



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. 2021/1623

Peter Thompson
Architectural Design Consultant
Linwood
Barnsley Road
Dodworth
Barnsley
S75 3JR

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 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

- In accordance with The Town and Country Planning Act 1990; Section 191 as amended by Section 10 of the Planning and Compensation Act 1991 the Council has assessed the information submitted and considers that, on the balance of probabilities, the land use of domestic garden and wildlife pond, has been established and continuous in use, in excess of 10 years.

First Schedule:

Lawful development certificate for an existing use of land as domestic garden and wildlife pond

Second Schedule:

Adam Laithe Barn, Silkstone Lane, Silkstone, Barnsley, S75 4DX

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 31/01/2022

A handwritten signature in dark ink, appearing to read 'J M Jenkinson', written in a cursive style.

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.