

**Planning Appeal – Statement of Case – Planning Application Ref: NYM/2020/0227/FL**

**Conversion of and extensions to former public house and outbuildings to form 2 no local occupancy letting units and 4 no holiday letting units with associated access, parking, bin/bike stores, amenity spaces and landscaping works at:**

**The former Plough Inn PH, Boonhill Road, Fadmoor, North Yorks. YO62 7HA**

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**1.0 Appellant**

Mr Luke Wilkinson  
HOLF Leisure  
Pennyholme Estate  
Stoneley Woods  
Fadmoor  
YO62 7JH

**2.00 Agent/Architect**

**Barrett+Barrett** architects Ltd  
Morwick Hall  
Mortec Office Park  
York Road  
Leeds  
LS15 4TA

**3.00 Introduction**

This appeal is based on the LPA failure to give notice of its decision within the appropriate period for an application for permission or approval.

The above Full Planning Application was submitted to and subsequently validated by North York Moors National Parks Authority on the 27 March 2020 (copy attached) with a Statutory date for determination of the 22 May 2020, however, due to on-going negotiations and design developments, the LPA requested on the 03 July 2020, for an Extension of Time for the application until the 24 July 2020, this was agreed by ourselves as agents on the 07 July 2020.

A Planning Committee meeting (virtual) was held on the 16 July 2020 with a recommendation of approval by the Director of Planning, subject to conditions. (refer to attached officers report dated 16 July 2020) The Planning Committee failed to make a decision within the Statutory Period.

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**2.00 Statement of Case**

Although this appeal is for non-determination of the application within the appropriate period, we wish to summarise important facts for the benefit of the Appeal Inspector.

2.01 - The local Planning Committee voted to deferred the application to allow further time to instruct a viability study with a view to a compulsory purchase of the former Plough Inn and reopening as a public house, community centre etc. The appellant considers that due to local issues the application needs to be determined by appeal to ensure a fair, reasonable and unbiased decision is made

2.02 – The former Plough Inn Public House ceased trading and closed for business in 2011 due to the unviability of the business. Full accounts were submitted as part of the application to confirm the same

2.03 – The former public house was put on the market for sale in 2011 after a valuation by Fleurets, specialist PH valuers and surveyors. The property was subsequently marketed for 15 months with little interest and no viable offers. A full marketing summary was submitted as part of the application to confirm the same

2.04 – The local community made an offer in 2011 to purchase the former public house, the offer was nearly 30% below the valuation and asking price and therefore rejected. Since the 2011 offer, nearly a decade ago, the community has not made any further Offer to purchase to former PH or indeed had any communication whatsoever with the appellant/present owner

2.05 - The Royal Oak Public House in Gillamoor (also owned by the appellant) is just over 700m away from the former Plough Inn PH It is a thriving pub, but is reliant on tourists and customers from further afield, just 5% of their customers are from the locality

2.06 – Fadmoor and Gillamoor have 4 existing shared community assets, the village hall, the church, the school and the Royal Oak PH

2.07 – The application, as deferred, has been carefully and sensitively designed and developed through a lengthy negotiations process with the LPA resulting in proposals that full comply with both Local and National Planning Policies

2.08 – The NYMNPA Director of Planning has recommended the application for approval and made the Planning Committee aware that to (possibly) refuse the application that comply with planning polices that would support the application would be considered to be unreasonable and Planning Officers strongly advising that a refusal of the application would be difficult to justify

End.