
Appeal Decision

Site visit made on 24 June 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2025

Appeal Ref: APP/N4720/W/25/3360783

Spotted Cow, Whitehall Road, Drighlington, Leeds, Bradford BD11 1LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Paul Horne against the decision of Leeds City Council.
 - The application Ref is 24/06471/FU.
 - The development proposed is retrospective application to use container to side as additional floor space to existing public house operations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The works as described above has already taken place onsite. The appeal has therefore been assessed on a retrospective basis.
3. The description of development in the above banner heading has been taken from the Council's decision notice as this concisely describes the development.

Main Issue

4. The main issue of the appeal is the effect of the development on the character and appearance of the host property and surrounding area.

Reasons

5. The appeal site relates to the Spotted Cow, a Public House located on Whitehall Road in Drighlington. It is a historic building, on account of its age and design albeit not listed. It has significant presence within the street, fronting onto Whitehall Road to the south with an outdoor seating area to the side and parking area to the rear. The site is very open being bound by low stone walling with an access point to and from Manor Close to the northeast.
6. The development seeks retrospective consent for a shipping container which is located at the side of the Public House within the beer garden. It measures 6 metres in length, 2.5 metres in width and 2.6 metres in height being blue in colour. It is accessed from a door at the front and two windows are present on the side elevation. The container is to be used for the selling of food and drinks to complement the existing operations.
7. The container is clearly evident from Whitehall Road and Manor Close and has a crude, industrial appearance by virtue of its design and materials. It therefore detracts from the appearance and attractive features of the historic building and is

harmful to the appearance of the surrounding area. Its presence exacerbates the already cluttered appearance of the beer garden when read alongside the various other ornamental structures, lighting, seating, tables, wooden huts etc and stands out conspicuously within this very open area of the site.

8. I have had due regard to the appellant's suggestion regarding cladding of the container along with the use of render although this would not sufficiently overcome the harm. This is because the structure is considered to be an incongruous and unsympathetic addition which is not considered to be a suitable design solution for the site. I also appreciate the social and economic benefits of the proposal and note the appellant's comments regarding future proofing of the business and challenges faced in this sector. However, this is not sufficient to justify harmful development, nor is it sufficient to outweigh the harm identified.
9. For the above reasons, the development unacceptably harms the character and appearance of the host property and surrounding area. It therefore conflicts with Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) and Policy P10 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019) which together, amongst other matters, explains that new development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. For the same reasons, the development conflicts with guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

Other matters

10. The appellant claims that there has been a lack of complaints in relation to the proposals although there are third party objections before me. Notwithstanding, a lack of objection does not mean that development is not harmful and thus would not alter my findings.

Conclusion

11. The development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR