



Appeal Decision

Site visit made on 28 October 2025

by Ann Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2025

Appeal Ref: APP/Z4310/Z/25/3365534

1 Burger King, The Aerodrome, Speke Road, Liverpool L24 8QD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Chris Holmes of BKUK Group Ltd against the decision of Liverpool City Council.
 - The application Ref is 24A/2775.
 - The advertisement proposed is 3no. non-illuminated signs; 3no, internally illuminated signs and 7no. internally illuminated fascia signs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the advertisements provided on the planning application form reads "New signs to bring the building over to the Burger King brand, see our drawings 13951 A – O". The Council changed the description to that in the banner heading above, which more accurately describes the proposals as shown on the plans. This description was used for the purposes of notification of the application and has been used in the appeal submissions by the appellant. Consequently, I am satisfied that no party will be prejudiced by my use of it.
3. The Council issued a split decision, wherein 3no. non-illuminated fascia signs, 7no. internally illuminated fascia signs and 2no. internally illuminated signs were approved and 1no. internally illuminated sign (described in Part 2 of the Council's decision notice as an 8m pole sign) was refused consent. For the avoidance of doubt, the appeal is solely concerned with the refused pole sign indicated on the plans submitted with the application and included on the Council's decision notice, as drg no's 13951 L and M at the location indicated as Ref:10 on drg. no. 13951 B. I noted at my site visit that the pole sign has already been erected. I have therefore dealt with the appeal retrospectively.
4. In its Officer Report the Council has raised concerns regarding the effects of the pole sign on the setting of several listed buildings and that it "would not meet the statutory test to preserve". However, the statutory duty under s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) only applies to a consideration of whether or not to grant planning permission for development affecting a listed building or its setting.
5. Nonetheless, the Regulations 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 interest¹. Planning Practice Guidance similarly explains, if the locality where an advertisement is to be displayed has important scenic, historic, architectural or cultural features, consideration should be given to whether it is in scale and in keeping with these features².

Main Issue

6. The Council indicate that there are no concerns in relation to the pole sign with regard to public safety and, from the evidence before me and observations at my site visit, I have no reason to disagree. The main issue is therefore the effect of the internally illuminated pole sign on the amenity of the area having regard to the settings of the following nearby listed buildings:
- Former Liverpool Airport Control Tower and Terminal³ (Grade II* Listed);
 - Liverpool Airport Hangar 1⁴ (Grade II* Listed);
 - Liverpool Airport Hangar No.2⁵ (Grade II* Listed); and,
 - Four Gatepiers at entrance to Liverpool Speke Airport⁶ (Grade II Listed).

Reasons

7. The pole sign is located within the car park of a Burger King restaurant and drive-thru, close to a boundary wall and railings along the south side of the A561, Speke Road, a busy road providing a main route to and from Liverpool city centre. The pole sign is approximately 8 metres high and is located in the corner of the car park, close to the entrance to the building. The double-sided logo and drive-thru content at the top of the pole is internally illuminated.
8. The Burger King restaurant occupies a distinctive round, predominantly two-storey, flat roof building that shares a vehicular access with the Former Liverpool Airport Control Tower and Terminal, currently occupied by the Crowne Plaza hotel; and the Liverpool Airport Hangar 1 (Hangar 1), currently occupied by the David Lloyd sports and leisure facility. Evidence indicates that the Burger King building was built in the early 21st century and it sits on land that formed part of the former airport complex, within its walled enclosure along Speke Road. Car parking associated with these uses is located between the listed buildings and the appeal site.
9. The surrounding area is predominantly commercial, although residential development lies along Speke Road to the north-west of the appeal site. On the opposite side of Speke Road is a large cinema complex at the entrance to a retail park known as New Mersey Shopping Park.
10. The Former Liverpool Airport Control Tower and Terminal is a Grade II* listed building, a designated heritage asset of the highest significance. It is stated to date from the late 1930's as the key building in a collection of former aviation buildings. It is of eye-catching art-deco style and designed with curved, round

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

² Paragraph: 079 Reference ID: 18b-079-20140306

³ National Heritage List for England List Entry number: 1217911

⁴ National Heritage List for England List Entry number: 1359838

⁵ National Heritage List for England List Entry number: 1063325

⁶ National Heritage List for England List Entry number: 1386588

ended stepped arms either side of a central seven-storey mainly hexagonal and glazed control tower that dominates the surrounding skyline.

11. The front of the building faces towards a large concrete apron that formed the taxi area for airplanes. This area is now used for parking, and several large commercial units occupy most of the former flying fields beyond. The rear of the building faces towards Speke Road (and the appeal site) behind an area of parking interspersed with trees. It is now the front entrance to the hotel. This elevation has been altered and extended, which has resulted in much of the rear elevation of the 1930's structure being obscured, save for the central circular stair towers. Nonetheless, the more recent additions have not unduly eroded the building's intrinsic heritage merit.
12. From the evidence before me, the building's special interest and significance are derived from its historical interest as a functional landmark building from an important municipal airport project of the inter-war period. Significance is also attributed to its architectural interest through its surviving historic fabric, its design and the legibility of its plan form. Pertinent to the appeal, special interest and significance are also drawn, in part, from the building's setting. Its immediate setting, comprising the concrete apron to the south flanked by the Grade II* listed Hangars 1 and No.2 is the main space where these buildings are seen together and has historic, functional, physical and visual links with the asset which contribute considerably to both its significance, as well as the ability to appreciate that significance. The open landscaped parking area to the north, allows clear views of the listed building from Speke Road and is part of the way that the listed building is experienced, contributing positively to its significance.
13. Beyond these spaces and buildings, the area generally comprises a mix of leisure, retail, office and industrial uses with residential development along Speke Road and Banks Road to the west. Although some of this development is large and of little visual interest, insofar as relevant to this appeal, the space created by the car park fronting Speke Road and the low height of the Burger King building allow for the Former Liverpool Airport Control Tower and Terminal building to be appreciated in views along Speke Road. From here, despite the abundance of trees within this space, a significant portion of the listed building, including the central control tower, can be seen. Owing to its heritage significance, the Former Liverpool Airport Control Tower and Terminal makes a substantial and positive contribution to the amenity of the surrounding area.
14. The Grade II* listed Hangar 1 and Liverpool Airport Hangar No.2 (Hangar 2) are former airport hangars constructed at the same time as the Former Liverpool Airport Control Tower and Terminal and designed to flank it and to face the taxi apron and flying fields.
15. From the evidence before me, Hangar 1's special interest and significance are largely derived from its historic and architectural interests. Important contributors in these regards are its surviving historic fabric; imposing architectural style with substantial brick piers and decorative winged glazed multi-light panel on the principal south-east facing elevation; and its historic relationship with the Former Liverpool Airport Control Tower and Terminal building as part of the airport ensemble.

16. Hangar 1's significance as derived from its setting is limited to its proximity to the Former Liverpool Airport Control Tower and Terminal as forming part of the established former airport grouping. In views from the south-east this important architectural and historic relationship remains. However, the four-storey residential block at Bravery Court and the substantial-sized B&M distribution centre are seen in proximity to Hangar 1 in other views, but given the historical commercial purposes of the airport and the wider mixed use character of the area, they make a neutral contribution to its setting.
17. Similar to Hangar 1, it is the historic and architectural interests from its functional association with the Former Liverpool Airport Control Tower and Terminal as well as its architectural style that underlie the significance and special interest of Hangar 2. The building now forms a key building within a business park and has been converted for commercial use. The immediate setting of this building includes the Former Liverpool Airport Control Tower and Terminal which contributes considerably to both Hangar 2's significance as an asset, as well as the ability to appreciate that significance. The open aspect of parking surrounding the building also contributes positively to its setting and the modern buildings on the business park to the east and south make a neutral contribution to its wider setting.
18. As a group, the above collection of listed buildings associated with the former airport is described in the list entry for the Former Liverpool Airport Control Tower and Terminal as the most complete civil aviation ensemble of the pioneer phase of international air travel to survive in England, reflecting their high grading.
19. The Grade II listed Four Gatepiers at entrance to Liverpool Speke Airport (the gate piers) were constructed around 1940. The list entry describes them as rectangular gate piers of ashlar limestone blocks arranged in staggered formation. It is stated that they were formerly sited at two entrances but were relocated to the current position at the single shared entrance to the Former Liverpool Airport Control Tower and Terminal and Hangar 1 in 1998. Their special interest and significance are largely derived from their historic and architectural interest. Important contributors in these regards are their surviving historic fabric; architectural style and historic relationship with the Former Liverpool Airport Control Tower and Terminal as part of the airport ensemble. Significance is also derived from their artistic interest as sculpted structures designed by Herbert Tyson Smith.
20. The gate piers are connected by a low brick wall and railings that extends along Speke Road to enclose the car parks associated with the appeal site, the Former Liverpool Airport Control Tower and Terminal and Hangar 1. The appeal site is not directly adjacent to the listed gate piers, it sits behind the wall and railing enclosure and is part of the same street scene and thus within their wider setting.
21. The submitted evidence indicates that the appeal site is on land historically associated with the former airport. Whilst the development of this land with the Burger King building has diminished its functional and physical association with these listed buildings, due to its low height, it does not impinge in a negative way on views of the assets. In this respect, as part of the assets' wider settings, the appeal site makes a neutral contribution to their special interest and significance.
22. The views in which the Former Liverpool Airport Control Tower and Terminal is experienced and its setting, have changed in part as a result of recent development, particularly the large Cineworld building. This, and other totem pole

signage are located on the opposite side of Speke Road and seen against the backdrop of a modern retail park. I acknowledge that the appeal site has been part of a historically commercial airport, but I am mindful that the surroundings in which a heritage asset is experienced is not fixed and may change as the asset and its surroundings evolve. As far as relevant to this appeal, the absence of advertisements and the open landscaped car park buffer between the listed building and Speke Road gives this side of the road a more subdued appearance and helps create visual separation from the retail park, such that this part of the site blends through to the historic built environment and the clear intended dominance of the control tower.

23. With this in mind, I saw at my site visit that the view of the Former Liverpool Airport Control Tower and Terminal on the approach from the west along Speke Road to the signalised junction at the entrance to the listed building has the pole sign within the view as a stand-alone structure rather than fixed to the Burger King building as other signage is.
24. Although street lighting columns and highways signs are also visible in this view, the pole sign, particularly the bulky Burger King logo, intrudes into the foreground of views towards the listed building and is conspicuous. I also note trees in this view offer some screening of the top of the pole sign when in leaf; however, it would be likely to be clearly visible during the winter months when not in full leaf. The very purpose of an advertisement is to draw the eye, and in views from the west, the height, design and illumination of the pole sign takes part of the focus away from the listed building, eroding the contribution that its open setting makes to its significance. This causes harm to the setting of the building. Its installation close to the road and the Burger King building do not mitigate the harm caused.
25. I recognise that the level of illumination has been kept to a relatively low level and the hours of illumination could be controlled by way of a condition in the event the appeal was allowed. Nevertheless, even if unilluminated, due to its height, the pole sign would still harmfully intrude on views of the Former Liverpool Airport Control Tower and Terminal building from the west.
26. Views of the pole sign on the approach along Speke Road from the east are experienced in the context of the Burger King building itself. It is not seen in the same eyeline as the Former Liverpool Airport Control Tower and Terminal but rather as a separate roadside sign. Similarly, I agree with the appellant that the pole sign is not experienced directly in tandem with the Former Liverpool Airport Control Tower and Terminal viewed from the north. From both these views, the listed building remains discernible and, in this regard, the shared appreciation and understanding of its history and architecture remain in-tact.
27. Due to the lower ground level of Hangar 1 in comparison to the appeal site, its side-on profile to the site, intervening trees and the Burger King building itself, views towards and from this listed building are very limited. The significance of the Hangar 1, as derived from its setting, are not harmed by the pole sign and its setting is preserved. I also find that, due to the considerable distance between the pole sign and Hangar 2, it would not harm the setting and thus the significance of this listed building.
28. Like my findings elsewhere, I find there is no harm from the pole sign insofar as it relates to the Grade II listed gate piers. It is clearly read in both views to and from

the gate piers in conjunction with the Burger King restaurant and has not adversely changed the setting of the gate piers in any meaningful way. Visitors can still appreciate the gate piers as an entry point to the former airport complex. I therefore find that no harm arises from the pole sign to the significance of these assets, as derived from their setting. Neither do I find harm to the visual amenity of the area generally in the context of surrounding development along this busy road.

29. Overall, while I find the pole sign preserves the setting of the listed Hangar 1, Hangar 2 and the gate piers, for the reasons set out above, it does not preserve the setting of the Former Liverpool Airport Control Tower and Terminal.
30. In reaching this conclusion I have had regard to the other pole signs at the New Mersey Shopping Park and the high-level signs at Cineworld. Although these signs are a similar distance from the Former Liverpool Airport Control Tower and Terminal, they have a closer relationship to the commercial buildings on the opposite side of Speke Road and do not jar severely with the identified historic qualities of this listed building in the same way that I find that the appeal scheme does. Moreover, my concerns relate, not to the principle of advertisements in this area, but to the specific height and location of the appeal pole sign, and they do not, in this regard, justify the harm that I have identified in this appeal.
31. I therefore conclude that the internally illuminated pole sign would have a harmful effect on the amenity of the area having regard to the setting of the Former Liverpool Airport Control Tower and Terminal. The Council has cited the National Planning Policy Framework and Policies UD9 and HD1 of the Liverpool Local Plan 2013-2033, adopted January 2022 in its refusal of consent for the pole sign. I have taken them into account as material considerations. However, the power to control advertisements under the Regulations may be exercised only in the interests of public safety and amenity. Consequently, they have not, in themselves, been decisive in my determination of the appeal.

Conclusion

32. For the reasons given above, the appeal is dismissed.

Ann Veevers

INSPECTOR