



BARNLSLEY
Metropolitan Borough Council

**TOWN AND COUNTRY PLANNING ACT 1990:
SECTIONS 191 AND 192 (as amended by section 10 of the Planning and
Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995: ARTICLE 24**

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT UNDER SECTION
191**

APPLICATION NO. 2010/0945

To Mr M Bailey
141 High Street
Great Houghton
Barnsley
South Yorkshire
S27 0AZ

Barnsley Metropolitan Borough Council hereby certify that on 22nd September 2010 the use described in the First Schedule to this certificate in respect of the land specified in the second schedule to this certificate and edged **red** on the plan attached to this certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The evidence submitted in respect of the land edged **red** is sufficient and on the balance of probabilities there is no contrary evidence that the use has occurred for more than 10 years.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed *Stephen Moralee*
Assistant Director, Planning and Transportation

Dated 22 September 2010

First Schedule

Certificate of Existing Lawful Use or Development under Section 191 of the Town and Country Planning Act for the use of the site (shown edged red on the attached OS Sitemap, Serial Number 03398800) as a contractors yard consisting the operation of 2 HGV lorries, the repair of plant and HGV lorries in the workshop (hatched red and marked 'X' on the attached OS Sitemap, Serial Number: 003398800) and storage of plant and the temporary site office on the area of land to the north of no. 137 High Street, Great Houghton (hatched red and marked 'Y' on the attached OS Sitemap, Serial Number: 003398800)

Second Schedule

Land to the east of no. 141 High Street, Great Houghton, Barnsley, S72 0AZ

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** 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 (OS Sitemap, Serial Number 03398800). Any use 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.