Conservation Areas) Regulations 1990**

REFUSAL OF LISTED BUILDING CONSENT

Location of Development:

7 Red Lion Market Place Leek Staffordshire ST13 5HH

Description of Development:

Fixing of heritage style 'blue plaque' to front elevation.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **HEREBY REFUSE LISTED BUILDING CONSENT** for the works described above in accordance with plans ref: Red Lion Location; Red Lion Block Plan; Red Lion Design, Access and Heritage Statement for the reasons specified below:

1. Policy DC2 'The Historic Environment' of the Council's Local Plan (adopted September 2020) states the Council will conserve and where possible enhance heritage assets, including their setting, in a manner appropriate to their significance. The Council does not consider the proposed blue plaque placed on a prominent part of the frontage of the Grade II listed historic public house facing a market place would achieve this, as there is no significant evidence of a link between the person the plaque is commemorating and the Grade II listed building onto which it would be placed. The level of harm of the proposal to the heritage asset is deemed to be less than substantial. However, there are no public benefits of the proposal that are considered to outweigh the level of harm. The proposal would also therefore not comply with Section 16 of the government planning guidance contained in the National Planning Policy Framework (NPPF).

Informatives

- It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.
- It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF.
- The Council would advise the plaque be placed either inside the building or onto a non-listed building in the vicinity and that no planning application would be required for this.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.
2. If Listed Building consent is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the District Council in which the land is situated, a Listed Building purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.
3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.
4. If you want to appeal against your local planning authority's decision listed building consent then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>