



**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 191 (as amended)**

APPLICATION NO. 2024/0966

Jump Architects Limited
Office 9
Lydgate House
Lydgate Lane
Sheffield
S10 5FH

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 as part of this application, **would not be lawful** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

- Considering all available evidence it is considered that on the balance of probabilities, the land use of a builders yard, has not been established to be shown as continuous in use, in excess of 10 years. The LPA has evidence which conflicts with the provided evidence of the use being in place, which is lacking in recent detail, and as such, the balance of probabilities test is applied and in this instance the applicant has not supplied enough evidence to conclude this test is met. To conclude, the LPA are not satisfied that the existing use or operations described in the application are lawful and a certificate should be refused.

First Schedule: Lawful development certificate for existing use as a builders yard

Second Schedule: Land off Broomhill View, Bolton Upon Deame, Barnsley, S63 8EW

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: 5 November 2025

A handwritten signature in black ink, appearing to read 'Garry Hildersley', written over a faint circular stamp or watermark.

Garry Hildersley

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

Note: This certificate is issued for the purposes of Section 10 of the Planning and Compensation Act 1991.