



Planning (Listed Buildings and Conservation Areas) Act 1990

REFUSAL OF LISTED BUILDING CONSENT

Application Number: 2020/65/93801/W

To: R Turner
23, Peebles Close
Lindley, Huddersfield
HD3 3WD

For: Old Amondburians Society

The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been refused for the execution of the works referred to:-

LISTED BUILDING CONSENT FOR THE ERECTION OF PLAQUE (WITHIN A CONSERVATION AREA)

At: KING JAMES SCHOOL, ST HELEN'S GATE, ALMONDBURY,
HUDDERSFIELD, HD4 6SG

In accordance with the plan(s) and applications submitted to the Council on 09-Nov-2020. The reasons for the Council's decision to refuse consent for the development are:

1. The proposed blue plaque would be located on a prominent location above the main entrance door on the front elevation of the listed building. This would cause less than substantial harm to its significance. The introduction of this intrusive feature would diminish rather than preserve or enhance its special architectural and historic interest. The application is therefore contrary to Sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy LP35 of the Local Plan. A clear and convincing justification has not been provided to demonstrate that the adverse direct and indirect impact on the listed building's significance, resulting from the alteration to the main entrance, would be outweighed by the proposal's heritage benefits. The plaque would not be readable from the public highway and alternative, more accessible and less harmful, means of raising awareness of the subject's association with the school are available. The application is therefore contrary to paragraphs 199 and 200 of the National Planning Policy Framework. Public benefits have not been demonstrated that would outweigh the less than substantial harm to the significance of the listed building. The principle of commemorating Rev Frank Marshall with a blue plaque is therefore considered to conflict with the relevant criteria on erecting commemorative plaques included in the English Heritage guidance and is not therefore a public benefit. The application is therefore contrary to paragraph 202 of the National Planning Policy Framework and Kirklees Local Plan Policy LP35.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan			13/11/2020
Heritage Statement			13/11/2020
Blue Plaque Illustration			18/01/2021
Supporting Information re Rev Frank Marshall			18/01/2021

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Further information on the proposed design of the blue plaque and on its subject was requested and provided. The applicant was encouraged to consider alternative means of heritage interpretation that would allow for contextual explanation of Rev Frank Marshall's role in the Rugby Split of 1895.

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

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/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. 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://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>. You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require. 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 Authority in regard to the proposed works are in progress.

Please note, only the applicant possesses the right of appeal.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 01-Oct-2021

Signed:



**David Shepherd
Strategic Director Growth and Regeneration**

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR
