

Application for a Lawful Development Certificate for an Existing use or operation
or activity including those in breach of a planning condition.

Town and Country Planning Act 1990: Section 191 as amended by section 10 of
the Planning and Compensation Act 1991.

Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	Mr	First name:	PAUL	Surname:	FREER		
Company name:							
Street address:	C/O ANDREW BAILEY ARCHITECT			Country Code	National Number	Extension Number	
	85 LUNDHILL ROAD			Telephone number:			
	WOMBWELL			Mobile number:			
Town/City:	BARNSELY			Fax number:			
County:				Email address:			
Country:	United Kingdom						
Postcode:	S73 ORL						

Are you an agent acting on behalf of the applicant? Yes No

2. Agent Name, Address and Contact Details

Title:	Mr	First Name:	Andrew	Surname:	Bailey		
Company name:	Andrew Bailey Architects						
Street address:	85			Country Code	National Number	Extension Number	
	Lundhill Road			Telephone number:			
	Wombwell			Mobile number:			
Town/City:	Barnsley			Fax number:			
County:	South Yorkshire (Met County)			Email address:			
Country:							
Postcode:	S73 ORL			AA2LARCHITECTS@BTCONNECT.COM			

3. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:	<input type="text" value="43"/>	Suffix:	<input type="text"/>
House name:	<input type="text"/>		
Street address:	<input type="text" value="Huddersfield Road"/>		
Town/City:	<input type="text" value="Barnsley"/>		
County:	<input type="text" value="Barnsley"/>		
Postcode:	<input type="text" value="S75 1DW"/>		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	<input type="text" value="434048"/>
Northing:	<input type="text" value="407210"/>

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? Yes No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:					
Title:	<input type="text" value="Mr"/>	First name:	<input type="text" value="James"/>	Surname:	<input type="text" value="Hyde"/>
Reference:	<input type="text" value="e mail"/>				
Date (DD/MM/YYYY):	<input type="text" value="09/02/2016"/>	(Must be pre-application submission)			

Details of the pre-application advice received:

From: Hyde, James [mailto:JamesHyde@barnsley.gov.uk]
Sent: 09 February 2016 13:29
To: paulfreer53@gmail.com
Subject: RE: 43 Huddersfield Road Barnsley S75 1DW

Mr Freer,

A HMO often does not require planning permission where it accommodates upto an including 6 people who share facilities as it can still be considered a single household. However, when a property is subdivided in to self-contained residential units a change of use takes place as it is no longer a single household, therefore, planning permission is required. I cannot find any applications on the system which would indicate planning permission was granted for the change of use. If the change of use took place over 10 years ago then the works would be outside the Councils Enforcement control, regarding planning, and a certificate of lawful use could be submitted along with supporting evidence to support that.

If the use was commenced less than 10 years ago then a retrospective planning application would need to be submitted, the fee for the application would be £385 for each dwelling created, therefore, £1540 (4 x £385) in this case.

Regards
James Hyde
BA (Hons), MA, MRTPI
Planning Officer
Development Management
Barnsley Metropolitan Borough Council
PO BOX 604
Barnsley
S Yorks
S70 9FF' 01226 772683
+jameshyde@barnsley.gov.uk

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: a) Owner b) Lessee c) Occupier d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you? Yes No

7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

- An existing use
- An existing operation
- An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

Use Classes: Other:

8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

9. Grounds For Application For A Lawful Development Certificate

Under what grounds is the certificate being sought:

- The use began more than 10 years before the date of this application
- The use, building works or activity in breach of condition began more than 10 years before the date of this application.
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- The use as a single dwelling house began more than four years before the date of this application
- Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details:

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number: Condition number: Date:

Please state why a Lawful Development Certificate should be granted:

10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed?

In the case of an existing use or activity in breach of conditions has there been any interruption? Yes No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought: Yes No

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Does the application for a certificate relate to a residential use where the number of residential units has changed? Yes No

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / (continued)

Social Rented Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Proposed Social Rented Housing Total

0

Social Rented Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes	4				
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Existing Social Rented Housing Total

4

Overall Residential Unit Totals

Total proposed residential units	0
Total existing residential units	4

11. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

The agent The applicant Other person

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.



Date:

25/02/2016

Warning:

The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.