



Heritage Statement: Land off Uldale View, Egremont

1. Introduction

1.1 Land off Uldale View is proposed for housing development. The land is allocated in the Copeland Local Plan 2021- 2038 Publication Draft Appendices, January 2022 (Local Plan Allocation Reference: HEG3, 'Land to south of Daleview Gardens, Egremont') with an indicative yield of 141 dwellings.

1.2 The allocation site profile in *Copeland Local Plan 2021- 2038 Publication Draft Appendices January 2022* makes reference to heritage issues and constraints:

'Heritage Impact Assessment Summary:

- *Mitigated Impact: Medium. Development has the potential to impact on the Parkfield NDHA. For more information, please see the full HIA.*

Additional Considerations:

- *The site lies within a former medieval deer park and archaeological earthworks lie in the vicinity. There is the potential for currently unknown archaeological assets to survive buried on the site and so it is advised that any future application should be accompanied by the results of an archaeological desk-based assessment. Depending upon the results of the assessment, provisions may need to be made for the investigation and recording of any remains that would be impacted upon by the development.*
- *Consideration needs to be given to the setting of Egremont Castle'*

1.3 The reference to the 'full HIA' refers to a Heritage Impact Assessment of all potential local plan allocations undertaken in January 2022 by the Conservation and Design Officer at Copeland Borough Council ('*Copeland Local Plan 2021-2038 Heritage Impact Assessments of the Proposed Housing Sites, Employment Sites and Opportunity Sites January 2022*'). For HEG3 this document mentions only the potential impact on Parkfield, a nearby non-designated heritage asset. No impact on Egremont Castle is identified:

Ref	Location	Affected heritage assets	Asset Type	Contribution of site to heritage assets	Impact of allocation on significance	Maximising enhancement and minimising harm	Mitigated impact (L/m/h)	Heritage value coefficient	Impact coefficient	Impact score by asset	Heritage Impact Score
HEG3	Land to south of Daleview Gardens	Parkfield	NDHA	Small contribution to setting in terms of connection to greenery	Loss of green setting opposite, however, this is a town house (though originally built in countryside).	Views from Parkfield upper windows likely to be harmed by development. Care should be taken to keep dwellings nearer road low to retain views. Good quality design, retention of embankment and	m	1	2	2	2



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						hedge/planting will minimise (though not eradicate) harm					
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1.4 The overall Heritage Impact Score is judged to be 2 out of a possible 12. This is defined as a low level of harm to a non-designated heritage asset, likely to be resolvable, that must be taken into account in any planning application:

'Light amber (2): A lower degree of less-than-substantial harm to grade II listed buildings and conservation areas is likely to be resolvable, but special attention will need to be paid during the planning process. Clear and convincing justification will be needed. Special regard will be paid to the desirability of preserving the building or its setting, and to preserving or enhancing the character and appearance of a conservation area.

A higher degree of less-than-substantial harm to a non-designated heritage asset is also likely to be resolvable, but this will need taking into consideration during the planning process.'

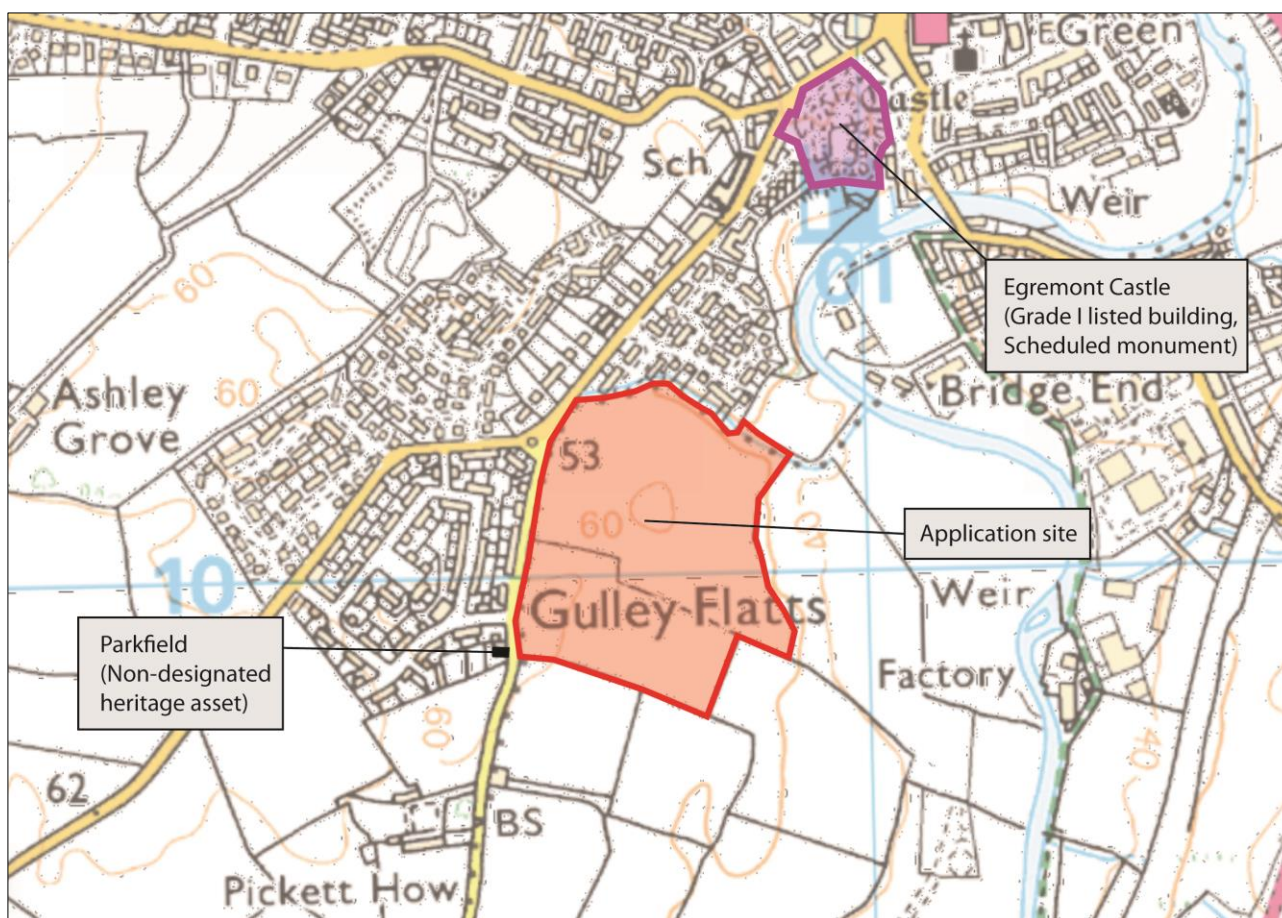
1.5 The following Heritage Statement summarises the law and national planning guidance related to the historic environment. It then assesses the significance of the existing application site, to serve as a baseline against which the impact of the proposed development can be assessed. It then assesses the impact of the proposed development on the historic environment.

1.6 A separate archaeological Desk-Based Assessment has been produced to assess the below-ground archaeology of the application site.

2. Heritage Planning Context

2.1 The following heritage assets are potentially affected by the proposal:

- Parkfield, a non-Designated Heritage Asset;
- Egremont Castle, a grade I listed building and scheduled monument.



Application site in its historic environment context

2.2 At the heart of the National Planning Policy Framework (NPPF) is a strong presumption in favour of sustainable development (paragraphs 11-14). The purpose of this Heritage Statement is to satisfy paragraph 194 of the NPPF which states that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contributions made by their setting' and to assess whether the proposed development meets the test of sustainable development as regards its impact on the historic environment.

2.3 Listed buildings and their settings are protected in law by the 1990 Planning (Listed Buildings and Conservation Areas) Act, Sections 16(2) and 66(1), the latter of which states, 'In considering whether to grant planning 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.'

2.4 Scheduled Monuments are protected in law by the Ancient Monuments and Archaeological Areas Act of 1979. Scheduled Monument Consent (SMC) is required for any intrusive or invasive works to a scheduled monument. The application process is separate from planning permission and is administered by Historic England should be granted. Applications in the setting of a Scheduled Monument do not require SMC. SMC is therefore not required in this case as there will be no physical impact on the Scheduled Monument.

2.5 In the National Planning Policy Framework (NPPF) a heritage asset is a broad category that includes '*designated heritage assets and assets identified by the local planning authority (including local listing).*' (NPPF, Annexe 2: Glossary). The latter are known as non-designated heritage assets. In contrast to designated heritage assets, the NPPF does not require '*great weight*' to be applied to the conservation of non-designated heritage assets like the New Holland Dock nor does any harm require '*clear and convincing justification*'. Instead the NPPF requires that the effect on a non-designated heritage asset is '*taken into account*' in any planning decision, and that a '*balanced judgement*' is required (paragraph 203).

2.6 The NPPF requires in the case of all heritage assets, designated or otherwise, that local planning authorities should take into account '*the desirability of sustaining and enhancing the significance of such heritage assets and of putting them to viable uses consistent with their conservation*' (paragraph 197a).

2.7 In the case of designated heritage assets Paragraph 199 of the National Planning Policy Framework states, '*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).*...' Paragraph 200 states 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.*...'

2.8 If the development will lead to '*substantial harm*' to the significance of a designated heritage asset, paragraph 201 of the NPPF indicates that the development should be refused consent by the local planning authority, unless it can be proved that the loss or damage to the asset can be outweighed by substantial benefits to the public or if the proposal can meet a number of specific conditions. If the development leads to '*less than substantial harm*' to the significance of a designated heritage asset, paragraph 202 indicates that this harm still needs to be assessed against the public benefit of the scheme and whether or not the viability of the site is being optimised.

2.9 As the application does not affect the fabric of the listed building/scheduled monument/non-designated heritage asset any impact will be through changes to its setting. Setting is defined in the National Planning Policy Framework (NPPF) as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that



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significance or may be neutral' (NPPF, Annex 2: Glossary)

2.10 Historic England's *'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (2nd Edition)'* states that therefore there are *'twin roles'* of setting; a heritage asset's setting can contribute to its heritage significance and/or it can allow that significance to be appreciated (page 1). Setting is not only a visual matter but is also affected by *'our understanding of the historic relationship between places'* (page 2).



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3. Assessment of Significance

3.1 Parkfield is a late nineteenth century house, identified by the planning authority as a non-designated heritage asset in the *Copeland Local Plan 2021-2038 Heritage Impact Assessments of the Proposed Housing Sites, Employment Sites and Opportunity Sites January 2022* and the *Copeland Local Plan 2021- 2038 Publication Draft Appendices January 2022*. Parkfield is not recorded in the Cumbria Historic Environment Record.

3.2 Although there is the intention to produce a Cumbria/Copeland local heritage list and nominations are actively being sought, there is at present no such list (<https://www.copeland.gov.uk/cumbria-local-list>). The *Copeland Local Plan 2021- 2038 Publication Draft, January 2022* includes within Strategic Policy BE1PU: Heritage Assets an aspiration to 'Producing a local list of non-statutory but locally important heritage assets which are of architectural or historic interest or make a significant contribution to the character and/or appearance of the area.' Policy Policy BE4PU: Non-Designated Heritage Assets specifically addresses non-designated heritage assets and reflects the requirements of the NPPF.

3.3 The house was not present in 1861, when the earliest Ordnance Survey map was surveyed (published 1867). It had been built by 1898 when the 1899 map was surveyed. The house was originally built in a small enclosure made out of a larger agricultural field to provide a relatively small domestic curtilage with one or two small outbuildings. Between 1898 and 1923 additional enclosures were made from the larger field resulting in a bigger curtilage with additional outbuildings constructed (see Ordnance Survey maps reproduced below).

3.4 There has been little change to the house itself since that time. However, the immediate setting of the house was changed dramatically in the years after the 1956 Ordnance Survey map. By 1961-70 (the survey dates of the 1972 Ordnance Survey map) the Gully Flats housing estate had been built, which left Parkfield wrapped around with housing to the north and west including within the former curtilage of the house.

3.5 Parkfield is a late Victorian double-fronted stone-built house with a single bay window. The style is that of a fairly typical town house of low-middle status. It is complete with what appears to be a contemporary low stone wall topped with iron railings enclosing a small yard to the front, again typical of a town house. However, it was built in an isolated countryside location with no obvious connection with the land within which it is situated. The *Copeland Local Plan 2021-2038 Heritage Impact Assessments of the Proposed Housing Sites, Employment Sites and Opportunity Sites January 2022* characterises the house as 'a town house (though originally built in countryside)', which is an appropriate description.

3.6 The circumstances of its construction are unknown but it is possible that it was commissioned by the local landowner, perhaps to house a farm manager or family member, and built by a local builder to a standard pattern. The notion that this was a utilitarian dwelling is given some support by the fact that its principal elevation faces east, towards the rising sun. Conventionally, higher status dwellings are orientated to the south to maximise sunlight where the situation of the dwelling allows (as would have been the case here). The south elevation of Parkfield is not a major elevation, with only one small window.

3.7 The significance of Parkfield is very low. It is a typical late nineteenth century house of average



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quality. In an urban context would be considered unremarkable and a relatively common building type of which many examples survive all over the UK, and arguably would lack sufficient significance to constitute a non-designated heritage asset. Its countryside location is atypical for this type of building. The application site is within the setting of the house but, other than providing pleasant surroundings, it has no known special connection with the house.

3.8 Egremont Castle was constructed in about 1120 and consisted of a motte topped by a timber tower or keep within which the occupants would have resided. A bailey, separated from the motte by a dry ditch, was constructed to the south of the motte. This would have contained numerous buildings such as storerooms, workshops, a kitchen and bakehouse. During the late 12th/early 13th centuries a stone curtain wall was built around the foot of the motte and crossed the intervening ditch between the motte and bailey to fully enclose the bailey. The castle's defences were further enhanced by the digging of a broad dry ditch on the west side. An outer gatehouse was added to the castle's west side and access was provided via a drawbridge across the ditch. The timber keep on the motte was replaced by a circular stone structure known as the Juliet Tower. The ditch between the motte and bailey was infilled and stone buildings such as the great hall were constructed within the bailey. During the mid-14th century the stone curtain wall was considerably raised in height and its base strengthened. By the 1570s documentary sources indicate that the castle had been abandoned and lay in ruins apart from one chamber which remained in use as a courthouse until 1786.

3.9 The northern boundary of the application site is situated around 300m to the south-southwest of the castle, but is visually screened from it by the intervening Daleview Gardens housing estate. Daleview Gardens occupies higher land than the castle. The views from the application site's highest points and from the castle (the highest point at the motte to the north, high points in the bailey and the southern edge of the castle's curtilage) were examined. At no point was it possible to see the castle from the site or vice versa, with one minor exception (see below). From the castle it was just possible to glimpse the housing of Daleview Gardens. The site visit took place in spring but even in winter foliage conditions it is very likely that Daleview Gardens intervenes, preventing intervisibility.

3.10 From the southern edge of the castle's curtilage there are some views of the River Ehen as it meanders to the south and of open land in the middle and far distance to the southeast. The very eastern edge of the application site is (just) visible in this view. This contributes to the setting of the castle, but the view is possible only from very awkward vantage points within the castle (the very southern edge of its present-day site, climbing onto a raised flower bed to see over a modern wall) and therefore makes only a small contribution to the significance of the castle.



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Top: View from castle, in the vicinity of the gatehouse looking towards the application site. Some houses on Daleview Gardens are (just) visible. No better views were found elsewhere on the castle site.

Bottom: View towards castle (general location indicated by arrow). No structures are visible, only the trees around the castle site and the riverside. Daleview Gardens visually screens the application site from the castle and vice versa.



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*Thin sliver of the eastern edge of the site visible from the castle site, only readily visible with zoom (bottom image).
View is only possible by climbing onto a raised flower bed to see over the modern wall around the castle site.*



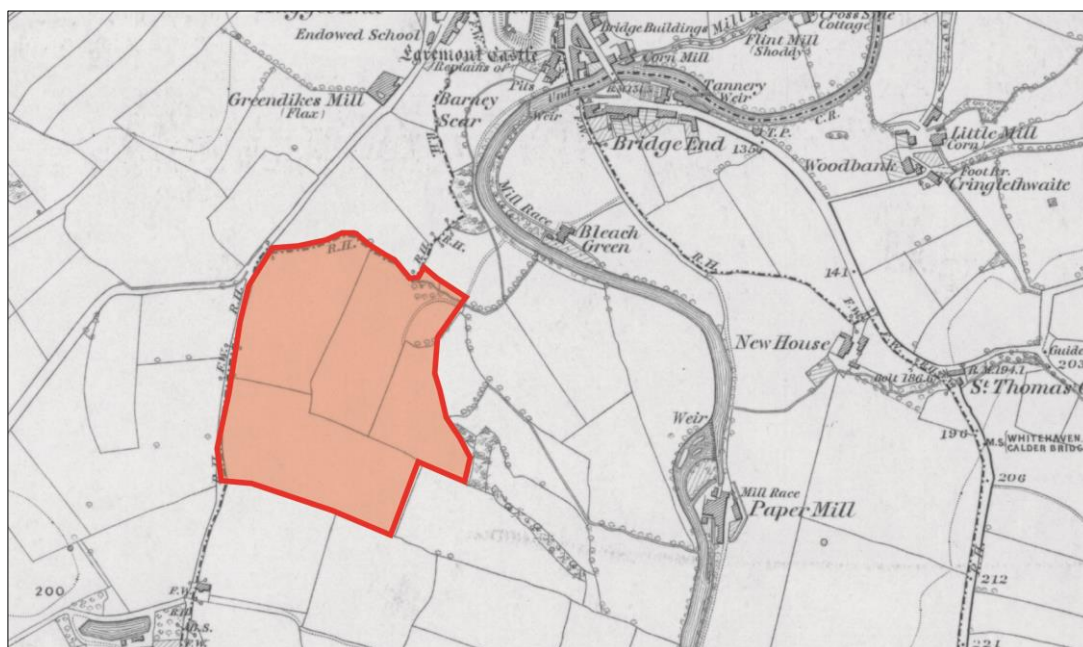
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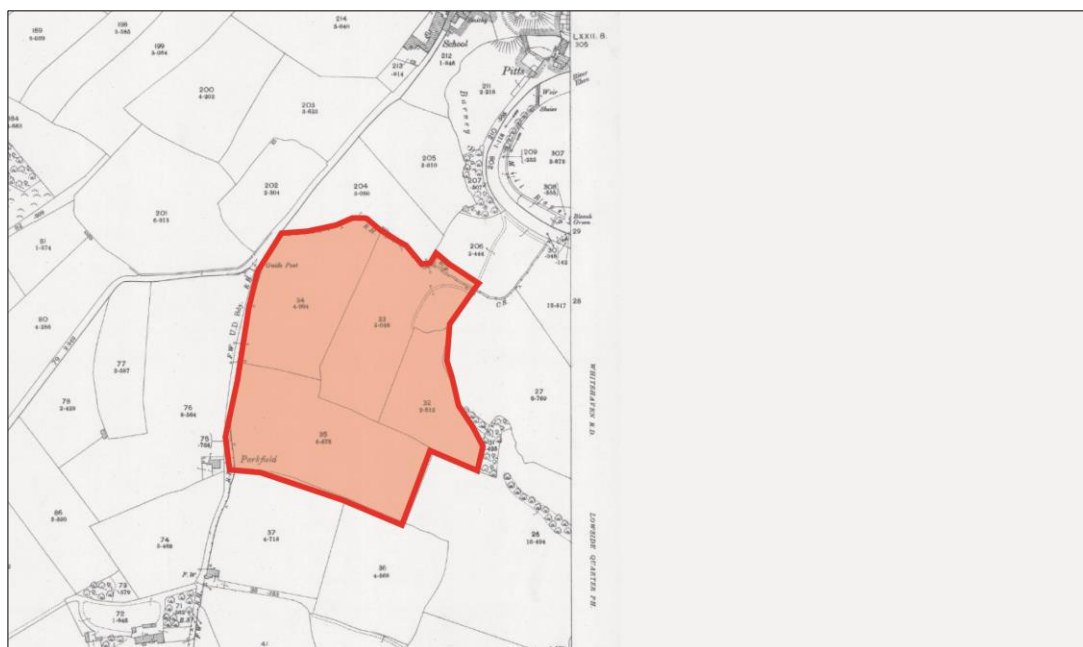
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1867 1:10560 Ordnance Survey map (surveyed 1861)



1899 1:2500 Ordnance Survey map (surveyed 1898)



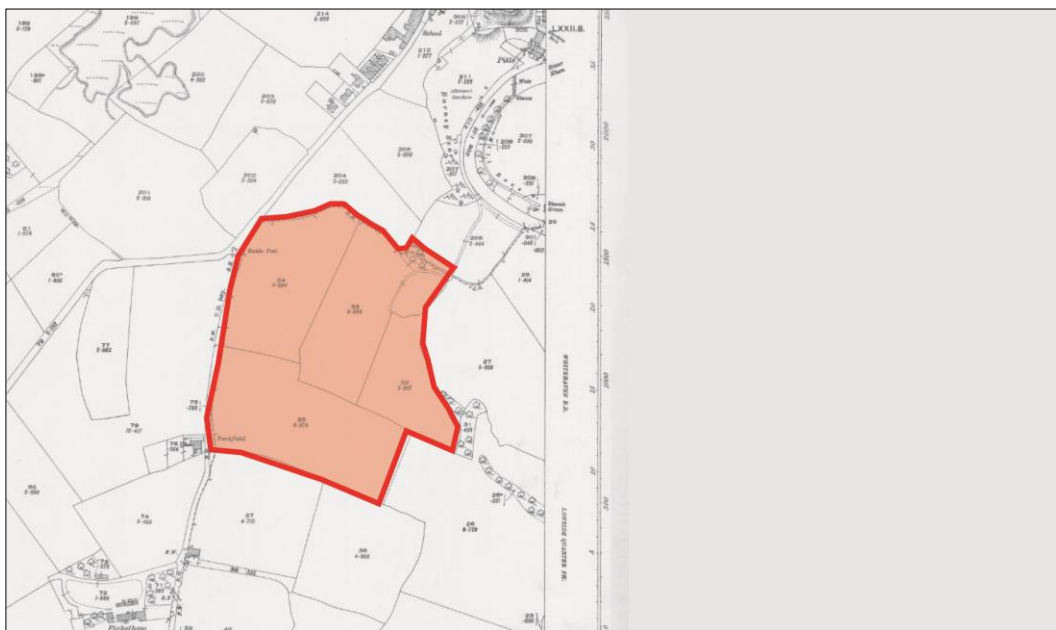
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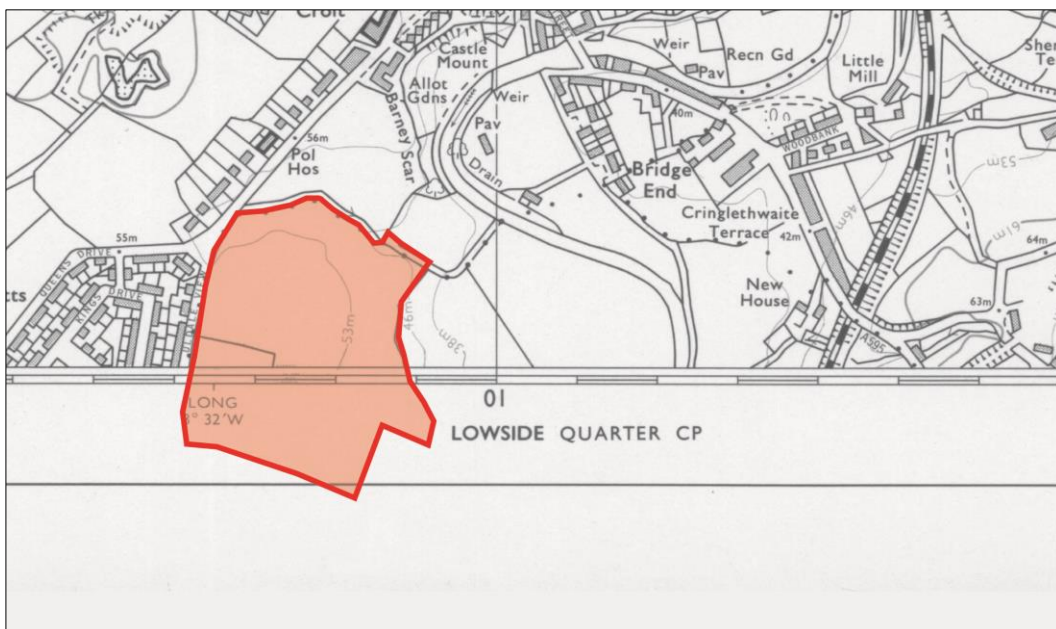
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1924 1:2500 Ordnance Survey map (surveyed 1923)



1972 1:10000 Ordnance Survey map (surveyed 1961-70)



4. Impact Assessment

4.1 The proposal is for 168 new dwellings to be erected in the application site. The eastern tract of the application site will remain undeveloped as will other, smaller areas within the site, including the southwest corner of the application site opposite Parkfield.

4.2 The *Copeland Local Plan 2021-2038 Heritage Impact Assessments of the Proposed Housing Sites, Employment Sites and Opportunity Sites January 2022* and the *Copeland Local Plan 2021- 2038 Publication Draft Appendices January 2022* did not identify any harm to the castle from the allocations. The Heritage Impact Assessment for this allocation did not mention the castle at all and the allocation text in the Publication Draft Appendix only states that '*Consideration needs to be given to the setting of Egremont Castle*'. It does not specify what that consideration should be and does not note any possible harm.

4.3 Given the separation of the application site from the immediate setting of Egremont Castle by the Daleview Gardens housing estate, there will be no impact on the setting of the castle. The proposed development is likely to be invisible from the castle site, being blocked by Daleview Gardens. Views from the castle site in every direction are dominated by housing and, in the unlikely event that any of the proposed housing is visible from the castle, it will not have a significant effect on its setting.

4.4 There is a view from the castle site of the River Ehen as it meanders south and open land to the south east. This view (just) encompasses the eastern edge of the application site. The undeveloped land proposed on the east side of the application site will ensure that there will be no impact on this view. Consideration has thus been given to the setting of Egremont Castle.

4.5 No part of the castle's setting that contributes to its significance will be affected. The proposed development will cause no harm to the scheduled monument and will preserve the special architectural or historic interest of the grade I listed building.

4.6 The proposed development will have a greater impact on the setting of the non-designated heritage asset of Parkfield. Parkfield was originally set within open countryside, but this was lost on its north and west sides following the construction of the Gulley Flats estate. The proposed development will lead to a loss of its original setting on its eastern side leaving only its southern side undeveloped. This has been mitigated somewhat by the inclusion of an undeveloped area at the southwest corner of the development opposite the front elevation of Parkfield.

4.7 Although the application site is not known to have any special connection to Parkfield it is part of the setting that allows the history of the house and its original setting of open countryside to be appreciated, even if it has been lost to the house's north and west. There will therefore be a low degree of harm to the non-designated heritage asset.

4.8 In contrast to designated heritage assets, the NPPF does not require '*great weight*' to be applied to the conservation of non-designated heritage assets like the New Holland Dock nor does any harm require '*clear and convincing justification*'. Instead the NPPF requires that the effect on a non-designated heritage asset is '*taken into account*' in any planning decision, and that a '*balanced judgement*' is required (paragraph 203).



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4.9 In this case the low level of harm to a non-designated heritage asset with a very low level of significance must be weighed against the public benefit of the scheme, which appears to be high. In the opinion of this report the level of harm is outweighed by the public benefits of the proposed development.

4.10 The draft local plan clearly anticipates that the application site will be developed for housing and that this would be acceptable in terms of its heritage impact, as demonstrated in the *Copeland Local Plan 2021-2038 Heritage Impact Assessments of the Proposed Housing Sites, Employment Sites and Opportunity Sites January 2022*. The draft allocation is for an indicative yield of 141 dwellings, only slightly less than the proposed 163.

5. Conclusion

5.1 The 1990 Planning (Listed Buildings and Conservation Areas) Act requires that in the case of listed buildings planning authorities '*shall have special regard to the desirability of preserving the building or its setting*'. The NPPF requires that for all designated heritage assets '*great weight should be given to the asset's conservation*'. The proposed development will preserve the setting and special architectural or historic interest of the grade I listed building and scheduled monument of Egremont Castle and its significance will be preserved.

5.2 A low level of harm will be caused to a non-designated heritage asset (Parkfield). It is the opinion of this report that this will be outweighed by the public benefit of the proposed development in accord with paragraph 203 of the NPPF.

5.3 The application is in accord with the relevant parts of the 1990 Planning Act and is '*sustainable development*' in terms of the National Planning Policy Framework.

Experience

The Institute of Historic Building Conservation (IHBC) recognises Humble Heritage as a professional Historic Environment Service Provider. I and my colleague Liz Humble (MA Cantab., MA Distinction, IHBC, MCIfA) have between us over 40 years combined professional post-qualification experience, during which time we have prepared a large number of heritage reports as part of the documentation required for planning permission, listed building consent and so forth. Liz is a full professional member of both the IHBC and the Chartered Institute for Archaeologists (CIfA).

11th May 2023

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Director
Humble Heritage Ltd.