



CERTIFICATE OF LAWFUL USE OR DEVELOPMENT
TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 191 (as amended)
Town and Country Planning General Development Order 2015 (as amended)

APPLICATION NO. 2021/0591

G Beamish Architect
78 Lenchwick
Evesham
WR11 4TG

Barnsley Metropolitan Borough Council hereby certify that the change of use described in the First Schedule hereto, in respect of the land specified in the Second Schedule hereto, was 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 probability the applicants evidence is considered to be sufficiently precise and unambiguous to demonstrate that the powers available within The Town and Country Planning (General Permitted Development) (England) Order 2015, Class L, Part 3, Schedule 2 (small HMOs to dwellinghouses and vice versa) were applicable at the time when the change of use occurred.

First Schedule:

Use of property as Use Class C4 House of Multiple Occupation (Application for a Lawful Development Certificate for an Existing Use)

Second Schedule:

10 Hopwood Street, Barnsley, S70 2BW

Notes

1 This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990.

2 It certifies that the use/operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on 15th February 2021 and, therefore, would not have been liable to enforcement action under Part 7 of the 1990 Act on that date.

3 This certificate applies only to the extent of the use/operations 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 are materially different from those described or which relate to other land may render the owner or occupier liable to enforcement action.

4. This application for a Lawful Development Certificate for an existing use only relates to a C4 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 6 unrelated individuals reside in the property at any point then a change of use application from C4 to Sui Generis would be required.

5. 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 23/06/2021



Joe Jenkinson
Head of Planning and Building Control