



## GRANT OF LISTED BUILDING CONSENT

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

**APPLICATION NO. 2021/1564**

**To** Kelsall Architects  
13 Little Underbank  
Stockport  
SK1 1LA

**Proposal** External landscaping works to the front garden including repair works to the existing Grade II\* listed wall, resurfacing of parking area, disabled access ramp and changes to the soft landscaping (Listed Building Consent)

**At** Darley Cliff Hall, Kingwell Road, Worsbrough, Barnsley, S70 4AG

**Consent is granted** for the proposals which were the subject of the Application and Plans registered by the Council on 26/11/2021 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 and specifications as approved unless required by any other conditions in this permission.  
Plan References:
  - Location Plan received 26th January 2022
  - General Arrangements Front Garden Rev A received 26th January 2022
  - Proposed Landscaping Layout received 26th January 2022
  - Proposed Elevations front garden received 26th January 2022
  - 4R1 Rev A.1 Tree Removal and Replacement Planting Scheme Front Garden received 4th February 2022

**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 All replacement bricks used in the listed garden wall shall match the existing (historic) bricks in every respect including their colour, dimensions, and patina.  
**Reason: In the interests of the preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE3.**
  
- 4 Grouting and pointing shall utilise a pure lime mix. Any existing cementitious mortar shall first be removed using hand tools by excavating the joints to twice the depth of the width. Joints will be flush pointed utilising a mortar consisting 1-part natural hydraulic lime to 3-parts well graded aggregate or river sand, then brushed or bagged to gently compact the joint and aid curing.  
**Reason: In the interests of the preserving and enhancing the architectural or historic interest of the building in accordance with Local Plan Policy HE3.**

## 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 11/02/2022



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 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.