



CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 191 (as amended)
Town and Country Planning General Permitted Development Order 2015 (as amended)

APPLICATION NO. 2025/0707

To Mr Peter Dimberline
2 Tipsey Court
Wakefield Road
Staincross
Barnsley
S75 6FZ

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 191 of the Town and Country Planning Act 1990 (as amended), for the following reason;

- In accordance with paragraph 1(a) of Section 171B of the Town and Country Planning Act 1990 (as amended), a 10-year use has been satisfactorily demonstrated and the exiting use is therefore lawful.

First Schedule:

Certificate of existing lawful use for change of use from office to HMO (Use Class C4) at first floor comprising 6-bedrooms (Amended Description).

Second Schedule:

24A Wellington Street, Barnsley, S70 1SS

Dated: 27 October 2025

Garry Hildersley

Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

Informative(s):

1. This application for a certificate of lawfulness for an existing use only relates to a C4 (houses in multiple occupation) use which is a small, shared house occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. If more than six unrelated individuals reside in the property at any point, then a change of use application from C4 (houses in multiple occupation) to Sui Generis would be required.

Notes:

1. This certificate is issued solely for the purpose of section 191 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. The effect of the certificate is also qualified by the provision in section 191(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.

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.