BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

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. 2023/0159

Maw Town Planning Ltd
81 Wath Road
Wombwell
Barnsley
S73 0SG

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 submitted, would be 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 probabilities, it is considered that the evidence submitted with the application demonstrates that the works were carried out in excess of 4 years ago and thus are not liable for planning enforcement action under s171B(2) of the 1990 Town and Country Planning Act (as amended)

First Schedule:
Lawful development certificate for existing use as five flats in relation to part of the first floor and the full second floor of the building

Second Schedule:
Flats 1, 2, 5, 6 and 7, The Crescent, 303-307, Barnsley Road, Cudworth, Barnsley, S72 8SY

Condition:

1. The certificate relates only to the areas edged in red on the submitted plan labelled as 'Floor Plans as Existing' drawing reference 103-26 No.1.
   Reason: For the avoidance of doubt.

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 May 2023



Joe Jenkinson
Head of Planning, Policy and Building Control

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, operations and matter 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 matter 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.