



Otleypubclub - The Famous
Yorkshire Pub Town

Planning Services
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6th June 2024

The Manor House Pub, Otley – planning application 24/02095/FU

Otleypubclub is a local community, volunteer-run organisation whose mission is to preserve and promote Otley's wonderful pubs and we object to the above planning applications for the site of the Manor House pub in Otley.

The Manor House is a unique, important and viable pub and is only now threatened as a pub because the previous owners, Thwaites, sold it to developers, when there were at least three interested parties who wanted to buy the Manor as a pub. In one case, Thwaites refused a reasonable offer, and also failed to respond to a follow-up communication.

The Manor House is an ancient pub, shown on an 1851 map of Otley and as far as we know, first licensed in the 1860/70's making the Manor House pub at least 150/160 years old and an important historic (mid Victorian) pub. It is a grade II listed building and associated with the actual Manor House and the story of how Thomas Constable assisted Irish refugees who settled in Otley. It is a classic mid terrace local and the most easterly pub in Otley. There is considerable development planned east of Otley and the Manor would be the closest pub to these many proposed homes. It is the closest pub to Otley Rugby Club, Otley Town Football Club and Otley Cricket Club and popular on match days. The Manor House has supported local groups, sports and darts teams and charities over the years and could and should continue to fulfil this function. The Manor has a special as well as unique customer appeal, with its history of folk music and community events. It is a proper community pub and has been a favourite local pub for many Otley people of all ages.

Its most recent owner was Thwaites, who operated a tied tenancy (a model that obliges the tenant to pay considerably above market prices for beer and sometimes other products). Thwaites had been aware for several years that the building needed remedial work, most notably a new roof, but this work was not carried out. The previous tenants (who also lived in the pub) decided they wanted to leave the pub to focus on other business interests and in June 2022 they closed the pub and moved out.

Due to the ACV status, the pub could not immediately be put up for sale as a pub (which is an utterly perverse and negative part of the legislation, which we also mention below). A community group/company triggered the 6 month moratorium to avoid the possibility of the pub being sold to a developer, but did not want the restriction on the pub being marketed or bought as a pub.

Otleypubclub made contact with companies that might be interested in the pub. After the six month moratorium period was over, there was commercial interest as well as discussions about a community bid, in the case where there were no commercial buyers (there would in our view be no point for a community to seek to buy a pub when there is a commercial buyer prepared to buy the pub and make a success of it).

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One excellent local brewery was seriously interested in the pub and was prepared to invest substantially in the Manor House, largely to put right the years of neglect on the part of Thwaites and previous owners. They had a survey done (which we are happy to share) and the costs of essential repairs was over £137,000. Nonetheless they were still prepared to invest heavily in the pub and explained this to Thwaites and made a fair offer that recognised the state of the building and allow for them to invest. Thwaites however dismissed this bid and failed to engage in further discussions with this company, despite the sale having nearly happened and the community being very excited about this prospect (and the prospect of the Manor being run by this company, with theirs and guest beers, as opposed to being tied to Thwaites beers, which were not to everyone's tastes). That local brewery made clear that their offer remained on the table and for Thwaites to contact them if they changed their mind and were prepared to accept the offer. The same brewery contacted Thwaites not long before the sale, to reiterate their interest. Thwaites didn't even respond and instead sold The Manor to Carleton Homes, with a nondisclosure agreement so we didn't find out who the new owners were or their plans until they put in for planning permission to turn it into two houses.

Even worse, another award winning Yorkshire brewery were due to view the Manor at this time. The estate agent cancelled their appointment claiming "they had lost the key" and then shortly after this, they agreed to sell the pub to developers. We have all the emails to prove this (and they have been shared with the Wharfedale and Airedale Observer) to show the shoddy way the community and these potential pub buyers been treated.

As mentioned, a community group had begun exploring the possibility of a community bid. This was not Otley Pub Club, but something we were happy to support/promote. This initiative was put this on hold as it seemed as if the pub was going to be bought by an excellent local brewery - the best possible outcome. It is our broad view (and that of others, including the community pub group) that the main point of community ownership is where there is not a commercial buyer as a pub. By the time the pub was sold, it was too late to then launch a fundraising bid, which had people known that the pub was about to be sold for development, would have been launched (a website had been set up and was ready to publish).

Thwaites sold it to a developer, Carleton Homes Development Ltd in October 2023. The news of the purchaser was withheld from the community and from Otley Pub Club. In an email from Chris Wright of Thwaites to Otley Pub Club President, Greg Mulholland, Mr Wright stated, "Unfortunately, we are unable to divulged details of the purchaser at this stage due to a confidentiality clause in the sale agreement". Carleton Homes therefore deliberately chose to prevent the community from knowing that the pub had been bought by them, a developer. The signs from the pub were also removed around this time, no doubt as a way of signifying that the Manor's long history as a pub was going to be at an end (if the developer gets their way).

The reality therefore is that the sale by Thwaites to Carleton Homes (with its NDA) stopped the very real possibility of purchase by an experienced excellent pub operator and brewery and also stopped the possibility of the community seeking to launch a campaign to raise the funds to save it.

The Viability of the Manor

The pub is very clearly viable, shown by the fact that at least three parties wanted to buy and reopen the Manor House. It also has been one of the most popular and successful community pubs in town. Owners of historic pubs and developers must not be allowed to close/destroy viable/wanted pubs simply for profit. Thwaites sold the pub to developers at a time when a second small brewery that operates pubs was going to view the pub (and then their estate agents

cancelled their viewing). This clearly shows there was serious interest as a pub, by operators who would make a success of it, which means that permission should not be given for permanent destruction/conversion. Once pubs are gone, they are gone.

The Manor House was affected by the Covid lockdowns more than some other pubs, due to being small and with access to the garden being through the pub (the side gate was the publican's family's entrance and where they stored the children's bikes etc). It was not worth the Manor opening whilst the Covid rules were so restrictive.

The sitting tenant told Thwaites they were only interested in considering the possibility of buying the freehold of the pub if Thwaites finally replace the leaking roof (which leaked into their living accommodation) and needed doing for several years. However, Thwaites refused to do this and said they would only sell the pub as it was (despite having known about the roof for years and said they would resolve it). Thwaites decided to walk away and wash their hands of the Manor and Otley, leaving behind a neglected historic building that needed repair and investment – of the kind the excellent local brewery was prepared to make, yet Thwaites refused their offer.

The National Planning Policy Framework

The National Planning Policy Framework is clear that councils should oppose “unnecessary” closures of local amenities, specifically including pubs and should plan positively for the provision of pubs and resist their loss. Section 83 d) states “the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship”, Section 92 states “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs”. On this basis alone, Leeds City Council should reject the planning application as it is contrary 'planning positively for the provision of community facilities, including public houses.' The closure of the Manor House cannot possibly be considered as “necessary” when there have been parties wishing to buy it as a pub, showing it is entirely viable in the right hands.

Comments on the flaws of the ACV legislation and process

Otley Pub Club are proud to have registered Otley's hugely important and valued historic pubs as Assets of Community Value, including the historic Manor House. The reasons we did so is that otherwise, there is very little meaningful protection for pubs, even viable/profitable pubs and including important historic pubs, like the Manor House. Applications to convert pubs without ACV status are often routinely nodded through by Councils so it is the only way to have any community say over a pub's future.

We would have no need to register our historic pubs as ACVs if there was proper/adequate protection for pubs in the planning process. We refer you to the Campaign for Pubs policy position 'Give Pubs Protection' which is what should in effect happen if planning principles are followed, which is that a pub should only be converted if it is not wanted as a pub and with a purchaser. Without that legislation being in place, then the onus falls entirely on the Council to decide the future of historic pubs and to side either with developers who have bought these important pubs to develop them, against the wishes of local communities, despite clear viability and despite genuine interest/offers as a pub or to side with communities and pub campaigners. Whilst we realise this is a difficult position for the Council to be in, we do believe that the National Planning Policy Framework gives enough guidance for this application to be turned down, to at least allow the possibility of a commercial buyer as a pub or for the community to seek to raise the funds to buy it. If Councils simply give in to developers who deliberately buy historic pubs to convert them

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for profit, then there is really no protection at all for our heritage pubs in the planning system (and this is clearly not what the legislation intends or envisages).

Planning law is there not only to ensure developments are appropriate and positive (which this is not) but also to ensure that communities are protected from developers acting only in their own interest, acting against the interest of local communities and in this case closing a successful and wanted business and pub.

The Conservation Area Appraisal also makes clear that the best use for a historic building such as the Manor House should be the use for which it was originally designed i.e. a public house. The Manor House has been a pub since mid nineteenth century. It must not be allowed to be converted into housing, when interested parties want to buy it and reopen it as a pub.

The 'PR' argument being made by the developers that they are converting it back into houses is spurious. Everything was previously something else. It is akin to saying "we are bulldozing a historic castle and restoring it to the green fields that previously occupied the site!". The Manor is a very historic, longstanding pub of over 170 years and should be allowed to be retained as such, rather than treated cynically as a one off money-making opportunity between a pubco that failed to invest in the building and a developer.

It is also failing to realise that the Manor House is already a home/housing. The upstairs of the Manor is a substantial flat for the tenants, with enough rooms to house a large family. So far from providing new housing, this conversion, to properties likely to be lived in by couples, is taking away important pub tenant accommodation, as well as destroy a viable business.

In Conclusion

Otley Pub Club have had several interested parties contact us who were interested in buying and reopening the Manor House. Any suggestion made that the Manor House was or is 'unviable' is untrue and must be ignored.

If Thwaites had accepted a fair offer from a brewery, to buy and invest in it, instead of selling to a developer, it would be open again and with a great offer and local ownership.

Thwaites had badly neglected the pub and it is disgraceful that they failed to accept the bid from a great local brewery willing to invest in it. Owners of historic pubs that neglect them must not be rewarded by selling them off for development, when others want to buy and invest in the pub.

If Leeds City Council approve this application, it is basically endorsing owners and developers colluding to sell/buy pubs for development, for profit at the expense of the historic pub and the local community. Pubs should only be allowed to be converted when it is clear there is no interest in anyone purchasing the pub as a pub, at the price as a pub. Allowing pubs to be treated as development opportunities goes against the National Planning Policy Framework.

Approving this application would destroy an important part of Otley's history, culture and economy- and a viable local pub/business – forever and against the principles of planning law and against the wishes of the community. This application should be refused.

Yours sincerely,

Otley Pub Club Committee, on behalf of Otley Pub Club

cc Cllrs Sandy Lay, Ryk Downes and Colin Campbell, Leeds City Councillor, Otley and Yeadon Ward and Otley Town Councillors

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