



Appeal Decision

Site visit made on 12 March 2025

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2025

Appeal Ref: APP/W4705/Z/24/3355725

4-8 Burley Grange, Station Road, Burley In Wharfedale, Ilkley, West Yorkshire LS29 7ND

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
- The appeal is made by Mr Charles Marshall against the decision of City of Bradford Metropolitan District Council.
- The application Ref is 24/02689/ADV.
- The advertisement proposed is the installation of fascia sign with three spotlights.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The fascia sign is in situ, and I am subsequently considering the appeal retrospectively. The appeal property, The Grange, is a grade II listed building located in the Burley in Wharfedale Conservation Area (CA). There is no listed building consent before me. Nonetheless, the Regulations¹ advise that factors relevant to 'amenity' include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Therefore, the location of the advertisement in relation to the identified listed building and the CA is relevant to the consideration of 'amenity'.
3. Accordingly, the statutory duty in s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) applies in so far as it relates to the consideration of 'amenity'. However, the statutory duty in s66(1) of the Act requiring decision makers to "have special regard to preserving the [listed] building or its setting or any features of special architectural or historic interest" does not apply as it only applies to whether to grant planning permission.

Main Issue

4. The main issue is the effect of the advertisement on the visual amenity of the area having regard to heritage assets.

Reasons

5. The Grange is a two-storey building with a large floor plan. It is built in a gothic revival style and is highly prominent in public views from all four sides. The listing 'details' cites only the north and east elevation features. However, listings are primarily for identification purposes and do not provide an exhaustive or complete

¹ Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

description of the building's special interest. In this regard, the north and east elevations are, hierarchically, the principal elevations that contribute most to its special interest. However, its west elevation, with its traditional stone construction, historic fabric, fenestration pattern, chimney stacks and architectural style, also contribute positively to its special interest.

6. In this context and from the evidence before me, I find that the listed building's special interest and significance to be mainly derived from its historic and architectural interests, as a notable 19th century domestic property on a prominent position. The building's traditional stone construction, historic fabric, fenestration, and its pleasing architectural style make important contributions in these regards.
7. In so far as it relates to this appeal, the significance of the Burley-In-Wharfedale CA is derived from the architectural richness of its historic buildings and focal point features and the quality of the open spaces that connect them. The Grange building is highly prominent from Main Street, Grange Park, Station Road, and a footway from Station Road to the park. The special interest/significance of the listed building contributes positively to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.
8. The existing building contains several businesses. However, signage around and on the property is small, and there is a distinct lack of large fascia signs such as the advertisement subject of this appeal. In this regard, despite the presence of commercial units, the building's facades retain its historic domestic character. In contrast the advertisement before me, set between the ground and first floor, and spanning across two windows, dominates the west elevation as a result of its size and scale. As such, it detracts and distracts from the gothic architectural form, character and appearance of the listed building and this part of the CA to the detriment of the visual amenity of the area.
9. My attention has been drawn to advertisements on other listed buildings and nearby. Moreover, I accept that advertisements are designed to be noticed by passersby. However, my concerns are not the principle of an advertisement serving the business, but the size and scale of the advertisement before me and its overtly dominating appearance on this listed building. In this regard, the presence of different designs of advertisements on other listed buildings, that have a different character, do not justify the harm I have identified in this instance.
10. I therefore conclude that the advertisement has a harmful effect on the visual amenity of the area having regard to heritage assets. The Council has referred to Policy EN3 from its Core Strategy, Policy BW1 from the Burley-In-Wharfedale Neighbourhood Plan and the provisions of the National Planning Policy Framework. I have taken them into account as material considerations. However, as the power to control advertisements under the Regulations may be exercised only in the interests of public safety and amenity they have not been decisive in my determination of the appeal. Moreover, as the power to control advertisements under the Regulations is exercised in the interests of public safety and amenity, the social or economic benefits, including the benefits to the business emanating from the advertisement do not outweigh my conclusions in the main issue.
11. For the reasons given above, the appeal is dismissed.

Mr R Walker

INSPECTOR