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Your Ref:
Contact: Miss Helen Manning
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Date: 17 June 2022

Application No: **22/00346/PLF**

Case Officer: Miss Helen Manning

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

| | |
|--------------------------|---|
| Proposal: | Installation of disabled access ramps and entrance doors |
| Location: | Former Howden Library , 13 Market Place, Howden, East Riding Of Yorkshire, DN14 7BJ |
| Applicant: | Shire Hall Trust |
| Application type: | Full Planning Permission |

The above application has been considered by the Council in pursuance of their powers under the above mentioned Act and has been **APPROVED**, in accordance with the terms and details as submitted, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

This condition is imposed in order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and in order to ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2. No development shall be commenced on the area of the publicly maintainable highway until part of the area of publicly maintainable highway (Market Place, Howden) as shown on drawing ref 3026-6a (Proposed Ground Floor Plan, Elevations, Block Plan, Sections and Sketch View) has been stopped up and details of a programme of work for the completion of the scheme of road closure and a Road Traffic Order has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority

This condition is imposed in order to facilitate the development and ensure that development does not impact on the safety of the publicly maintainable highway.

Note: Section 247 - An order authorising the stopping up (removal of public rights of way) of

any highway can be made if the secretary of state is satisfied to do so, to allow the development to be carried out in accordance with a valid and relevant planning permission granted under Part III of the Town and Country Planning Act 1990.

The highway to be stopped up must be developed upon and fall within the planning boundary or be a condition of the planning permission. The order may also include the provision of a new or improved highways as long as these also form part of the planning permission.

Please note that the secretary of state cannot make order under these provisions retrospectively and that applicants have no authority to stop up any highway until the decision to grant an Order has been published unless an alternate order has been granted by the Highway Authority in accordance with the relevant Highway Legislation.

A Road Traffic Order is required adjacent to the proposed build out to prevent stopping/parking which would block the carriageway (Market Place)

3. Notwithstanding any details shown on the submitted plans and forms, no development shall take place above damp proof course until details of the materials to be used in the construction of the external surfaces of the disabled access ramp, handrails and entrance doors hereby permitted have been submitted to and approved in writing by the Local Planning Authority. A sample panel of the brick wall to the ramps shall be provided on site to assist in assessing the suitability of the proposed materials. Development shall be carried out in accordance with the approved details.

This condition is imposed in accordance with Policies ENV1 and ENV3 of the East Riding Local Plan and because it is considered that the use of inappropriate materials could be harmful to the appearance of the area and that the Council therefore needs to retain a measure of control.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

3026-7 - Location plan (received: 02.02.2022)

3026-6a - Proposed ground floor plan, elevations, block plan, sections and sketch view (received: 23.03.2022)

3026-8 - Section plan (received: 23.03.2022)

This condition is imposed in accordance with policy ENV1 of the East Riding Local Plan and for the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

Notes to Applicant/Agent:

Need for an agreement with the Local Highway Authority - Section S278 (Highways Act, 1980).

The Highway Authority will require the applicant/developer to enter into a legally binding agreement to secure and the proper implementation of the proposed highway works including an appropriate Bond.

There is normally a three-month period associated with Traffic Management Act notifications, the applicant should therefore contact Streetscene Services on 01482 395699 to discuss the traffic management proposals.

The applicant/Agent must contact the East Riding of Yorkshire Council's Traffic Management Office at the Highways Building, Annie Reed Road, off Grovehill Road, Beverley, HU17 0JP (tel: 01482 395739) regarding the Traffic Regulation Order (Double Yellow Lines) before any works are commenced in the public highway.

Relevant Planning Policies:

East Riding Local Plan Strategy Document (ERLP SD) (April 2016)
Policy ENV1 Integrating high quality design
Policy ENV3 Valuing our heritage

National Planning Policy Framework (NPPF) (2019)

Legislation

Section 16 of Planning (Listed Buildings and Conservation Areas) Act 1990

In making this decision the Council has followed the requirements in paragraph 38 of the National Planning Policy Framework.

Signed

A handwritten signature in black ink that reads "Stephen Hunt". The signature is written in a cursive, slightly slanted style.

17 June 2022

Stephen Hunt MRTPI
Director of Planning and Development Management

NOTES TO ACCOMPANY THIS DECISION

Appeals to the Secretary of State

If you are aggrieved by this decision you can appeal to the Planning Inspectorate. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone number: 0303 444 5000.

Appeals must be made on the correct forms relating to the type of application you submitted. Information provided as part of the appeal process will be published online.

If you wish to appeal against a decision relating to:

- Householder applications - appeals must be made within 12 weeks of the date of this notice;
- Minor commercial applications - appeals must be made within 12 weeks of the date of this notice;
- Advertisement consents - appeals must be made within 8 weeks of the date of this notice;
- Any other type of application – appeals must be made within 6 months of the date of this notice.

Appellants requesting an inquiry into their appeal must notify the Local Planning Authority and Planning Inspectorate at least 10 days prior to appeal submission.

Please note - If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, you must appeal within 28 days of the date of this notice.

If an enforcement notice is served relating to the same land and development as in your application, you must appeal within 28 days of the date of service of the enforcement notice or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notice

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.

Approval of Details Required by Conditions

A fee is payable for the submission of any matters required to be submitted for approval by any conditions attached to this permission. The fee is payable for each submission, not for each condition. Please refer to the council's website at www.eastriding.gov.uk for more information.