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# Appeal Decisions

Hearing held on 30 April 2013

Site visit made on 30 April 2013

**by Paul Griffiths BSc(Hons) BArch IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 4 June 2013**

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## **Appeal A: APP/P4415/A/13/2190253**

### **Entrance to Wentworth Park & Gun Park, Cortworth Lane, Wentworth**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by The Fitzwilliam Wentworth Amenity Trust against the decision of Rotherham Metropolitan Borough Council.
  - The application Ref.RB2012/1023, dated 9 July 2012, was refused by notice dated 7 September 2012.
  - The development proposed is described as 'formation of parking areas; alterations to access and erection of bollards; stone pillars and ornamental gates at Wentworth Park and The Gunpark, Cortworth Lane'.
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## **Appeal B: APP/P4415/E/13/2190256**

### **Entrance to Wentworth Park & Gun Park, Cortworth Lane, Wentworth**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by The Fitzwilliam Wentworth Amenity Trust against the decision of Rotherham Metropolitan Borough Council.
  - The application Ref.RB2012/1026, dated 9 July 2012, was refused by notice dated 4 September 2012.
  - The works proposed are described as 'formation of parking areas; alterations to access and erection of bollards; stone pillars and ornamental gates at Wentworth Park and The Gunpark, Cortworth Lane'.
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## **Procedural Matters**

1. Correctly, the Council amended the description of works to cover only those elements of the proposal that require listed building consent, namely, the stone pillars and gates that would be attached to the listed building involved. I have dealt with Appeal B on the same basis.

## **Decisions**

2. The appeals are dismissed.

## **Main Issues**

3. Neither the Council nor any other party raise any issues around the parking area proposed, the alterations to the access, and the bollards which are designed to address difficulties with the management of parking around the existing entrance. I return to this below but I see no good reason to disagree with the analysis. The main focus of concern raised by the Council, and others is the impact of pillars and gates that would be attached to the Octagon Lodge, a Grade II listed building that dates from the mid 19<sup>th</sup> Century.

4. The Octagon Lodge marks one of the entrances to a Grade II\* listed Historic Park and Garden that is home to many other designated heritage assets, including the main house, Wentworth Woodhouse. In that overall context, the main issue to be considered is the effect of the proposal on the special architectural and historic interest of the Octagon Lodge and, linked to that, on the Historic Park and Garden, and the setting of the other designated heritage assets therein. There is also the fact that the site lies within the Green Belt to consider and it is that which needs to be addressed first of all.

## **Reasons**

### *Green Belt*

5. There is no dispute that having regard to the UDP<sup>1</sup> Policy ENV1 and the Framework<sup>2</sup> that the proposal would be an inappropriate form of development in the Green Belt. Moreover, it would reduce openness, one of the essential characteristics of the Green Belt. The approach of UDP Policy ENV1 and the Framework is, in essence, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework tells us that very special circumstances will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
6. In this case, the parties agree that should the design of the pillars and gates be considered acceptable, then the benefits in terms of an improved entrance and parking facilities and thereby highway safety in the vicinity of the entrance, would be sufficient to clearly outweigh the harm to the Green Belt by reason of inappropriateness, and the attendant reduction in openness. I accord with that and, given that it is common ground that the various elements of the proposals are not severable, it is clear that the appeals turn on the acceptability, or otherwise, of the pillars and gates proposed.

### *Designated Heritage Assets*

7. The entrance to the Estate marked by the Octagon Lodge was, historically, secondary in nature but in more recent times, it has attained much more importance and become the main entrance. It is very clear from the evidence that significant changes in the format of the Estate have been common occurrences in the development of Wentworth Woodhouse. For that reason I see nothing wrong with the principle of marking this recent change with a more elaborate entrance feature to replace that which currently exists.
8. The proposal has been designed in the classical idiom and I heard the approach described as artisan mannerist baroque, reflective of the late 17<sup>th</sup> or early 18<sup>th</sup> Century. It is intended to appear enigmatic to the observer, hinting at an older, more mysterious origin. This approach was criticised on the basis that a design reflecting a period of classical architecture more appropriate to the Octagon Lodge and/or the historical development of the main house would be a better choice. However, if it is accepted that the classical idiom is the right approach to the need for a new entrance feature, reflective of the recent change in status, then any such response could be criticised for being arbitrary and historicised, given that the need for change has originated in the 21<sup>st</sup> Century.

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<sup>1</sup> The Rotherham Unitary Development Plan adopted June 1999

<sup>2</sup> The National Planning Policy Framework

9. On that basis, the central point is not whether artisan mannerist baroque, or something more Palladian, or indeed any other approach, is the correct way forward. Rather, it is the manner in which the pillars and gates, as proposed, relate to the Octagon Lodge they would be attached to, and the effect of the new relationship so formed, on the Historic Park and Garden, and the setting of the many designated heritage assets therein.
10. The Octagon Lodge is a relatively simple, understated, neo-classical composition; an understandable response to the functional purpose of the entrance to the Estate it marked. The attached pillars and gates proposed would have a much greater sense of scale and a far more exuberant design.
11. Viewed in isolation, the pillars and gates are skilfully designed and the raised status of the entrance demands a proportionate response. However, the relationship formed with the Octagon Lodge would be unhappy. The scale and complexity of the pillars and gates would overwhelm the simple form of the lodge and undermine its status. It may well be that the relationship would engender a sense of mystery in observers but the significant incongruity involved would also lead to an injurious visual tension. I am of the view that this would be harmful to the special architectural and historic interest of the listed building. On top of that marking what is now the main entrance to it with such an unhappy relationship would cause harm to the Registered Park and Garden, and the setting of the designated heritage assets within it.
12. Section 16(2) of the Act<sup>3</sup> requires, when considering whether to grant listed building consent for any works to a listed building, that special regard be had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Section 66(1) of the Act takes a similar approach to development affecting a listed building, or its setting. The pillars and gates proposed would not accord with those provisions. Moreover, they would fall foul of UDP Policies ENV2.6 and ENV 2.8 that seek to protect listed buildings, and their settings, from harm.
13. Paragraph 132 of the Framework sets out that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposals would leave much of the fabric of the listed building intact, and the body of the Registered Park and Garden would remain unaffected. Similarly, the setting of the other designated heritage assets is just one constituent of their significance, which lies predominantly in their fabric. As such, the harm that would be caused to the significance of these designated heritage assets would be less than substantial. In such a circumstance, paragraph 134 of the Framework requires the harm to be weighed against the public benefits of the proposal. This forms part of the overall balancing exercise that I carry out below.

## **Conclusion**

14. The proposal would be an inappropriate form of development in the Green Belt that would reduce openness. The pillars and gates would harm the special architectural and historic interest of the Octagon Lodge, the Registered Park and Garden, and the setting of the designated heritage assets therein, albeit to an extent that, for the purposes of the Framework, would be less than substantial.

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<sup>3</sup> The Planning (Listed Buildings and Conservation Areas) Act 1990

15. As set out, the proposal would bring forward public benefits in rationalising the difficult parking and highway safety issues at the existing entrance. However, these are insufficient to clearly outweigh the harm by reason of inappropriateness, and the other harm identified. I reach that conclusion because there seems to me no good reason why the self-same benefits could not be secured through a design that did not have such a harmful effect on designated heritage assets identified. On that basis, the proposal falls contrary to UDP Policy ENV1 and the Framework.
16. For the reasons given above I conclude that the appeals should fail.

*Paul Griffiths*

**INSPECTOR**

## **APPEARANCES**

### FOR THE APPELLANT:

Hannah Gregory	GVA
MRTPI	
Jan Maciag	Jan Maciag Architects
RIBA	

### FOR THE LOCAL PLANNING AUTHORITY:

Robert Morrell	RMBC
Matthew Peck	RMBC

### INTERESTED PERSONS:

Christopher Cotton	Purcell
RIBA AABC	
B J McNamara	
CMIOSH MIIRSM OSHCR	
David & Mary Pearson	Local Residents

## **DOCUMENTS**

- 1 Wentworth Woodhouse: Historical Summary
- 2 Design Iterations
- 3 Sketch for Proposal suggested by Purcell with Proposal at issue overlaid

## **PLANS**

- A 106-22 - Entrance Gate: Block Plan
- B Un-numbered: Application Location/Ownership plan
- C 106-20 - Entrance Gate: Elevations, Plan and Section
- D 106-21 - Entrance Gate: Site Plan

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