

Paul Bakalite

Your Ref  
Our Ref UID 165754

31 March 2010



Dear Mr Bakalite,

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST**

**Brixton Markets (Reliance Arcade, Market Row, Granville Arcade), Brixton,  
Lambeth, London**

I refer to your letter of 6 October 2008 in which you requested a review of the Secretary of State's decision of 9 September 2008 not to list the three Brixton Markets. I am the Review Officer for this case and confirm that I had no involvement in the previous decision.

I am writing to inform you that the Secretary of State has decided to change his decision not to list the Brixton Markets. Upon review, the Secretary of State has decided that his original decision should be overturned and all three Markets should be added to the Statutory List at Grade II.

**The Secretary of State's Duty and the Principles of Selection for Listed Buildings**

The Secretary of State has a duty, under section 1(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, to compile, maintain and amend lists of buildings in England of special architectural or historic interest. When considering a building for listing the Secretary of State must have regard to the advice provided by English Heritage (EH) and to *The Principles of Selection for Listed Buildings* contained in *Planning Policy Guidance 15 (PPG15)*, as amended in March 2007 (DCMS/DCLG joint Circular 01/2007) (copy enclosed). This document sets out general principles and statutory criteria for attributing architectural and historic interest.

The Secretary of State may only take into account the special architectural or historic interest of the building when making a listing decision. This means that the Secretary of State cannot take any other factors into account, no matter how significant these may be.

#### **The circumstances under which the Secretary of State will carry out a review**

The review of a listing decision will be carried out if there is evidence that the original decision has been wrongly made. Examples of a wrongly made decision would be:

1. where there has been a factual error, e.g. the wrong building was listed; or
2. where there has been some irregularity in the process that has affected the outcome, e.g. significant relevant considerations have not been taken into account/significant irrelevant considerations have been taken into account.

The Secretary of State also reviews decisions if there is significant **new** evidence, not previously considered, relating to the **special** architectural or historic interest of the building **in a national context** as defined by the Planning (Listed Buildings and Conservation Areas) Act 1990. For example, new evidence relating to the date of a building has been discovered might be considered significant new evidence.

Following your request for a review of the Secretary of State's decision not to list the three Brixton Markets, DCMS requested that English Heritage look again at the case and in January 2010, English Heritage provided Review Advice which recommended listing two of the three Brixton Markets be listed at Grade II. We circulated a copy of this review advice from English Heritage to interested parties and held a further consultation which concluded on 4 March 2010.

#### **The Secretary of State's decision**

The Secretary of State has considered all the evidence before him and has decided to change his earlier decision not to list the Brixton Markets. He considers that his original decision should be overturned for the reasons below.

The Secretary of State recognises that none of the three Brixton Markets could be said to have sufficient special architectural interest to merit listing on the basis of that statutory criterion alone. Although there are elements of the Brixton Markets that have some architectural interest, their special interest lies in their historic interest which mean that the Secretary of State considers that all three Markets have sufficient special historic interest to be listed at Grade II

The Secretary of State is persuaded by English Heritage's opinion, set out in their 2010 Review Advice, that the Brixton Markets, are the most architectural manifestation of the post-war Caribbean presence in Brixton and given the significance of black history to post-war Britain, this establishes some clear claims to historic interest.

However, the Secretary of State disagrees with English Heritages advice that only Reliance Arcade and Market Row should be listed and has been persuaded by the representations of others that the third market, Granville Arcade (also known as Brixton Village), should also be added to the list. The Secretary of State considers that all three Brixton Markets embody special historical and cultural value and has received representations and evidence which indicate that Granville Arcade may be of even greater historic interest than the other two Markets. He does not agree with English Heritage that there are a substantial number of buildings of similar type and that selective designation should apply in this case.

The Secretary of State considers that the historical significance of the Brixton Markets and their continued use as markets by Caribbean and other immigrant communities (rather than a mere association with that community) clearly demonstrates historic interest in the physical fabric of the buildings.

The Secretary of State is satisfied that the advice English Heritage provided for this review was not unduly influenced by outside pressures before recommending that two of the three Brixton Markets should be added to the statutory list.

### Conclusion

The Secretary of State, therefore, after taking all relevant information into consideration, concludes that Brixton Markets are of special architectural and historic interest in a national context and therefore does merit addition to the statutory list. Accordingly the Secretary of State has overturned his original decision of 9 September 2008 not to list Brixton Markets and has added them to the Statutory List at Grade II.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Dunlop', written over a faint, illegible stamp or background.

Ian Dunlop  
Heritage Protection Branch