



CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 192 (as amended)
Town and Country Planning General Development Order 2015 (as amended)

APPLICATION NO. 2025/0079

To Katecares.Consultancy Limited
Flat 4
48 St. Stephens Road
Cheltenham
Gloucestershire
GL51 3AD

DESCRIPTION Certificate of lawfulness for a proposed C3(b) children's home

LOCATION 12 Folly Way, Monk Bretton, Barnsley, S71 2SP

Barnsley Metropolitan Borough Council hereby certifies that the development described in the First Schedule hereto, in respect of the land specified in the Second Schedule would be **unlawful** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended). As such the application is refused for the following reason:

- 1 It is unrealistic to expect children to look after themselves in a single household. Carers who provide 24-hour care but do not reside at the property and work in shift patterns cannot be regarded as living together in a household. The concept of living together as a household means that a proper functioning household must exist, and children and carer must permanently reside in the premises. In such circumstances, the proposed use cannot therefore be considered to fall within Class C3(b) 'Dwellinghouse'. As such a Lawful development Certificate in this instance cannot be granted.

First Schedule:

Lawful development Certificate for Proposed C3(b) children's home

Second Schedule:

12 Folly Way, Monk Bretton, Barnsley, S71 2SP

Dated: 27 March 2025

Garry Hildersley

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