
Delegated report Officer: Laura Rix

Application ref. DMPA/2025/1078

Listed Building Consent for the display of illuminated and non-illuminated signs and redecoration of the exterior at 50 Main Street, Ticknall, Derby, DE73 7JZ

Valid date: 20/08/2025

Consults expired: 26/09/2025

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

DMPA/2025/0506: Advertisement consent for the display of illuminated and non-illuminated signs - Approved with conditions - 28 August 2025

DMPA/2025/0252: Listed Building Consent for internal alterations (flooring, panelling, additional timber screen, new brick slips and and new wall light position) and external alterations (lighting to rear beer garden and external decoration to main frontage and side elevation) - Approved STC

Responses to consultations and publicity

Conservation Officer

Makes no objection. The Conservation Officer considers that the proposal causes no additional harm to the building nor the character and appearance of the Conservation Area.

Derbyshire County Highways

Raises no objections however recommends conditions regarding the positioning of signage and regarding the illumination intensity in the interests of highway safety, visual amenity, and to ensure that the advertisement does not prejudice the free flow of traffic or conditions of general safety along the adjoining highway.

Environmental Health

No objection.

Relevant policy, guidance and/or legislation

The Planning (Listed Building and Conservation Areas) Act 1990 requires an application for listed building consent to be submitted for all applications requiring alteration, extension, or demolition to a listed building.

In determining planning applications with respect to Listed Buildings, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'in considering whether to grant permission for development which affects a listed building or its setting, special regard shall be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

It is noted that whilst applications for planning permission must be determined in accordance with the 'development plan' unless material considerations indicate otherwise, this does not apply to the consideration of listed building consent applications.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications shall be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. The development plan for the purposes of this application comprises the South Derbyshire Local Plan Part 1 (LP1) adopted in June 2016 and the South Derbyshire Local Plan Part 2 (LP2) adopted in November 2017.

Local Plan

On 10 March 2025 the South Derbyshire Local Plan Part 1 Review was published for its period of formal representations under Regulation 19 (of the Local Plan Regulations) prior to submission to the Secretary of State (The Publication Version). This is the version of the Local Plan that the Council intends to submit for examination, and it is a material consideration in the determination of planning applications.

The weight to be attached to emerging local plans is set out in paragraph 49 of the NPPF.

With regard to paragraph 49a) the plan is at an early stage of preparation having not reached examination. In terms of 49b) there remain unresolved objections to the plan from its Regulation 18 consultation and the period for comments concluded on 25 April and these comments are being reviewed in advance of a report to Environmental and Development Services committee in the autumn of 2025. Although the plan is in general conformity with the NPPF (paragraph 49c) it has been published to benefit from the transition arrangements set out in paragraph 234 of the NPPF, meaning the Local Plan will be examined under the 2023 version of the NPPF. For all these reasons the weight to be attached to policies in the publication version of the Local Plan is low.

Where there is any conflict between policies in the publication version of the Local Plan and existing adopted Local Plan policies the decision should be taken in line with the adopted Local Plan policies.

Paragraphs 50 and 51 of the NPPF are also relevant which clarify that refusals of permission in line with emerging policies will seldom be justified before a plan has been submitted for examination. The plan is intended to be submitted for examination in Autumn 2025.

The relevant Development Plan policies are:

Local Plan Part 1

S2 (Presumption in Favour of Sustainable Development)
BNE2 (Heritage Assets)

Local Plan Part 2

BNE10 (Heritage)

The relevant local guidance is:

South Derbyshire Design Guide Supplementary Planning Document
Ticknall Conservation Area Character Statement

The relevant national policy and guidance is:

National Planning Policy Framework (NPPF)

National policy on proposals affecting heritage assets and considering potential impacts are contained in paragraphs 207 to 221 of the NPPF.

Planning Practice Guidance (PPG)

The relevant legislation is:

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- The impact on the historic fabric and external appearance of the listed building.

Planning assessment

Application Site

50 Main Street, Ticknall, known as 'The Wheel Public House' (the site) is a Grade II Listed early C19 Public House. The building has three storeys. The front and East elevation are cream rendered whilst the rest of the building is red brick. The Public House is accessed from the North, and has a car park off Main Street to the East. The site has a beer garden located to the West. The site is within the Ticknall Conservation Area.

Proposed Development

Listed Building Consent is sought for eight sets of illuminated and non-illuminated signage:

- Sign A is a set of two handpainted signs on the building located to the front elevation of the building and East side elevation. The signs are 5.2m in height and 2.6m in width with a green slate background and RAL 7015 text and logo. The signs will be statically externally illuminated by LED floodlights (noted as H within the plans) to an illuminance level of 200cd/m2.
- Sign B is one handpainted sign on the building located to the front elevation. The sign is 0.7m in height and 1.2m in width with a green slate background and RAL 7015 text. The sign is non-illuminated.
- Sign C is an amenity board sign located to the front elevation. The sign is 1.2m in height and 0.6m in width. The sign is an aluminium panel with vinyl white text with a RAL 7015 background. The sign will be statically illuminated by a 200cd/m2 feature lantern (noted as G within the plans).
- Sign D is an amenity board menu sign located to the front elevation. The sign is 1.2m in height and 0.6m in width. The sign is an aluminium panel with a poster case attached. The background and case will be RAL 7015, and the text will be white.
- Sign E is projecting hanging sign located to the front elevation. The sign is 1.1m in height and 1m in width. The sign projects by 1.4m from the building. The sign is an aluminium panel with a foam wheel logo below a fixed bracket with a RAL 7015 background and white vinyl text. The sign will be externally static illuminated by linolites, 200cd/m2.
- Sign F is a decorative iron arch way located to the rear of the building. The arch is 2.8m in height and 1.9m in width. The colour of the arch will be RAL 7015 and will not be illuminated.
- Sign G is a die cast aluminium hanging lantern located to the front elevation. The lantern is 0.8m in height and 0.6m in width and projects from the building by 0.6m. The lantern has a Victorian bronze finish. The lantern is static illuminated, 200cd/m2.
- Sign H is a set of eight LED floodlights located to the front elevation and East side elevation. The floodlights are 0.235m in height and 0.238m in width. The floodlights will have a static illumination level of 200cd/m2.

Main Issues

The proposed signage will be statically illuminated. The signage is well positioned in relation to the site and are not unduly prominent within the street scene within the context of the Listed Building and Conservation Area. The colours proposed for the signage and the walls of the Listed Building are not overbearing. The proposed illumination is external and makes use of a traditional appearing light sources to the front elevation. It was noted on a site visit that the site as existing was unused, windows and doors boarded, and paint peeling from the exterior walls. The proposal will improve the appearance of the Listed Building.

The Conservation Officer considers that the proposal preserves the existing character and appearance of the building, with minor changes to materials and design of the signage. The Conservation Officer makes no objection, as there will be no additional harm to the Listed Building nor to the character and appearance of the Conservation Area. It is considered that the duty to preserve or enhance has been met.

It is noted that the County Highways Authority suggest a condition limiting the illumination levels, however this has already been included on the related Advert Consent application and therefore its repetition on the listed building consent is not required.

The proposal is considered to preserve and enhance the Listed Building. The proposed signage allows for the buildings' continued use as a public house. Therefore it is considered that there will be no harmful impact upon historic fabric and external appearance of the Listed Building in accordance with policies BNE2 and BNE10.

Conclusions and the Planning Balance

The proposals would preserve the character and significance of the heritage asset in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, BNE2 of the Local Plan Part 1 and BNE10 of the Local Plan Part 2 and is therefore considered acceptable.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	26/09/2025
Report agreed:	15/10/2025
Authorised officer:	Jenny Blair
