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**Planning and Regulatory Services**  
Assistant Director: Stephen Moralee BA (Hons) MBA  
P.O. Box 604, Barnsley S70 9FE

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**Town and Country Planning Act 1990: Sections 191 and 192 Town and Country Planning (Department Management Procedure) (England) Order 2010: Article 35**

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

The Barnsley Metropolitan Borough Council hereby certify that on 16<sup>th</sup> August 2010 the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 for the following reason(s):

(1) there is sufficient evidence submitted by the applicants on the balance of probabilities of a continuous breach for the hours stipulated in the first schedule to grant the certificate. There is insufficient evidence submitted by the objectors to contradict the applicant's evidence;

(2) whilst the applicant has provided some precise and unambiguous evidence to support a grant of the certificate in respect of other time periods which also breach condition 11 of B/82/0604/PU, in particular the evidence of Mr Richard Goldthorpe, that evidence is contradicted by evidence submitted by objectors, in particular the evidence of George Paul and Carolyn Goldstraw and on the balance of probabilities the evidence of the objectors is the more plausible that the breach of the condition for any other time period has not been a continuous breach for at least a period of 10 years.

**Signed**

**(Councils Authorised Officer)**

*Stephen Moralee*

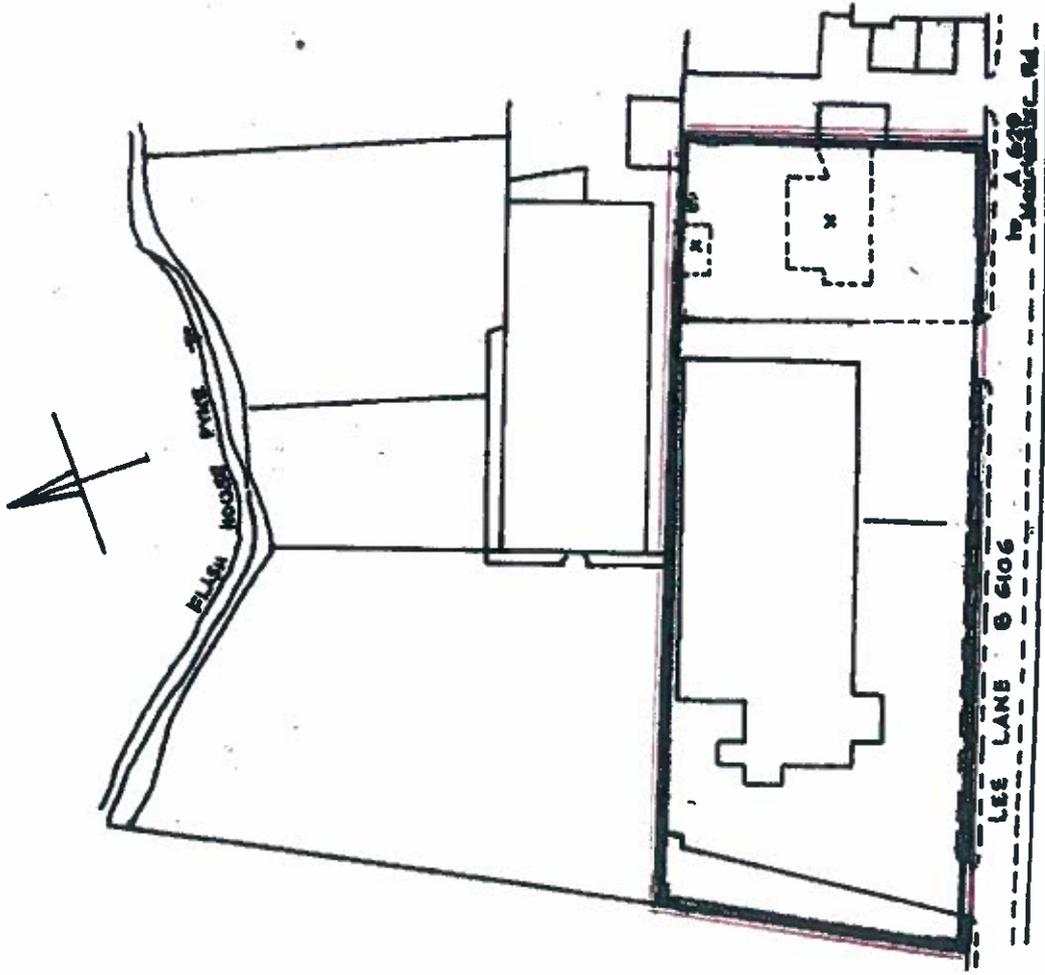
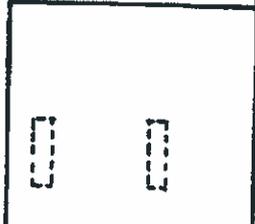
**On behalf of Barnsley Metropolitan Borough Council.**

**Date** 31 May 2012

**First Schedule:** The operation of the premises in breach of condition 11 of planning permission B/82/0604/PU between the hours of 07:30 and 08:00 Mondays to Fridays excluding Bank Holidays.

**Second Schedule:** Lee Lane Mill, Lee Lane, Millhouse Green, Sheffield, S36 9NN





\* Existing residential industrial buildings marked with dotted lines to be demolished.

**SITE PLAN 1/1250.**