



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. 2024/0311

Blacks Solicitors
City Point
29 King Street
Leeds
LS1 2HL

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 submitted plans, would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason.

- Sufficient evidence has been provided to demonstrate that the site has been used as a retail warehouse for the preceding 10 years.

First Schedule:

Lawful development certificate for retail and trade warehouse without compliance with condition 5 of planning permission reference 2012/0852.

Second Schedule:

K D A Wholesale, Fall Bank Industrial Estate, Fall Bank Crescent, Dodworth, Barnsley, S75 3LS

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: 4 June 2024

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

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 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 use described in the First Schedule and to the land specified in the Second Schedule and identified on the submitted 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.