



Appeal Decisions

Site visit made on 7 November 2023

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 6 December 2023

Appeal A: APP/W4705/W/23/3328634

Fleece Inn, 154 Main Street, Addingham, Bradford LS29 0LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Malcolm Schooling of SPC (2021) Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref: 23/01159/FUL, dated 28 March 2023, was refused by notice dated 9 June 2023.
 - The development proposed is erection of canopy over seating area.
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Appeal B: APP/W4705/Y/23/3328636

Fleece Inn, 154 Main Street, Addingham, Bradford LS29 0LY

- 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 Malcolm Schooling of SPC (2021) Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref: 23/01160/LBC, dated 28 March 2023, was refused by notice dated 9 June 2023.
 - The works proposed are erection of canopy over seating area.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. As the proposal is in a conservation area and it 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).
3. The application forms indicate that the development commenced without consent on 4 April 2022 and it was completed on 29 April 2022. At the time of my visit, I observed that the canopy had been erected. Therefore, I have determined the appeals on the basis that retrospective planning permission and listed building consent is sought for the retention of the development that has been implemented. The submitted plans reflect the development that I saw and I have determined the appeals accordingly.

Main Issues

4. The main issues are whether the development preserves a Grade II listed building "The Fleece Public House and Adjoining Barn" (Ref: 1283134), and any of the features of special architectural or historic interest that it possesses, and the extent to which it preserves or enhances the character or appearance of Addingham Conservation Area.

Reasons

5. The Fleece Inn public house listed building (the LB) is in Addingham Conservation Area (the CA), a largely linear designation that encompasses the historic core of the settlement. Its mixed use buildings are unified by their simple vernacular architecture and use of traditional building materials, principally stone. I find the significance of the CA, insofar as it relates to these appeals, to be primarily associated with the traditional building styles and materials that reflect their age and historic function.
6. The LB dates from the mid-18th century and it comprises a house with attached barn finished in hammer dressed stone and a slate stone roof. The house has a symmetrical 3-bay façade with chamfered mullioned windows. The front elevation of the former barn, which is slightly set back and with a lower roof line, is predominantly blank but with a large, segmented-arch cart opening.
7. Originally detached, the LB now adjoins a traditional terrace of predominantly residential dwellings. However, it remains widely separated from the historic building on its east side as well as the historic buildings facing it on the opposite side of Main Street, including the Memorial Hall. Insofar as it relates to the appeals, I find that the traditional materials and the open land around the LB, including its frontage, contribute to its special interest as a prominent well-preserved example of an early public house and barn in rural, vernacular building tradition. Moreover, its historic fabric, vernacular form and long history of use as a public house contribute positively to the character and appearance, and thus the significance, of the CA.
8. The canopy covers nearly the entire terraced seating area to the front of the attached barn. Its large scale, peaked design, height and proximity to the LB are such that it obscures the barn's front elevation. While the upper elevation of the barn is visible above the canopy particularly in oblique views along the street, views of the lower elevation and the distinctive cart door are disrupted by the canopy and its supporting metal poles. Although the open-sided design allows views through the structure from some perspectives, parts of the LB beneath the canopy are nevertheless shrouded in deep shade and visually diminished as a result. Moreover, when viewed from locations to the east, the forward projection and height of the canopy obstruct views of both the attached barn and the house, and therefore the entire frontage of the LB.
9. While the function of the canopy may be clear in the context of an outdoor seating area serving a public house, it is a conspicuous, inauthentic and alien addition that dominates the frontage. As a result, this highly distracting addition significantly erodes the simple vernacular form, features and materials of the LB. This is the case not only looking towards the LB from the street, but also from beneath the canopy from where its underside and its support structures are visually dominant and obstruct views of the LB.
10. More widely, looking along Main Street in either direction, the canopy is conspicuous by virtue of its size, design and location. It is a visually obtrusive, alien feature markedly at odds with the cohesive form and materials of the historic townscape. Its dominance to the front of the LB consequently diminishes the contribution the LB makes to the significance of the CA. The canopy also adversely affects how the CA is experienced by users of the outdoor seating area. This is because, looking out from beneath it, the canopy and its metal supports disrupt views of the surrounding historic townscape.

11. The canopy covers a well-established outdoor seating area to the front of the public house and replaces a number of patio umbrellas. However, the evidence suggests that the umbrellas were opened and closed in response to weather conditions. In contrast, the canopy is fixed open and therefore read as a permanent rather than temporary structure. The canopy is also more unusual, larger and more robust than the former individual table umbrellas, such as are commonly associated with pub gardens. Consequently, it screens and shadows a greater proportion of the LB. Neither the former umbrellas nor the car parking in the 1980s, prior to its use for outdoor seating with picnic tables, provide a justification for the erection of this highly intrusive canopy.
12. Given the above, I find that the canopy harms the special interest of the LB and fails to preserve the significance of the CA.
13. Paragraph 199 of the National Planning Policy Framework 2023 (the Framework) 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. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have a clear and convincing justification. Taking into account the scale and the nature of the development, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
14. In such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial for a number of reasons including in terms of the viability of the business, helping to prevent overheating in the building, providing local employment and support for the local economy, and contributing to community well-being.
15. In the absence of substantive evidence in relation to the business finances or the contribution made by the increased outdoor dining, it has not been demonstrated that the business would not be viable in the absence of the canopy. Additional employment opportunities would be a public benefit, but the number of staff employed specifically related to the use of the canopy has not been quantified. The canopy does shade the glazed cart door, but there is little evidence that overheating of the building is a significant problem. On the basis that the public house operated with outdoor seating, albeit with umbrellas not a permanent canopy, there appears to be little additional community benefit. Taken together, I find these limited benefits would not outweigh the harm to the special interest of the listed building and the significance of the CA.
16. Given the above and in the absence of any substantiated public benefit, I conclude that, on balance, the proposal would fail to preserve the special interest of the Grade II listed building and it would not conserve or enhance the character or appearance of Addingham Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 199 of the Framework and conflict with policy EN3 of the City of Bradford Core Strategy Development Plan Document Adopted July 2017 that seeks, among other things, to conserve the significance of heritage assets and to respect and reinforce locally distinctive character. As a result, in respect of the s78 appeal, the proposal would not be in accordance with the development plan.

Other Matters

17. The Fleece Inn is an established public house in the centre of Addingham. The Framework recognises the importance of accessible rural services and community facilities, including public houses. Locally, the Neighbourhood Development Plan (January 2020) identifies that public houses are part of the essential glue that helps bind the community, provide important services and places for people to meet and interact, and they contribute to individual and community health and well-being.
18. The Covid-19 pandemic, and subsequent cost of living crisis, have been challenging for the hospitality sector. Indeed, I understand that the previous owners of the Fleece Inn went into administration and sold the business as a result of the pandemic. However, neither the previous owner's business circumstances nor the former social distancing restrictions, which did not apply when the canopy was erected, provide a justification for the appeals.
19. The external seating area has been in use for many years. The canopy would enable its use for a greater proportion of the year and during more inclement weather than the pre-existing umbrellas. However, there is little information about the number of internal or external covers or dining occupancy rates through the year. The additional contribution to the business resulting from the fixed canopy, compared to the former adjustable table umbrellas, has not been quantified. Consequently, while increased dining would no doubt contribute to profitability, it has not been robustly demonstrated that the canopy is essential for the continued viable operation of the premises.
20. I note the suggestion that the retention of the canopy would help retain jobs and support the local economy. However, the application forms indicate that the number of staff employed by the existing premises and the proposal would be the same. Therefore, the employment opportunities carry little weight in favour of the proposal.

Conclusion

21. For the reasons set out above, and considering all other evidence, I conclude that the appeals should be dismissed.

Sarah Manchester

INSPECTOR