

Wentworth Castle Gardens

Heritage, Design and Access Statement



Battlements Collapse

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1.0 Summary of Heritage, Design and Access Statement

1.1 Introduction

Donald Insall Associates was commissioned by the National Trust in June 2022 to oversee a series of repair projects to several buildings and structures across the Wentworth Castle Gardens site. This included the preparation of proposals for changes and repairs to the Battlements. In November 2023, the battlements partially collapsed due to adverse weather. This application relates to the proposed rebuilding of the battlements, addressing issues of long-term stability, drainage, sustainability and public safety.

1.2 The Buildings and their Legal Status

The Battlements are Grade II listed and located within the curtilage of the Grade I listed Wentworth Castle. The Castle gardens consists of several Grade I, II* and II-listed buildings. Wentworth Castle Gardens is a Grade I Registered Park and Garden (RPG), 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.

Alterations to a listed building generally require listed building consent; development in conservation areas or within the setting of a listed building or conservation area requires local authorities to assess the implications of proposals on built heritage. The statutory list description of the listed building is included in Appendix I, along with extracts from the relevant legislation and planning policy documents.



Wentworth Castle

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision-making on applications that relate to the historic environment. Sections 16 of the Act impose statutory duties upon local planning authorities which, with regard to listed buildings, require the planning authority to have *'special regard to the desirability of preserving the listed*

building or its setting or any features of special architectural or historic interest which it possesses' and, in respect of conservation areas, that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

The courts have held that following the approach set out in the policies on the historic environment in the National Planning Policy Framework 2021 will effectively result in a decision-maker complying with its statutory duties. The Framework forms a material consideration for the purposes of section 38(6). At the heart of the Framework is 'a presumption in favour of sustainable development' and there are also specific policies relating to the historic environment. The Framework states that heritage assets are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'. The Glossary to the National Planning Policy Framework defines a heritage asset as:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

The Framework, in paragraph 194, states that:

In determining applications, local planning authorities should require 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 and no more than is sufficient to understand the potential impact of the proposal on their significance.

Section 4 of this report – the assessment of significance – meets this requirement and is based on the research and site surveys presented in sections 2 and 3, which are of a sufficient level of detail to understand the potential impact of the proposals.

The Framework also, in paragraph 199, requires that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The Framework goes on to state at paragraph 200 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.

Section 7 of this report will, when the proposals are finalised, provide this clear and convincing justification.

The Framework requires that local planning authorities categorise harm as either 'substantial' or 'less than substantial'. Where a proposed development will lead to 'substantial harm to (or total loss of significance of) a designated heritage asset', the Framework states, in paragraph 201, that:

...local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use*

Barnsley Council 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'

1.3 Summary of Project Brief

The project brief is centred on rebuilding the collapsed section of Battlement walling, consisting of soil nails for soil stabilisation and to restrain the proposed rebuilding of the dry-stone masonry wall on top of the existing bedrock. The proposed brief is similar to the solution adopted on an adjacent section of walling.



Listed properties and structures within Wentworth Castle Gardens, red dot denoting the Battlements

1.4 Summary Assessment of Significance

The Battlements are a prominent feature of the Wentworth Castle Gardens landscape, spread over 300m from the formal gardens of Stainborough Hall through to Stainborough Castle. Thomas Wentworth, 1st Earl of Strafford, built the battlemented wall with bastions and archways during the winter of 1738-39. He died a few months later, making the battlements possibly his last building project.

The Battlements are predominantly of rubble retaining wall construction, with more decorative gateways in the form of Archer's Hill Gate. The crenelations are of rubble stone construction with ashlar copings.

The structure's significance comes from its contribution to the gardens, and every effort should be made to conserve the structure.



Collapsed section to Battlements

1.5 Summary of Proposals and Justification with Respect to Design, Access and Heritage

The proposals involve rebuilding and consolidating the section of the Battlements that collapsed in November 2023. It is proposed that the area of collapse will be rebuilt utilising as much of the existing stone as possible. Previous structural reports indicated that the Battlements are in a poor structural condition and urgent works are required to stabilise them, with the collapse occurring due to adverse weather following other areas of repair previously approved for LBC. It is also proposed to rebuild and reinstate several crenelations, which fell during the collapse. Missing coping stones will be reinstated and all biological growth will be removed.

All work will be undertaken in hot mixed lime mortar and matching stone, traditional materials in-keeping with the Battlements.

The proposals will seek to reinstate the appearance of the collapsed section back to the historic appearance of the Battlements, with contemporary retaining walls hidden behind to address the defects within the historic construction and groundworks of the structure.

No works are planned to the more ornate gateways and the works proposed will solely affect the collapsed area of battlements. No further works are proposed. The proposed scheme will conserve the listed structure in a manner appropriate to their significance.

1.6 Conclusion

This Heritage, Design and Access Statement has demonstrated that the proposals very much accord with the requirements of local and national legislation, policy and guidance and that there are no negative implications. It is therefore recommended that the proposals should be granted listed building consent.

2.0 Historical Background

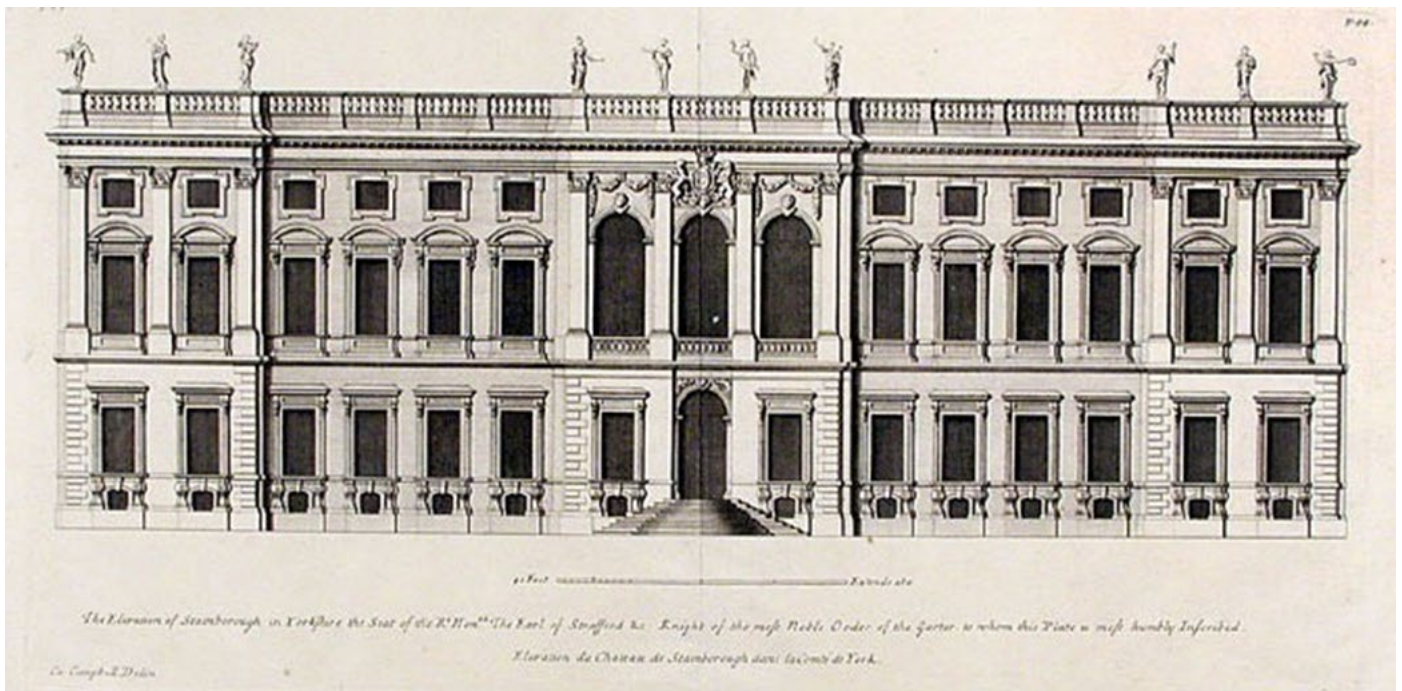
2.1 Site and Context

Like many other vast estates in England, the Stainborough Estate can be traced back to the Norman Invasion. Forming part of the historic honour or Pontefract, Stainborough was held by the powerful de Lacy family. Rewarded with vast swathes of land in England by William the Conqueror, the de Lacys became significant landowners in the North of England. At some point in the Thirteenth Century, the estate was seemingly inherited by the Yorkshire based Everingham family, and when they later fell on hard times the estate was purchased by Thomas Cutler.

There is very little written about the Cutler family, but what is clear is that they were keen Royalists and staunch supporters of King Charles I. It is noteworthy for example, that Thomas's son Sir Gervase Cutler had raised huge funds in support of the Royalist defence of Pontefract Castle, where he actually died of flu in 1645. It was his son – another Gervase – who was responsible for building Stainborough Hall in 1670 – 72. This served as the foundations to the colossal house we see today. Unfortunately for the Cutlers however, like the Everinghams they also fell on hard times and in 1708 sold up to Thomas Wentworth.

Thomas Wentworth was a senior member of the wealthy Wentworth family. His Great Uncle had been none other than Thomas Wentworth 1st Earl of Stafford, and his successor William Wentworth, was Thomas's cousin. Veteran soldier, occasional diplomat, and apparent heir to the Wentworth fortune, Thomas had fully expected to inherit his cousin's Earldom and vast fortune when he died childless in 1695. Although Thomas did inherit the family title 'Baron Raby', what left him absolutely seething was the unexpected fact that the Earl had bequeathed his entire estate to the son of his sister – Thomas Watson. Of course this included the monumental family seat of Wentworth Woodhouse.

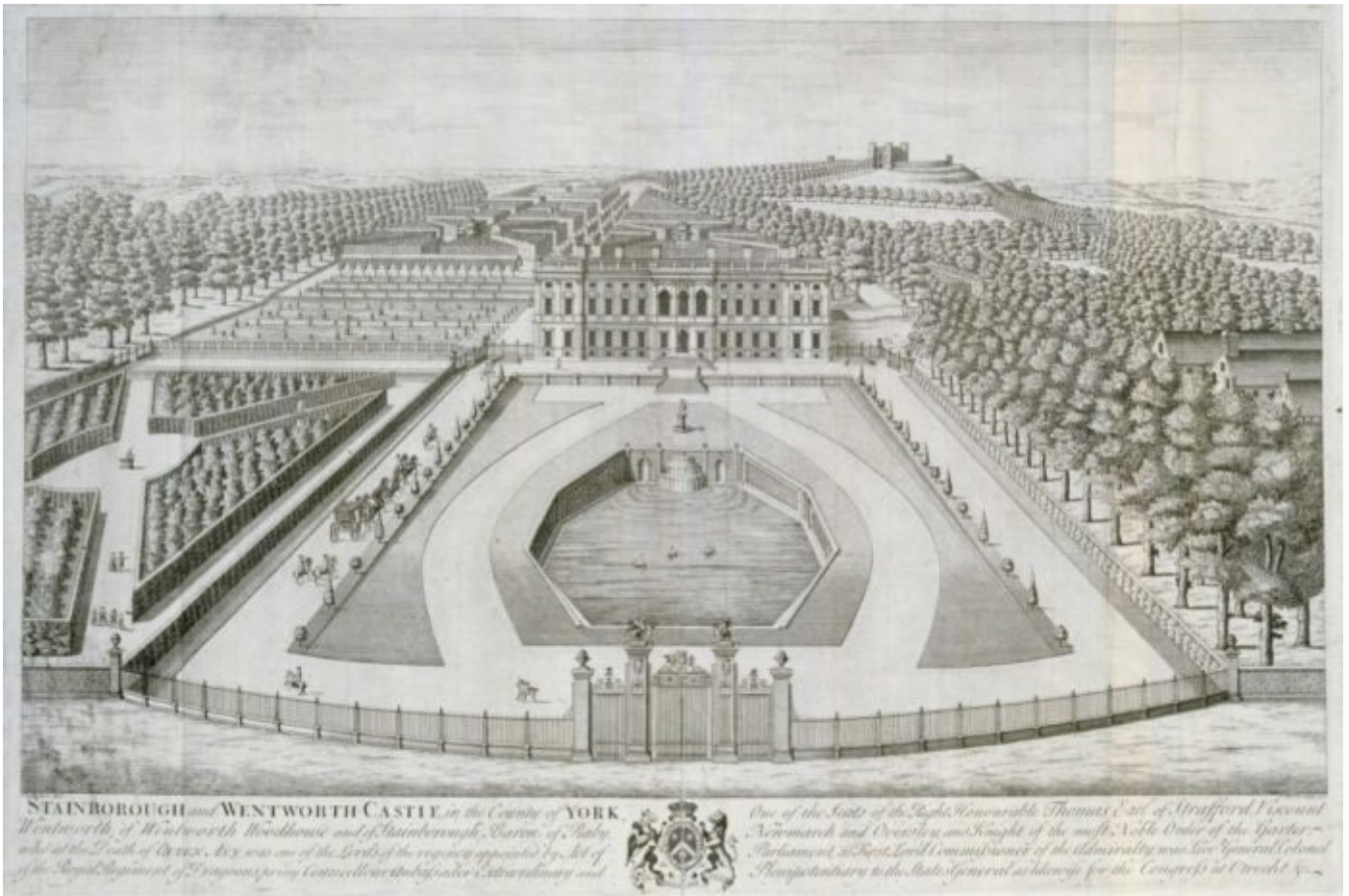
Thomas Wentworth was absolutely mortified and vowed to make amends by doing everything in his power to outshine his unworthy cousin. Desperate to revive the now extinct Earldom of Stafford and create a monumental home capable of rivaling the family seat of Wentworth Woodhouse, in 1708 Thomas purchased Stainborough Hall and Estate and set about on an incredibly ambitious program of expansion.



East front of Stainborough (Wentworth Castle) in Vitruvius Britannicus I (1715)

Thomas vastly remodeled the house between 1710 – 1714 in the Baroque style and was responsible for creating an entirely new and stunning Eastern Wing. In 1711, and to the dismay of his Wentworth-Watson cousins, he was rewarded for his

services and loyalty to the queen when the family Earldom was revived and he was created the 1st Earl Strafford.



18th Century depiction of Stainborough and Wentworth Castle [i.e. Stainborough Hall], Yorks (W.R.): bird's-eye view of entrance front

In addition to creating a grand house complete with a magnificent art collection, Thomas also set about landscaping his vast grounds. He planted rows upon rows of trees, and created unique and beautiful formal gardens such as the Union Jack Garden, for his family and friends to enjoy. Of particular note is the beautiful castle folly which he constructed in 1726 for his children. He even named the four towers after them.

Thomas Wentworth died in 1739 but the family feud that had fuelled his ambitions lived on. His son and successor, William Wentworth 2nd Earl Strafford, continued to develop his fathers estate, and is attributed with adding a further wing to the mansion. The new South wing was designed in the fashionable Palladian style and greatly increased the size of the house. The grounds were also extensively remodelled.

Although the Stafford title again became extinct in 1802, the estate had largely remained in the hands of the Wentworth family until it was sold to Barnsley Council in 1948. Prior to selling up however the Wentworths were responsible for adding a Victorian wing to the house, along with a beautiful Victorian conservatory. Under Barnsley Council the Castle initially became a teacher training college, and later The Northern College of Residential Adult Education – which it remains to this day.

The beautiful grounds of Wentworth Castle received some significant investment in the twenty first Century with the Wentworth Castle Heritage Trust being formed in 2002. After much effort the grounds eventually opening to the public in 2007, and although proving very popular with the public, closed due to a funding crisis just 10 year later. This however served as the catalyst for the rejuvenation of the Castle Gardens, with the National Trust entering a partnership with Barnsley Council and the Northern College and reopening the site in the summer of 2018. The National Trust's newest attraction is thus very much a 'work in progress', and is a very exciting and fascinating new venture for them.

A more detailed history can be found in the Conservation Management Plan.

2.2 The Battlements

The Battlements are a prominent feature of the Wentworth Castle Gardens landscape, spread over 300m from the formal gardens of Stainborough Hall through to Stainborough Castle. Thomas Wentworth, 1st Earl of Strafford, built the battlemented wall with bastions and archways during the winter of 1738-39. He died a few months later, making the battlements possibly his last building project. The Battlements are predominantly of rubble retaining wall construction, with more decorative gateways in the form of Archer's Hill Gate. The crenelations are of rubble stone construction with ashlar copings.

Little is recorded about the history of the Battlements but there is some references to its history in the Conservation Plan. The following extract is taken from the plan-

"As early as December, 1713, Joseph Bower was working on a wall, and further comments reveal that this was to replace an old park wall. It was, in fact, the straight, dry stone wall that still runs, together with the ha ha ditch, along the southern side of the formal wilderness, separating it from the park. In the c.1732 Badeslade prints and the c.1734 survey, the wall is shown probably much as it had been constructed some twenty years earlier. What we have today, however, is a continuation of the wall westwards, but a wall of a very different appearance. From Archer Hill gate⁶¹, the wall changes character as it grows higher, more irregular, adopts a crenellated top, a battered profile and features two, bold bastions, strikingly military in their connotations.

In 1737, there is a tantalising entry in the accounts. 'Joseph Bower .. Doth agree .. with the said Earl to work the Battlement Stones on the Castle Wall at One Shilling and three pence .. and to Dress them in the Sloping way as well as those already done..'. Strafford has added, 'there is 26 stones layd on already and 4 more ready on the hill worked at my expence'⁶². It is not certain that this represents the building of the battlemented wall. Of the dozens of mentions of building and repairing walls, however, this seems most likely to refer to what remains one of the most striking and romantic structures on the estate (though one which tends to be overlooked, shrouded as it is, in trees and rampant vegetation). This supposition may be confirmed by a reference in the November, 1739 accounts to '23 Battlements tops Layed Upon ye Wall By ye Castle'. We are persuaded that these walls were built by Thomas, as just one more element of his burst of activity during the final five years of his life."

Much of the Battlements are unchanged since it was constructed, however there are areas where crenelations have been removed and later (likely 20th century) stone copings have been added. Reinforcing steel mesh has been added to a small but noticeable section of the walls in the last 20 years.

2.3 Sources and Bibliography

The site was visited and inspected. Further secondary research was obtained from the Wentworth Castle Gardens & Stainborough Park Conservation Plan, Historic England and eheritage.com

J. Wilkinson, Worthies, Families and Celebrities of Barnsley and District, 1883

3.0 Site Survey Descriptions

3.1 The Setting of the Building

As previously described, the Battlements are situated at Wentworth Castle Gardens, and form the southern boundary of an area called The Wilderness. The battlements stretch over 300m of the landscape, and lead towards the Stainborough Castle folly.

3.2 Condition of the Building

The section of battlements to which this report pertains collapsed in November 2023 following adverse weather conditions. Following the collapse, the fallen masonry was carefully moved using a long reach excavator, with the collected debris riddled of soil and set aside for sorting. The masonry was cleaned of remaining mortar and sorted into useable material for the proposed rebuilding. The battlement walling to either side of the fallen material is now also at risk of collapse due to missing tie in stones.

The collapse was attributed to pressure being exerted onto the walls by the nearby trees, combined with heavily saturated ground during poor winter weather. Cement pointing had trapped moisture within the fabric of the Battlements which caused a sudden collapse.



Collapsed section to Battlements adjacent to previous stainless steel pinning



Collapsed section to Battlements



Collapsed section to Battlements



Collapsed section to Battlements



Collapsed section to Battlements

4.0 Assessment of Significance

4.1 Types of significance

Of the **highest significance / most significance / primary importance** and particularly sensitive to change is the decorative Archer's Hill Gate, which is not being affected by the proposed works.

Of **high significance** and also sensitive to change is the Battlement walls itself. The stonework, while severely eroded and missing in areas, is original and contemporary to the structure.

Of **neutral significance**, neither contributing to or detracting from the significance of the whole and therefore highly adaptable is later stone copings where crenelations have been lost and the Battlements reconfigured.

Factors which detract from the building's significance and should therefore, wherever possible, be removed are areas of cement pointing and vegetation growth

4.2 Listed Buildings

The Battlements are Grade II Listed and is located within the curtilage of the Grade I Listed Wentworth Castle.

5.0 Client Brief and Design Development

5.1 Understanding the Brief

The client brief is to reinstate the area of failed Battlement walls, addressing issues around structural consolidation, reinstating crenelations to revert the walls back to their original configurations, repair/replace any stonework not salvageable from collapsed material and repoint the entire area in lime mortar to match the existing. The aim of the project is to rebuild and secure the area of collapse, whilst improving the appearance and structural performance of the wall, ensuring visitors can fully access and experience this significant part of the gardens.

5.2 Design Development

Site visits, inspections and surveys have been undertaken following the collapse, in consultation with the structural engineers that informed the proposals for adjacent areas of reconstruction. The structural engineers have produced a structural proposal for the rebuilding of the wall to consist of soil nailing the structure to restrain the newly rebuilt masonry to the existing bedrock.

5.3 Conservation Principles

The conservation approach as detailed in the structural engineer's report outlines the following:

'The adopted conservation approach aimed at minimising the harm to the architectural and historical significance of the collapsed section of the Battlement walls while addressing issues of long-term stability, drainage, sustainability, and public safety.'

The materials and techniques chosen should attempt at minimum disturbance of the site, be compatible with the original fabric, require minimum maintenance in the future, and not compromise the historical character of the walls.

While respecting these guiding principles, the proposed solution should ensure structural and geotechnical stability and effective drainage of rainwater. In addition, continuity between the new retaining wall and the existing one should be maintained.

It is also important to emphasise the recommendation for monitoring and maintenance after the completion of works to address emerging issues promptly and prevent further deterioration.'

As part of the design development and specification of the works, the CMP has been adhered to, with the following relevant principles and policies:

Principles

WEN/01/i - Any development or alteration of the whole or part of the Wentworth Castle Gardens and Stainborough Park estate must respect the values and accommodate the policies outlined in this Conservation Plan.

WEN/01/ii - Where necessary, any repair or alteration of the landscape and / or landscape structures, including works that require planning permission and those that do not require planning permission, will be accompanied by appropriate archaeological investigations and recording

WEN/01/iii - Where necessary, any repair or alteration of the landscape and / or landscape structures, will be prefaced by research to fill the 'Gaps in Knowledge'

WEN/01/iv - Any repair or alteration of the landscape and / or landscape structures, must minimise disturbance to the historic fabric.

WEN/01/v - Where necessary, any repair or alteration of the landscape and / or landscape structures, will be will be judged by the extent to which it brings benefit to the existing status and character of the estate.

WEN/01/vi - Any new interventions in the landscape or landscape structures must be appropriate to their location in quality, design and materials.

Materials and Maintenance

WEN/02 - Wherever possible, future development and alteration will respect – in the quality of materials, performance, techniques and craftsmanship – the historic model.

WEN/03 - Inappropriate materials, which are exacerbating decay, should be carefully removed and replaced with traditional materials and techniques, or – where agreed – with compatible modern alternatives.

WEN/04 - Repair and restoration work shall be compatible with the existing historic fabric, of appropriate quality and performance and, where necessary, shall be informed by further analysis of the existing materials, undertaken by appropriate experts.

WEN/06 - Materials, treatments or chemicals shall be used in the restoration or future maintenance of the landscape only in ways that will pose no threat to the ecological health or sustainability of the site.

Conservation and Restoration

WEN/07 - Conservation and restoration proposals for the gardens, park and estate landscape and landscape structures should be guided by the values and policies identified in this Conservation Plan.

WEN/08 - The overall strategy for the conservation and restoration of historic features of the gardens, park and estate landscape should seek to conserve existing historic features. Where appropriate, features should be reinstated that represent, contribute to and enhance the significance and values associated with each period of the estate's development, as identified in Section 4 of this Conservation Plan.

Management

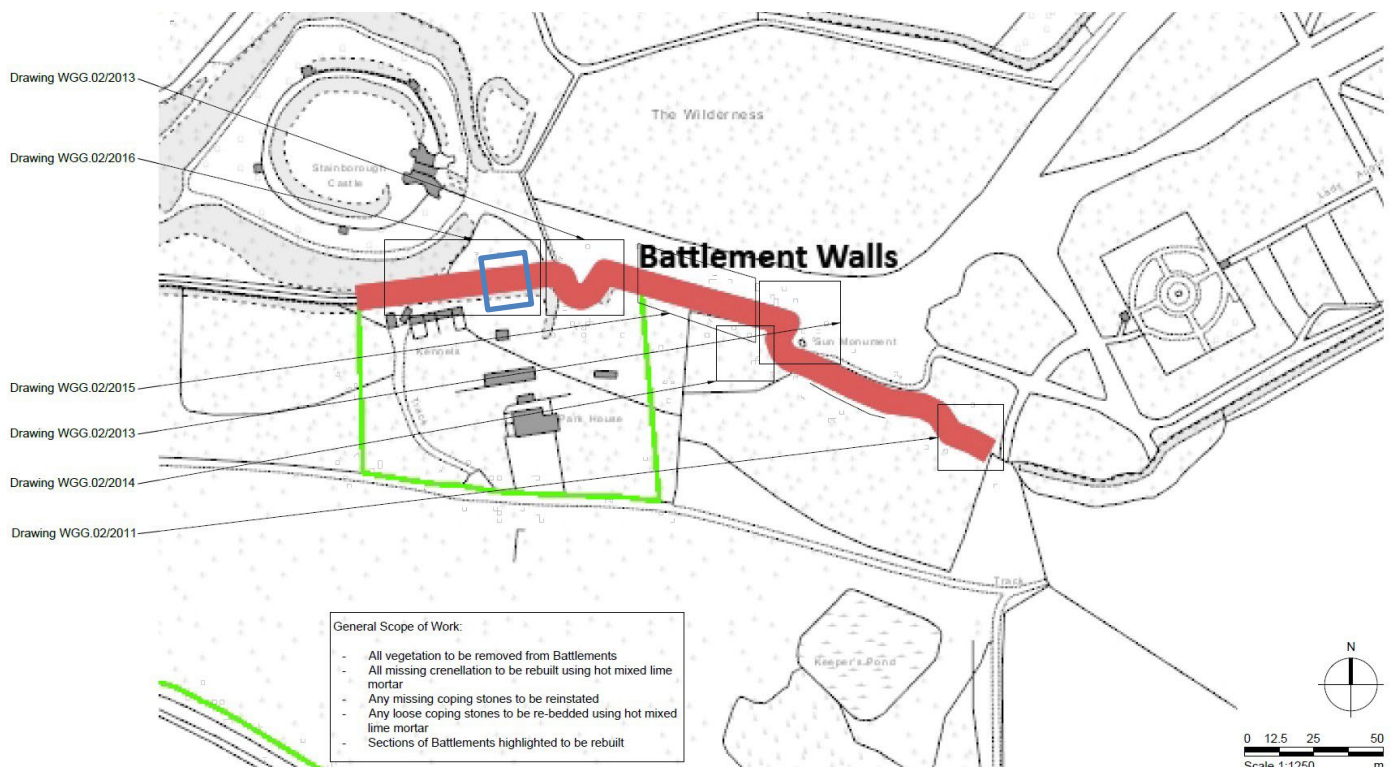
WEN/09 - No changes will be introduced to the Wentworth Castle Gardens or Stainborough Park Estate without securing appropriate advice and permissions.

WEN/14 - Future maintenance and conservation will be undertaken by people with appropriate levels of skill and knowledge. It will be necessary that regular repair jobs are undertaken by skilled contractors. Specialist skills will always be required to maintain the landscape and landscape structures in proper condition.

WEN/17 - The historic and natural fabric and functions of the landscape will be well-maintained on a regular basis, in accordance with the recommendations of the relevant surveys.

Health and Safety

WEN/22 - The Management Plan will include a list of Safe Working Practices, especially in relation to any in situ repairs.



Scope of works pertaining to the initial LBC in red, with the collapsed section highlighted in blue

5.4 Description of the Proposals

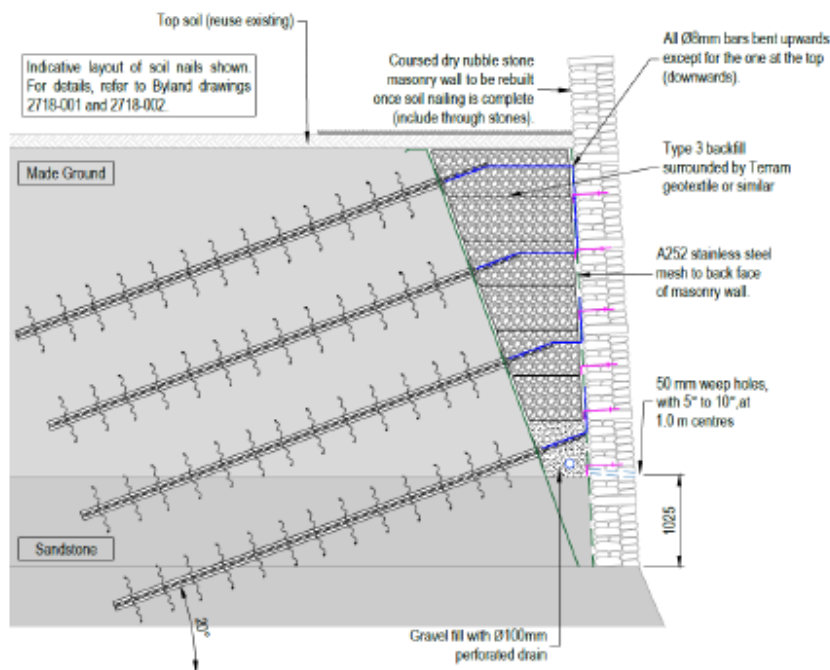
All works are to utilise lime mortar and stone to match existing; traditional materials that are harmonious with the existing historic fabric of the Battlements. The proposed solution for the rebuilding of the collapsed section as detailed in the structural engineer's report is as follows:

'The proposed solution consists of soil nails for soil stabilization and to restrain the newly rebuilt dry-stone masonry wall on top of the existing bedrock. This is similar to the solution adopted previously on an adjacent section of the wall. The stone wall debris will have to be carefully removed prior to works commencing which will allow us to determine the exact profile of the bedrock where the wall will be sitting. The ground behind the wall will be battered back to allow safe working and to provide a 70° slope to the soil. The zone of impact will extend up to 2m behind the wall.

Specialist soil design has been carried out by Byland Engineering. The soil nails will be driven into the ground in sequence to anchor the wall and provide lateral restraint. They consist of 32mm diameter hollow reinforcement bars drilled into the soil which are then injected with grout. Ground anchorage is reliant on the grout penetrating the surrounding strata. They extend up to 5m from the facing and are inclined to minimise disturbance to the upper layers. The head of the soil nails is anchored to the soil facing through a stainless steel mesh and anchor plates. In this case, the vertical and horizontal spacings are respectively 1.0m and 1.5m to provide the anchorage necessary to restrain the wall. If the spacing was increased and the total number reduced the potential load imposed on the soil nail would exceed its anchorage capability and cause instability to the soil and wall.

After the completion of the soil nails, the rebuilding of the dry-stone wall can be carried out in stages using the original stone blocks. As the wall is raised, a stainless steel mesh will be placed on the back of the wall which will be connected to the wall using stainless steel bent straps and fixed to the soil nails through clamped stainless steel bars. To ensure a good bond between the newly built wall and the existing one, alternate courses should overlap. To address drainage issues, the wedge between the soil facing and the dry-stone wall will be filled with Type 3 aggregate surrounded with a Terram geotextile or similar, which will enable the water to percolate and reach the gravel fill with a perforated drain and the weep holes at the base of the wall.

Although the soil nails are a difficult solution to reverse, they will enable minimum disturbance to the site and excavation and are compatible with other solutions for the retaining wall. The combined solution of a dry-stone wall with a permeable backfill is fully reversible, if necessary.'



Proposed soil nailing to structurally improve the stability of the wall

6.0 Further Design Considerations

6.1 Access

The proposals do not seek to improve or worsen the physical access to the building. The removal of vegetation and temporary fencing, with the improved structural integrity of the walling, will make the building more accessible to the public.

6.2 Sustainability

Where possible traditional and natural materials will be used that complement the historic building and allow its structural core to breathe. All suitable existing material will be reused in the rebuilt section.

6.3 Highways

There are no proposed alterations to the current highways as part of these proposals.

6.4 Parking

This application does not seek any new car parking as part of the proposals, or affect any existing parking.

6.5 Flood Risk

The proposed development site is located in Flood Zone 1, which means that flooding from rivers and the sea is very unlikely. There is less than a 0.1% (1 in 1000) chance of flooding occurring each year. It is therefore considered that no further investigation into the risk from flooding is relevant or should be required as part of the application.

7.0 Commentary on the Proposals

7.1 Impact on the Listed Buildings

The proposals seek to rebuild the collapsed area and improve the outwards appearance and structural stability of the Battlements and are therefore necessary to prevent the further loss of fabric. The area of highest significance, Archer's Hill Gate, will not be affected by the works. Areas of repointing will utilise lime mortar and new stone will match the existing. The repairs will have a positive impact on the Listed structure as it will prevent further loss of fabric, improve its appearance and allow the public to have great access to it.

The structural engineer's proposal outlines that:

'We consider that the proposed solution of soil nailing, in combination with rebuilding the drystone wall will allow the new section to blend harmoniously with its surroundings, maintaining the visual integrity and continuity of the site while decreasing the risk of further collapse. The proposed solution finds a good balance between geotechnical and structural stability, feasibility and the wall's significance, causing less site disturbance, ensuring continuity with the existing wall, and promoting the use of traditional techniques and materials. The inclusion of permeable backfill, a perforated drain, and weep holes promotes a drainage system that will require less maintenance. Alternative solutions would be more intrusive to the site, cause greater public disturbance, and be less sustainable in terms of excavation, material reutilization, and use of concrete.'

7.2 Policy Justification of the Proposals

7.2.1 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 imposes statutory duties upon local planning authorities. With regard to listed buildings, the planning authority is required to have *'special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses'*. In respect of conservation areas, local authorities must ensure that *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*.

The current proposals achieve both of these objectives: by retaining all remaining building fabric while removing unsympathetic boarding and installing new timber sash windows which will improve the character and appearance of the building and surrounding area.

7.2.2 The National Planning Policy Framework

The NPPF states that any 'less than substantial' harm caused to the significance of a designated heritage asset should be weighed against the benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 200 of the NPPF states 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. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional.

We regard these proposals as a positive intervention and the proposals seek to conserve and repair the Battlements.

7.2.3 Local Planning Policy

Barnsley Council 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'

7.3 Conclusion

This Heritage, Design and Access Statement has demonstrated that the proposals very much accord with the requirements of local and national legislation, policy and guidance. Overall, the proposals represent a positive impact on a listed building. As such, the proposals will preserve, and indeed enhance, the architectural and historic interest of the Battlements. It is therefore recommended that the proposals should be granted listed building consent.

Appendix I - Statutory List Description

Official list entry

Heritage Category: Listed Building

Grade:II

List Entry Number: 1191749

Date first listed: 18-Mar-1968

Statutory Address 1: BATTLEMENTED WALL INCLUDING TRIPLE ARCHWAY ALONG SOUTH SIDE OF THE WILDERNESS, WENTWORTH CASTLE

Location

Statutory Address: BATTLEMENTED WALL INCLUDING TRIPLE ARCHWAY ALONG SOUTH SIDE OF THE WILDERNESS, WENTWORTH CASTLE

The building or site itself may lie within the boundary of more than one authority.

District: Barnsley (Metropolitan Authority)

Parish: Stainborough

National Grid Reference: SE3182002942

Details

STAINBOROUGH WENTWORTH CASTLE SE30SW 1/49 Battlemented wall including triple archway along south 18.3.68 side of the Wilderness GV II Entrance gateway, battlemented retaining wall and ha-ha. Probably 1738-39 for Thomas Wentworth, 1st Earl of Strafford, (Wilkinson, pp397-8). Ashlar sandstone gateway, otherwise coursed, dressed sandstone and rubble walling. Gateway, known as Archer's Hill Gate, has plinth and impost band to 3 round-headed archways set in canted, rusticated walls with 7 ball finials; arches, now shored-up, retain iron gates. Wall to west forms southern boundary of The Wilderness and has embattled parapet. Wall to east is a low rubble retaining wall which links to dressed walling of convex ha-ha at south end of lawn to Wentworth Castle (q.v.). Ha-ha has projecting piers and ashlar copings. Wilkinson records instructions set out by the 1st Earl for the construction of ha-ha's during the winter of 1738-39.

J. Wilkinson, Worthies, Families and Celebrities of Barnsley and District, 1883, pp397-8.

Listing NGR: SE3182002942

Appendix II - Planning Law, Policy and Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

The Act is legislative basis for decision making on applications that relate to the historic environment.

Sections 16, 66 and 72 of the Act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and conservation areas.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

[...] in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Similarly, section 66 of the above Act states that:

In considering whether to grant permission for development which affects a listed building or its setting, the local planning authority, or as the case may be the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Similarly, section 72(1) of the above Act states that:

[...] with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

National Planning Policy Framework

Any proposals for consent relating to heritage assets are subject to the policies of the NPPF (July 2021). This sets out the Government's planning policies for England and how these are expected to be applied. With regard to 'Conserving and enhancing the historic environment', the framework requires proposals relating to heritage assets to be justified and an explanation of their effect on the heritage asset's significance provided.

Paragraph 7 of the Framework states that the purpose of the planning system is to 'contribute to the achievement of sustainable development' and that, at a very high level, 'the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

At paragraph 8, the document expands on this as follows:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives:

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

and notes at paragraph 10:

10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

With regard to the significance of a heritage asset, the framework contains the following policies:

- 195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the*

available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

In determining applications local planning authorities are required to take account of significance, viability, sustainability and local character and distinctiveness. Paragraph 197 of the NPPF identifies the following criteria in relation to this:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness*

With regard to applications seeking to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), paragraph 198 states that:

...local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

With regard to potential 'harm' to the significance designated heritage asset, in paragraph 199 the framework states the following:

...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The Framework goes on to state at paragraph 200 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. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Where a proposed development will lead to 'substantial harm' to or total loss of significance of a designated heritage asset paragraph 201 of the NPPF states that:

...local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use*

With regard to 'less than substantial harm' to the significance of a designated heritage asset, of the NPPF states the following:

202. 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 terms of non-designated heritage assets, the NPPF states:

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Framework requires local planning authorities to look for opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Paragraph 206 states that:

... Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Concerning conservation areas and world heritage sites it states, in paragraph 207, that:

Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Concerning enabling development, it states, in paragraph 208, that local authorities should:

assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

National Planning Practice Guidance

The National Planning Practice Guidance (NPPG) was published on 23 July 2019 to support the National Planning Policy Framework (NPPF) 2021 and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: Conserving and Enhancing the Historic Environment.

The relevant guidance is as follows:

Paragraph 2: What is meant by the conservation and enhancement of the historic environment?

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use and as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary, though on-going management remains important.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-making in respect of applications for planning permission and listed building consent to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. Heritage assets are either designated heritage assets or non-designated heritage assets.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified (noting that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted), the aim then is to:

capture and record the evidence of the asset's significance which is to be lost
interpret its contribution to the understanding of our past; and
make that publicly available (National Planning Policy Framework paragraph 199)

Paragraph 6: What is "significance"?

'Significance' in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.

The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:

archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise

from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of what, in planning terms, is referred to as the identified heritage asset's significance.

Paragraph 7: Why is 'significance' important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

Paragraph 13: What is the setting of a heritage asset and how should it be taken into account?

The setting of a heritage asset is defined in the Glossary of the National Planning Policy Framework.

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

Paragraph 15: What is the optimum viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. The policy on addressing substantial and less than substantial harm is set out in paragraphs 199-203 of the National Planning Policy Framework.

Paragraph 18: How can the possibility of harm to a heritage asset be assessed?

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 199-203) apply.

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.

The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 200).

Paragraph 20: What is meant by the term public benefits?

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Other Relevant Policy Documents

Historic England: Historic Environment Good Practice Advice in Planning (March 2015)

Historic England: Conservation Principles and Assessment (2008)