



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. 2021/0420

Colin Smith
Down Ampney Well Hill
Yaxham
Dereham
NR19 1RX

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

In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, the development falls within Class L (Small HMOs to dwellinghouses and vice versa) of (PART 3 – Changes of Use).

First Schedule:

Use of property as Use Class C4 House of Multiple Occupation (Application for a Lawful Development Certificate for an Existing Use)

Second Schedule:

221 Sheffield Road, Barnsley, S70 4DE

Informative:

This application for a Lawful Development Certificate for an existing use only relates to a C4 use which is a small shared house occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. If more than 6 unrelated individuals reside in the property at any point then a change of use application from C4 to Sui Generis would be required.

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 17/05/2021



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 [use] [operations] [matter] specified in the First Schedule taking place on the land described in the Second Schedule [was] [would have been] lawful on the specified date and thus, [was not] [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] [operations] [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.
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.