



GRANT OF LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

APPLICATION NO. 2020/0228

To Rose Pearce
Goddards House
Tadcaster Road
Dringhouses
York
YO24 1G

Proposal Repair works to castle walls and gatehouse towers (Listed Building Consent)

At Stainborough Castle, Wentworth Castle Gardens, Park Drive, Barnsley, S75 3ES

Consent is **granted** for the proposals which were the subject of the Application and Plans registered by the Council on 06 March 2020 and described above.

The consent is subject on compliance with the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

Plan Nos:

Balustrade - 240169-PUR-ZZ-00-DR-A-2010
Gatehouse - 240169-PUR-ZZ-00-DR-A-2009
Gatehouse - 240169-PUR-ZZ-00-DR-A-2008
Gatehouse - 240169-PUR-ZZ-00-DR-A-2007
Gatehouse - 240169-PUR-ZZ-00-DR-A-2006
Gatehouse - 240169-PUR-ZZ-00-DR-A-2005
Curtain Wall 5 and Gatehouse - 240169-PUR-ZZ-00-DR-A-2004
Curtain Wall and Tower 4 - 240169-PUR-ZZ-00-DR-A-2003
Curtain Wall and Tower 3 - 240169-PUR-ZZ-00-DR-A-2002
Curtain Wall and Tower 2 - 240169-PUR-ZZ-00-DR-A-2001
Curtain Wall and Tower 1 - 240169-PUR-ZZ-00-DR-A-2000

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 The stone replacement sourced and installed so that an appearance as close to the original sandstone type (in grain, colour, banding etc.) shall be produced. Pointing shall be composed of a pure lime mix of 1:3 (1 part NHL 3.5 to 3 parts well graded river aggregate), dressed to a gently concave joint and brushed / stippled to expose the aggregate and aid curing.
Reason: In the interests of the historic appearance of the building in line with Local Plan Policies HE1 and HE3
- 4 Prior to commencement of the work referenced under no. C46-48, G39, G26 and C102-103 in the Bat Survey (MBE/BAT/2020/12/2) an EPS Mitigation License shall be submitted to the Local Planning Authority evidencing that the 3no. surveys required in paragraph 6.3.6 of the Bat Survey have been carried out in line with the ecologists recommendation.
Reason: To preserve the habitats of protected bat species in accordance with Local Plan Policy BIO1 - Biodiversity and Geodiversity
- 5 The precautionary working practices outlined in paragraph 6.3.4 of the Bat Survey (MBE/BAT/2020/12/2) shall be adhered to throughout the implementation of the repair works.
Reason: To preserve the habitats of protected bat species in accordance with Local Plan Policy BIO1 - Biodiversity and Geodiversity
- 6 Works to turret GT2 shall abide by the recommendations of the ecologist under paragraph 6.3.5 of the Bat Survey (MBE/BAT/2020/12/2).
Reason: To preserve the habitats of protected bat species in accordance with Local Plan Policy BIO1 - Biodiversity and Geodiversity

Informative(s)

Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.

Please be aware that the Council monitors construction sites and open land within the vicinity 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 the approved development is disposed of via approved methods and that documents are retained to prove this.

- 1 The Highways Authority recommend the drop off of building materials connected to the consented development through an alternative access (possibly Park Drive) so that traffic is not blocked on Lowe Lane. It is further recommended that transportation of materials from the designated drop-off point to Stainborough Castle occurs through the site as opposed to being delivered via the access on Lowe Lane on account of the poor visibility from that access point.

Signed

Dated 23 April 2020



Joe Jenkinson

Head of Planning and Building Control

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

NOTES:-

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposal development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements*, to the provisions of the development order, and to any directions given under the order. He does not, in practice, refuse to entertain appeals solely because the local planning was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or the Secretary of State for the Environment, Transport and Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or County Council, London Borough or District Council in which land is situated as the case may be, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. 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 of the application to him. These circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act 1971.

* The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.