



**Place Directorate
Regeneration and Property
Planning and Building Control
Head of Service: Joe Jenkinson**

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. 2018/1335

To Foot Forward Property Investments Ltd
The Long Barn Wakefield Road Hampole DONCASTER DN6 7EU

Description (First Schedule): Lawful Development Certificate for Proposed Use of dwellinghouse (C3) as an HMO (C4)

Location (Second Schedule): 48 Hope Avenue, Goldthorpe, Barnsley, S63 9DT

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 192 of the Town and Country Planning Act 1990 (as amended)

Signed 
Joe Jenkinson
Head of Planning and Building Control

Dated 13 December 2018

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 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 attached plan. Any [use] [operations] [matter] 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.

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.

1	The property was originally owned by Barnsley Council and was transferred to its occupant in 1984. It may be the case that covenants were attached at that time which required the property to be used as a single dwellinghouse and not as a HMO. It would be advisable to investigate this matter.
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Title Number : SYK200021

This title is dealt with by HM Land Registry, Nottingham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 18 OCT 2018 at 10:20:48 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: SYK200021
Address of Property	: 48 Hope Avenue, Goldthorpe, Rotherham (S63 9DT)
Price Stated	: £73,500
Registered Owner(s)	: FOOT FORWARD PROPERTY INVESTMENTS LTD (Co. Regn. No. 09495572) of Long Barn, Wakefield Road, Hampole, Doncaster DN6 7EU.
Lender(s)	: Doncaster Letting Solutions Limited

Title number SYK200021

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 18 OCT 2018 at 10:20:48. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title.

SOUTH YORKSHIRE : BARNSELEY

- 1 (21.11.1984) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 48 Hope Avenue, Goldthorpe, Rotherham (S63 9DT).
- 2 The mines and minerals together with ancillary powers of working are excepted.
- 3 The Conveyance dated 5 November 1984 referred to in the Charges Register was made pursuant to Chapter 1 of Part 1 of the Housing Act 1980 and the land is subject to such easements as are reserved in the said Deed and has the benefit of and is subject to the easements and rights specified in paragraph 2 of Schedule 2 of the said Act.
- 4 The Conveyance dated 5 November 1984 referred to above contains provisions as to light or air and boundary structures.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (01.10.2018) PROPRIETOR: FOOT FORWARD PROPERTY INVESTMENTS LTD (Co. Regn. No. 09495572) of Long Barn, Wakefield Road, Hampole, Doncaster DN6 7EU.
- 2 (01.10.2018) The price stated to have been paid on 7 September 2018 was £73,500.
- 3 (01.10.2018) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

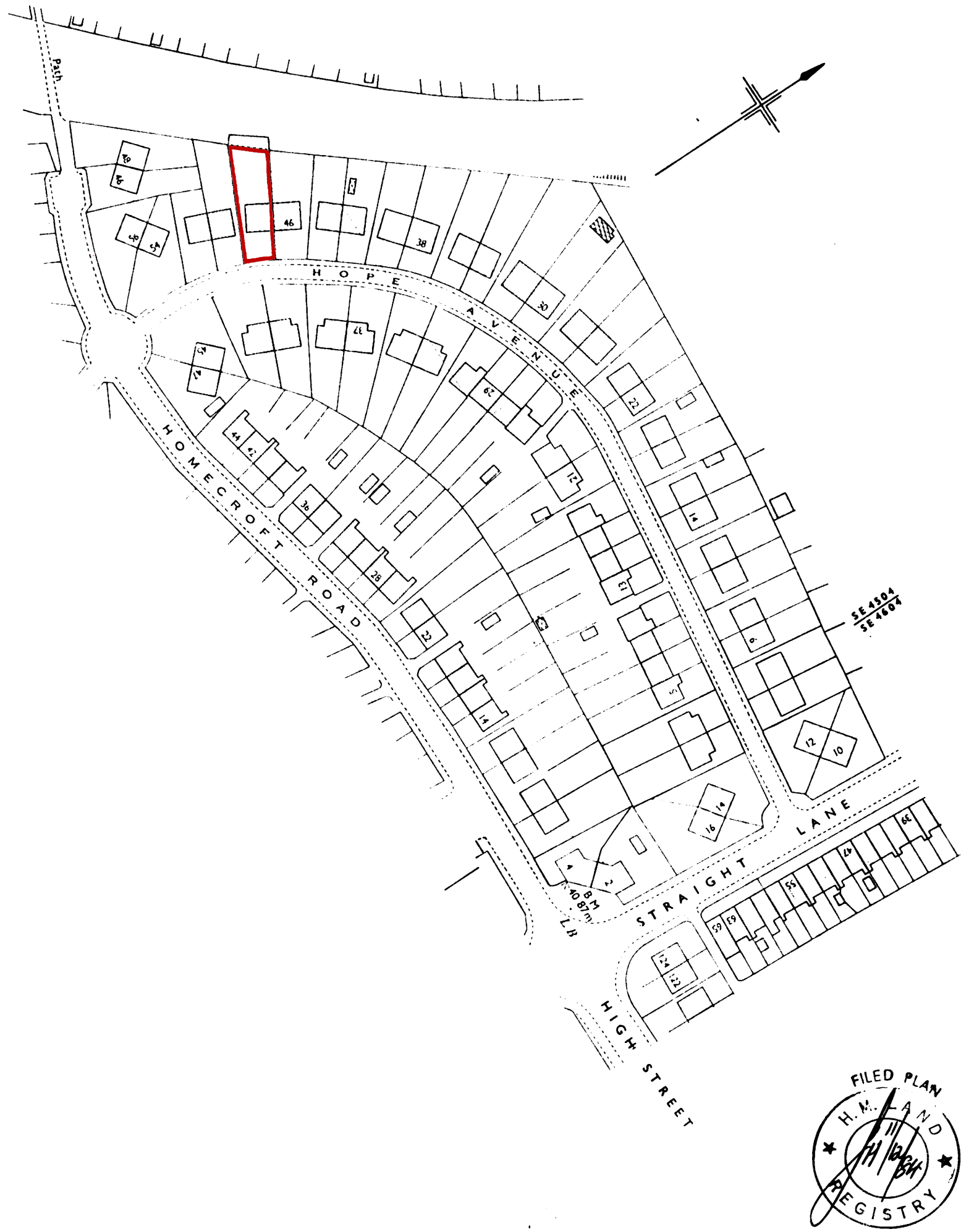
This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land in this title dated 5 November 1984 made between (1) Barnsley Metropolitan Borough Council and (2) Anthony George Albert Noble and Gertrude Alice Noble contains restrictive covenants.
-NOTE: Original filed.
- 2 (01.10.2018) REGISTERED CHARGE dated 7 September 2018.
- 3 (01.10.2018) Proprietor: DONCASTER LETTING SOLUTIONS LIMITED (Co. Regn. No. 10007379) of Mile Oak Farm, Plantation Lane, Mile Oak, Tamworth B78 3DQ.

Title number SYK200021

End of register

H.M. LAND REGISTRY			TITLE NUMBER
			SYK 200021
ORDNANCE SURVEY PLAN REFERENCE	SE 4504	SECTION F	Scale 1/1250
COUNTY	SOUTH YORKSHIRE	DISTRICT	BARNSELEY
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