



**GRAEME IVES**  
HERITAGE PLANNING

## **Heritage Review (April 2025)**

**Land to the South of Holly Mews, Abbey Road, St. Bees.**

**Application Reference: 4/24/2094/0F1**

## Heritage-Based Consultation Responses:

Cumberland Council Conservation and Design Officer (Dated 17/04/24):	Applicant Review:
<p><b>Description:</b></p> <p>The consultation notes that the site as “... <i>an area of <b>scrubby</b> open ground ....</i>”.</p>	<p>The qualitative reference to the site, being ‘scrubby’, is common ground.</p> <p>However, the site is enclosed by a solid, stone wall as opposed to being open ground. Historic OS maps, provided in the submitted Heritage Statement, indicate that the boundary was created between 1867 and 1899.</p> <p>In respect to both the scrubby condition of the site and the form of enclosure, the application site contrasts with the character of the wider valley floor that separates the two principal areas of St. Bees village. This is an important distinction given Paragraph 16.5.7 of the Copeland Local Plan 2021-2039, which includes the following points when considering impacts of proposals on conservation areas:</p> <ul style="list-style-type: none"> <li>• “the level and types of enclosure created by buildings and boundary treatments and the importance of open spaces between buildings.</li> <li>• existing landscaping (both soft and hard) including trees, walls, surfacing etc.”</li> </ul>
<p><b>Principle of Development:</b></p> <p>In ‘Summary’ the Conservation and Design Officer is “... <i>unable to support the principle of developing housing on this site, as it represents an intrusion into the remaining green open space of the valley, which forms a central part of St. Bees’ conservation area.</i>”</p>	<p>In respect to the principle of development, the application site is located within the settlement boundary of St. Bees. Therefore, Local Plan Policy DS2 is applicable. In this respect Paragraph 5.5.8 of the Local Plan advises:</p> <p>“Policy DS2 supports development in principle within the settlement boundaries where it accords with the Development Plan. It also allows for suitable windfall developments to take place on sites directly adjoining and well-connected to towns and villages identified</p>

	<p><i>in the settlement hierarchy subject to certain criteria. ... It also ensures that important landscapes and the character of settlements are protected.”</i></p> <p>In respect to the green open space of the valley, the consultation response has established that the site consists of ‘scrubby ground’. It is physically separated from the rest of the valley by a prominent stone boundary wall. An area of ‘Protected Open Space’ on policy map for St. Bees incorporates the graveyard on the northern side of the Priory Church. However, that space is physically separated from the application site by the intervening boundary. It is presumed that when designating that space as part of the Local Plan process the application site was not considered to meet the necessary standard for Protected Open Spaces, Paragraph 15.15.4 defines Protected Open Spaces as being of “... <i>high quality and value</i> ...” which clearly cannot be applied to the scrubby condition of the application site.</p> <p>The ‘principle of development’ is therefore a matter for the LPA as a whole, taking account of the relevant Local Plan policies.</p>
<p><b>Conservation Area Appraisal:</b></p> <p>The Conservation and Design Officer advises on the principle of development with reference to the St. Bees Conservation Area Appraisal.</p> <p>The consultation quotes from the Conservation Area Appraisal, including:</p>	<p>The current status of the Conservation Area Appraisal is unclear. Information on the LPA’s website regarding ‘Design and Conservation Documents and Guidance’ does not indicate when the Appraisal was adopted. The consultation response refers to the Conservation Area Design Guide and SPD (2017) as a “<i>material consideration</i>” but does not afford the same status to the Conservation Area Appraisal. It is not clear whether this is simply a presentational matter or whether the Conservation Area Appraisal has not yet been formally adopted, and it would be helpful for the LPA to confirm the status of the document.</p>

<p><i>“The majority of the buildings in [Abbey Road] part of the area’s setting have had a harmful effect on it and are also highly conspicuous, being elevated.”</i></p> <p>However, the consultation does acknowledge the reference to phase 1 of the proposed development in the Conservation Area Appraisal:</p> <p><i>“The Holly Mews houses are quite successful, and make use of a façade articulation with projecting roof, and red sandstone cladding that looks at home alongside the converted buildings of Abbey Farm. However, sites in this area are visible across the wide surroundings and great care should be taken in urbanising the remaining green spaces of the valley as this is key backdrop to several highly significant heritage assets, the conservation area, and the village itself, and is a finite resource.”</i></p> <p>The consultation then refers to the Conservation Area Appraisal SWOT analysis regarding the ‘unspoilt’ and ‘beautiful’ valley, and then quotes from the weaknesses of the conservation area, as follows:</p> <p><i>“Some housing development has taken place in a way that has harmed the setting of heritage assets and the conservation area.”</i></p> <p>In this context, the consultation makes the following assessment:</p>	<p>In this context, the proposed development would not be elevated behind the Priory in views from the south and would not be conspicuous due to the proposed palette of materials in comparison with the bright, white rendered houses that are of a concern in the Conservation Area Appraisal.</p> <p>The proposed development would adopt the same palette of materials as the original phase of the Holly Mews development. The additional five houses would be seen against the backdrop of the extant approved houses (Plots 6-11) that would front Abbey Road. The proposed low-density layout has been designed to incorporate communal landscaped spaces within the centre of the scheme and several of the plots have large gardens. The whole development would be contained within the existing stone boundary wall.</p> <p>The applicant is concerned about this selective use of the Conservation Area Appraisal. Anyone reading the consultation without knowledge of the full content of the Appraisal could be mistaken for thinking that the application site would add to the harmful backdrop of houses that are elevated above the Priory in views from the village.</p> <p>The impact assessment in the consultation chooses not to refer to Figure 28 of the Conservation Area Appraisal, which compares development on the application site with earlier, elevated, residential developments on the northern side of Abbey Road. The consultation seems to manipulate passages from the Conservation Area Appraisal to justify a particular stance.</p>
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*“The proposal would have the effect of consuming more of the “finite resource” .... Eroding a key element of the conservation area’s character and appearance, as well as the backdrop that forms part of the setting of several heritage assets, including principally the priory. ...”*



*Figure 28 This image shows the relative impacts of two developments on the setting of the priory.*

The Conservation Area Appraisal provides the following commentary on Figure 28:

*“Pictured above, the houses of Abbey Vale on the higher ground outside the conservation area (R) are conspicuous, whereas the newer red stone and brick ones on Holly Mews (L), with their darker walls, gables, lower position and sheltering amongst trees, are less visible, although their visibility is seasonal. What is visible of them is more elegant, but set against the backdrop of other houses, rather than fields and sky.”*

In light of the above analysis of Holly Mews, why has the consultation ignored the above passage of the Conservation Area Appraisal and conflated the visual impact of Abbey Vale with the next phase of Holly Mews, which would be further left in the above view while benefitting from all of the positive attributes of the existing development?

<p>The consultation advises that the additional five houses (beyond the extant approval) “...<i>intrudes upon the green space of the valley character area, increasing development and reducing the clearance between one side of the valley and the other....</i>”</p> <p>The consultation appreciates that the new houses would “<i>mostly be viewed against the backdrop of Phase 2 from some angles...</i>” However, the consultation advises that the conservation area would be harmed by the loss of open space and the extension of the built footprint further south.</p> <p>The consultation identifies ‘less than substantial harm’ to the conservation area and also to the ‘setting’ of the Priory.</p>	<p>The references to ‘unspoilt’ and ‘beautiful’ are simply incorrect with respect to the application site, which the consultation has already acknowledged as ‘scrubby’.</p> <p>The proposed development would not reduce the clearance between the two sides of the valley any more than the existing pattern of development. The narrow point, between the two sides of the valley is between Grindal House (adjoining the Priory Church) and the level-crossing of the railway. The application site is well to the north-west of that ‘gap’ and largely obscured in views from the gap by intervening tree and hedge cover.</p> <p>However, the additional five houses would be enclosed within the existing boundary wall of the site. The site has been enclosed for c.150 years and has been separated from the wider open space of the valley floor during that time. It remains in a ‘scrubby’ condition and is not used for agricultural or recreational purposes. In views from Station Road, the additional five houses would be experienced against the backdrop of the extant houses that would enclose Abbey Road and would make a negligible change to the views across the valley.</p> <p>The proposed development would cause change within the conservation area. However, the reality is that the scheme would have no more impact on the significance of the conservation area, or backdrop to the Priory, than the extant scheme, which is considered to be a successful form of development in the Conservation Area Appraisal. The proposed development is therefore consistent with Policy BE2 of the Local Plan. Even in the event that the LPA identified ‘less than substantial harm’ to the designated heritage assets, Policy BE2 largely follows the format of the NPPF and NPPF Paragraph 215 could be applied.</p> <p>In ‘decision-making in the historic environment’, the Planning Practice Guide requires that:</p> <p><i>“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”</i> (Paragraph:018 Reference ID: 18a-018-20190723).</p>
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<p>The consultation advises that:</p> <p><i>“Justifying harm on the basis that harm has already been approved in the past does not seem convincing.”</i></p> <p>The consultation advises that the proposed houses have “<i>some distinctiveness</i>” but have “<i>somewhat limited consideration for their contexts</i>”.</p>	<p>The consultation has omitted to take that approach and has not articulated where the proposed development may be placed within the spectrum of ‘less than substantial harm’.</p> <p>In respect to the ‘setting’ of the Priory, the NPPF and associated guidance is clear that setting is not a heritage asset in its own right and that its importance lies in how it may contribute to the significance of a heritage asset and the ability to appreciate that significance. The proposed development would cause change within the setting of the Priory; however, the consultation has not explained how the significance of the heritage asset, or the ability to appreciate that significance, would be harmed by that change.</p> <p>However, this aspect of the consultation appears to be something of a false narrative, as the applicant has not sought to justify the scheme on that basis. Rather, the urban morphology of Abbey Road has been described in the application documents. In this context, the character of Abbey Road has changed over time. Understanding that change can help determine how further development is likely to affect the contribution made by setting to the significance of the heritage asset (The Setting of Heritage Assets, Planning Note 3, Second Edition, Historic England, 2017).</p> <p>But Abbey Road is characterised by an eclectic mix of house types and styles. The proposed development has sought to continue the broad appearance and palette of materials of the first phase of Holly Mews so that the scheme sits quietly within the context of the road.</p>
<p><b>Relevant Policies and Guidance:</b></p> <p>The consultation refers to the relevant Sections of the Planning (Listed Building and Conservation Areas) Act 1990 and a range of policies from the former Copeland Local Plan.</p>	<p>In respect to listed buildings the Copeland Local Plan 2021-2039 includes the following background:</p> <p><i>“16.5.4 The decision of Barnwell vs East Northamptonshire DC 2014 case made it clear that in enacting this duty, Local Planning Authorities should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings’ when carrying out the planning balancing exercise.”</i></p>

	<p>Whilst the relevance of that case is not disputed, this seems a highly selective approach to the relevant case law. While the presumption ‘to preserve’ is strong, it is not irrebuttable and “<i>can be outweighed by material considerations powerful enough to do so</i>” (Forge Field, Case Nos: CO/735/2013; CO/16932/2013), provided that the duty to preserve is given considerable importance and weight. A decision maker that has followed the process set out in the NPPF, in respect to weighing harm and benefits, can reasonably be expected to have complied with the ‘statutory duty’ of S.66 [or S.72] of the 1990 Act (Mordue, Case No. C1/2015/1067).</p>
<b>Cumberland Council Conservation and Design Officer (Dated 08/01/25):</b>	<b>Applicant Review:</b>
<p>The re-consultation acknowledged some improvements had been made to the detail of the proposed houses, however emphasised the key message that the principle of the development was not acceptable in their view.</p>	<p>In this respect the re-consultation seems to confuse the issue of ‘principle’, and the location of the site within the settlement boundary, with matters of impact and the application of local and national planning policies.</p>
<p>The re-consultation maintains a concern about the impact on views that would result in “<i>altering the visual prominence and distinction of the priory and associated buildings and trees.</i>”</p>	<p>Multiple views were considered within the submitted Heritage Statement, and it is clear that the prominence of the priory would not be affected by the proposed development. From some locations the development would be entirely obscured, while from others it would sit quietly well to the west of the priory. As noted above, it would not break the horizon and would sit against the backdrop of the extant scheme and other existing houses along Abbey Road, but it would not challenge the prominence of the priory tower.</p> <p>The proposed development would not impact on the views identified in the Conservation Area Appraisal (Figure 108, page 82).</p>
<p>The re-consultation questions whether “<i>five executive homes .... are even the least harmful typology that one could employ.</i>”</p>	<p>Given that most houses that enclose Abbey Road are detached, and some are large, detached homes, this seems a highly subjective comment.</p>



<p>The re-consultation assessment concludes with the comment that the site would be better left undeveloped.</p>	<p>The key aspects of setting that contribute to the significance of the Priory Church, as discussed in the submitted Heritage Statement, would be preserved by the proposed development. In this context, NPPF Paragraph 219 states:</p> <p><i>“Local Planning Authorities should 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. Proposals that preserve those elements of setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”</i></p> <p>The advice to leave a scrubby site, part of which has an extant approval, undeveloped seems at odds with the national imperative to build more homes.</p>
<p><b>Historic England (Dated 18/02/25):</b></p>	<p><b>Applicant Review:</b></p>
<p>The consultation advises that the site has high potential to retain archaeological deposits associated with the Priory precinct.</p>	<p>The archaeological evaluation has confirmed that there is no evidence of archaeological assets in most of the development area. Archaeological remains, potentially of a fishpond, have been identified in one of the trial trenches and the Historic Environment Officer has recommended that, in the event the application is approved, a condition is imposed to require further investigation and recording in advance of the development taking place.</p>
<p>The consultation continues:</p> <p><i>“The Heritage Statement has described the significance of the potentially affected assets and we do not disagree with this. It has concluded that the proposals will result in minor change to the conservation area, and wider setting of the Priory Church but that this change will not result in harm.”</i></p> <p>Historic England agrees with this conclusion in respect to the extant approved part of the scheme.</p>	<p>The character and distinctiveness of Abbey Road is not strongly defined.</p> <p>Certainly, its historic development varies considerably from that of the Main Street of the village on the southern side of the valley, which is broadly linear and benefits from a high degree of enclosure from the fine grain of the streetscape.</p> <p>Abbey Road comprises an altogether different form of townscape. The road itself has quite a sinuous alignment that deflects vistas along its route.</p> <p>The sense and form of enclosure varies significantly along Abbey Road. The north-eastern end has a much tighter sense of enclosure. The buildings associated with Abbey</p>

<p>However, Historic England advises that the cul-de-sac form of the rear part of the site does not reflect local distinctiveness of the area or its linear character. That part of the scheme would sit closer to the Priory and intensify the impact of the implemented part of the original scheme.</p> <p>Historic England advise that the scheme would lead to less than substantial harm (towards the lower end).</p>	<p>Farmhouse include a back-of-pavement building line, although even here the building line is not continuous and incorporates several setbacks and small, open forecourts. A passageway also leads behind Abbey Farmhouse and the adjoining former barns into a residential courtyard between the farmhouse and Priory i.e. a cluster of residential properties located to the rear of the main building line.</p> <p>At this point the northern side of Abbey Road is enclosed with a high retaining wall to the rear gardens to the semi-detached properties accessed from a short cul-de-sac off Scalebarrow.</p> <p>Moving further south-west along Abbey Road, the sense of enclosure becomes weaker, with a landscaped embankment on the northern side of the road, in front of two detached two-storey houses that share a driveway, and a long, low former agricultural building on the southern side of the road.</p> <p>The first phase of Holly Mews then encloses the southern side of Abbey Road, with quite a tight building line, while two large, detached houses are elevated above wide drives on the northern side of the road. Several detached bungalows then enclose the northern side of the road to the east of the Monks Hill development. Monks Hill is opposite the application site and comprises a cul-de-sac of six large, detached houses that are set back from Abbey Road behind a large area of relatively featureless lawn.</p> <p>The diversity of Abbey Road continues as the road continues further west towards the beach car park, including the distinctive Abbots Court property, set back in mature landscaped grounds and a series of bungalows and two-storey houses that adopted varying building lines and relationships with the road.</p> <p>Abbey Road is enclosed with buildings clad in different colours of brick and different colours of render. Roofs are hipped, gabled and occasionally include dormers.</p> <p>In short, there are no clearly defining characteristics that can be said to give Abbey Road a particular character or be distinctive to a particular sense of place. It is simply defined by</p>
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	<p>the changes that have taken place during the recent past, relative to the history of St. Bees.</p> <p>The townscape of Abbey Road already includes cul-de-sacs, shared drives and a rear courtyard, all of which provide different means of accessing residential properties. In this context, it is not clear why the proposed layout should be so objectionable.</p> <p>But more particularly, from a historic environment perspective, it is not clear why a cul-de-sac form of development, incorporating five houses (essentially a shared drive), would harm the contribution that setting makes to the significance of the Priory. This connection between apparent 'local distinctiveness' and the significance of the heritage asset is not dealt with in the Historic England consultation.</p> <p>Certainly, there does not appear to be "... <i>an existing pattern of development</i> ..." that is so strongly defined as to be a key design driver for a new development, as there may be, for instance, for a site on the Main Street in the core of the village.</p>
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