2023/0735

Mrs Rachael Copping

Resurfacing of existing paths with resin bound surface in Union Jack Garden to improve accessibility and safety

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

Site Location and Description

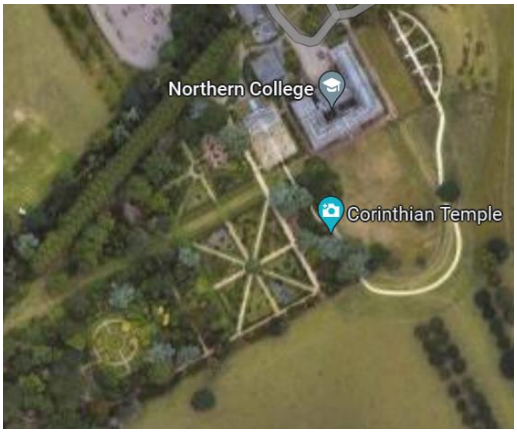
Wentworth Castle is located to the south of Lowe Lane, between Stainborough and Hood Green. It lies within the Green Belt, a designated Conservation Area 'Wentworth Castle and Stainborough Park' and a Historic Park and Garden 'Wentworth Castle'. Wentworth Castle itself is listed Grade 1 and there are numerous Grade 2 listed buildings and monuments within the grounds.

The application site, the Union Jack Garden, with paths defined by hedges, was laid out in the early 1700s but it is believed that the existing gravel paths are a modern creation (circa 20 years ago) being resurfaced by the Wentworth Castle and Stainborough Park Trust. The topography is such that there is a significant slope from west to east

Extract from location plan showing application site:



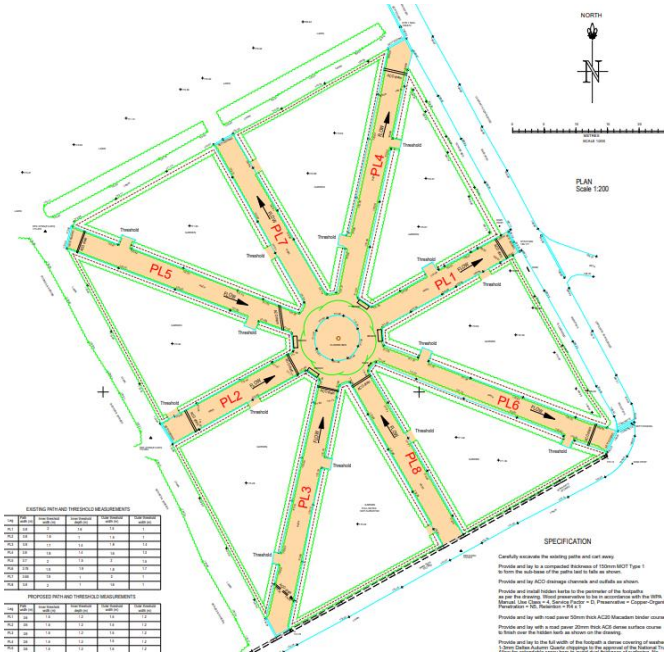
Extract from google earth:



Proposed Development

Planning permission is sought to remove the existing gravel surface to the paths and provide an aggregate and tarmac sub-base with a thin layer of resin bound quartz chips as a top layer. The application is supported by a design and access statement incorporating a heritage impact assessment, and an ecology survey.

Proposed resurfacing plan



Policy Context

Decisions on applications should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

Local Plan

The Local Plan was adopted by the Council in January 2019.

The Local Plan review was approved at the full Council meeting held on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it. The

The site is designated as Green Belt, Park and Garden of Historic Interest and Conservation Area within the Local Plan Proposals Maps where the following policies are relevant:

Policy GD1 General Development – sets a range of criteria to be applied to all proposals for development, including:

- no significant adverse effect on the living conditions and residential amenity of existing and future residents.

Policy T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

Policy D1 High Quality Design and Place Making - indicates that we will positively encourage developments which will help in the management, conservation, understanding

and enjoyment of Barnsley's historic environment and will support proposals which conserve and enhance the significance and setting of the borough's heritage assets.

Policy HE1 The Historic Environment – indicates that we will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment and will support proposals which conserve and enhance the significance and setting of the borough's heritage assets.

Policy HE4 Developments affecting Historic Areas or Landscapes – Proposals that are within or likely to affect the setting and heritage significance of a Registered Park or Garden will be expected to respect the special interest and views of the area and its setting and take account of and respect important landscape elements.

Policy BIO1 Biodiversity and Geodiversity - Indicates that development will be expected to conserve and enhance the biodiversity and geodiversity features of the borough and that harmful development will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

Policy GB1 Protection of Green Belt – indicates that the Green Belt will be protected from inappropriate development in accordance with national planning policy

Supplementary Planning Documents

SPD Biodiversity and Geodiversity - Sets out how Local Plan policy BIO1 and GI1 on green infrastructure will be applied. It also provides further specific detail about the Dearne Valley Nature Improvement Area.

NPPF

These policies reflect the purpose of achieving sustainable development set out in the NPPF and in particular (in relation to this proposal) the economic, social and environmental objectives. They also reflect the advice in paragraphs 126 (general design considerations) and 134 (which states that permission should be refused for development that is not well designed).

NPPF paragraph 174 states that planning decisions should minimise impacts on biodiversity.

NPPF paragraphs 194, 195, 199 and 200 provide guidance on identification of and the weight to be given to heritage significance; and on determining planning applications which may affect heritage significance.

Consultations

Conservation Officer – The main issue to be considered from a heritage perspective in the determination of this planning application is: -

- Whether or not the proposal would harm the heritage significance or impact on the setting of a designated asset or other asset of demonstrable heritage significance.

Although the garden was laid out as part of 1713 works to commemorate the union of Scotland and England in 1707, it is believed that the existing paths were resurfaced around

20 years ago. Consequently, the broad layout of the gardens is highly significant but the fabric of the path itself has relatively low value. The submission makes the case that the existing surfacing arrangement is far from ideal, especially during and after periods of heavy rain, with run off, gravel being eroded and washed into planting beds and onto the main path, and the material adhering to footwear. The proposed surfacing with a topcoat of resin bound quartz chips will be similar in appearance to the existing surface and overall, there is no harm in the proposal.
Historic England – Confirmed no comments
Yorkshire Gardens Trust. – No objections. As the paths will be a non-permeable surface then they may become icy in the winter. Applying rock salt would not be an option as it would damage the planting so we presume that any dangerous paths would have to close.
Planning Ecologist – recommend approval
Drainage – no objections
Highways DC – no objections
Stainborough PC – confirmed no comments.
Ward Councillors – no comments received

Representations

The application has been advertised via letters direct to neighbours, a press notice 18 August to 8 October and a site notice which was displayed until 6 Sept; no representations have been received.

Assessment

Principle of development

The assessment of whether or not the proposal is acceptable in principle is subject to considerations of the issues below.

Green Belt

The application site is within the Green Belt where new buildings are considered to be inappropriate development, except in the case of a closed list of exceptions.

The application proposal is for the repair and resurfacing of existing paths, within the Union Jack Garden that is defined externally and internally by hedgerows. It is concluded that the proposal is not a new building and as such does not have to be considered against the presumption against inappropriate development in the Green Belt, and even if it did, the proposal could fall within the exception that allows for partial redevelopment that would not have a greater impact on the openness of the Green Belt.

Design, Heritage and Visual Amenity

The proposed surfacing will be similar in appearance to the existing surface and overall there is no harm in the proposal. The Yorkshire Gardens Trust comments about rock salt refer to a site management issue for the National Trust and are not a consideration for the planning process.

It is concluded that the proposal will cause no harm to heritage interests.

As such the proposal is acceptable in terms of its impact and is in compliance with Local Plan Policies D1, HE1 and HE4.

Ecology

The site is within an SSSI Impact Risk Zone but the development does not fall into any category where consultation with Natural England is required. The site is within the boundary of the Stainborough Park Local Wildlife Site and a Section 41 Habitat of Principal Importance but due to the nature of the works and the small area negative impacts to these sites are not anticipated. There are records of great crested newts in the vicinity but the works are minimally invasive and impacts are considered to be very low. A tool box talk will be required to be provided to all contractors on site as per the ecology report. Subject to an informative regarding the possibility of encounters with great crested newts, it is concluded that the proposal is in compliance with Local Plan policy BIO1 and is acceptable.

Other

Reflecting the advice of the drainage engineer, it is concluded that the proposal will have no adverse impact on local drainage as water from the paths will continue to drain into the adjacent beds. The Highways engineer advises that the small number of additional vehicles attending the site during construction/resurfacing will have a negligible impact on highway safety and the proposal is acceptable.

Conclusion

The proposal to allow the resurfacing of the existing paths in the Union Jack Garden will cause no harm to heritage, ecology or any other interests and it is concluded that the proposal complies with the development plan as a whole.

Recommendation
Grant subject to conditions