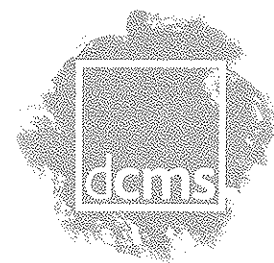


CMS 71697/DC

Eric Martlew MP
House of Commons
LONDON
SW1A 0AA

12 June 2007



department for
culture, media
and sport

Dear Eric

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST
Lonsdale Cinema Building, Warwick Road, Carlisle**

I refer to your letter of 23 November 2006 in which you requested a review of the Secretary of State's decision not to list the Lonsdale Cinema, Carlisle.

Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Secretary of State is required to consult with English Heritage on listing decisions. Your review request was therefore referred to English Heritage, where it was assessed by a different adviser from the one who originally considered the case. English Heritage has recommended that the decision not to list the building was correct. A copy of their advice is enclosed for information.

The Secretary of State has considered English Heritage's new advice carefully along with your review request, the evidence submitted in support of the review request and the existing file. I should clarify that the Secretary of State may only use the criteria set out in *Planning Policy Guidance Note 15: Planning and the Historic Environment* (PPG 15).

Having regard to all the evidence before her, the Secretary of State has decided to overturn her earlier decision not to list this building and to list it at Grade II. The Secretary of State's views on the review grounds are set out below.

Group Value

Whilst the Secretary of State notes that the building was clearly designed to fit in with other pre-existing buildings on the street, she accepts English Heritage's view that it does not have any architectural or historic unity with the other buildings in accordance with the guidance in PPG 15 on group value. Whilst the building provides an example of early C20 infilling in Carlisle which may be of local interest, she considers that its relationship with other buildings in the locality does not, of itself, add enough to give it special interest on a national scale.

Extent of Surviving Original Features and Effect of Alterations

The Secretary of State considers that the review request and supporting representations provided substantial new evidence in two areas: first, as to the extent of the surviving original fabric of the building and secondly as to the effect of the alterations on the building.

In the absence of any evidence to the contrary, the Secretary of State accepts the evidence provided by Mr Butler in the representations supporting the review request of what he discovered upon inspecting the building. She notes that English Heritage accept that his evidence suggests that more original features may survive than was thought to be the case when the original decision was made. The Secretary of State accepts that it is impossible to provide a comprehensive assessment of the extent of the remaining original fabric in this building without entirely stripping away the partitioning etc. However, she must do the best that she can based on what is known about the building and what can reasonably be surmised.

Mr Butler's evidence is that whenever he was able to look behind partitions and suspended ceilings, the original features remained intact. The Secretary of State considers that, on the basis of that evidence and the evidence of Mr McKnight who carried out the initial renovations, it is highly likely that, behind the remaining partitions, the vast majority of original features remain. The Secretary of State considers that this is the best assessment that can be made in the circumstances of the extent of the original features that survive in this building and it is on this basis that she has considered whether the building merits listing.

The original decision not to list was taken on the basis that the compromise to the building's sense of space, combined with the little visible evidence of original features meant that the building could not be said to have survived in anything like its original state. The Secretary of State considers that the issue of whether the original building has survived to a sufficient extent for it to merit listing should be reconsidered in light of the new evidence on the surviving original features.

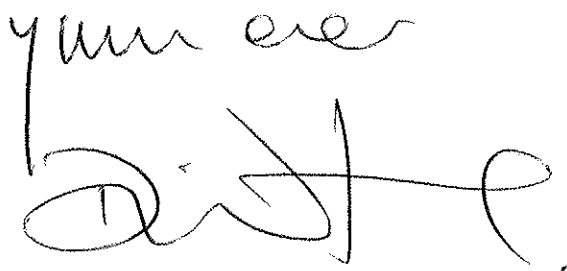
The Secretary of State has considered the Principles of Selection applied by English Heritage when considering cinemas for listing: the survival of the original exterior, the survival of auditorium decoration, the survival of foyers, bars and other front-of-house spaces, the survival of an in situ organ and the survival of minor decorative features. She notes that English Heritage state that the most important principle is whether the overall sense of space remains palpable.

Whilst some changes have occurred to the exterior of the building (the removal of the canopies and the creation of the Cecil Street entrance) she notes that a number of original external features survive, albeit with some of them currently hidden from view (eg. under cladding) and considers that, broadly speaking, the original exterior survives. With regards to the interior decoration (including the auditorium), as considered above, she takes the view that the vast majority of the original features remain unaltered, although often hidden by partitioning etc. Although the foyer and other spaces have been divided, she notes that the original room subdivisions remain and that it is Mr Butler's view (English Heritage not expressing a view on this issue) that the changes are readily reversible. Whilst we note the absence of the in situ organ as a relevant factor the Secretary of State does not consider this is an absolute bar to listing.

The Secretary of State accepts that the alterations have meant that the original sense of space of the building is not currently palpable. However she considers that it is appropriate to consider the reversibility of those alterations, as the more reversible the alterations the less impact they could be said to have on the surviving fabric and the less the loss of the sense of space could be said to compromise the special interest of the building. She considers that it is appropriate to consider whether, if the sense of space has been lost, it has been permanently lost or whether it could be regained, bearing in mind that limited lightweight alterations can result in the temporary loss of a sense of space. With regards to this building she accepts the evidence of Mr Butler, in the absence of any evidence to the contrary, that the alterations that have led to the loss of sense of space are not substantive enough to mean that it is irrecoverable.

Having considered the application of the appropriate selection criteria for buildings of this date and type, the Secretary of State considers that this building has special interest such as to merit listing. She considers that the majority of the original building still survives, notwithstanding the changes that have occurred to it. She notes that English Heritage have recommended that the original decision not to list this building should be upheld. However, she does not consider that their advice takes proper account of the increased level of surviving features or the reversibility of the alterations that the building has undergone.

In light of the fact that the building contains the vast majority of its original fabric and that there is expert opinion that the original sense of space can be regained without damaging the building, the Secretary of State considers that the Lonsdale Cinema fulfils the listing criteria for buildings of its age and type and has today added the building to the statutory list at Grade II. A copy of the list entry is enclosed. The Secretary of State notes that a number of representations were made as to the extent of the Conservation Area in the vicinity of the building. This is a matter for the local planning authority and is not relevant to her decision on listing.

A handwritten signature in black ink, appearing to read 'Yours ever' followed by a stylized signature.

DAVID LAMMY