



Appeal Decisions

Site visit made on 31 January

by E Worthington BA (Hons) MTP MUED MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal A: APP/X4725/Y/22/3308421

The Art House, Drury Lane, Wakefield, WF1 2TE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr John Wright, The Art House, against the decision of Wakefield Council.
 - The application Ref 22/01339/LBC, dated 26 June 2022, was refused by notice dated 11 August 2022.
 - The works proposed are described as 'installation of neon sign to external façade above main entrance'.
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Appeal B: APP/X4725/H/22/3308416

The Art House, Drury Lane, Wakefield, WF1 2TE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Haley Bazzant, The Art House, against the decision of Wakefield Council.
 - The application Ref 22/00788/ADV, dated 18 May 2022, was refused by notice dated 11 August 2022.
 - The advertisement proposed is described as 'neon sign, front elevation advertising business name. The Art House'.
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Decisions

Appeal A

1. The appeal is allowed and listed building consent is granted for the 'installation of neon sign to external façade above main entrance', at The Art House, Drury Lane, Wakefield WF1 2TW, in accordance with the terms of the application Ref 22/01339/LBC, dated 26 June 2022 and the plans submitted with it.

Appeal B

2. The appeal is allowed and express consent is granted for the display of 'neon sign, front elevation advertising business name. The Art House' as applied for. The consent is from five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

3. The application under Appeal A is made by Mr John Wright, and that under Appeal B by Mr Haley Bazzant. However Appeals A and B, are both made by Ms Sydney Thornbury. Since the applications and appeals are all made by representatives of The Art House, I have taken the name of the appellants in
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the banner headings above from the application forms, but also included the company name of The Art House.

4. Since the site is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. Both appeals concern a neon sign which is already in place. In the interests of clarity and conciseness, I will deal with some of the aspects of each appeal together in my reasoning.

Main Issue Appeal A

6. The main issue is whether the works preserve a grade II listed building, Drury Lane (west side) The Old Library (Ref: 1272893) and any of the features of special architectural or historic interest that it possesses; and whether they preserve or enhance the character or appearance of the Upper Westgate Conservation Area.

Main Issue Appeal B

7. The main issue is the effect of the advertisement on visual amenity, having regard to the building's listed status and location within the conservation area.

Reasons – both appeals

The listed building and the conservation area

8. The appeal building is a former library which dates to 1905. Built in a Neo Baroque style in ashlar stone with a slate roof, it is single storey with a gabled main entrance tower topped by a wooden cupola. The main section of the building has a series of round headed windows on either side of the tower which project through the eaves with round hoods. There is a further three bay section to the building's southern end which has a central round headed doorway with moulded surround and keystone. This is flanked by single narrow windows to either side and there is a stone string course above.
9. The building fronts Drury Lane where the site slopes downwards to the south culminating in a large modern extension. The entire building is occupied by an arts charity (The Art House) and provides a number of accessible studios, galleries and meeting rooms as well as a café and shop. It is for the most part unaltered and retains much of its authenticity and integrity as an impressive public building, with an elaborate design and a good deal of ornate decorative detailing. It still reads as a striking and important city centre building that has lost nothing of its historic charm and grandeur.
10. Given the above, I find the special interest of the listed building, insofar as it relates to these appeals, to comprise its distinctive architectural design including the features, openings and materials associated with the historic fabric of the front elevation, its traditional scale and pleasing proportions, along with its historic interest as a public building of some standing and presence.
11. The appeal building is also within the Upper Westgate Conservation Area. This covers part of the south west part of the city centre and is characterised by a cohesive townscape of good quality buildings which reflect the historic development of Wakefield and the importance of its industrial heritage. The

buildings there combine the simplicity of the industrial with the grandeur of Victorian prosperity. Thus its importance is derived from the quality and variety of the historic buildings there and their relationship to each other.

12. There is some variety in building style and scale on Drury Lane where the appeal building sits in a prominent position and occupies a long frontage. As a surviving example of an important civic building using traditional materials typical of the surrounding area it is a striking and attractive component and adds to the richness of the conservation area. As such, along with the other long established buildings in this part of the city, the authenticity and historic charm of the appeal building contributes positively to the character and appearance of the conservation area and its significance as a heritage asset in relation to these appeals.

The effect of the sign

13. The sign is already in place over the building's southern entrance facing Drury Lane and is intended to signpost the main entrance to the building which can be hard to identify given its secondary nature. It is made of illuminated yellow neon tubing which makes up the wording 'The Art House' and measures 3 metres wide by 0.34 metres high.
14. It is supported by a discreet metal frame which is fixed into the mortar of the building rather than the stonework and is centrally located above the building's round headed doorway. It sits comfortably there in the space between the string course and the stone coping to the roof. Its limited scale and sensitive siting respects the building's proportions, balance and architectural features as well as its fine detailing. Despite its illuminated nature, it does not appear unduly bright or obtrusive and compliments the building's mellow historic stonework.
15. The sign was originally produced by a local artist for a neon lighting exhibition (the manufacture of which has a long history in Wakefield). It is hand made by local craftsmen using traditional techniques and has an understated modern design which appears simple and stylish. Thus, I find that the sign is befitting to the particular attributes of the host building and reflective of its artistic function. This being so it is appreciated as an agreeable addition that is cleverly effective in character.
16. I am mindful that the Council has worked hard via enforcement means and in securing external heritage led grant funding to reduce internally illuminated signage in the conservation area. In this context I appreciate its concern about the principle of neon signage in such a prominent location on a listed building. I have also considered the potential that the appeal scheme has to encourage more such signage nearby and to set an undesirable precedent that would make it difficult for the Council to resist similar development, and could in turn lead to cumulative harmful effects.
17. However, given the specific design and function of the sign and the host building as outlined above, I am not persuaded that there is a reasonable prospect of similar development being repeated nearby. I am also satisfied that the somewhat unique and very particular circumstances at play in this appeal are unlikely to arise elsewhere. Whilst the Wakefield Civic Society maintains its general objection to the use of neon lighting on listed buildings

and in conservation areas, it raises no objections to the appeal scheme, which it sees as an exception to the rule. Thus, I am not persuaded that the Council's generalised fear in this regard is a reason to resist the sign subject of these appeals.

18. Taking all these factors into account, although it is undoubtably a modern feature, I am satisfied that the sign is of a high standard of design appropriate in style, scale and materials to the building and its surroundings. As a result I am content that it maintains the building's historic legibility and significance and preserves its special interest. Accordingly, I am satisfied that it preserves the character and appearance of the Upper Westgate Conservation Area.

Other Matters – both Appeals

19. Whilst I note the appellant's reference to the provision of a interpretation plaque to raise awareness of Wakefield's neon heritage, this does not form part of the scheme before me and is a matter between the appellant and the Council.

Conclusion Appeal A

20. With respect to Appeal A, I conclude that the works preserve the special interest of the listed building and the significance of the conservation area. For these reasons they satisfy the requirements of the Act and paragraph 197 of the Framework.
21. The works align with Policy CS10 of the Wakefield Local Development Framework Core Strategy which seeks good design and high quality built environments. They support Policy D9 of the Wakefield Local Development Framework Development Policies Document (DPD) which aims to ensure that development makes a positive contribution to the environment and amenity of its locality by virtue of high quality design. The works also conform with DPD Policy D16 (2) which states that the introduction of advertisements should preserve and enhance the character of listed buildings and any new advertisements should be of a high quality and design, and with DPD Policy D18 which states that development likely to affect conservation areas should have no adverse impact.

Conclusion Appeal B

22. In Appeal B, with respect to the Advertisement Regulations, the listed status of the appeal building and its location within the conservation area, together with the provisions of the development plan, are relevant material considerations. Having regard to all the relevant factors set out above, I conclude that the sign is not harmful to visual amenity.

Overall Conclusion and Conditions

23. For the above reasons, and taking all other matters raised into consideration, both Appeals A and B are allowed.
24. With regard to conditions, I am mindful that the sign is already in place. In Appeal A, since the plans are already referred to in the decision, a further condition in this regard is not necessary. In Appeal B, the standard

advertisement conditions are imposed in the interests of safeguarding visual amenity and public safety.

E Worthington

INSPECTOR