BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

# CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 192 (as amended)
Town and Country Planning General Permitted Development Order 2015 (as amended)

## APPLICATION NO. 2024/0209

**To** Miss Charlotte Chesman
3 Hamilton Court
Swinton
Rotherham
S64 8BF

Barnsley Metropolitan Borough Council hereby certify that the development described in the First Schedule hereto, in respect of the land specified in the Second Schedule hereto and edged red on the plan submitted as part of this application, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reasons;

- In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, 4A Cumberland Road would be occupied permanently by the owner/director of the care company alongside 2 residents, as such, they would form a single household and fall into use class C3b, therefore, the change from C3a to C3b would be within the same use class and constitute permitted development. The residents of 4B Cumberland Road would be capable of forming a single household while receiving care i.e. supported housing, as such, the use would again fall in use class C3b and would be permitted development.

**First Schedule:**
Lawful development certificate for proposed change of use from Class C3a to Class C3b.

**Second Schedule:**
4A and 4B Cumberland Road, Hoyland, Barnsley, S74 9PQ

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.

Signed:



Dated: 03 May 2024

**Garry Hildersley**
Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

**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 use specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and thus, was not liable to enforcement action under section 172 of the 1990 Act on that date.

3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates 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 where 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.