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Stephen Hunt Director of Planning and Development Management

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Your Ref:
Contact: Miss Helen Manning
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Date: 18 May 2023

Application No: **23/00335/CLP**

Case Officer: Miss Helen Manning

NOTICE OF DECISION

CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: Section 192

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010: Article 35

Proposal:	Certificate of Lawfulness for the proposed erection of a store building (Revised scheme 22/03048/CLP)
Location:	Stonebridge Lodge , Howden Road, Eastrington, East Riding Of Yorkshire, DN14 7PL
Applicant:	Mr Glen Hood
Application type:	Cert of Lawful Development - Proposed

The East Riding of Yorkshire Council hereby certify that on 2 February 2023 the development described in the First Schedule to this Certificate and edged red on the attached plan **would be lawful** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reasons and subject to the following provisions and/or restrictions:-

1. The proposed outbuilding complies with the relevant criteria set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and can be carried out without obtaining any planning permission.

The following plans have been used for the assessment of this certificate:-

- 808-22-3 - Location plan and block plan (received 02.02.2023)
- 808-23-2 - Block plan (received: 02.02.2023)
- 808-22-1 - Proposed elevations and floor plans (received: 02.02.2023)

First Schedule: Certificate of Lawfulness - Certificate of Lawfulness for the erection of a store

Second Schedule: Stonebridge Lodge

Howden Road
Eastrington
DN14 7PL

Notes:

1. This Certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the development specified in the First Schedule taking place on the land described in the second Schedule is lawful, on the specified date and, thus, is not liable to enforcement action under Section 172 of the above Act on that date.
3. This certificate applies only to the extent of the development described in the First Schedule above and to the land specified in the Second Schedule above and identified on the plan. Any development **MUST NOT** be materially different from that described or it may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed when there has been no material change, before the use is instituted or the operations begin, in any of the matters relevant to determining such lawfulness.

First Schedule:	Certificate of Lawfulness for the proposed erection of a store building (Revised scheme 22/03048/CLP)
Second Schedule:	Stonebridge Lodge , Howden Road, Eastrington, East Riding Of Yorkshire, DN14 7PL

Notes

1. This Certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the development specified in the First Schedule taking place on the land described in the second Schedule is lawful, on the specified date and, thus, is not liable to enforcement action under Section 172 of the above Act on that date.
3. This certificate applies only to the extent of the development described in the First Schedule above and to the land specified in the Second Schedule above and identified on the plan. Any development which is materially different from those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed when there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Signed

A handwritten signature in black ink that reads "Stephen Hunt". The signature is written in a cursive style with a large, sweeping initial 'S'.

18 May 2023

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 by accessing the Planning Inspectorate website (links shown below) dependant upon the type of application. 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; please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-householder-planning-decision>

Minor commercial applications - appeals must be made within 12 weeks of the date of this notice; please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-minor-commercial-development-decision>

Advertisement consents - appeals must be made within 8 weeks of the date of this notice; please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-decision-consent-display-advertisement>

Any other type of application – appeals must be made within 6 months of the date of this notice; please refer to planning Inspectorate guidance at <https://www.gov.uk/appeal-planning-decision>

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. Please refer to Planning Inspectorate guidance at <https://www.gov.uk/appeal-enforcement-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.