



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. 2024/0320

J Mahoney Architects
25 Millstones
Oxspring
Sheffield
S36 8WZ

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 reasons;

- The development is determined to be 'established development' immune from planning control in line with the stipulation within 171B (1) of the Town and Country Planning Act (As Amended) in that the development has been substantially completed for a period in excess of four years.

First Schedule:

Certificate of lawfulness for dwellinghouse garage with first floor ancillary accommodation to form a residential annex to the host dwelling

Second Schedule:

Crag Cottage, Finkle Street Lane, Wortley, Barnsley, S35 7DH

Informative(s):

This certificate only grants the operational development as described but does NOT grant any change of use of the building to residential use. A retrospective planning application will be required for the change of use of the first floor of the garage to a residential annex. Without this the change of use is still liable for enforcement action given it can't be evidenced it has been established for 10 years at the time of this application

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: 28 June 2024

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' followed by a horizontal line.

Garry Hildersley

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

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, 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 which is 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.