



Planning Inspectorate Reference:

APP/W9500/X/23/3321210

Local Planning Authority Reference:

NYM/2022/0780

Against: Refusal of planning permission for certificate of  
lawfulness for the use of land as a holiday park comprising six  
static caravans in excess of ten years

## Appellant's Response to Local Planning Authority's Response to Appellant's Statement of Case For Written Representations Appeal

Location: Haggit Howe Caravan Site  
Saltwick, Whitby YO22 4JY

APPELLANT: Lisa Trotter  
LOCAL PLANNING AUTHORITY:  
North York Moors National Park Authority

PREPARED BY  
ROBERT C BARRS BSc (Hons) MRICS  
BARRS & CO CHARTERED SURVEYORS

# **1 Introduction**

- 1.1 The LPA have not provided a Statement of Case. As set out in the Planning Inspectorate's letter of 17th July 2023, no LPA Statement or third party representations were made in respect of this appeal.
- 1.2 We respond below to the LPA's comments made in response to our Statement of Case dated 24 April 2023 and which were received by us on 18 July 2023. We have referred to the paragraph numbering used by the LPA in their response.

# **2 Response**

## **2.1 Paragraph 1.3**

Evidence has been provided showing the use of the site for 6 caravans. This point was not disputed by the LPA in discussions during the LPA's consideration of the application. Six static caravans are referred to in the various Site Licences that have been issued over the years for the site.

## **2.2 Paragraph 1.4**

This paragraph is factually incorrect. To clarify at the time the appellant purchased the site she also purchased Brook House Barn, which is the residential property immediately adjacent to the caravan site. Haggit Howe, as referred to by the LPA is a separate property in 3rd party ownership and this is not relevant.

## **2.3 Paragraph 1.6**

It should be noted by the inspectorate that during discussions with the LPA prior to this application it was acknowledged by the LPA that Local Authority reorganisations over the last few decades have resulted in many lost planning records. We refer to our statement. Further it is highly unlikely that a Site Licence would ever have been issued without planning permission being in place. The Site Licence follows the planning and reflects the numbers and the season referred to in the planning decision.

## **2.4 Paragraph 1.8**

It is disputed that the use was abandoned for 10 years prior to 2017, as caravans were still sited up to that time and business rates were being paid. It should be noted that the period of non use was extended as a result of the LPA incorrectly advising the appellant and the following Covid19 pandemic.

## **2.5 Paragraph 1.9**

Like many other small static caravan sites the site operates as a free standing static caravan site. It was not operated from another property. It was regarded as an independent hereditament for the purposes of business rates and it had its own rateable value, details of which have been provided. We also refer to the red line around the site on the site plan which forms part of the Site Licence. This is also discussed further in our Statement of Case.

2.6 **Paragraph 1.10**

As set out in our statement there has not been any change in the planning unit, this has always been a free standing planning unit and we refer to our comments in relation to paragraph 1.9 above. Further there has not been a material change of use to grassland. The caravans have always been sited on grass pitches and were temporarily removed, as happens often on caravan parks.

2.7 **Paragraph 1.11**

This statement is incorrect. There has been no cow grazing on the site at any time since the caravans were removed. The site remains capable of siting static caravans if this appeal is been allowed.

Prepared By

**Robert C Barrs MRICS BSC(Hons)**

**Barrs & Co Ltd**

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