



## **GRANT OF LISTED BUILDING CONSENT**

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

### **APPLICATION NO. 2024/0190**

**To** Donald Insall Associates Ltd  
15 High Petergate  
York  
YO1 7FJ

**Proposal** Rebuilding and repair works to a section of collapsed battlement walling  
(Listed Building Consent)

**At** Wentworth Castle Gardens, Park Drive, Stainborough, Barnsley, S75 3EN

**Consent is granted** for the proposals which were the subject of the Application and Plans registered by the Council on 11/03/2024 and described above.

The approval is subject on compliance with the following conditions:

- 1 The works authorised by this consent shall begin no later than three years from the date of this consent.  
**Reason: In order to comply with the provision of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans:  
  
Collapsed Battlement Section - Addendum to 2024/019 LBC Application dated 12th April 2024.  
20340-Y-DR-001 Rev. P1  
20340-Y-RP-005 Rev. R0 dated 12th February 2024.  
2718-001 Rev. 0  
2718-002 Rev. 0  
Arboricultural Impact Assessment dated August 2024 and received 7th October 2024.

and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy HE1 The Historic Environment and Local Plan Policy D1 High Quality Design and Place Making.**

- 3 All in curtilage planting, seeding or turfing comprised in the approved details of replacement tree planting contained within the Arboricultural Impact Assessment dated August 2024 and received 7th October 2024 shall be carried out no later than the first planting and seeding season following the reinstatement of the collapsed battlement walling; and any trees or plants which die within a period of 5 years from first being planted, or removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy HE1 The Historic Environment and Local Plan Policy D1 High Quality Design and Place Making**
- 4 A written and photographic record of the approved works equivalent to a Historic England Level 1 record and in accordance with the standards set out in the SYAS Archaeological Building Recording Photographic Record (Standards & Guidance) with the exception of the requirement for a written scheme of investigation. The photographic record shall be carried out by a suitably qualified heritage design professional or archaeologist and upon completion of the works a copy of the record shall be submitted to the Local Planning Authority, The South Yorkshire Archaeology Service and shared with the estate archives.

**Reason: To ensure that a record is kept of the works to the Battlements and saved for posterity in the interests of the understanding of history of the building and in accordance with Local Plan Policy HE1 The Historic Environment and Local Plan Policy HE3 Developments affecting Historic Buildings.**

## **Informative(s)**

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

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 October 2024



**Garry Hildersley**

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

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

## **NOTES:-**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.