



**SECTION 191 OF THE TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991**

APPLICATION NO. 2026/0072

SJD Architects Ltd
Tanners Bank Design Studio Aislaby Road
Eaglescliffe
Stockton on Tees
TS16 0JJ

Description: Certificate of Lawful Development for the existing use as a Waste Management Facility - including metal recycling (Use Class Sui Generis)

Land at: 1 Acorn Way, Grimethorpe, Barnsley, S72 7PE

Barnsley Metropolitan Borough Council certify that the use of the above land for the **existing use as a Waste Management Facility - including metal recycling (Use Class Sui Generis)** was **not lawful** within the meaning of Section 191 of the Town and Country Planning Act 1990 and Section 10 of the Planning and Compensation Act 1991.

The reason for the Council's decision to **refuse** is:

- 1 In the opinion of the Local Planning Authority the applicant has failed to provide sufficient evidence to show that the land in question has been used continuously for the described use (metal recycling facility) for a period of 10 years. As such a Lawful Development Certificate cannot be granted.

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: 8 April 2026



Garry Hildersley

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

Note: This certificate is issued for the purposes of Section 10 of the Planning and Compensation Act 1991.