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Your Ref: NYM/2023/0791

Our Ref: APP/W9500/W/24/3338100

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

08 May 2024

Dear Mrs Strangeway,

Town and Country Planning Act 1990
Appeal by FHJA & MA Eddon
Site Address: Land east of Pasture Road, Lockton, PICKERING, YO18 7NU


I enclose for your information a copy of the appellant's final comments on the above appeal(s). Normally, no further comments, from any party, will now be taken into consideration.

Yours sincerely,

Ruth Howell
Ruth Howell

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APPEAL STATEMENT – FINAL COMMENTS

APPEAL AGAINST REFUSAL RELATING TO NORTH YORKSHIRE MOORS
NATIONAL PARK AUTHORITY PLANNING APPLICATION REFERENCE:
NYM/2023/0791

Planning Inspectorate Reference: APP/W9500/ W/24/3338100

Land east of Pasture Road, Lockton

FHJA & MA Eddon

Harrison Pick Ltd
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1. FINAL COMMENTS
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1. Final Comments

- 1.1 This statement has been prepared to offer the Appellants final comments with reference to the Appeal Statement provided by North York Moors National Park Authority (NYMNP) relating to the refusal of planning application reference: NYM/2023/0791 at land east of Pasture Road, Lockton.
- 1.2 The Appellant would surmise that the LPA refused the application due to two key factors:
- visual impact (a building in an isolated location)
 - The danger of setting a precedent should the application be approved
- 1.3 From a policy assessment perspective, the Appeal Statement refers only to the building in isolation, without affording any planning balance or context as to the benefits offered via the removal of the unusually tall silo type structures immediately adjacent to the application site, a key factor in the submission and determination of this proposal. Indeed, of the 9-page Appeal Statement only 2 sentences are offered by way of assessing any gain or balance resulting from the removal of the silos. The Appellant would once again contend that insignificant weight has been afforded to this aspect of the scheme.
- 1.4 The LPA somewhat reductively conclude at paragraph 6.4 that *'any benefit from the removal of the silos (which were never approved but lawful due to the passage of time) would be more than negated by the visual impacts of the new remote building'*. There is no context as to how the LPA have arrived at this conclusion, however the Appellant would respectfully challenge their conclusion, nonetheless. Further, it is noted that the LPA have introduced new terminology for describing the feed silos (*'never approved, but lawful'*); one could argue the

introduction of such terminology is an attempt to raise questions as to the credibility and legitimacy of the silos - a pivotal aspect of this scheme.

1.5 Regarding precedent, the Appellant does not wish to repeat or reproduce the contentions set out within the Statement of Case (para. 5.9), however the Appeal Statement again relies heavily on the concept of any approval setting a precedent for future applications. We would reiterate that when any references to 'precedent' within the Officer's report and the subsequent Appeal Statement are dismissed, it can be observed that there is little other objective justification for the refusal.

1.6 Notwithstanding the above, there are demonstrably extenuating circumstance in this instance in that the existing area is subject to existing built development, development which the Appellant would contend poses a far great visual imposition than that of the extremely modest replacement stock and feed shed. Should similar applications be made in the future - applications which seek to enhance the setting of any given area - the Appellant would urge the LPA to give greater consideration by way of planning balance and seek to approve such development where possible.

1.7 The appellant has made a fair, reasoned, and credible argument as to the necessity for the siting of a remote building, however this was dismissed out of hand, without any observable objective analysis. The Appellant would again urge the LPA to consider the needs of local farmers when such justifications are presented. Respectfully, there appears to be a disproportionate level of concern regarding the setting of a very niche precedent, and little weight or consideration being offered to working *with* landowners and farmers in attempting to prevent disease outbreaks. The Appellants respectfully suggests that the needs of agricultural businesses are best understood by those at the helm.

- 1.8 Lastly, at para. 6.6, the LPA outline that there are existing buildings available for use at the main farmstead. They state there has been no explanation as to why these buildings cannot be used; however, within the submitted Design and Access Statement it is stated *'The building will be used solely for agricultural operations, although the specific use will be mixed. During the summer months, specifically following harvest, the building will be used for the storage of hay/feed, whilst in the winter months the building will be used for the winter housing of ewes, and for lambing. The farm does not currently have capacity for the winter housing of the flock at High House Farm and is therefore required to seek rented accommodation elsewhere, which is unsustainable given current markets.'*
- 1.9 The suggestion that such buildings exist at High House Farm and are not in use is merely conjecture. Had the LPA have raised this during the application stage, the Appellant would have welcomed a site visit to demonstrate this. Similarly, we would urge the Inspector to view all existing buildings at High house Farm, should it be deemed relevant. Per the initial Statement of Case, the Appellant considers it a fair analysis to conclude that the LPA did not challenge the *need* for the building itself, only that the landscape harm is considered to outweigh the benefit in terms of the needs of the business.
- 1.10 In view of the above, the Appellant would again respectfully request that the appeal is allowed, and that planning permission is granted.

Sam Harrison MRTPI

Director | Harrison Pick Ltd