



The Planning Inspectorate

3M Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

v.

www.gov.uk/planning-inspectorate

Mrs Wendy Strangeway
North York Moors National Park Authority
Development Control Support Officer
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Your Ref: NYM/2019/0681/FL
Our Ref: APP/W9500/W/20/3253018

19 June 2020

Dear Mrs Strangeway,

Town and Country Planning Act 1990
Appeal by Mr Simon Ashworth
Site Address: Paddock House, Sutherland Lane, Cropton, PICKERING, YO18 8EX

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me. I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) has requested the Written representations procedure. In accordance with s319A of the Act we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Written representations procedure is suitable and we intend to determine this appeal by this procedure.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is <https://www.gov.uk/appeal-planning-inspectorate>.

If emailing documents, please use the email address above. If posting documents (other than the Questionnaire) please send 2 copies of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at: <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.

Timetable

The following documents must be sent within this timetable.

By 26 June 2020

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

- i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, by 24 July 2020. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- ii) when and where the appeal documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);
- iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Written representations' either free of charge from you, or on GOV.UK <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>; and
- v) that the decision will be published on GOV.UK.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me.

By 24 July 2020

Please send me your statement of case if the appeal questionnaire does not give full details of your case. Please include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant(s) a copy of any comments received from other interested persons or organisations and I will also send a copy of your statement to the appellant(s).

By 07 August 2020

The appellant(s) must send me any final comments they have on your statement. Both you and the appellant(s) may comment on any representations received from interested persons or organisations. No new evidence is allowed at this stage. I will send you a copy of any final comments received from the appellant(s).

Site visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied or an 'access required' site visit can be made, you will not be informed in advance. Inspectors will not accept any documents or discuss the merits of the appeal(s) at the site visit.

Planning obligations - section 106 agreements

If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. A certified copy must be submitted to me no later than 7 weeks from the date of this letter.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs - <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Darren Cryer

Darren Cryer



The Planning Inspectorate

3M Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

www.gov.uk/planning-inspectorate

Mrs Wendy Strangeway
North York Moors National Park Authority
Development Control Support Officer
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Your Ref: NYM/2019/0681/FL
Our Ref: APP/W9500/W/20/3253018

19 June 2020

Dear Mrs Strangeway,

Town and Country Planning Act 1990
Appeal by Mr Simon Ashworth
Site Address: Paddock House, Sutherland Lane, Cropton, PICKERING, YO18 8EX

I enclose a copy of correspondence from Mr Simon Ashworth applying for an award of costs against you.

If you wish to respond, please do so separately from other submissions, ensuring that you forward 2 copies within 7 days from the date of this letter.

Any response you make will be passed to Mr Simon Ashworth for comment.

Yours sincerely,

Darren Cryer
Darren Cryer

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search

PSi planning law

Town & Country Planning Specialists With Proven Track Record

For Free Informal Advice Call:

**Simply
Successful**

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

Date: 22/05/2020

Re: Application for an Award of Appeal Costs

Claimant

Mr Simon Ashworth
7A Welham Road
Norton
Malton
YO17 9DP

Site Address

Paddock House
Sutherland Lane
Cropton
Pickering
YO18 8EX

Local Authority

North York Moors National Park
The Old Vicarage,
Bondgate,
Helmsley
York.
YO62 5BP

Description of the Development

Removal of agricultural occupancy condition 5 from planning permission NYM3/031/0010/PA, without the imposition of a local needs condition being imposed after AOC removal.

2)

Unreasonable Behaviour by the Authority

1. North York Moors National Park planning department received, registered, validated, processed and approved a CVC application Ref:NYM2019/0103/CVC within two working days of submission, which was signed off and approved on the strength of a simple letter submitted by the applicants Mr Keane and Miss Creaser, without any form of due diligence being conducted into that veracity of the claims made by the applicants, and have subsequently employed this unsafe decision to refuse the Appellant's application, bringing rise to this unnecessary and costly Appeal.
2. The Planning Officer who approved the above CVC application, attempted to press the sale of the Appellant's property to the parties named in the aforementioned CVC application.
3. The planning officer involved in approving the Keane-Creaser CVC application provided false Planning Policy information in writing the Appellant in a blatant attempt to dissuade him from proceeding with further market assessment of his property, indicating that if an application were to be submitted, it would likely be refused.
4. Officers have ignored ICO advice regarding the 'Lawful Basis' which all local authorities rely upon to process evidence and information in support of planning applications, being that of 'Public Task', and have in our opinion divisively applied a different Lawful Basis in the Appellant's application than they applied in other applications they have processed.
5. Officers have unnecessarily redacted information and evidence from the Appellant's planning application, resulting in the application being misrepresented to, and refused by, the Planning Committee.
6. Officers have acted against NYM planning Policies, NPPF guidelines, Planning Appeal decisions, advice by Governing Bodies and other Planning Authorities.
7. Officers have ignored the Appellant's express wishes on serious health grounds for no direct contact from authority during the pre-application period and application process.
8. The Authority declined an offer to receive a resubmission of the application and process it with all the evidence that they had unnecessarily redacted from the original application.

I can safely say that I have never experienced such outrageous behaviour as this from any of the ninety Authorities I have dealt with over the past thirty years as a planning consultant, and respectfully request that the Inspector awards full costs to the Appellant, as this unreasonable behaviour has caused the Appellant to suffer extreme stress and extra unnecessary expense within the pre-application assessments, the planning application process and in the preparation of this Appeal.

Yours Sincerely

Chris Garner
Executive Officer & Senior Planning Consultant