

## The Planning Inspectorate

### LISTED BUILDING CONSENT APPEAL FORM (Online Version)

**WARNING:** The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

**Appeal Reference: APP/W9500/Y/20/3250669**

#### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Mr Timothy Knight

Address

3 Bloomswell  
Robin Hoods Bay  
WHITBY  
YO22 4RT

Preferred contact method

Email



Post



#### B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes



No



Name

Miss Kellie Hainsworth

Company/Group Name

Walton & Co

Address

Walton & Co  
2 Queen Street  
LEEDS  
LS1 2TW

Phone number

Email

Your reference

KH.DRW

Preferred contact method

Email



Post



#### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

North York Moors National Park Authority

LPA reference number

NYM/2019/0706/LB

Date of the application

30/09/2019

Did the LPA validate and register your application? Yes  No

Did the LPA issue a decision? Yes  No

Date of LPA's decision

**D. APPEAL SITE ADDRESS**

Is the address of the affected land the same as the appellant's address? Yes  No

Address

Is the appeal site within a Green Belt? Yes  No

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes  No

**E. DESCRIPTION OF THE DEVELOPMENT**

Has the description of the development changed from that stated on the application form? Yes  No

Please enter details of the proposed development. This should normally be taken from the planning application form.

**F. BUILDING INFORMATION**

Please indicate the grade of the building

Grade I

Grade II\*

Grade II

Has a grant been made under section 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? Yes  No

**G. REASON FOR THE APPEAL**

**The reason for the appeal is that the LPA has:**

1. Refused listed building consent.

2. Granted listed building consent for the development subject to conditions to which you object.

3. Refused to vary a condition(s) in a previous grant of listed building consent.

4. Refused to remove a condition(s) in a previous grant of listed building consent.

5. Failed to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval.

## H. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

### 1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes  No

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes  No

Please explain.

The application and decision relate to internal aspects of the property and it is therefore essential for the Inspector to enter the site.

### 2. Hearing

### 3. Inquiry

## I. FULL STATEMENT OF CASE

see '[Appeal Documents](#)' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes  No

(b) Have you made a costs application with this appeal? Yes  No

## J. SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

**I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates;**

CERTIFICATE B

**I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates, as listed below:**

CERTIFICATE C and D

**If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.**

## K. SUPPORTING DOCUMENTS

01. A copy of the application form sent to the LPA.

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show

two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

05. (c) A list of all plans, drawings and documents upon which the LPA made their decision.

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

07. A copy of the design and access statement sent to the LPA.

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.

10. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.

11. Any relevant correspondence with the LPA.

## L. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes  No

Please give details, including our reference number(s), if known.

An appeal has also been submitted for the same property against the Council's refusal of a planning application. Reference no. APP/W9500/D/20/3250668

## M. CHECK SIGN AND DATE

**(All supporting documents must be received by us within the time limit)**

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

**Signature**

Miss Kellie Hainsworth

**Date**

09/04/2020 13:18:01

**Name**

Miss Kellie Hainsworth

**On behalf of**

Mr Timothy Knight

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018. Further information about our Data Protection policy can be found on our website under Privacy Statement.

## **N. NOW SEND**

### **Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:  
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

**You may wish to keep a copy of the completed form for your records.**

## O. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

**You will not be sent any further reminders.**

### The documents listed below were uploaded with this form:

<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A copy of the full statement of case.
<b>File name:</b>	090420 - Letter to the Planning Inspectorate.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. A copy of the original application form sent to the LPA.
<b>File name:</b>	2019-12-06 Public Application Form.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	03. A copy of the LPA's decision notice (if issued), or in the event of the failure of the LPA to give a decision, a copy of the LPA's letter in which they acknowledged the application.
<b>File name:</b>	2020-01-29 Public - Decision Notice.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
<b>File name:</b>	2019-12-06 Public Plans.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
<b>File name:</b>	2019-12-06 Public Plans.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
<b>File name:</b>	LBC - Documents List.docx
<b>Completed by</b>	MISS KELLIE HAINSWORTH
<b>Date</b>	09/04/2020 13:18:01

Our ref: KH.DRW

Your ref:

Date: 9 April 2020

Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Dear Sir/Madam

**Mr Timothy Knight**  
**3 Bloomswell, Robin Hoods Bay, Whitby YO22 4RT**  
**Planning Application Ref. NYM/2019/0704/FL**  
**Listed Building Ref. NYM/2019/0706/LB**

We act on behalf of Mr Timothy Knight in relation of the above property. We are submitting appeals on behalf of our client in respect of the Council's decisions to refuse planning permission and listed building consent for works at 3 Bloomswell.

Our client has also instructed a heritage consultant to assist with the appeals. In order for the consultant to provide their specialist advice/support to the appeals, it is essential that an internal and external site visit is undertaken by the consultant. However, due to the Government's guidance issued at this time in relation to the Coronavirus, the consultants are unable to undertake the required site visit to ensure the health and safety of both their staff and our client. The findings of the site visit will be used to inform the statement of case for the appeal.

We are aware that it is normal procedure to submit a full statement of case at the time of submitting an appeal. However, taking the above into account, we are unable to present our client's full case without the input of the heritage consultant. As you will see from the documents already submitted, this case involves works undertaken to a listed building and therefore their input (informed from a site visit) is vital to the case.

As soon as the current national restrictions are lifted and it is safe for a site visit to be carried out by the heritage consultant, a date will be arranged and a full statement of case prepared following the visit. We would therefore ask in these exceptional circumstances to be allowed to submit the full statement of case within 1 month of the site visit.

- Town & Country Planning
- Local Government
- Compulsory Purchase
- Highways

Registered Office: 2 Queen Street, Leeds LS1 2TW

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The Council's Enforcement Department have been informed of the situation and a copy of this letter will be sent to their appeals department upon submission.

Yours sincerely

**Walton & Co**

cc. Mr Timothy Knight  
Woodhall Planning & Conservation