

**DESIGN & ACCESS STATEMENT  
with  
HERITAGE IMPACT ASSESSMENT**

**To support a Planning Application to resurface paths within  
the Union Jack Garden at Wentworth Castle Gardens.**

## **1. Introduction**

This Design and Access Statement accompanies a planning application seeking consent for the replacement of the surface of the Union Jack Garden paths at the National Trust property known as Wentworth Castle Gardens. The applicant is the National Trust, Goddard's, 27 Tadcaster Road, York, YO24 1GG. This application is accompanied by and should be read alongside the following documents:

- Location Plan
- Site Plan
- Specifications
- Ecology Statement

In accordance with national validation requirements, the purpose of this Design and Access Statement is to outline the design principles and concepts that have been applied to the path resurfacing proposal.

### **1.1 Overview of the proposal**

Wentworth Castle Gardens is a Grade I Registered Park and Garden (RPG NHL 1000451), the only one of its kind in South Yorkshire. There are over 26 individually listed buildings and structures in the grounds and parkland. The site consists of over 60 acres of formal gardens and 500 acres of wider parkland which is open to the public. The main house and some of the surrounding buildings are owned by Northern College, which provides residential and community education for adults. The proposal lies within the National Trust visitor property at Wentworth Castle Gardens which lies within the bounds of the Grade I RPG. The property also lies within the designated Wentworth Conservation and Stainborough Park Conservation Area and within the green belt.

The extent of resurfacing is wholly within the area of the garden known as the Union Jack Garden, which is located approximately 100m south west of the Northern College building, itself a grade I listed building.

The Union Jack Garden comprises a small central circular garden surrounded by eight unbound paths and triangular gardens, each bordered by mature hedges, configured in the general arrangement of the Union Flag. A proportion of the Union Jack Garden surface is visible from the Grade I listed house, and the garden lies within the setting of this and other heritage assets.

Existing pedestrian surfaces at Wentworth Castle Gardens, re-laid in the early years of the present century, are a mixture of unbound (crushed aggregate) and bound (bituminous macadam) construction, with surfaces of bound construction having a mixture of both bound and bonded surface finish, including in the vicinity of the Union Jack Garden.

This Design and Access Statement considers the impact of resurfacing paths in the Union Jack Garden, from an unbound to a bound construction, upon the heritage assets in this location and considers the requirement under the National Planning Policy Framework to provide an assessment of any harm arising as required by paragraphs 199 - 202 of the NPPF.

The National Trust approach is informed at the outset by a set of conservation principles, the focus being on revealing and sharing the significance of the places we care for and ensuring that their special qualities are protected, enhanced, enjoyed and understood by present and future generations. It is envisaged that this project would enhance rather than harm the RPG and heritage settings in this location by improving its visual appearance.

## **1.2 Resurfacing of Union Jack Garden Paths**

Consistent with other gardens on the site, the Union Jack Garden is situated on a significant west to east slope. During periods of moderate or heavy rainfall, unbound path surfaces within the Union Jack Garden wash down-slope into the surrounding gardens and onto the main visitor entrance path. Running water erodes the make-up of paths creating ruts and channels; potholes open up in the surfaces and former concrete drainage gullies sit increasingly raised proud of the surface or buried beneath it, no longer functioning as intended. When wet, the unbound surfacing material clings to staff, volunteer and visitors' shoes, clothing and equipment, diminishing public access and utility of the site as well as harming its visual appearance.

In addition to this damage, the effect of surface water on the unbound path surfaces has caused trip hazards to form and has impacted the ability of mobility impaired staff, volunteers and visitors to access the Union Jack Garden. This application seeks Planning Permission to replace the existing unbound construction with a bound construction including an attractive bonded surface finish consistent in colour with retained unbound paths in the vicinity. A cambered or cross-sloped construction will shed water to the sides of paths, while cross drains will ensure any excess surface water from 1 in 10 year weather events is diverted to safe drainage areas.

## **2. Proposed Development**

### **2.1 Historical background**

Royal diplomat Thomas Wentworth was outraged when a cousin inherited his family home, Wentworth Woodhouse, in 1695. Known for his ferocious ambition, Wentworth was determined to outdo his cousin, creating this spectacular place once known as 'the finest garden in England'. Wentworth's wealth was deeply entwined with empire and the slave trade. He was one of the principal negotiators of the Treaty of Utrecht, which secured Britain as supplier of enslaved Africans to Spanish colonies in the New World.

Despite its turbulent origins, this breath-taking landscape now provides space for relaxation, reflection and opportunities for people to enjoy and engage with nature and the beauty. It is presently South Yorkshire's only Grade I registered landscape. There are surprises along every avenue, including a castle that is not what it seems. The main house is closed to visitors as it houses Northern College, which offers residential adult education courses.

Wentworth Castle Gardens was previously run by the Wentworth Castle and Stainborough Park Heritage Trust (WCSPHT), which ceased to operate in 2017. In 2019, The National Trust (NT) entered into a 25-year lease agreement with Barnsley Metropolitan Borough Council (BMBC) to run the site in partnership with BMBC and Northern College. This estate rooted in rivalry now provides a space to bring people together.

The Union Jack Garden in its current manifestation is a modern recreation, completed by WCSPHT less than 20 years ago. It is only the fabric put in place by this previous intervention that falls within the scope of this project. The current deterioration of that fabric and the health and safety risks associated with continued deterioration, require remediation to a more appropriate standard, with no fabric of heritage significance being disturbed or impacted.

## 2.2 Location

Wentworth Castle Gardens are located to the southwest of Barnsley and south of Dodworth. The Union Jack Garden is located to the southwest of the property (see below plan).

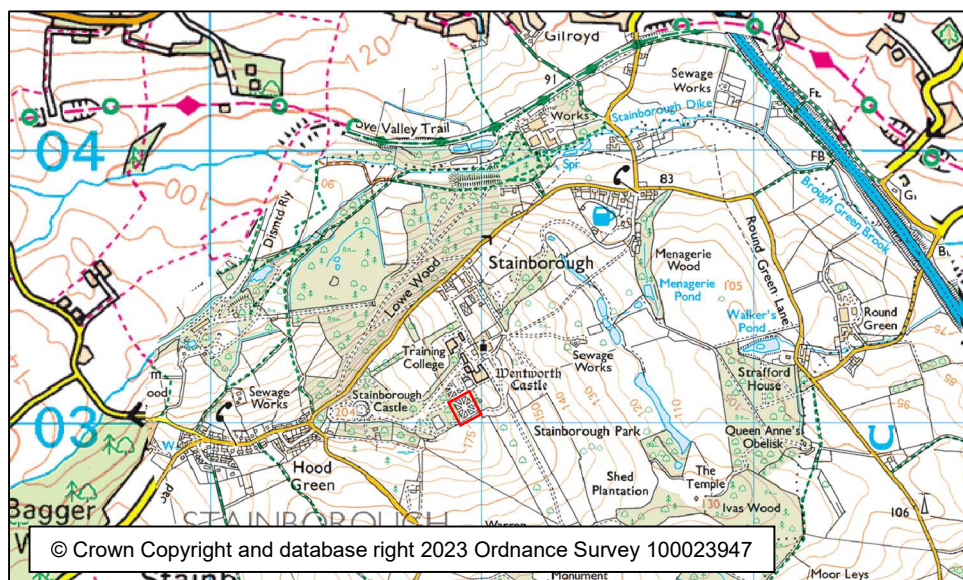


Figure 1: Location of Union Jack Garden at Wentworth Castle Gardens



Figure 2: Example of the existing path surface and storm erosion

## Designations

The site lies within the following designations identified in the Barnsley Local Plan (2019):

- Grade I Registered Park and Garden
- Wentworth Castle and Stainborough Park Conservation Area
- Green Belt

It also, potentially, lies within the setting of several listed buildings, discussed further, below.

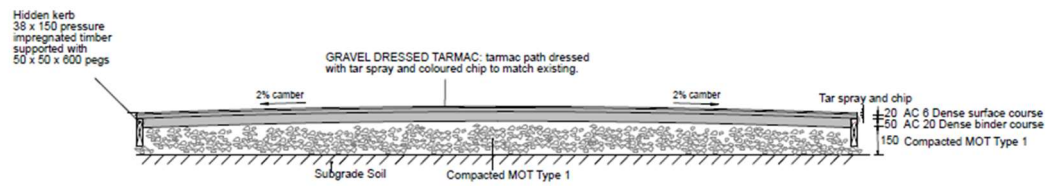
### 2.3 The proposal

220mm of surfacing and sub-base will be excavated, to be replaced by a sub-base of crushed aggregate at a depth of 150mm to provide a solid basis for bituminous macadam at a depth of 70mm. A thin layer of Daltex Golden Quartz chippings, selected to be visually consistent with nearby unbound surfaces, bonded by resin, will finish the surface.

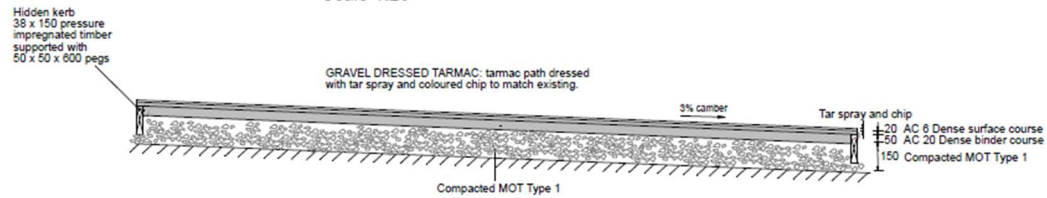
The non-porous nature of the bound surface in addition to a camber or cross-slope of varying from 2-3% will ensure that surface water is directed safely into the garden perimeter hedges. This will form vital supplementation to existing water availability to the hedgerows, increasing plant health and drought resistance.

Seven load class D Aco Multi Drain drainage channels of 150mm width will be installed across paths to ensure excess surface water resultant from 1 in 10 weather events that cannot be not shed to path sides, is captured and diverted safely to untrafficked areas. These will sit flush with the surface and have a depth of 200mm.

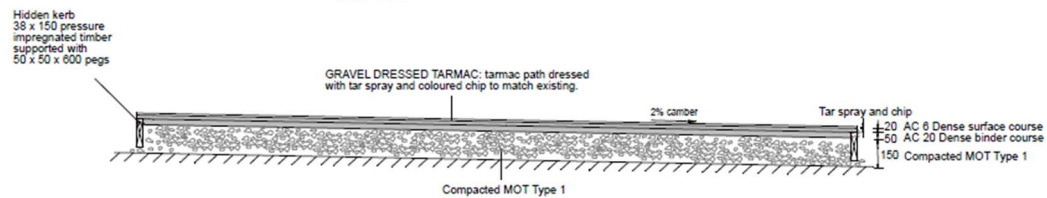
The project's aim is to resolve existing surface water and trip hazard issues which will improve plant health, improve the visual appearance of the RPG and improve the visitor experience of the Union Jack Garden. The following figures show the proposed construction detail and the topographic detail of the design.



SECTION THROUGH PL1, PL2, PL3 and PL4 PATHS  
Scale 1:20



SECTION THROUGH PL5, PL6 PATHS  
Scale 1:20



SECTION THROUGH PL7, PL8 PATHS  
Scale 1:20

Figure 3: Proposed construction detail

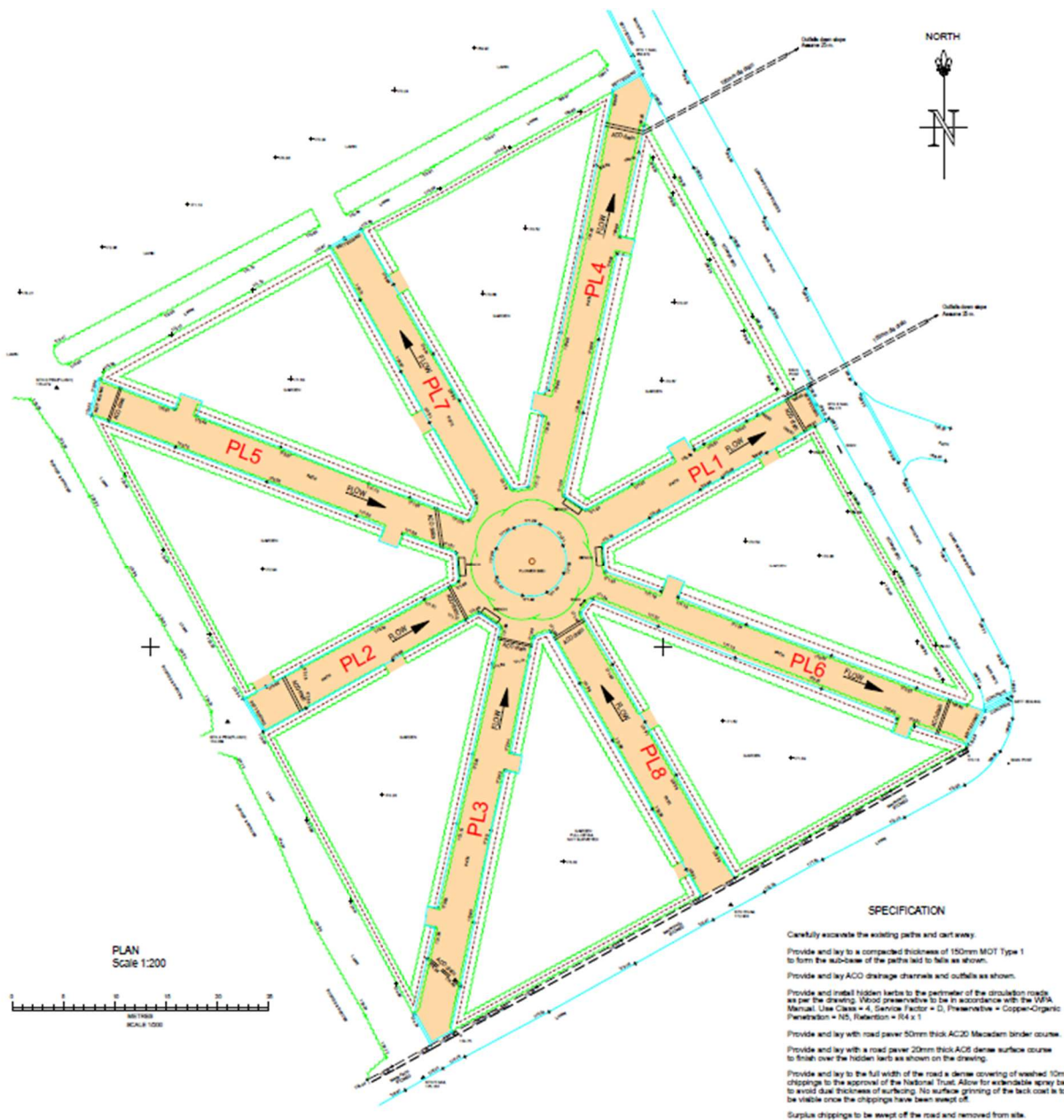


Figure 4: Topographic design detail

### 3. Planning and Related Policy Framework

Planning applications must be determined in accordance with the Statutory Development plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990).

In this case the Statutory Development Plan comprises:

- Barnsley Local Plan (Adopted January 2019)

Material considerations in this proposal comprise the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) together with any relevant Supplementary Planning Documents.

The key elements of national and local planning policy therefore relating to this proposal are set out below.

### 3.1 National Policy

#### National Planning Policy Framework (NPPF)

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF (July 2021) states that there are three overarching objectives for the planning system. These are interdependent and need to be pursued in mutually supportive ways; an economic objective, a social objective and an environmental objective. At the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

Section 13 of the NPPF relates to protecting Green Belt land.

Paragraph 139 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim being to prevent urban sprawl by keeping land permanently open and recognising that the essential characteristics of Green Belts are their openness and their permanence.

The five purposes of Green Belt are set out at paragraph 140;

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Section 15 of the NPPF relates to conserving and enhancing the natural environment where paragraph 183 requires local planning authorities to apply various principles when determining planning applications. Point a) of the paragraph states that *“if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”*

The site has been subject to ecological assessment which has confirmed there are no natural or semi-natural habitats likely to be impacted by the path resurfacing and the risk to protected species has been assessed as low. Mitigation identified as necessary for the proposals relates to good practice precautionary guidelines to follow during the construction process.

Section 16 of the NPPF relates to conserving and enhancing the historic environment where paragraphs 202 – 211 of the NPPF relate to considering potential impacts of a proposed development on heritage assets. A Heritage Impact Assessment has been completed and is included in section 4.2 below. The Heritage assessment concludes that it is the view of the National Trust that the proposals are appropriate to this setting, proportionate and overall will have a mildly beneficial impact on the heritage values of the site. Its overall significance will remain largely unaltered.

In determining applications, the NPPF (para 197) requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be *‘proportionate’* to the assets’ importance.

The impact of a proposed development on the significance of designated heritage assets is to be considered in line with the advice contained within paragraphs 202 onwards of the NPPF. This reinforces that '*great weight*' should be given to the asset's conservation. The more important the asset '*the greater the weight should be*'. Paragraph 203 confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require '*clear and convincing justification*'.

In order to examine the overall level of 'harm' in NPPF terms (i.e., whether it is to be considered either as 'substantial' or 'less than substantial') and given that great weight must be given to conservation afforded by the importance of the Grade I RPG and Wentworth Castle and Stainborough Park Conservation Area it is important to outline a summary of the overall impacts, which can be found below in a proportionate assessment.

## 3.2 Local Policy

### Barnsley Local Plan

Barnsley's Local Plan was adopted on 3 January 2019. Relevant policies are summarised below:

**Policy SD1 Presumption in favour of Sustainable Development** contains a presumption in favour of sustainable development and to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

**Policy E6 Rural Economy** states that a viable rural economy will be encouraged by allowing development in rural areas if it supports the sustainable diversification and development of the rural economy, results in growth of existing businesses, is related to tourism and recreation or improves the range and quality of local services in existing settlements.

**Policy D1 High Quality Design and Place Making** expects development to be of high-quality design and expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

**Policy HE1 The Historic Environment** positively encourages developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk. This will be achieved by;

- a) supporting proposals which conserve and enhance the significance and setting of the borough's heritage assets specifically including Wentworth Castle parkland (the only grade I Registered Park and Garden in South Yorkshire) and Stainborough Park conservation area
- b) ensuring that proposals affecting designated heritage assets conserve those elements which contribute to its significance
- c) supporting proposals that would preserve or enhance the character or appearance of a conservation area
- d) ensuring that proposals affecting an archaeological site of less than national importance or sites with no statutory protection conserve those elements which contribute to its significance in line with the importance of the remains
- e) supporting proposals which conserve Barnsley's non-designated heritage assets
- f) supporting proposals which will help to secure a sustainable future for Barnsley's heritage assets, especially those identified as being at greatest risk of loss or decay

The section that follows undertakes an assessment of the proposal against this policy.

**Policy HE 4 Developments affecting Historic Area or Landscapes** expects proposals that are within a Registered Park and Garden to respect historic precedents of layout, density, scale, forms, massing, architectural detail and materials that contribute to the special interest of an area; respect important views either within the area or views that contribute to the setting of the area and take account of and respect important landscape elements including topographic features or trees that contribute to the significance of the area where harm might prejudice future restoration.

**Policy HE6 Archaeology** states that applications for development on sites where archaeological remains may be present must be accompanied by an appropriate archaeological assessment. The HIA provides further commentary on this.

**Policy BIO1 Biodiversity and Geodiversity** expects development to conserve and enhance the biodiversity and geological features of the borough. The accompanying Ecology Statement assesses and concludes no specific impacts of the proposal on habitats and species on the site. The application site lies out with the designated Stainborough Park Local Wildlife Site.

**Policy GB1 Protection of Green Belt** states that Green Belt will be protected from inappropriate development in accordance with national planning policy. The detailed boundaries are defined on the Policies Map which includes land at Wentworth Castle Gardens.

## **4 Assessment of the proposal**

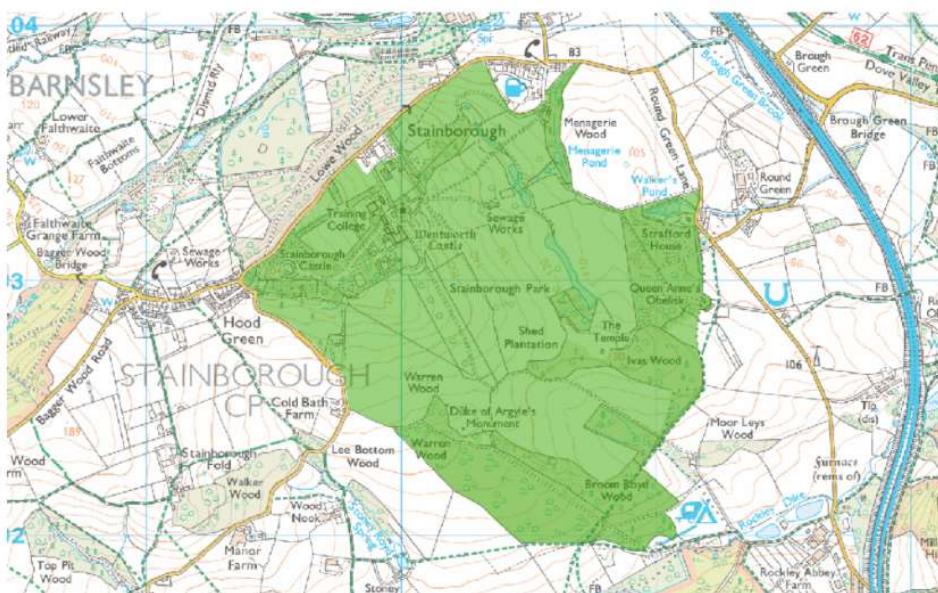
### **4.1 Planning Issues**

In accordance with national and local planning policy, the main planning issues raised by the development are as follows:

- the impact upon the historic environment;
- the impact upon relevant ecological interests; and
- the impact upon the Green Belt

### **4.2 Historic Environment**

Wentworth Castle is a Grade 1 Registered Park and Garden, and the extent is indicated on the following plan:



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## Wentworth Castle Registered Park and Garden

The estate also contains 26 listed buildings and structures. Those in proximity to the proposed works are listed on the table below. The others are either on the opposite side of the mansion (considerably downslope and out of sight line) or are ornamental structures located in distant parts of the RPG. The proposed works could, in a broad sense, be taken to be located within the contextual setting of all of these structures (being co-located on the historic Wentworth Castle estate) but assessment concludes that any impact from the proposed works is so slight that it will have no potential for impact on the significance of those structures and buildings.

Close to hand are:

<i>Name</i>	<i>Designation</i>	<i>National Heritage List number</i>
The Conservatory	Grade II* listed	1191675
Sun Monument	Grade II listed	1151068
Stainborough Castle	Grade II* listed	1151069
The Gun Room	Grade II* listed	1151066
Archers Hill Gate and battlemented walls	Grade II listed	1191749

Corinthian Temple	Grade II listed	1191736
Wentworth Castle	Grade I Listed	NHL 1151065

Parts of the Union Jack Garden path network are encountered on some routes to and from Stainborough Castle, the Sun Monument and the Gun Room but are not directly intervisible. Whilst an improvement to the access and enjoyment of these features, the effect of the proposed works on their significance will be less than negligible and will not be assessed further.

There is visibility and proximity between the proposed works and the Corinthian Temple (although only from it least significant, rear, aspect) and the battlemented wall element associated with Archers Hill Gate. At a slightly greater distance at least parts of the work would be visible from the Mansion and, potentially, from the vicinity of the Conservatory.

The works will involve excavation of a component of the present path fabric and then replacement with new fabric (achieving a more resilient wearing surface and effective drainage) colour matched to the existing surfacing. Although from a distance the paths will have much the same visual effect (aside from presenting with a better surface finish) the proposed works will involve some degree of detectable change. The surface texture of the paths will be different and new drains will be installed which will be slightly more visible than some of the present, ineffectual, ones.

It should be stressed that the present paths have very little, if any, heritage significance aside from their historic precedent of their plan (which will remain unchanged from its present form). They were installed by WCSPTH less than twenty years ago, to a documented plan but not directly replacing surviving historic fabric, which is not believed to have existed. It is not known if any archaeological works were undertaken at that time and whether such works were able to advise the choice of materials used. As far as is presently known there was no such investigation, and the choice of path materials was one made, with appropriate advice and knowledge, by WCSPTH.

Following from this understanding, it is clear that the element of the present path fabric to be removed is of no archaeological significance. Neither is the detail of the path's construction of any historical significance which would be affected by the alterations recognised above.

Given careful colour matching the effects on the appearance of the path from the conservatory, battlemented wall, Corinthian Temple and Mansion will be very slight, and then mainly of a beneficial character, through avoiding untidy periodic storm damage. Access to all of the site's heritage assets will be enhanced by the changes. Better drainage management will be a minor beneficial impact on the planted element of the RPG.

#### Local Planning policy

Based on the analysis above this assessment concludes that the proposal is wholly consistent with every aspect of Policy HE1. It speaks most pertinently to sections a), b), c) and f).

The proposal is also assessed as being fully compliant with Policy HE4.

Policy HE6 is not held to apply as the NT is confident that the works will not impact deposits of archaeological significance

#### Overall heritage assessment

The above is held to have undertaken a full and proportionate appraisal of the significance of the heritage assets involved and an assessment of the impact of the components of the development on that significance.

This assessment concludes that the proposed works will have some limited, minorly beneficial visual effect on the site. The minor depth of excavation in existing made ground precludes meaningful excavation by archaeological means. The National Trust remains committed to, and concerned with, archaeological remains of all periods including modern and has sought to minimise impact by minimising excavation and limiting to extant made path fabric.

In light of the assessments made, it is the view of the National Trust that the proposals are appropriate to this setting, proportionate and overall will have a minorly positive impact on the heritage values of the site. Its overall significance will remain unaltered.

Therefore, it is the National Trust's assessment (in response to the test contained in NPPF paragraph 204) that no element of the proposed development constitutes Substantial harm (or for that matter more than slight, potential harm from localised visual difference in the character of the surfacing) to a recognised heritage asset. The works will also have beneficial impacts on presentation standards and of ease of public access to the heritage assets. It is also satisfied that the proposal is compliant with the relevant local planning policies pertinent to heritage.

Paragraph 205 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this case the proposal supports the Union Jack Garden Restoration project in partnership with Greenacres School, Barnsley Feels Like Home, u3a, Northern College, Wentworth Castle Gardens Volunteers and Barnsley Academy, to restore the garden areas within the Union Jack Garden through community group engagement. The National Trust considers this represents a clearly identifiable public benefit of the proposal outweighing any very slight, potential harm identified to heritage assets.

The National Trust therefore feels confident that it is an appropriate proposal to make for the site.

### **4.3 Ecology**

The wider Wentworth Castle Gardens site is recognised as a sensitive site in terms of protected species and the site 'Stainborough Park' is identified as a Local Wildlife Site for its biodiversity. An Ecology Statement has been produced to assess this proposal and this identifies that there are no natural or semi-natural habitats likely to be impacted by path resurfacing. Impact will be limited to areas previously used for paths. No significant impacts are identified.

In respect of protected species there are no records of badger recorded within the development site and nor are bats present on the development site. The potential for reptiles is assessed as low.

The Great Crested Newts assessment indicates that whilst they are present elsewhere on site, the potential for being within the Union Jack Garden for hibernation purposes, at some distance away from ponds, is considered highly unlikely and therefore the potential for them to be impacted by the proposal is assessed as low.

In terms of mitigation measures a number of precautionary measures are recommended in respect of site clearance and construction.

#### **4.4 Green Belt**

The proposal to resurface existing paths within the garden would have no greater impact on the openness of the green belt in this location and can therefore be considered appropriate development.

### **5. Conclusion**

The planning application seeks consent for the replacement of the existing surface of the Union Jack Garden Paths at the National Trust property known as Wentworth Castle Gardens. It has been demonstrated that the development is consistent with national and local planning policy and will add to the wider community benefit aspirations of Wentworth Castle Gardens.

The scale and extent of the development has been kept to a minimum, carefully balancing the needs of the project with the need to conserve and enhance the natural and historic environment. It is considered that there are significant public benefits of the development arising from the proposal.

Accordingly, it is requested that planning permission is granted.