
Appeal Decisions

Site visit made on 25 February 2026

by **N Kempton BAHons, PGDip, MA, IHBC, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 May 2026

Appeal A Ref: APP/U2750/Y/25/3371473

9 Market Place, Richmond, DL10 4HU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Neil Carrick on behalf of WH Smith against the decision of North Yorkshire Council.
 - The application Ref is ZD25/00320/LBC.
 - The works proposed are listed building consent for replacement of external signage.
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Appeal B Ref: APP/U2750/H/25/3371474

9 Market Place, Richmond, DL10 4HU

- 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 Neil Carrick on behalf of WH Smith against the decision of North Yorkshire Council.
 - The application Ref is ZD25/00319/AA.
 - The advertisement proposed is 1 no. existing timber fascia repainted and acrylic letters applied, and 1 no. projecting sign.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The proposal concerns works to a listed building, which is in a conservation area. As required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of the preserving or enhancing the character or appearance of that Conservation Area.
4. The pair of appeals relate to the same overall proposal and have been made as part of the corporate rebranding of former WH Smith stores following acquisition of the company by Modella Capital. They differ only in that appeal A is for listed building consent to replace the external signage on the façade of the listed building. Appeal B is for advertisement consent for the display of a timber fascia sign with individually applied acrylic lettering and the fixing of a single projecting sign. I have considered each part of the proposal on its individual merits. However, to avoid duplication I have dealt with the two parts of the proposal together, except where otherwise indicated.

5. In respect of Appeal B the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

Main Issues

6. The main issues in relation to Appeal A are whether the proposal would:
 - preserve the significance of the grade II* listed building, 9 Market Place, Richmond, and any features of special architectural or historic interest which it possesses;
 - whether it would preserve or enhance the character or appearance of the Richmond Conservation Area (CA).
7. In relation to Appeal B, no concerns have been raised with regard to public safety, and I have no reason to disagree with this view. The appeal building stands in the CA. Therefore, the main issue for Appeal B is: the effect of the proposal on the amenity of the street scene, having particular regard to its effect on the CA.

Reasons

Special interest and significance of the listed building and the CA

8. The appeal property dates to the early 18th century and was originally built as a Georgian townhouse. Later, the property was adapted into a prominent retail premises, reflecting changing retail patterns in 20th century market towns. The building's significance includes its distinctive façade associated with its long retail history.
9. Forming part of the central civic and commercial hub with many listed buildings, it contributes to the architectural cohesion and historic character of the town. The property positively contributes to the special character and appearance of the Richmond Conservation Area (CA), which is significant for its historic street pattern, rich architectural heritage, and strong sense of place centred on the Market Place.

The effect of the proposal on the listed building and CA

10. Prominently positioned in this historic market town and within the CA, garish colours or corporate colour schemes would look out of place and contrary to the architectural significance of this listed building and the consistent, traditional character and appearance of the area.
11. It is accepted that the amended proposal for hand painted lettering rather than individually applied acrylic letters, is more appropriate. However, the colour choice for the fascia sign would be garishly at odds with the softer colour and material finish of the façade. The proposed signage would compete with, rather than compliment, the host building's facade and its traditional counterparts. The bright, bold blue would be jarring and unduly prominent in views across the Market Place. As such, the fascia sign would be detrimental to the significance of the listed building and harmful to the character and appearance of the CA.

12. Paragraph 136 of the National Planning Policy Framework (the Framework) states that development that accords with local and national design guidance and design codes should be supported. Development that fails to reflect such guidance should be refused where it results in poor design. The Richmond Heritage Partnership Scheme Shopfront and Sign Guide identifies that the design of a shopfront, fascia and hanging sign contributes to a building's composition and character, and that individual shopfronts contribute to the wider setting and appreciation of the historic environment. This guidance explicitly states that garish and modern colours should be avoided. The proposed signage fails to respond to this local design guidance.
13. The projecting sign is in proportion with the principal signage and would not clutter the elevation of the building. It would be hung from a decorative bracket and have the ability to 'swing' or at least the appearance of being able to do so, rather than being akin to a rigid 'bus stop' sign. Notwithstanding this, the colour of the projecting sign would be consistent with that of the fascia sign, as such it is considered to be unacceptable for the reasons set out above.
14. It is acknowledged that in the vicinity there are examples of similar development to this appeal. Notwithstanding this, paragraph 141 of the Framework states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area. The proposed signage would fail to improve the appearance and amenity of its immediate environment.
15. It is noted that the colour of the proposed signage closely matches that of the previous signage which reflected the corporate colour of the WH Smith brand. However, this does not mitigate the harm I've identified above. Furthermore, there is no evidence before me of the circumstances that led to that approval. I am determining this appeal on its own merits.
16. I find that there would be less than substantial harm, towards the mid-point of the scale, in relation to the significance of the designated heritage assets, but nevertheless of considerable importance and weight.

Public benefits and planning balance

17. Paragraph 215 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing the asset's optimum viable use.
18. Paragraph 213 of the Framework stipulates that any harm to the significance of a designated heritage asset requires clear and convincing justification. Moreover, paragraph 212 advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation.
19. The appellant is of the opinion that the proposal would be beneficial because the signage would reflect the company rebranding and enable commercial viability. These are private benefits and not sufficient to outweigh the harm I have identified. Though there may be commercial advantage from the advertising, I cannot identify the benefit of this to the public at large, or to meeting the economic objectives set out in the Framework. In any event, given that the appeal property is a large, prominent building, widely visible in the Market Place, the continued viable use of

the appeal property as a retail unit is unlikely to be solely dependent on the proposal. There is no evidence that the buildings' ongoing retail use would cease in its absence.

20. The current use of the building is the optimum viable use, and whether the signage is changed or not is likely to have little impact on the buildings' use. I consider that the harm that would be caused by replacing the signage as proposed would not be outweighed by public benefit. In the absence of any substantiated evidence to the contrary neither would any public benefits accrue in relation to the CA.
21. I conclude that the proposal would fail to preserve the special architectural interest of the grade II* listed building and the character and appearance of the CA, thus failing to satisfy the requirements of the Act, paragraph 212 of the Framework, and development plan policy insofar as relevant. I give this harm considerable importance and weight in the planning balance of these appeals.
22. As such, in relation to Appeal A, the proposed development would be contrary to policy CP12 of the of the Richmondshire Local Plan Core Strategy (2014), which focuses on conserving and enhancing the areas environmental and historic assets whilst ensuring that development is sustainable and sensitive to local character.

Conclusion

23. I conclude that in respect of Appeal A the proposal would fail to preserve the special interest and significance of the grade II* listed building, 9 Market Place, Richmond. The proposal would be detrimental to the character and appearance of the CA.
24. I conclude that in respect of Appeal B the proposed fascia sign and projecting sign would be harmful to amenity of the street scene.
25. For the reasons given above, I conclude that both appeals should be dismissed.

N Kempton

INSPECTOR