

Representation to Planning Inspectorate from Kirkby Malzeard, Laverton and Dallowgill Parish Council.

Appeal reference APP/E2734/W/17/3184236 - The Henry Jenkins Inn, Main Street, Kirkby Malzeard, Ripon, North Yorkshire HG4 3RY

We are providing this representation further to the comments made to the Planning Authority in our response to Application 16/01478/FUL dated 27/09/2016 and to the statement given to the Planning Committee at the meeting on 28/02/2017, which are attached as Appendices.

Since the final closure of the Henry Jenkins Inn as a Public House in 2011 the Parish Council have felt a responsibility to try to resolve the issue of what best to do about this redundant building, situated in the centre of the village, whose condition has continued to deteriorate to the extent that it can now be best described as an 'eyesore'.

In 2014, following informal requests by residents that something be done, it was decided to contact both the Planning Department and the Owner to enquire whether the property could be redeveloped for housing, as this was the most obviously viable solution and would help to meet the local need for housing. The matter was discussed at our public meetings and no objections to this approach were made by residents.

In November 2016 when the application, which is the subject of this Appeal, was considered, it was agreed that it be supported. No-one from the public attended our Parish Council meeting to question this decision or raise any objections.

The reasons for supporting the application were:

- a) after almost 5 years there were no indications that the economic climate had changed to such an extent as to make it commercially viable as a public house again,
- b) there was a need for further housing in the village for local people, as referred to above,
- c) further housing would help sustain existing amenities such as the village School etc,
- d) that it was (and still is), the only available 'brownfield' site and that as such the development of this should be prioritised before greenfield sites, particularly given the AONB status of the area,
- e) that the condition of the building was worsening,
- and f) that the village already had a good range of community venues including a village pub (The Queens Head), Village hall, playing fields pavilion, School premises, Church and Chapel buildings, and therefore it was not essential that this building be retained as a community building. We would stress that if there had not been another pub in the village a very different approach would have been taken.

As stated in the response which the Parish Council submitted to the Planning Authority, this decision was taken 'sadly' as it was recognised that some residents did have a sentimental attachment to the pub, as they had happy memories of it over the years, but it was felt that the time had come when something needed to be done.

The refusal of Planning Consent appears to centre around the CFX policy, the intention of which, we understand, is to retain community buildings where appropriate, and not to allow redevelopment for alternative uses if reasonable attempts have not been made to market the property in its existing use.

We are clearly not experts in this field, but it does seem reasonable that some distinction should be made where the property in question is the only community building in the village and where, as in the case of Kirkby Malzeard, there are already several others, including another public house.

We are also not able to usefully comment on whether the marketing undertaken was adequate but we can confirm that a Sale Board has been on the front of the property for a number of years and newspaper advertising was carried out. It is felt that if anyone had been interested in buying a public house in the area they would have been able to find out about the Henry Jenkins Inn and contact the owner for information.

Briefly since the Planning decision was made by Harrogate Borough Council some aspects have changed. A campaign group, now known as the Henry Jenkins Community Co-op, has been successful in having the property Listed as an Asset of Community Value and a six-month moratorium period, during which the owner can not sell to any other party, is nearing its end.

The group is also currently contacting residents to obtain their views on their proposals for the redevelopment of the building, and to ascertain whether they are prepared to pledge funding towards the purchase and renovation/improvement work. By the time of the hearing, the outcome of this and the success or otherwise of any bid for the building which they have made, will be known and this may clarify the future of the property. The amount of support locally for proposals to re-open it as a pub have never been properly quantified and whilst there is clearly some support, it should be acknowledged, even by the HJCC, that not all locals are convinced it is the best way forward. The Parish Council did investigate undertaking a Parish Poll on the matter earlier in the year, but the cost was prohibitive.

In addition, the building had to be boarded up recently, following a break in and the starting of a small fire by a local youngster and within the last few months the new tenants at The Queens Head are understood to have taken a five-year tenancy, which gives some reassurance of the future of that public house, although it is still owned by a 'pub-co'. There have also been seven new detached dwellings approved in the village and there is an outline application for 47 houses, including some 'affordable' homes on a greenfield site at the western end of the village, the outcome of which may also be known by the time of the hearing.

Whilst in principle redevelopment for housing remains the most obvious way of bringing a speedy resolution to the issue of the redundant pub, it now appears to be the view of some residents that renovation/conversion of the main part of the building, possibly into two houses, would be preferable to demolition and rebuilding, with some additional housing in a courtyard design to the rear.

Traffic problems in the village continue to worsen, particularly in respect of 'on street' parking on Main Street, and there are very real concerns about the adverse effect any scheme to re-open the Henry Jenkins as a community building would have on this. We are also concerned that any scheme (which currently is described as a 'Community Hub' having bar, bistro/coffee shop and Bed & Breakfast rooms etc) could potentially jeopardise the long-term future of existing facilities such as The Queens Head and even the Village Hall, who also have on-going plans for an improved bar and café.

We hope the above information is helpful – we have endeavoured to present an objective view of the issues surrounding this matter and it remains our hope that the future of the building will be resolved as soon as possible.

Howard Mountain
Chair, Kirkby Malzeard, Laverton and Dallowgill Parish Council
28.11.2017

APPENDIX 1

RESPONSE TO PLANNING APPLICATION

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

From Parish Clerk Mrs C M Raw West Leas Farm Galphay Ripon N Yorkshire HG4 3PB

Henry Jenkins-6.24.58.E.FUL 16/01478/FUL – erection of four dwellings demolishing existing old public house buildings – Fielder Homes

The Parish Council sadly realise that a replacement public house on the site is not viable so they support the application. But they would like to make some requests to ensure the new houses fit into the appearance and character of the village street.

- 1 The doors can they be in keeping?
- 2 The roof line be no higher than the existing building.
- 3 They would prefer to see the new properties being built in reclaimed stone especially facing onto the Main Street so that they match other properties.

C RAW Clerk

APPENDIX 2

STATEMENT TO THE PLANNING COMMITTEE – 28TH FEBRUARY 2017 BY KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

I am here on behalf of the Kirkby Malzeard, Laverton and Dallowgill Parish Council and wish to read out a statement, the content of which has been agreed by the Council.

Many council members have been resident in the area for considerable time, and some born in the area so there is a lot of historical knowledge. The Henry Jenkins has had many ups and downs, from being a combination of a builder's yard, a workshop, a family home and a pub. The latest incarnation, a pub, finally ceased trading some 6 years ago. Because of drinking habits, the breathalyser and cheap home consumption, trade dwindled to an all time low, resulting in spasmodic tenancies and eventual closure.

It was therefore with sadness that the Council voted unanimously to support the planning application for 4 houses to be built on the land. For some reason, though included on the planning portal on September 27th, the Parish Council's comments on the application were omitted from the planning report. This was rectified yesterday. I confirm we supported the application. This decision was based

upon ongoing discussion within the council for a number of years, on both the Henry Jenkins itself and planning policy within the village in general. At a public meeting, held on 26th November 2012 and attended by 80 parishioners, the possibility of a development on a Greenfield site within the village was considered. At that meeting, it was recommended that Brown field sites, which the Henry Jenkins site is, should be used in preference to any Greenfield sites.

As a result of this, and a number of complaints about the state of the Pub building, we wrote to HBC on 17th December 2014 to express our concerns and enquire of the possibility of development for much needed housing. We had a meaningful reply outlining the alternatives and rules governing the matter. Hopefully the Committee Members are aware of our letter and the reply. Over the subsequent period, the owner, Mr Fielder, has submitted this planning application.

We are satisfied that the development would have no negative effect on the community and would enhance the visual aspect of this part of the village. It would bring into the village more residents to support local services such as the school, our butcher, the village shop, the garage, hairdresser, Drs surgery, our Highside Playing Fields to name but a few. It should be clearly understood that the village does still have another pub, The Queens Head, and if the Henry Jenkins were ever to reopen, it would seriously affect its viability and may cause it to close. There is also the Mechanics Institute Village Hall, which is only 20 meters away from the Henry Jenkins, and the latter has plans for a new cafe/bar on which work will commence this year. Both need everyone's full support to enable them to prosper into the future.

The refusal of the ACV application by Harrogate Borough Council, reinforces these points. Housing will bring more people, more local trade and a more prosperity to the village. Having another pub in the village would almost certainly do more harm than good.

The draft Harrogate District local plan has recognised the need for additional housing within the Parish and this development will contribute towards meeting this plan. It will add to the recent permissions, which have been granted for 1, 2, and 4 property developments. The critical need to use brownfield land, where possible is addressed by this application, especially as it is situated within the limits of our development area as defined in our village design statement, which has been adopted by HBC.

We would urge this Committee to consider this application favourably to ensure that development takes place in a timely manner. The site has been empty and derelict for far too long and needs urgent action for the betterment of the community.

M W G HURFORD
Deputy Chairman,
On behalf of Kirkby Malzeard, Laverton and Dallowgill Parish Council