



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. 2023/0395

White Agus Partnership
Office One
34 Victoria Road
Barnsley
S70 2BU

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 attached to this certificate, would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason;

- On the balance of probabilities, the change of use from use class C3 (dwellinghouses) to C4 (Small HMOs) occurred more than 10 years ago (May 2013) and the building has been evidenced to have been used continuously for this purpose for greater than 10 years which exceeds the period in which the Local Planning Authority could take enforcement action. Thus, the development is no longer liable to enforcement action under section 172 of the 1990 Act and a certificate of lawful development for the existing use can be granted.

First Schedule:

Use of dwelling for use class C4 purposes (houses of multiple occupation) - Application for a Lawful Development Certificate for an Existing Use

Second Schedule:

47 Longman Road, Barnsley, S70 2LD

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: 29 June 2023

A handwritten signature in dark ink, appearing to read 'JM Jenkinson', written in a cursive style.

Joe Jenkinson
Head of Planning, Policy and Building Control

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 would have been lawful on the specified date and thus, [would not have been] 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] [operations] [matter] which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.