



GRANT OF LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

APPLICATION NO. 2021/1343

To Mason Clark Associates Ltd
Church House
Rear Of 44 Newland Park
Kingston Upon Hull
HU5 2DW

Proposal Rebuilding of leaning garden wall. Repairs to loose and unstable stonework of plunge pool (Listed Building Consent)

At Cannon Hall Museum, Bark House Lane, Cawthorne, Barnsley, S75 4AT

Consent is granted for the proposals which were the subject of the Application and Plans registered by the Council on 19/11/2021 and described above.

The approval 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 amended plans (Nos. Location Plan 0292-PL1-ZZ-ZZ-DR-L-90-999 PO1; Historic Building Record and Watching Brief TJC2020.143 March 2020 Draft V0.1; Orchard Wall rebuild details SK01; Orchard Wall rebuild extents SK02; Plunge Pool Plans SK03; Amended 19365 - Y - Cannon Hall Design, Access and Heritage Statement) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

- 3 Final pointing of the repaired structures shall utilise a pure lime mix consisting of 1 part NHL 3.5 to 3 parts well graded aggregate or river sand. The joints should be flush pointed then bagged or brushed to a very slightly concave joint to match the existing and historic pointing
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 and HE1 - The Historic Environment.
- 4 Where rebuilding is required, the existing and historic bricks or stone shall be salvaged and retained, cleaned off and re-used in the rebuilding exercise. Any supplementary new bricks or stone shall match the existing and historic in terms of colour, face patina, depth, width, and thickness. With regards to the repaired garden wall, this shall re-create any internal structures and the brick bonding pattern of the existing wall exactly. Any wall ties where they are required shall be non-ferrous. With regards to the plunge pool, this shall be repaired ensuring individual facing stones are re-set in their original position as shown within The Jessop Consultancy Historic Fabric Recording document (TJC2021.67). With regards to the cascade this shall be repaired on a like for like basis
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 and HE1 - The Historic Environment.
- 5 During the duration of the works the bridge structure to the south of the plunge pool and the column on the bank above and immediately to the west shall be adequately protected and retained in situ to avoid displacement or damage to the fabric of these structures. No works shall take place to these structures without prior permission from the Local Planning Authority.
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 and HE1 - The Historic Environment.
- 6 Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

- 7 No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:
- The programme and method of site investigation and recording.
 - The requirement to seek preservation in situ of identified features of importance.
 - The programme for post-investigation assessment.
 - The provision to be made for analysis and reporting.
 - The provision to be made for publication and dissemination of the results.
 - The provision to be made for deposition of the archive created.
 - Nomination of a competent person/persons or organisation to undertake the works.
 - The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

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.

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 08/04/2022



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:-

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 giving 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.