
Appeal Decision

Site visit made on 8 December 2025

by **Elizabeth Pleasant BSc (Hons), DipTP, MRTPI**

an Inspector appointed by the Secretary of State

Decision date 19 December 2025

Appeal Ref: APP/W4705/F/24/3343606

Land at Great Horton Library, Cross Lane, Bradford BD7 3JT

- The application is made under section 39 the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compensation Act 1991.
 - The application is made by Uneekhomes Real Estate Limited against a listed building enforcement notice issued by the City of Bradford Metropolitan District Council.
 - The listed building enforcement notice was issued on 26 March 2024.
 - The contravention of listed building control alleged in the notice is: Without Listed Building Consent, the display of fourteen banner type advertisements on the north-east (front) and north-west (side) facing elevations of the building, as shown in the attached photographs.
 - The requirements of the notice are to remove the fourteen banner type advertisements, and all means of fixing from the north-east facing (front) and north-west facing (side) elevations of the building.
 - The period for compliance with the requirements is one calendar month.
 - The appeal is made on the grounds set out in section 39(1) (d) of the Planning (Listed Buildings and Conservation Areas) 1990 as amended.
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Decision

1. The appeal is dismissed and the listed building enforcement notice is upheld.

Preliminary Matters

2. I visited the site on 8 December 2025. However, the appellant did not attend as pre-arranged. Nevertheless, I am satisfied that I was able to see everything I needed to from the public highway and thus I carried out an unaccompanied visit. I have determined the appeal on that basis.

Appeal on ground (d)

3. The ground of appeal addresses situations where essential and urgent works were needed to preserve the listed building. The emphasis is on the words ‘*essential*’ and ‘*urgent*’ and the ‘*need to preserve*’. This ground of appeal comprises three tests. The first test is whether the works were urgently necessary in the interests of safety and health; the second test is that it was not practicable to achieve the aims of safety, health or preservation of the building by repair or temporary support, and the third test is that the works carried out were the minimum measures immediately necessary to achieve the aims of safety, health or preservation. For the appeal to succeed on ground (d), all three tests must be met, and the onus is on the appellant to conclusively show that this is the case.
4. The appellant states that the banners were placed on the building to safeguard the windows from public damage and thus for health and safety purposes. Numerous windows had been broken by passersby. The banners serve as temporary protection until an affordable supplier to replace the current windows with identical

ones at a reasonable cost can be sourced. The banners installed indicate the building's active use and prevent break-ins by demonstrating that the building is not abandoned. Since their installation there has been a significant decrease in crime on this street corner, albeit fly-tipping is still a problem. The banners protect and liven up the building until they can find a new community use for it.

5. I appreciate the appellant's desire to protect the building from vandalism, and to seek to demonstrate that the building continues to be in active use. However, I am not persuaded that the banners installed were the minimum necessary to achieve the aims of health, safety or preservation of the building. Whilst the banners are vibrant, they also appear incongruous on this historic building by reason of their scale, use of materials, and advertisement content. Moreover, the banners obscure large parts of the historic fabric of the building, including stone mullions and transoms, and not just the window frames and glazing. I agree with the Council that the minimum necessary would have been to apply clear film or Perspex to the windows which would help to prevent broken panes. I also understand that security cameras have been installed which are also a good preventative measure. Furthermore, I am mindful that the banners were installed in 2021, some three years before the listed building enforcement notice the subject of this appeal was issued, and the banners remained in situ when I visited the site. Thus, they do not appear to be a temporary measure.
6. Taking account of these factors, I conclude that the display of the fourteen banner advertisements, the subject of the notice, was not so urgently necessary for health and safety, nor the minimum measures immediately necessary for the preservation of the building, that an application for listed building consent could not have been made beforehand. Consequently, the tests I have set out above have not all been satisfied, and the appeal on ground (d) fails.

Conclusion

7. For the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should not succeed. I shall uphold the listed building enforcement notice.

Elizabeth Pleasant

INSPECTOR