



CERTIFICATE OF LAWFUL USE OR DEVELOPMENT
TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 192 (as amended)
Town and Country Planning General Development Order 2015 (as amended)

APPLICATION NO. 2020/0565

Paul Matthews Architectural
Malkin Farm
Brow Lane
Holmfirth
HD9 2RJ

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 this certificate, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

- In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, the development falls within Class A (enlargement, improvement or other alteration of a dwellinghouse) and Class E (buildings etc. incidental to the enjoyment of a dwellinghouse) of Part 1 (Development within the curtilage of a dwellinghouse)

First Schedule:

Certificate of lawfulness application for a proposed single storey rear extension, garage conversion and erection of a detached ancillary outbuilding (garage)

Second Schedule:

Harden Lodge, Dunford Road, Hade Edge, Holmfirth, HD9 2RZ

Signed

Dated 20 August 2020

Joe Jenkinson
Head of Planning and Building Control

Notes:

1. This certificate is issued solely for the purpose of section [191] [192] of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the operations 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 operations described in the First Schedule and to the land specified in the Second Schedule. Any operation which are materially different from that described or any additional development that takes place on the site after the date of this decision notice, 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.

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.