



**Land at Bolton Road, Banbury,  
Oxfordshire, OX16 0TH**

**Heritage Statement**

**Planning Issues Ltd**

*Report prepared by:*  
Ecus Ltd.  
Unit 1 Woodlands  
Business Village  
Coronation Road  
Basingstoke  
RG21 4JX


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## Ecus Ltd


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Originated By:   
**Emily Taylor**  
**Heritage Consultant** Date: 11.11.2021

Reviewed By:   
**Alex Cassels**  
**Heritage Consultant** Date: 15.11.2021

Approved By:   
**Paul White**  
**Head of Heritage** Date: 10.12.2021

*Prepared by:*  
Ecus Ltd.  
Unit 1 Woodlands  
Business Village  
Coronation Road  
Basingstoke  
RG21 4JX

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## Executive Summary

Ecus Ltd were commissioned by Planning Issues Ltd in October 2021 to prepare a heritage statement to accompany a planning application for land at Bolton Road in Banbury, Oxfordshire.

The Site is proposed for demolition of existing building and redevelopment for retirement apartments including communal facilities, access, car parking and landscaping.

This assessment has concluded that the existing building in the Site is of no heritage interest. Its demolition will require an application for Listed Building Consent (LBC) as the existing building within the Site is connected to the Grade II Listed Trelawn (NHLE: 1046925). Consideration of making good the physical fabric of the Listed Building is addressed in a separately produced report to accompany the LBC application.

This assessment has concluded that whilst the proposed redevelopment would result in a change, such change needs to be considered in the current context of the Site, the positive benefits and enhancement opportunities it will bring and that it would not harm the ability to understand, experience and appreciate the heritage significance of the historic environment. As no harm has been identified as part of this assessment, the proposals accord with the Planning (Listed Buildings and Conservation Areas) Act 1990 and comply with the National Planning Policy Framework and local planning policies relating to the protection of and development within the historic environment. The proposals take the opportunity to enhance the setting of the Grade II Listed Trelawn and in turn make a positive contribution to the Banbury Conservation Area.

This assessment has also identified no harm as a result of the proposals on other designated and non-designated built heritage assets located within Banbury.

This assessment has been commissioned to focus solely on built heritage (including the Banbury Conservation Area) and therefore does not discuss the proposals with regard to buried archaeology. This has been provided in a separate Archaeological Desk-Based Assessment produced as part of the planning application by Ecus Ltd in December 2021.

## 1. Introduction

### 1.1 Project Background

- 1.1.1 Ecus Ltd was commissioned by Planning Issues Ltd in October 2021 to prepare a heritage statement to inform a planning application for land at Bolton Road in Banbury, Oxfordshire (hereafter ‘the Site’). The Site is centred on National Grid Co-ordinate 445427, 240739 (Figure 1).

### 1.2 The Site

- 1.2.1 The Site is located within the market town of Banbury situated on the River Cherwell in Oxfordshire. The Site is located c. 100 m north west of the town centre.
- 1.2.2 The Site measures c. 4,900 square metres in extent. The Site is bound to the north by Castle Street, to the east by Bolton Road and to the west by North Bar Street (A361). The central and western extent of the Site is currently occupied by a large two storey warehouse constructed of brick with associated hard surface car park and access to the east and south (Plates 1-3). Landscaping is present along the northern boundary and the car park is enclosed from its surrounds by a brick wall and railings.



**Plate 1: View towards the Site from Bolton Road**

- 1.2.3 The Site is bounded to the south east by a vehicle repair shop and to the south by residential development. Although located outside of the Site boundary, no. 34 North Bar Street is enclosed and connected to the existing built form within the Site. This building, also known as Trelawn, is Grade II Listed (National Heritage List for England (NHLE): 1046925; Plate 3). The immediate and wider surroundings are characterised by the townscape associated with Banbury.
- 1.2.4 The Site gently slopes towards the north and north west and lies between c. 95-100 m above Ordnance Datum (aOD). The car park within the eastern extent of the Site is located at a higher level than Castle Street.



**Plate 2: View towards the Site from northern side of Castle Street**



**Plate 3: View towards the Site from the north west**

### **1.3 Consultation**

- 1.3.1 Pre-application advice was sought from Cherwell District Council prior to the submission of the planning application for the Site. In their response (App ref. 21/02881/PREAPP) dated 16 November 2021 several comments were made with regard to the historic environment including the request for a Heritage Statement (Appendix 5). The comments have been taken into account when undertaking this assessment.

## **1.4 Aims and Objectives**

- 1.4.1 The purpose of this heritage statement is to determine, as far as is reasonably possible from existing records and observations, an understanding of the historic environment resource within and surrounding the Site in order to formulate:
- An assessment of significance of the known or predicted heritage assets considering, their archaeological, historic, architectural and artistic interests; and
  - An assessment of the impact of proposed redevelopment or other land use changes on the significance of the heritage assets and their settings.
- 1.4.2 This assessment has been commissioned to focus solely on determining the potential impacts of the proposals on built heritage including Conservation Areas. An assessment of any potential impacts on potential buried archaeological remains is provided in an accompanying Archaeological Desk-Based Assessment (ADBA) produced by Ecus Ltd in December 2021. It is recommended that both documents be read in conjunction with each other.
- 1.4.3 Although this heritage statement provides an assessment of the proposed redevelopment on Trelawn, it focuses on impacts upon the setting of this Grade II Listed Building. The existing building which the Site is attached to the physical fabric of this historic building and consequently a separate application will be submitted by the Client for Listed Building Consent (LBC) to facilitate the demolition works and make good the fabric of Trelawn. Proposed works on the physical fabric of Trelawn are assessed in a separate report produced to accompany the LBC application.

## **1.5 Regulatory and Policy Context**

- 1.5.1 There is national legislation and guidance relating to the protection of, and development on, or near, important archaeological sites or historical buildings within planning regulations as defined under the provisions of the Town and Country Planning Act 1990. In addition, local authorities are responsible for the protection of the historic environment within the planning system. Further detail of the relevant, legislation, policy and guidance is provided in Appendix 1.



## 2. Methodology

### 2.1 Standards

2.1.1 This assessment is undertaken in accordance with:

- Historic England's Historic Environment Good Practice Advice (GPA) in Planning Notes:
  - *The Historic Environment in Local Plans* (2015a);
  - *Managing Significance in Decision-Taking in the Historic Environment* (2015b); and
  - *The Setting of Heritage Assets* (2017a).
- Historic England's *Understanding Place – Historic Area Assessments* (2017b);
- Historic England's Advice Notes:
  - *Advice Note 1 (Second Edition): Conservation Area Appraisal, Designation and Management* (2019a);
  - *Advice Note 10: Listed Buildings and Curtilage* (2018);
  - *Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage* (2019b);
- *Historic Environment* (revised July 2019), published by the Ministry Housing, Communities and Local Government (MHCLG), providing advice on enhancing and conserving the historic environment;
- The Chartered Institute for Archaeologists' *Code of Conduct* (CIfA 2019); and
- The Chartered Institute for Archaeologists' *Standard and Guidance for Historic Environment Desk-Based Assessment* (2020).

### 2.2 Scope of Assessment

2.2.1 The initial step of the heritage assessment process is the identification of heritage assets likely to be affected by the proposal due to their presence within the scheme or due to sensitivity of their setting. This is informed through a desk-based study and site visit. This step constitutes Step 1 of Historic England's GPA3 (2017a).

2.2.2 The spatial scope of the assessment was defined by a 250 m study area around the Site to inform the presence of designated heritage assets.

2.2.3 The following sources were consulted to inform the presence of heritage assets within the study area, and to form a baseline for the assessment of their significance:

- National heritage datasets including The National Heritage List for England (NHLE);
- The Oxfordshire Historic Environment Record (OHER), comprising a database of all recorded archaeological sites, findspots and archaeological events within the county;
- Historic manuscripts and maps held at the Oxfordshire History Centre and available online;
- Aerial photography available online at Britain from Above, Cambridgeshire Aerial Photographic collection online and National Collection of Aerial Photography (NCAP);
- Google Earth imagery;
- Relevant primary and secondary sources;

- Picture Oxon;
  - Conservation Area Appraisals including Banbury (Cherwell District Council 2018); and Oxford Canal (Cherwell District Council 2012);
  - A site visit undertaken in November 2021.
- 2.2.4 All of the spatial data held by the OHER for the study area was requested, assessed and analysed as part of this assessment. Whilst all data obtained from the OHER was reviewed as part of this assessment, the majority of data records are not illustrated on the accompanying figures. Although Locally Listed and non-designated built form was considered as part of this assessment, it is not reproduced on accompanying figures.
- 2.2.5 The site visit was undertaken in order to assess the general character of the Site, to identify heritage assets not identified through desk-based review, and to assess the heritage interest and sensitivity of heritage assets within the study area. Heritage assets outside of the Site were visited to assess the attributes of their setting that contribute to their significance, ground truth views between heritage assets and the Site and viewpoints where they may be seen alongside one another.
- 2.2.6 The site visit was undertaken in clear dry weather conditions with good visibility.
- 2.2.7 A bibliography of documentary, archive, and cartographic sources consulted is included in the References section of this report.

#### ***Assumptions and Limitations***

- 2.2.8 This report is compiled using secondary information derived from a variety of sources, only some have been directly examined.
- 2.2.9 Whilst archival material was consulted in person at Oxfordshire History Centre and via online sources, there may also be other material held in private collections, local repositories and the National Archives, which was not possible to view these as part of the assessment.
- 2.2.10 All Ordnance Survey (OS) mapping obtained as part of the assessment is provided in Appendix 4.
- 2.2.11 Aerial photography held at Historic England's archives was not viewed as part of this assessment. Aerial photography was utilised to fully understand the historic development; no aerial photographs which illustrate the Site clearly were available via the sources listed above.
- 2.2.12 During the site visit sufficient access was afforded to the Site and the surrounding townscape from Public Rights of Way in order to assess the settings of heritage assets and the contribution of the Site to these settings. Due to location of the Listed Buildings in private properties, no access was afforded to their immediate grounds. As such, an assessment of the likely impacts upon the significance of the assets due to changes to their setting was taken from the adjacent footpaths and roads.

### **2.3 Assessment of Significance**

- 2.3.1 The National Planning Policy Framework (NPPF 2021) recommends that, in determining applications, local planning authorities should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting (NPPF, 194).
- 2.3.2 The significance of heritage assets is defined in terms of their value to this and future generations because of their heritage interest, deriving not only from their physical presence, but also from their setting. This interest may be archaeological, architectural, artistic or historic (NPPF):

- **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.

(MHCLG 2019, Paragraph: 006 Reference ID: 18a-006-20190723).

- 2.3.3 The heritage interest of an asset's physical presence is assessed in terms of attributes identified in statutory criteria, general principles for selection (DCMS 2013 and 2018), selection guides published by Historic England, and regional research agendas.
- 2.3.4 The heritage interest of an asset's setting is assessed in accordance with Step 2 of Historic England's GPA3 (2017), which considers the physical surroundings of the asset (including its relationship with other heritage assets); the way in which the asset is appreciated, and the asset's associations and patterns of use. Attributes of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral (NPPF, Annex 2).
- 2.3.5 The overall significance of a heritage asset is the sum value of its interest expressed within this report on a six-point scale of Very High, High, Medium, Low, Negligible and Unknown using the criteria presented in Table 1.
- 2.3.6 The contribution of a given site or application area to an asset's significance is assessed in order to provide a basis for assessing the sensitivity of the heritage asset to change within that specific area. The criteria for this assessment are presented in Table 2.
- 2.3.7 Although non-designated heritage assets are not considered to be of sufficient interest to merit formal designation, they are still considered an important feature of the local built environment and thus requires consideration as part of the planning process in line with Paragraph 203 of the NPPF.

**Table 1: Criteria for determining the significance of heritage assets**

Heritage Significance	Criteria
Very High	World Heritage Sites and the individual attributes that convey their Outstanding Universal Value, or non-designated heritage assets of demonstrable international heritage interest.
High	Scheduled Monuments, Listed Buildings (Grade I, II*, II), Conservation Areas, Registered Historic Parks and Gardens (Grade I, II*, II), Registered Battlefields, Protect Wreck Site, or non-designated heritage assets of demonstrable national importance due to their heritage interest.
Medium	Locally Listed Buildings and Landscapes, or non-designated heritage assets of demonstrable regional importance due to their heritage interest.
Low	Non-designated heritage assets of demonstrably limited heritage interest.
Negligible	Non-designated heritage asset of very limited heritage interest, typically due to poor preservation, survival or restricted contextual associations.
Unknown	The significance of the heritage asset cannot be ascertained from available evidence.

**Table 2: Criteria for valuing the contribution of the Site to the significance of heritage assets**

Contribution of Site	Criteria
High Contribution	The site possesses attributes that make a strong positive contribution to the understanding and/or appreciation of the interests that embodies its significance.
Medium Contribution	The site possesses attributes that make some positive contribution to the understanding and/or appreciation of the interests that embodies its significance.
Low Contribution	The site possesses attributes that make little positive contribution to the understanding and/or appreciation of the interests that embodies its significance.
Neutral Contribution	The site does not contribute to the understanding and/or appreciation of the interests that embodies its significance
Negative Contribution	A site detracts from the understanding and/or appreciation of the interests that define the significance of a heritage asset.

### 3. Historic Environment Baseline

#### 3.1 Introduction

- 3.1.1 In accordance with Step 1 of Historic England's GPA3 (2017a) and *Understanding Place – Historic Area Assessments* (2017b) – Level 1 Outline Assessment an outline assessment of the historic environment was undertaken. The details of this assessment are documented in Section 3.2 of this report.
- 3.1.2 National Heritage List for England entries are depicted on Figures 2 and 3 and referenced by their NHLE entry number. A gazetteer of designated heritage assets within the study area is provided in Appendix 2.

#### 3.2 Historic Area Assessment

##### *Outline Assessment*

- 3.2.1 Banbury's origins predominately date from the early medieval period and its place name is suggested to mean defended enclosure ('*burh*') of an individual called Ban(n)a. From the seventh century onwards Banbury became the centre of a large ecclesiastical estate and the early settlement is suggested to have been located within the vicinity of the Grade I Listed Church of St Mary (NHLE: 1369519) west of the area now known as Market Place and away from the River Cherwell and its floodplain (Cherwell District Council 2018, p. 14).
- 3.2.2 The stimulus for settlement growth in Banbury is attributed to the construction of Banbury Castle in the twelfth century and the laying out of burgage plots. Situated north of present day Market Place, the borough is suggested to have been located between the River Cherwell and the present A4260. The town of Banbury extended throughout the medieval period on the southern and south west side with planned expansions such as Newland. Town bars, or tolls, were introduced; the closest one of which was located on the southern side of the junction between Warwick Road and North Bar Street.
- 3.2.3 During the medieval period the Market Place formed an important central point and a plan of Banbury dating to 1441 (Cherwell District Council, p. 15 Figure 7) illustrates the layout of the street pattern during this period. Banbury was not subject to expansion between the thirteenth to fifteenth centuries.
- 3.2.4 During the post-medieval period small-scale industries were present within the town. Due to the Civil War and several fires in the seventeenth century much of the town was subject to alteration. From the late seventeenth century onwards new development was limited to the redevelopment of sites/buildings and extensions along North Bar Street, South Bar and Horsefair.
- 3.2.5 Industries continued to play an important part of the local economy in the eighteenth and nineteenth century with many located in outbuildings at the rear of houses/plots, notably along North Bar Street. This layout is visible on historic and subsequent OS maps.
- 3.2.6 During the nineteenth century Banbury was subject to significant expansion and development, both on its peripheries and within the town. Suburbs were introduced on the peripheries and along West Bar/Broughton Road, Grimsbury, Queens Road, Marlborough Road and Neithrop whilst the industrial village of Newland expanded.
- 3.2.7 Banbury has since been subject to further urban expansion resulting in the character and appearance of the townscape present today. The 1920s introduced large estates in the town by the council, such as Easington and on Kings Road, and private extensions followed forming suburbs. Post-war development continued and recently

housing estates have been primarily located on the peripheries comprising Cherwell Heights, Harwick, Hanwell Fields etc.

- 3.2.8 The Site forms part of the streetscape of Castle Street to the north, Bolton Road to the east and North Bar Street to the west. Despite North Bar Street historically being associated with commercial and professional services, it has since been subject to a change towards a more residential character. The western side of North Bar Street was developed in the eighteenth century with high status housing for the merchant classes. A busy thoroughfare, it is today characterised by both queuing and parked traffic as well as the tight grain built form which forms a continuous frontage along the roadside. Gaps between buildings along North Bar Street are limited. The buildings along the northern extent of North Bar Street are typically three storeys in height, with the Church of St Mary an exception, and the majority are constructed of brick with continuous roof ridge lines (broken by different heights or gables). North Bar Street contains buildings of predominately eighteenth and nineteenth century date, although many have been subject to later alteration including the Grade II Listed Trelawn (NHLE: 1046925), and there are also later redevelopments including three to four storey development on the corner of North Bar Street and Warwick Road.
- 3.2.9 Castle Street is more fragmented in character, with recent redevelopment and expansion resulting in the presence of buildings with larger footprints in the grounds to the rear of terraced housing situated adjacent to the north of the road. Castle Street also leads west to Castle Quay Shopping Centre with built form of varying height. The frontage along this road is also broken up by large open sites (i.e. car parks) which also characterise the streetscape of Bolton Road. These areas are noted within the Banbury Conservation Area as being *'ready for a heritage inspired scheme[s]'* (Cherwell District Council 2018, p. 93).
- 3.2.10 Bolton Road extends south of Caste Street and is predominately a service road that leads to the rear (northern end) of the burgage plots which extent south into the medieval core of Banbury. Former outbuildings to the rear of buildings along Parson's Street extend onto Bolton Road.
- 3.2.11 The site visit confirmed that there is limited vegetation within the surroundings of the Site.

### ***The Site***

- 3.2.12 The county maps produced in the seventeenth and eighteenth century do not show the Site in any detail. Jeffrey's Map of Oxfordshire (not reproduced), produced between 1766 and 1767 shows the rough street plan of the eighteenth century town. Similarly, later county maps and other sources (listed in Section 7.2) also show the street plan without detailing the Site.
- 3.2.13 The earliest map consulted for the purpose of this assessment which illustrates the Site and composition in detail is the Parish of Banbury Tithe Map dating to 1852 (Figure 4) and its accompanying Apportionment (Table 3 below).

**Table 3: Extract from accompanying Tithe Apportionment**

Parcel	Description	Cultivation	Occupier	Landowner
130	Garden	Garden	William Floyd	James Danby
131	Garden	Garden	William Floyd	Samuel Glaze
132	Garden	Garden	Samuel Glaze	Samuel Glaze
133	Garden	Garden	Robert Cockerill	Harris and Co
134	Garden	Garden	Clement Bromley	Mary Ann Hawkins
139	Garden	Garden	Charles Page	Charles Page
140	Bowling Green	Garden	Charles Page	Charles Page
141	Garden	Garden	Elizabeth Beesley	Elizabeth Beesley

- 3.2.14 Further detail relating to the Site and its historic development is provided on subsequent OS maps provided in Appendix 4. OS mapping from the late nineteenth century records the presence of linear plots with buildings (most likely residential) fronting the roadside and outbuildings to the rear. Long linear buildings with large footprints were present in the northern and southern parts of the Site; the function of these buildings is unknown but may have been related to commercial activity. Large areas of open space in the Site during this period appear to be associated with gardens, yards and the bowling green in the east
- 3.2.15 From the late nineteenth century onwards the Site was subject to several phases of development resulting in the demolition and construction of buildings and subsequently reorganisation of space. Historic photographs of North Bar Street illustrate the Site comprised a continuous built frontage along the roadside formed of several buildings which appear to have been in commercial and residential use (reproduced in Cherwell District Council 2018, p. 24-25).
- 3.2.16 OS mapping records the presence of an engineering works operating in the northern part of the Site in the mid-twentieth century and, within the immediate environs of the Site, the area to the north had been cleared; this space is now part of Castle Street streetscape as the road was widened in the mid to late twentieth century. Bolton Road to the east was also established during this period and is depicted on OS mapping from the 1970s onwards. Based on the available data it is considered likely that it was during this period that North Bar Street was also subject to alteration resulting in road widening and its current character and appearance today.
- 3.2.17 Further change within the Site occurred in the late twentieth century. A historic photograph<sup>1</sup> from 1981 records the demolition and associated works to Trelawn and the 1982-1986 1:2,500 OS map illustrates the existing building in the Site and car park to the east. As a result of alteration to the road, the southern extent of the building within the Site was set further back from the roadside than earlier built form. Trelawn, although located outside of the Site boundary, was the only former building along the north eastern side of North Bar Street in this area to survive the substantial works. The building within the Site is labelled on OS mapping as a warehouse during this period.
- 3.2.18 OS mapping from the late twentieth to early twenty-first century records no substantial change within the Site.
- 3.2.19 A review of the planning portal records three planning applications in 1999 and 2007 for changes to the building associated with its use as a bingo hall (App ref. 99/00645/ADV, 07/01801/F and 07/00659/F) and the Site is understood to have remained in such use until closing in July 2020. During the site visit it was noted that parts of the building within the Site remain in commercial use.
- 3.2.20 The Site, which comprises a large over-scaled two storey warehouse constructed of brick with associated hard surface car park and access to the east and south, is not of visual interest and has been identified as a negative landmark within the Banbury Conservation Area Appraisal (Cherwell District Council 2018, p. 41). It does not preserve or enhance the character and appearance of its surroundings and the car park to the east comprises an unattractive open site along Castle Street. Although vegetation is present along the boundaries of the Site, it does not comprise areas of decorative planting and consequently provides no positive benefit to the Site or the streetscape of North Bar Street and Castle Street.

### 3.3 Summary of Potential Heritage Constraints

- 3.3.1 As illustrated on Figure 2 and 3, part of the Site falls within the Banbury Conservation

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<sup>1</sup> Available at:

[https://pictureoxon.com/frontend.php?keywords=Ref\\_No\\_increment:EQUALS:POX0004951&pos=1&action=zoom&id=4951](https://pictureoxon.com/frontend.php?keywords=Ref_No_increment:EQUALS:POX0004951&pos=1&action=zoom&id=4951)

Area. The Conservation Area will require further assessment in order to determine how the Site currently contributes to its character and appearance and the potential impacts of the proposed redevelopment.

- 3.3.2 As the Banbury Conservation Area forms an integral part of the setting of the Listed Buildings and non-designated buildings located within the designated area, these will be assessed in conjunction with the Conservation Area.
- 3.3.3 Although the Grade II Listed Trelawn (NHLE: 1046925) is located within Banbury Conservation Area, this will be assessed separately.
- 3.3.4 Although the Site forms part of the wider townscape setting of the Oxford Canal Conservation Area, no meaningful contribution has been identified and the site visit confirmed that intervisibility is restricted to the immediate townscape around the canal. Whilst redevelopment of the Site will result in a change within the wider townscape, it would not affect the overall setting or impact upon those principal elements which contribute to the character and appearance of the Conservation Area. As the proposals would not result in harm to the heritage significance, the Oxford Canal Conservation Area has been excluded from any further assessment.



## 4. Statement of Significance

### 4.1 Introduction

- 4.1.1 The following section assesses the heritage significance of heritage assets which have been identified as being potentially sensitive towards change within the Site in Section 3 above.
- 4.1.2 In accordance with Step 2 of Historic England's GPA3 (2017a) the following section assesses whether, how and to what degree the settings of the identified heritage assets contribute towards their significance. The assessment goes on to state the contribution of the Site towards that setting.
- 4.1.3 With regard to the Banbury Conservation Area discussed below, it is not the intention to repeat information provided in the Conservation Area Appraisal Plans produced by Cherwell District Council in 2018 for this area. Whilst this document has been reviewed for the purpose of this assessment, the following is a summary and therefore should be read in conjunction with that document.

### 4.2 Trelawn

- 4.2.1 A Grade II Listed Building, Trelawn comprises a former early nineteenth century house later bought by the council in the mid-twentieth under a compulsory order to make way for a new road scheme in this area (Plates 3-4). Archival sources<sup>2</sup> indicate that the building was then left to deteriorate before being used for several purposes including a junk store and temporary home of Banbury Cross Players. It has subsequently been converted into offices.



**Plate 4: View towards Trelawn from the west**

- 4.2.2 The two storey building is constructed of red brick with a hipped slate roof. Its principal (western) elevation features a central entrance with panelled door and decorative overlight and the door case has fluted Ionic columns. Sash windows are present on both floors and all windows have stepped keystone voussoirs (NHLE: 1046925).

<sup>2</sup> Article on Trelawn House, Banbury Guardian 23.9.1982 p. 6 a

- 4.2.3 The Listed Building is considered to hold high heritage significance due to its historic and architectural interests. These interests primarily relate to the architectural detailing and its form as an example of an early nineteenth century house. Despite alteration internally several nineteenth century features have been retained, including doors, door frames, ceiling mouldings and staircase; these elements contribute to its historic and architectural interest. Its historic interest also derives from its development as part of the expansion of Banbury and the Listed Building also retains limited archaeological interest through its post-medieval fabric.
- 4.2.4 The Listed Building is set back from North Bar Street beyond an area of hardstanding and footpath. As the building is enclosed on all directions with the exception of to the west, views of the building are restricted to North Bar Street and the crossroads to the north west. These views allow for the physical fabric in the principal elevation to be appreciated and its position on the roadside to be understood. Due to the undulating character of the road and presence of intervening built form, views of the principal elevation are restricted in long-distance views along the road and from the wider environs (Plates 5-6).



**Plate 5: View towards Trelawn from the south west**

- 4.2.5 Historically, the Listed Building would have formed part of a built up residential frontage along the north eastern side of North Bar Street. A review of archival sources indicates that it formerly had a garden with privet hedge, outbuildings (aviary) and decorative beds. Due to subsequent development and alteration the historic setting of this building to the immediate north, east and south does not survive and consequently the building cannot be understood or fully appreciated with its historic context.



**Plate 6: View towards Trelawn from the east**



**Plate 7: View of Trelawn and part of the existing building within the Site**

- 4.2.6 Whilst the existing building within the Site is not explicitly referenced or excluded in the listing description for Trelawn, this assessment has concluded that it is unlikely to comprise statutory protection under the Listed Building. It was under separate ownership and was not ancillary to Trelawn at the date of listing (16 June 1977; Historic England 2021a). The building within the Site does not hold, on its own or with Trelawn, any special heritage interest and it is of no historic or architectural interest. In terms of plan, layout and construction there is no innovation or architectural features of rarity that are considered to contribute towards heritage interest and as a late twentieth century building it does not relate by age nor have any significant historical

associations with Trelawn.

- 4.2.7 As a result of the late twentieth century development in the Site the space around Trelawn was encroached upon and has ultimately resulted in the Listed Building become encased on three sides and overwhelmed by the adjoining building. The Site in its current character and appearance is not considered to provide a positive contribution to the setting of this Listed Building. Its appearance in views which encompass the Listed Building is not considered to make a meaningful contribution and it detracts from the significance by diverting attention away in views along North Bar Street.
- 4.2.8 This assessment has concluded that the existing building within the Site is not considered to be of heritage significance and it provides a negative contribution to the setting and overall significance of Trelawn. These conclusions correspond with the pre-application advice received in November 2021 which state that:

*existing bingo building is poor in terms of design, massing and appearance and has a detrimental impact upon the setting and historical integrity of Trelawn House.*

### 4.3 Banbury Conservation Area

- 4.3.1 As illustrated on Figure 2 and 3, the south west and western extent of the Site falls within Banbury Conservation Area. The Conservation Area was originally designated in 1969 but has since been subject to extension.
- 4.3.2 The Banbury Conservation Area is considered to be of high heritage significance due to its historic, architectural, artistic, and archaeological interests which are derived from the history and development of the settlement. The central core, which retains its medieval street pattern intact, is considered to be of particular significance and it is the continued development and growth of Banbury which has defined the character and appearance of the settlement in this area. The Grade I Listed Church of St Mary (NHLE: 1369519) is a focal point on which settlement was and remains centred.
- 4.3.3 The main route corridor, which extends from South Bar Street northwards to Southam Road channels and defines movement through, into, and out of, the Conservation Area. These views demonstrate the important this corridor has as a thoroughfare and the role the road network has played in the development of Banbury. The significance of the route corridor also derives from the variety of buildings (types, ages, uses and styles) present along the route which contribute to the *'homogeneity of this character area [which] is derived from its linear space clearly defined by strong building lines'* (Cherwell District Council 2018, p. 4).
- 4.3.4 The Conservation Area contains buildings of high heritage significance which is recognised through their designation as Listed or Locally Listed Buildings. These include villas, nineteenth and early twenty century workers housing and nineteenth century middle class housing. Due to the variety of buildings present, which visually reveals the chronological development and expansion of the town (as well as trades and different social groups) eleven character areas have been identified within Banbury with those closest to the Site comprising:
- Medieval core;
  - Church precinct;
  - Main route corridor; and
  - 19<sup>th</sup> century suburbs (north) – Neithrop, Warwick Road and Castle Street.
- 4.3.5 The significance of the medieval core character area derives from its historic, and continued, function as the focal part of the town where land use is predominately civic and commercial. The medieval street pattern is preserved in this area and the built

form is dense comprising enclosed street frontages with backland development. As a result views are funnelled along the streets and views over the wider townscape, including towards the Site, are restricted. The Site does not contribute to the character and appearance of the medieval core in Banbury. It does not contribute to those heritage interests which contribute to the significance and is not encompassed in any positive, negative or deflected views identified within the Conservation Area appraisal (Cherwell District Council 2018, p. 32) or noted during the site visit. Views from the Site encompass the rear elevations of backland development extending off Parson's Street (Plate 8); whilst such views illustrate backland development in former burgrave plots these views are considered to provide less of a contribution than those which encompass the principal elevations of the buildings (i.e. afforded along the primary and secondary streets). The built form in such views is not aesthetically pleasing and has been described as 'unsightly' in the Conservation Area Appraisal (Cherwell District Council 2018, p. 32).



**Plate 8: View from the access road into Site towards the south east**

- 4.3.6 The significance of the Church precinct character area derives primarily from the Grade I Listed Church of St Mary (NHLE: 1369519), its associated buildings and its setting. Its surroundings support its function as a place of worship and contemplation and the various footpaths running through the grounds connect it with the surrounding townscape. Its green aesthetic also contributes to and contrasts with the built up character of the surrounding environment. Due to the presence of dense mature vegetation and surrounding built form, long-distance views from the church precinct are restricted. There are no clear views from the character area towards the Site (Plate 9). Whilst views towards the church from the Site and its surroundings are restricted and glimpsed to the upper-stories of the tower (Plate 10), this assessment has concluded that such views are not of the greatest significance (they do not allow for a full appreciation) and the Site's contribution to the wider townscape is not meaningful.



**Plate 9: View towards the north from the church precinct**



**Plate 10: View across the Site towards the Church of St Michael (demarcated by the arrow)**

- 4.3.7 The main route corridor is discussed above in paragraph 4.3.3. Its significance derives from its character and appearance, both in the form of the route and in the buildings present along it, as well as the activity generated by movement. The main route corridor has evolved as Banbury has expanded and developed since the medieval period, with the western side of North Bar Street opposite the Site redeveloped as a modern three to four storey development (on the junction with Warwick Road). As a result of the historic and ongoing redevelopment of this area, views along the streetscape reflect the present day and subsequently differ somewhat from views of the streetscape in the nineteenth and twentieth century as illustrated on historic

photographs in the Conservation Area Appraisal (Cherwell District Council 2018, p. 24-25). Cartographic and documentary sources therefore afford a full appreciation of the surviving historic building in its original historic context and form. Despite this, views along the streetscape do contribute to the overall character and appearance of this area today alongside elements such as strong building lines and boundary walls along the route, vegetation and landmark features such as the Grade II\* Listed Banbury Cross; NHLE: 1199654). The Site is encompassed within views along the main route corridor, notably from Horse Fair and North Bar Street (Plates 11-13. The appearance of the Site in such views is not considered to provide any meaningful contribution. Whilst it resembles late twentieth century development on the northern extent of North Bar Street, and forms a strong building line along the eastern side of the road, it is void of any historic or architectural interest. It draws attention away from its surroundings and in its current character and appearance is not considered to positively contribute or enhance this area. It has been identified as a negative landmark in the Conservation Area appraisal and this assessment would agree with this identification (Cherwell District Council 2018, p. 41).

- 4.3.8 The character area 19<sup>th</sup> century suburbs (north) predominately covers Neithrop and Warwick Road although a small section extends along the northern side of Castle Street, opposite the Site, encompassing c. 5-83 Castle Street. The significance of this particular part of the character area derives from the terraced red brick housing which is illustrative of mid-nineteenth century two and three storey housing built as part of the expansion of Banbury during this period (Plate 14). This housing creates a strong building line along the northern side of Castle Street although it is described within the Conservation Area appraisal as sitting '*ill with the twentieth century roads*' (Cherwell District Council 2018, p. 93). The Site is not in keeping through date or appearance with the terraced buildings along the northern side of Castle Street and the eastern extent of the Site, the car park, contrasts to the built up frontage to the north. Although views along Castle Street (Plate 15) in both directions (east/west) encompass all, the Site is not considered to positively contribute and appears within the context of other modern development which comprises tall buildings. Similar such views are afforded across the Site (Plate 16).
- 4.3.9 The Site, in its current character and appearance, does not contribute to the understanding and/or appreciation of the interests that embody the character areas mentioned above or the wider Banbury Conservation Area. Although it illustrates historic development in the late twentieth century, and is a landmark building as a result of its position on the crossroads, through its lack of visual and architectural interest it provides a negative contribution. Its appearance in views does not enrich our understanding, experience or appreciation of the historic development nor does it complement and enhance its surroundings. The following statement in the Conservation Area appraisal is considered appropriate for the site '*North Bar...lacks landmark buildings of any note*' (Cherwell District Council 2018, p. 46). Based on the above the Site is considered to provide a negative contribution to the setting and significance of the Banbury Conservation Area.



**Plate 11: View towards the Site from the north west**



**Plate 12: View towards the Site from the south west (Horse Fair)**





**Plate 13: View towards the Site from the south west (Horse Fair)**



**Plate 14: View across the south western part of the Site towards Castle Street**



**Plate 15: View along Castle Street towards the west**



**Plate 16: View across the Site towards Castle Street**

## 5. Statement of Impact

### 5.1 Introduction

- 5.1.1 This section sets out a brief description of the scheme and provides an assessment of impact with regard to historic environment constraints.

#### ***Scheme Overview***

- 5.1.2 Redevelopment of the Site comprises the demolition of the existing building and removal of associated infrastructure. The Site will be redeveloped for retirement living accommodation with associated services, car parking and access and landscaping.
- 5.1.3 The redevelopment will introduce a building, L-shaped in plan, within the northern and south western part of the Site. The building will be orientated to and setback from the roadside (Bolton Road, Castle Street and North Bar Street).
- 5.1.4 The building will also be set away from the Grade II Listed Trelawn (NHLE: 1046925) and the immediate surroundings of the Listed Building will be landscaped.
- 5.1.5 Access will continue to be afforded off Bolton Road to the south and the south east and southern part of the Site will be utilised for car parking. Footpaths will provide access to the building off Castle Street, Bolton Road and North Bar Street.
- 5.1.6 Amenity grass will be located around the building and planting will be introduced. New boundary treatments, comprising metal railings with planting behind, will be introduced and an area of public realm will be introduced in the north western corner of the Site.

### 5.2 Assessment of Proposal

#### ***Mass and Scale***

- 5.2.1 The proposals comprise a single building which extends along the northern and south western part of the Site. The Site is considered to have the capacity to accommodate the size of the footprint without appearing out of character as large footprints are not unknown either in the Banbury Conservation Area or its setting.
- 5.2.2 As the Site comprises a large boundary plot, it is considered to have the capacity to accommodate the density of development proposed. The proposals will introduce one building and through its design the overall mass and scale has been broken up by architectural elements such as projecting bays and setbacks.
- 5.2.3 The building has been designed to respect the topography within the area and consequently will have a staggered roof height. Along Castle Street the building will have a four storey corner element on the junction between Castle Street and Bolton Road, before stepping down to three and half and three storeys as it extends west. Although this part of the redevelopment will be taller in scale than the existing built form along Castle Street, it is not considered inappropriate as it would result in a landmark building of visual interest which demarcates the corner/junction, references the terraces on the northern side of Castle Street and would funnel views eastward. Funnelled enclosed views are a key characteristic of the Conservation Area, created due to the presence of dense roadside development, and the removal of views across the Site to the rear of the medieval core character area of Banbury Conservation Area is not considered to prevent our ability to understand and appreciate this part of the Conservation Area or result in harm to the heritage significance. Although such views illustrate backland development, this assessment has concluded that the buildings form an unsightly edge and those views which provide the greatest contribution are afforded along the primary and secondary streets in the medieval core. Although the redevelopment would remove views towards the backland development from Castle Street across the Site, views from Castle Street towards the south would continue to

be afforded from across Bolton Street car park and therefore the backland development would continue to be understood and experienced from the streetscape.

- 5.2.4 The south western wing along North Bar Street will be three storeys in height. Consideration has been given to the height and placement of the proposed building in the proximity of Trelawn and townscape character of this part of the Conservation Area. Although the proposed building will be taller in height than the Listed Building, the difference is considered appropriate as it prevents the proposed building appearing as a continuation of the historic structure and thus resulting in a superficial echoing of the historic environment whilst permitting a demarcation, and thus appreciation, between the proposed modern and existing historic built form to the north and south (42 North Bar Street (NHLE: 1046926) etc.). The height of this part of the building has also been designed with the local topography in mind and will reflect the gradually decreasing/stepping down height of built form in a northward direction along the eastern side of North Bar Street. The roofline will also not exceed that of 42 Bar Street to the south. The design along this streetscape has taken into account the visibility of the Site in short and long-distance views along the main corridor route character area of Banbury Conservation Area and consequently its reduced height is considered appropriate and in keeping. The proposed building will also comprise a four storey element located on the southern elevation. Although four storey elements are not uncommon in this area, its positioning ensures that it will not be visible from the majority of the Banbury Conservation Area or its setting. Clear views of this element will be predominately restricted to Bolton Road to the south and its appearance in such views would be in keeping with the context of the proposed building.
- 5.2.5 Whilst this assessment recognises that the proposals would introduce a tall building, the development principles for the Site outlined in the Banbury Vision and Masterplan document produced by Cherwell District Council 2016 support development of three to four storeys in height in this area (p. 63). The masterplan document also supports the inclusion of an increase in building height in the north eastern corner (the location of the proposed four storey element).
- 5.2.6 Historic buildings are predominately two and three storeys in height within this part of Banbury with modern development of three to four storeys. Consequently the proposed scale of the building reflects the variances in the surrounding built environment (and ridgelines) and would not introduce a building which would complete with the Grade I Listed Church of St Mary (NHLE: 1369519).

### ***Layout***

- 5.2.7 The overall shape of the footprint of the building is considered positive and appropriate as it is orientated to and thus corresponds with the surrounding roads – Bolton Road, Castle Street and North Bar Street. By corresponding with the streetscape, the shape of the footprint addresses the townscape and removes a currently unattractive open site (in the eastern extent of the Site) from view. By locating the proposed retirement living accommodation car park in the southern extent of the Site creates more internal amenity whilst preventing the proposed car park becoming a dominant or visible feature in the townscape. The removal of an open car park along Castle Street is also considered positive as it removes an unsightly edge and introduces a strong building line which connects to North Bar Street.
- 5.2.8 The setback position from Castle Street with landscaped edge to the north would also be in keeping with the suggestions for development site 8 in the Banbury Vision and Masterplan document (Cherwell District Council 2016).
- 5.2.9 By creating cohesion in the building line along both Castle Street and North Bar Street, the shape of the footprint ensures that the development is in keeping with the character of built form in this area, i.e. continuous development overlooking the road and

channelling views along the routes. The north eastern part of the building is short (does not extend along the eastern boundary) and consequently does not enclose the Site in its entirety.

- 5.2.10 Although the building will be setback from Castle Street beyond boundary treatments and an area of amenity grass and planting, this is considered appropriate as it prevents the building appearing as a tall structure immediately adjacent to the roadside drawing attention in views from the surrounding streets and overshadowing the terraces to the north. Its setback position will also result in the building being screened in long-distance views from Southam Road to the north west and along Warwick Road to the west.
- 5.2.11 The proposed positioning and location of the building is also considered beneficial as it would introduce space around the Grade II Listed Trelawn thus affording a degree of separation between the historic building and later development. As noted in the pre-application response, re-establishing space assists in redressing the harm caused by the existing building. By removing the existing building within the Site and introducing space around the building, the northern and southern elevations would be exposed thus allowing for the historic fabric to also be experienced and the building to be understood and appreciated. As illustrated on historic mapping, these elevations would have historically been visible (the northern elevation predominately) from the surroundings and the reinstatement of views towards these is considered positive and an enhancement.
- 5.2.12 The inclusion of an area of public realm in the north western corner of the Site along with landscaping and planting between this area and Trelawn is also considered to be positive and beneficial to the setting of the historic building.
- 5.2.13 The proposed layout and positioning of the building is also respectful to the built form (designated (NHLE: 1046926, 1300919, 1369550, 1200151 and 1046927) and non-designated) which extends along the eastern side of North Bar Street to the south of the Site. The redevelopment will maintain the space between the southern elevation of the south western part of the building and the built form to the south (closest of which comprises No. 42 North Bar Street; NHLE: 1046926) and continue to use this area for pedestrian access. This is considered positive.

### ***Design and Materials***

- 5.2.14 The design of the building takes inspiration from the surrounding townscape both in form and materials but avoids the introduction of a pastiche building which would be erroneous on the Site. The northern elevation takes inspiration from the terraced buildings on the opposite side of Castle Street whilst the south western part reflects the buildings along Castle Street. The use of setbacks in replacement of gaps between sections of the building within the Site is deliberate and reflects the wider absence of gaps and continuous frontage which characterises the surrounding streetscape. The roof design is also in keeping with the continuous roof ridge line which is a key feature along Castle Street and North Bar Street, only broken by changing heights of buildings or gables.
- 5.2.15 The proposed materials include the combined use of brick and render and these chosen materials reflect the surrounding townscape and add interest to the vertical elements of the building aiding it to appear as a series of separate units with strong vertical rhythm and simple variation rather than one uniform building. The materials and colour palette reflect that which is already present within Banbury on historic and modern (i.e. on the junction between Warwick Road and North Bar Street) development.
- 5.2.16 Whilst the Conservation Area appraisal has noted that there are several landmark buildings of no visual note, this assessment recognises the difficulty faced with

development on such sites. A balance must be drawn between introducing buildings which are sympathetic, appropriate and of visual interest without result in the introduction of a dominant or focal structure (Cherwell District Council 2018, p. 46). The proposed redevelopment is considered to achieve this as it is simplistic, yet not generic, modern but exhibits elements of the surrounding townscape, and dominant but not prominent.

- 5.2.17 Although the design includes the presence of dormers, these are limited to part of the Castle Street elevation outside of the Conservation Area. The absence of dormers within the conservation area is considered positive and ensures the character and appearance of the area is, at the least, preserved.
- 5.2.18 The redevelopment would introduce space around Trelawn and make good the associated elevations following demolition of the existing building in the Site. By incorporating this within the design the proposals are in keeping with the aim of reinstatement in the Banbury Vision and Masterplan document and reinstate the character and historical integrity of the structure (Cherwell District Council 2016).

#### ***Vegetation and Landscaping***

- 5.2.19 The combination of landscaping and introduction of planting will soften the appearance of the redevelopment in the streetscape and ensures that it does not overshadow but blend in with the surrounds. The introduction of amenity grass and vegetation (trees and hedgerow) will also improve the streetscape and quality of views along it with the green aesthetic contrasting with the urban character of this area of Banbury.
- 5.2.20 Landscaping within the northern extent of the Site would also be in keeping with the aspiration to improve the frontage of Castle Street, under development site 8 in the Banbury Vision and Masterplan document, which would deliver improvements to the public realm (Cherwell District Council 2016). The introduction of a green aesthetic would add visual interest to a built up streetscape and add visual interest and positive public realm. The proposed trees in this area would also act as screening and soften the appearance of the proposed redevelopment in its surrounds.
- 5.2.21 As part of the landscaping works, an area of positive public realm will be introduced in the north western corner of the Site. This will comprise a landscape feature in the centre, pedestrian access connecting with Castle Street and North Bar Street and ornamental planting. This is considered to be an enhancement and to have a positive beneficial effect on both Banbury Conservation Area and the setting of Trelawn House.
- 5.2.22 Any landscaping works improving the hardstanding between the Site and 42 North Bar Street to the south are considered positive and would not affect the setting of this Listed Building.
- 5.2.23 The proposed footpaths providing access to the Site from Castle Street, Bolton Road and North Bar Street are considered positive as they would strength the link between the Site and surrounding townscape.

### **5.3 Impact upon the identified Heritage Assets**

#### ***Banbury Conservation Area***

- 5.3.1 The existing building within the Site has not been identified as a nationally designated or Locally Listed Building and is not considered to comprise a non-designated heritage asset. It is not considered to warrant preservation and in its current character and appearance makes a negative contribution to the character and appearance of the Conservation Area. Consequently the removal of the existing building would result in a positive benefit on Banbury Conservation Area (and designated and non-designated heritage assets located within it) and its setting.
- 5.3.2 The Site is considered to have the capacity to accommodate the redevelopment

without resulting in harm to either the designated area or its setting. The change in use from commercial to residential would be in keeping with the character and the introduction of modern development would not be out of character. The redevelopment would be in keeping with the urban character of the area and has taken inspiration from both historic and modern buildings to be harmonious and in keeping with its surrounds.

- 5.3.3 Whilst this assessment recognises that the building will be higher than the surrounding historic built form the building has been designed to minimise the impact caused through its design and appearance as detailed in Section 5.2 above. Due to the continuing development of this area, views within the Conservation Area have been subject to change and consequently do not resemble that which was present in the post-medieval and twentieth century. Although historic buildings survive along the streetscapes from these periods, both the buildings themselves and their setting have been subject to change through the continual development and growth of this area. The appearance of the redevelopment in views therefore needs to be considered in the context of current appearance of the Site and the negative contribution it provides. Key positive views would be retained and not harmed including views towards the Church of St Mary from North Bar Street. Whilst the Site would be visible in views towards the Church of St Mary from Southam Road, these views would only be afforded at the crossroads with the proposed building screened by intervening built form in views from along the northern extent of Southam Road. It should be noted that such views are predominately restricted to the upper stories of the tower and this would continue to be visible as focal point in the townscape and skyline. The Site would not compete with the height of the tower nor screen it in key views from Southam Road.
- 5.3.4 The redevelopment would not be perceived from the majority of the Conservation Area and through its design it would not result in a dominating building which overshadows its surrounds. Although the redevelopment would result in a landmark building it would, along with the residential development on junction between North Bar Street and Warwick Road, create book ends to the streetscape that demarcate the crossroads which form an important part of this area. By establishing a landmark building at a gateway entrance to the town this would enhance the overall area and address the crossroads as being a point of 'disorientation' as identified within the Conservation Area Appraisal (Cherwell District Council 2018, p.41). The overall design is intended to introduce a building of prominence, rather than dominance, which draws inspiration from the surrounding townscape whilst reflecting the continuing development and growth of Banbury.
- 5.3.5 Although the redevelopment represents a change, it would not ultimately prevent the ability to understand, experience and appreciate the surrounding heritage assets or townscape of Banbury. The redevelopment would remove a building of no visual interest whilst preserving those elements of the established townscape that make a positive contribution. It represents the opportunity for regeneration which would enhance the quality of the streetscape which in turn would positively benefit views in this area and improve the public realm. Redevelopment of the Site is considered to meet the following issues and opportunities outlined within the Conservation Area appraisal:

*Management and regeneration of degraded areas;*

*Encourage the protection of historic detail and the reinstatement of missing architectural details<sup>3</sup>;*

*Ensure that all new development is sustainable, high quality, and responds to its*

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<sup>3</sup> Through proposed works to the elevations of Trelawn; discussed in separate LBC application.

*historic environment* (Cherwell District Council 2018, p. 5).

- 5.3.6 Redevelopment of the Site would also address the following '*there are development opportunities to enclose the exposed backs of properties for example at Bolton Road*' (Cherwell District Council 2018, p. 35) and '*North Bar is the poor relation in this linear family of streets and, despite the construction of a fairly massive block of apartments at the Warwick Road junction, lacks landmark buildings of any note*' (Cherwell District Council 2018, p. 46).

#### **Trelawn**

- 5.3.7 The redevelopment will result in the removal of the existing building within the Site. It will result in a direct impact on the physical fabric of the Grade II Listed Trelawn NHLE: 1046925) and consequently this will be assessed as part of a separate assessment submitted as part of a forthcoming planning application for LBC.
- 5.3.8 The removal of the existing building within the Site is considered to have a positive impact upon the setting of Trelawn. Although it will then be redeveloped for retirement living accommodation, it is not considered to negatively impact upon our ability to understand, experience and appreciate its heritage interests inherent in the physical fabric. The redevelopment will enhance the setting, by reinstating views towards the northern and southern elevations, and the design of the south western part is intended to complement Trelawn without drawing attention away from, overshadowing or providing a pastiche of the historic building. Although views from North Bar Street will encompass the Listed Building within the foreground of the redevelopment to its rear, the presence of such would not appear out of place in the townscape of Banbury.
- 5.3.9 Although the proposed building will be visible in the context of the Listed Building, its appearance will be an improvement upon the existing and its presence is not considered to affect the appreciate or ability to understand and appreciate the roadside and townscape setting of the building.
- 5.3.10 Whilst the pre-application advice raised concern over the design of the proposed redevelopment overwhelming and diminishing the character and historical integrity of Trelawn, it should be noted that its historical integrity and character is not as it was during the post-medieval period of early twentieth century due to subsequent development within the Site. The design of the proposed redevelopment does not repeat the harm caused by the existing building within the Site and is set away from (i.e. not attached to) the Listed Building. It would reopen elevations of the building which are currently hidden and intends to make good the building to ensure its long-term conservation. The works would enhance the building, reinforcing the heritage interests and the positive contribution it makes to the area.
- 5.3.11 Based on the comments above, no harm has been identified as a result of the redevelopment on the setting of the Grade II Listed Trelawn.



## 6. Conclusion

- 6.1.1 This assessment has utilised a range of sources, in line with industry guidance, to identify heritage assets which could be affected by the proposals. Any effects of the redevelopment upon the significance of heritage assets will be a material consideration in the determination of the planning application.
- 6.1.2 This Heritage Statement has been produced to support a forthcoming planning application for retirement living accommodation on the Site following the demolition of the existing building. Given that the existing building within the Site is physically connected to the Grade II Listed Building Trelawn (NHLE: 1046925), a separate Listed Building Consent planning application will be submitted for LBC. As part of the planning application a specific assessment of the physical impacts will be provided; consequently this information is excluded from this assessment. Impacts upon the setting of this Listed Building were considered as part of this report.
- 6.1.3 The Site currently comprises a building of no visual interest and poor public realm. The eastern extent of the Site comprises an unattractive open area currently in use as a private car park. The Site is void of any heritage interest or elements which positively contribute to or enhance the streetscape or surrounding townscape which forms part of Banbury Conservation Area and its setting.
- 6.1.4 In line with Paragraph 206 of the NPPF the redevelopment of the Site will enhance the Banbury Conservation Area (and designated and non-designated heritage assets located within it) through the removal of a building/area which currently provides a negative contribution and improvements to Trelawn House and the streetscene. Although the redevelopment presents a change, such change would not diminish our understanding of the historic environment, those key elements which contribute to it, or the ability to understand and experience it.
- 6.1.5 The overall design of the building is considered appropriate. Although the redevelopment would introduce a building which is taller than the majority of the historic buildings within the Conservation Area, it would be observed in the context of other tall buildings within variations of roof height and by utilising the topography within its design the overall perceived height in such views would be reduced. The redevelopment presents a modern building that is contextual to its surroundings and to which it responds.
- 6.1.6 Although redevelopment of the Site would result in a change to setting of Trelawn House, it would not result in harm to the heritage significance. Through its design and careful layout the scheme would enhance the setting and open up elevations currently blocked. Consequently the Listed Building would be better understood, experienced and appreciated.
- 6.1.7 This assessment has concluded that the redevelopment of the Site presents the opportunity for regeneration, improvements to public realm and takes the opportunity to make enhancements to the heritage significance of the heritage assets. As the assessment has identified no harm the proposals are considered to accord with the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and comply with the NPPF and local planning policy.

## 7. References

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## 7.2 Cartographic Sources

1610 Speed's map of Oxfordshire (viewed at: [www.oxfordshirehistory.org.uk/public/](http://www.oxfordshirehistory.org.uk/public/))

1766-7 Jeffreys Map of Oxfordshire (viewed at: [www.oxfordshirehistory.org.uk/public/](http://www.oxfordshirehistory.org.uk/public/))

1760 Banbury Neithrop and Wykham Enclosure Award

1849 Banbury Neithrop and Wykham Enclosure Map

1831 Map of Banbury

1852 Tithe map of Banbury (viewed at [www.thegenealogist.co.uk/](http://www.thegenealogist.co.uk/))

1871 Map of the Estate at Banbury belonging to William Munton Esquire

1905 Copy Appointment of New Trustees of the Will of late Samuel Druce

1910 District Valuation Survey (viewed at: [www.oxfordshirehistory.org.uk/public/](http://www.oxfordshirehistory.org.uk/public/))

1982 Article on Trelawn House, Banbury Guardian 23.9.1982 p. 6

All OS mapping was obtained from [www.emapsite.com](http://www.emapsite.com) and is provided in Appendix 4. N.B. The Site boundary illustrated on these maps was utilised to place. The Site boundary for the planning application is illustrated on accompanying figures.

## Appendix 1: Regulatory and Policy Context

### Introduction

There is national legislation and guidance relating to the protection of, and development on, or near, important archaeological sites or historical buildings within planning regulations as defined under the provisions of the Town and Country Planning Act 1990. In addition, local authorities are responsible for the protection of the historic environment within the planning system. The following policies are considered to be of relevance to the Site and the proposed redevelopment.

### Planning (Listed Buildings and Conservation Areas) Act 1990

Works affecting Listed Buildings or structures and Conservation Areas are subject to additional planning controls administered by LPAs under the Planning (Listed Buildings and Conservation Areas) Act 1990. In considering development which affects a Listed Building or its setting, the LPA 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 (Section 66). In considering Conservation Areas the planning authority has a general duty to give special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72).

The statutory criteria for listing are the special architectural or historic interest of a building. Buildings on the list are graded to reflect their relative architectural and historic interest (DCMS, 2010a, para 7, page 4):

- Grade I: Buildings of exceptional interest;
- Grade II\*: Particularly important buildings of more than special interest;
- Grade II: Buildings of special interest which warrant every effort being made to preserve them.

Historic England is a statutory consultee in relation to works affecting Grade I/II\* Listed Buildings.

### National Planning Policy Framework

Section 16 of the National Planning Policy Framework (NPPF) sets out the Government's current planning policy in relation to conserving and enhancing the historic environment. The key requirements are summarised below.

Applicants are required to provide proportionate information on the significance of designated and non-designated heritage assets affected by the proposals and an impact assessment of the proposed development on that significance. This should be in the form of a desk-based assessment and, where necessary, a field evaluation (NPPF, 194).

LPAs are required to take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment to the character of a place (NPPF, 190/197).

In determining planning applications, great weight should be given to the conservation of designated heritage assets - World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas designated under the relevant legislation (NPPF,

199/200).

In weighing applications that affect directly or indirectly the significance of a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, 203).

LPAs should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their significance and the impact, and to make this evidence publicly accessible and any archives deposited with a local museum or other public depository (NPPF, 205).

## Local Plan

The Site lies within the unitary authority of Cherwell District Council.

Local planning policy is set out in the Adopted Cherwell Local Plan 2011-2031. Relevant policies include:

SO 15: To protect and enhance the historic and natural environment and Cherwell's core assets, including protecting and enhancing cultural heritage assets and archaeology, maximising opportunities for improving biodiversity and minimising pollution in urban and rural areas;

Policy ESD 15: The Character of the Built and Historic Environment

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas,

especially any on English Heritage's At Risk Register, into appropriate use will be encouraged

- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2. The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The

Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site

The Local Plan is supported by saved policies of the Adopted Cherwell Local Plan 1996. These comprise:

C18: in determining an application for listed building consent the council will have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. The council will normally only approve internal and external alterations or extensions to a listed building which are minor and sympathetic to the architectural and historic character of the building.

C22: In a conservation area planning control will be exercised, to ensure inter alia, that the character or appearance of the area so designated is preserved or enhanced.

C23: There will be a presumption in favour of retaining buildings, walls, trees or other features which make a positive contribution to the character or appearance of a conservation area.

C34: Buildings whose height or appearance would spoil views of St Mary's Church, Banbury, will not normally be permitted. In implementing policy C34 the Council will have regard to the physical context of the development proposed. Proposals for new buildings of obviously poor design or ostensibly out of scale with their surroundings or of incongruous materials will normally be resisted. Regard will be taken of the topography of the site, existing trees, and other features of importance. New development in accordance with the proposals in Chapter 3 on land adjacent to the M40 will be expected to enhance the prospect of the town from the motorway and the Banbury interchange rather than detract from it.

Cherwell District Council also produced a *Design and Conservation Strategy for Cherwell 2012-2015* which makes reference to the historic environment.

Other relevant document from the council includes:

- *Conservation Areas: A General Guide. Planning Guide No. 4* (May 2010);
- *Building in Harmony with the Environment: A Development Guide* (March 2000);  
and
- *Local Heritage Assets: Guidance Note* (n.d.).

This assessment has also be undertaken in accordance with the council's *Guidance on Applications Relating to Heritage Assets* (n.d.).

The Banbury Vision and Masterplan document (Supplementary Planning Guidance document) produced by Cherwell District Council in 2016 was also reviewed as part of this assessment. Visions and objectives within this document are relevant to the historic environment and have been used to inform the text provided.

## Appendix 2: Gazetteer

**Table 4: Gazetteer of Designated Heritage Assets**

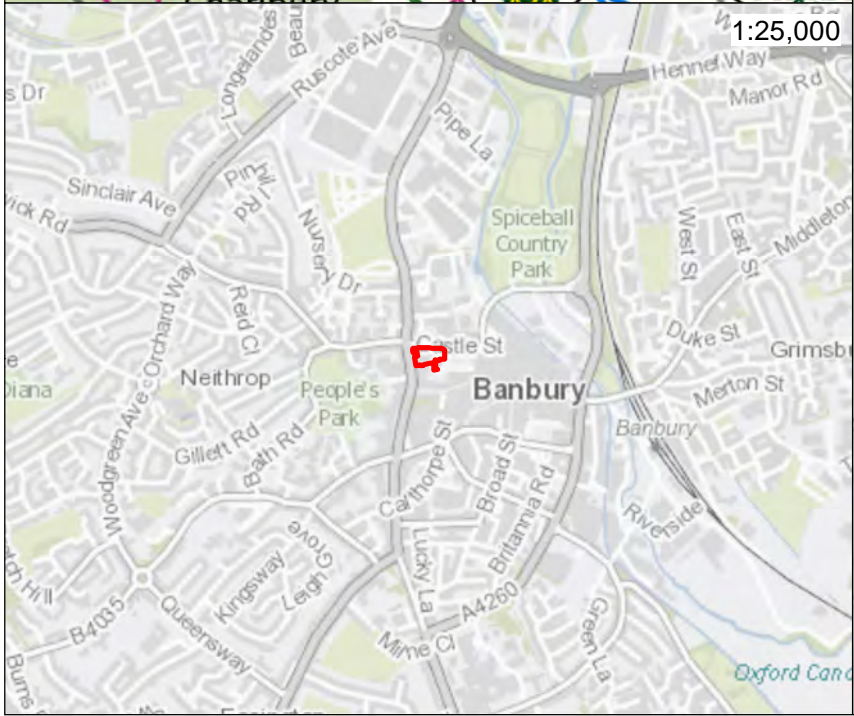
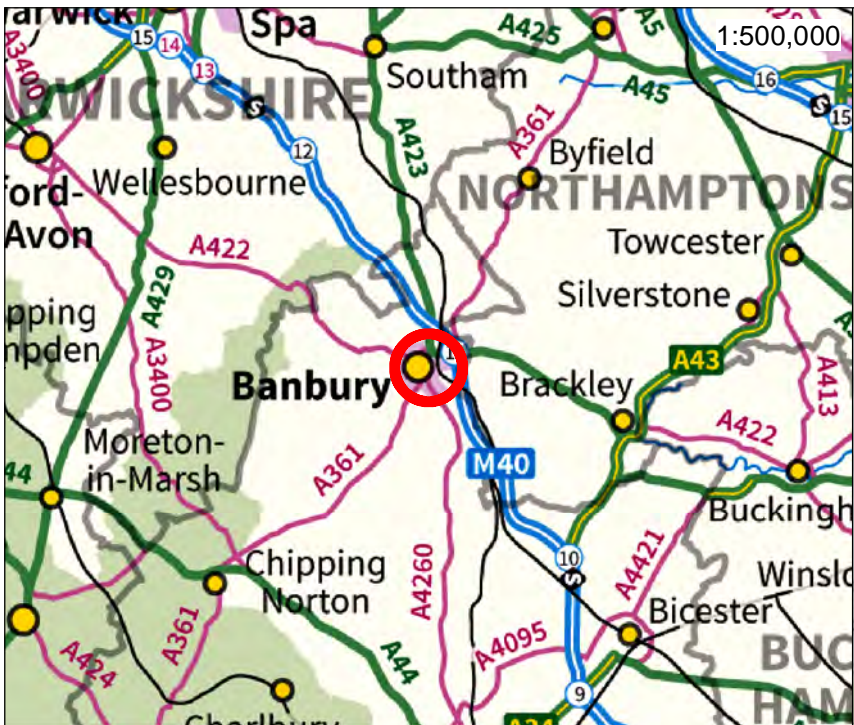
NHLE	Name	Designation	Easting	Northing
1006323	Tooley's Boatyard	Scheduled Monument	445803	240761
1369519	Church Of St Mary	Grade I Listed Building	445408	240552
1046969	Browns, Clays Butchers, Lunn Poly	Grade II* Listed Building	445662	240598
1200100	Carpenters	Grade II* Listed Building	445606	240598
1200118	Unicorn Hotel	Grade II* Listed Building	445589	240623
1200151	Johnson And Gaunt Solicitors	Grade II* Listed Building	445408	240672
1283202	F B Hancock Solicitors	Grade II* Listed Building	445368	240511
1369548	Nationwide And Entrance To Unicorn Hotel	Grade II* Listed Building	445611	240624
1369571	Ann Elizabeth Health Foods, The Reindeer Inn	Grade II* Listed Building	445497	240643
1046875	1 And 2 Park Close	Grade II Listed Building	445195	240690
1046894	Neil's	Grade II Listed Building	445551	240670
1046895	53, 53a, 53b And 54, Parson's Street	Grade II Listed Building	445536	240659
1046896	Goblet Home Brew, Holloways	Grade II Listed Building	445518	240643
1046897	The Flying Horse Inn	Grade II Listed Building	445472	240631
1046898	The Sphinx Restaurant	Grade II Listed Building	445444	240626
1046899	Wine Vaults Public House	Grade II Listed Building	445555	240629
1046900	Marriott Of Banbury	Grade II Listed Building	445496	240608
1046901	Banbury Gallery	Grade II Listed Building	445483	240608
1046902	The Greeting Card Shop	Grade II Listed Building	445431	240608
1046903	31, Parson's Street	Grade II Listed Building	445392	240614
1046913	4-8, Southam Road	Grade II Listed Building	445379	240808
1046916	Unit 24, Castle Centre, West One, Castle Centre, Wh Smith, Castle Centre	Grade II Listed Building	445687	240661
1046917	Facade, Cornhill Corn Exchange, Castle Centre	Grade II Listed Building	445623	240676
1046918	St John's Ambulance Headquarters	Grade II Listed Building	445607	240689
1046919	Dodd Insurance Brokers	Grade II Listed Building	445592	240688
1046920	Rain Restaurant And Wine Bar	Grade II Listed Building	445591	240680
1046921	Copper Kettle, Millers Estate Agents, Wilsons Wines	Grade II Listed Building	445684	240621
1046922	Supa Snaps	Grade II Listed Building	445651	240607
1046923	Abbey National	Grade II Listed Building	445637	240593
1046924	Unicorn Hotel, Doubled Gable Range In Courtyard To South	Grade II Listed Building	445603	240621
1046925	Trelawn	Grade II Listed Building	445385	240743
1046926	Cherwell Interiors	Grade II Listed Building	445410	240704
1046927	David Taylor, Roberts Dental Surgeon	Grade II Listed Building	445406	240659
1046928	The Cross Bar	Grade II Listed Building	445346	240680
1046929	Dog And Gun Public House	Grade II Listed Building	445349	240610
1046934	Whitcher Menswear	Grade II Listed Building	445590	240658
1046937	Evans Collection	Grade II Listed Building	445655	240570
1046938	Hairworks, Stantons Bakery	Grade II Listed Building	445613	240546
1046939	Facade Of Number 12 (Lloyds Bank)	Grade II Listed Building	445603	240546



NHLE	Name	Designation	Easting	Northing
1046940	Dewhurst, Records And Tapes	Grade II Listed Building	445590	240528
1046943	Gatepiers Of St Marys Churchyard	Grade II Listed Building	445359	240543
1046944	Chest Tomb Approximately 5 Metres East Of Chancel Of Church Of St Mary	Grade II Listed Building	445436	240565
1046945	Chest Tomb Approximately 15 Metres South East Of Chancel Of Church Of St Mary	Grade II Listed Building	445444	240541
1046946	Tomb Effigy Approximately 25 Metres South East Of Church Of St. Mary	Grade II Listed Building	445447	240528
1046947	Lloyd Wynne And Company	Grade II Listed Building	445364	240498
1046948	Alliance Building Society, Compare Insurance Brokers	Grade II Listed Building	445368	240462
1046951	Wall Approximately 25 Metres South Of Friends' Meeting House	Grade II Listed Building	445302	240572
1046952	Savill's Estate Agent	Grade II Listed Building	445297	240501
1046953	Whately Hall Hotel	Grade II Listed Building	445306	240507
1046961	M And B Banbury Cross Public House	Grade II Listed Building	445573	240582
1046963	Blue Belles	Grade II Listed Building	445514	240579
1046968	Dewhurst	Grade II Listed Building	445698	240611
1046970	Expressions, Thorntons	Grade II Listed Building	445627	240587
1046971	Milwards	Grade II Listed Building	445603	240578
1046972	White Lion Hotel	Grade II Listed Building	445532	240500
1046973	Post Office	Grade II Listed Building	445478	240490
1199320	The Granary	Grade II Listed Building	445576	240569
1199481	Forty Six	Grade II Listed Building	445672	240602
1199504	Yorkshire Bank	Grade II Listed Building	445530	240530
1199526	Currys	Grade II Listed Building	445488	240489
1199722	Row Of 29 Headstones Ranged Along North Wall, Church Of St Mary	Grade II Listed Building	445402	240566
1199728	Chest Tomb, With Corner Balusters, Approximately 5 Metres East Of Chancel Of Church Of St Mary	Grade II Listed Building	445437	240562
1199741	Font Approximately 26 Metres South East Of Church Of St Mary	Grade II Listed Building	445450	240530
1199750	3 Chest Tombs Approximately 24 Metres South East Of Chancel, Church Of St Mary	Grade II Listed Building	445437	240524
1199779	The Woolpack Public House And Left Part Of Compare Insurance	Grade II Listed Building	445376	240470
1199817	Banbury Quaker Meeting House	Grade II Listed Building	445316	240590
1200085	Number 13 Albest And Number 13 A Baxters	Grade II Listed Building	445646	240597
1200155	Arrow Audio And Oscan Electronics	Grade II Listed Building	445342	240726
1200288	Pebble's Fashion	Grade II Listed Building	445538	240625
1200438	Hernandez Restaurant	Grade II Listed Building	445423	240608
1283164	Elt Banbury	Grade II Listed Building	445312	240539
1283223	Chest Tomb Approximately 50 Metres North West Of Portico, Church Of St Mary	Grade II Listed Building	445375	240596
1283235	Thorn Chest Tomb Approximately 5 Metres East Of Chancel Of Church Of St Mary	Grade II Listed Building	445438	240550
1283353	Dorothy Perkins, H Samuel	Grade II Listed Building	445614	240586
1300690	The Three Pidgeons Public House	Grade II Listed Building	445386	240792
1300746	Ammareque, Lowry	Grade II Listed Building	445437	240606
1300839	M A Buzzard	Grade II Listed Building	445491	240606
1300841	19, Parson's Street	Grade II Listed Building	445469	240606

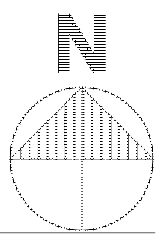
NHLE	Name	Designation	Easting	Northing
1300871	Cardshops	Grade II Listed Building	445597	240660
1300874	Goldbar Jewellers And Whitcher Menswear, 59 And 60 Parson's Street	Grade II Listed Building	445577	240657
1300879	Banbury Sewing Machine Centre	Grade II Listed Building	445560	240660
1300888	4b Micro Centres	Grade II Listed Building	445347	240672
1300891	Church Hall, Church House	Grade II Listed Building	445336	240573
1300919	Robert Atkins And Powdrell	Grade II Listed Building	445409	240693
1300944	Buckell And Ballard And Eastbourne Mutual Building Society, 4 And 5 Market Place	Grade II Listed Building	445694	240624
1300957	Leamington Spa Building Society	Grade II Listed Building	445672	240619
1369517	John Tyler	Grade II Listed Building	445597	240537
1369518	Jeanette Grant, Martin's Bank Chambers	Grade II Listed Building	445529	240465
1369520	Row Of 6 Chest Tombs Along The Wall Approximately 28 Metres To 10 Metres West Of Portico, Church Of St Mary	Grade II Listed Building	445370	240535
1369521	Chest Tomb Aproximately 10 Metres East Of Chancel Of Church Of St Mary	Grade II Listed Building	445442	240554
1369522	3 Chest Tombs Approximately 20 Metres South Of Nave, Church Of St Mary	Grade II Listed Building	445420	240518
1369523	Elt Banbury	Grade II Listed Building	445363	240484
1369534	Lumbers	Grade II Listed Building	445693	240610
1369537	Shoe Mart, The Children's Society	Grade II Listed Building	445457	240608
1369538	Antique Shop	Grade II Listed Building	445414	240612
1369543	Rumbelows, Castle Centre, Unit 22, Castle Centre	Grade II Listed Building	445706	240661
1369544	Unit 1, Castle Centre	Grade II Listed Building	445619	240691
1369545	Castle House	Grade II Listed Building	445599	240718
1369546	Buckell And Ballard	Grade II Listed Building	445702	240623
1369547	Carr Leport, Rebel Jeans	Grade II Listed Building	445658	240612
1369550	45, North Bar Street	Grade II Listed Building	445408	240688
1369552	Mogul Tandoori Restaurant	Grade II Listed Building	445567	240660
1369553	Anglia Building Society, Fairfax Cholmeley And Company, Royal Insurance	Grade II Listed Building	445661	240569
1369554	The Edinburgh Woolen Mill	Grade II Listed Building	445622	240550
1369570	Banbury Bags And Baggage, Philippa Kendall	Grade II Listed Building	445523	240653
1369572	Henman And Ballard Solicitors, The Marketeer	Grade II Listed Building	445605	240641
1369573	Carmel, Lights, The Store	Grade II Listed Building	445545	240626
1429143	Banbury War Memorial in The People's Park	Grade II Listed Building	445188	240569
N/A	Oxford Canal	Conservation Area	447580	238663
N/A	Banbury	Conservation Area	445331	240329

## Appendix 3: Figures

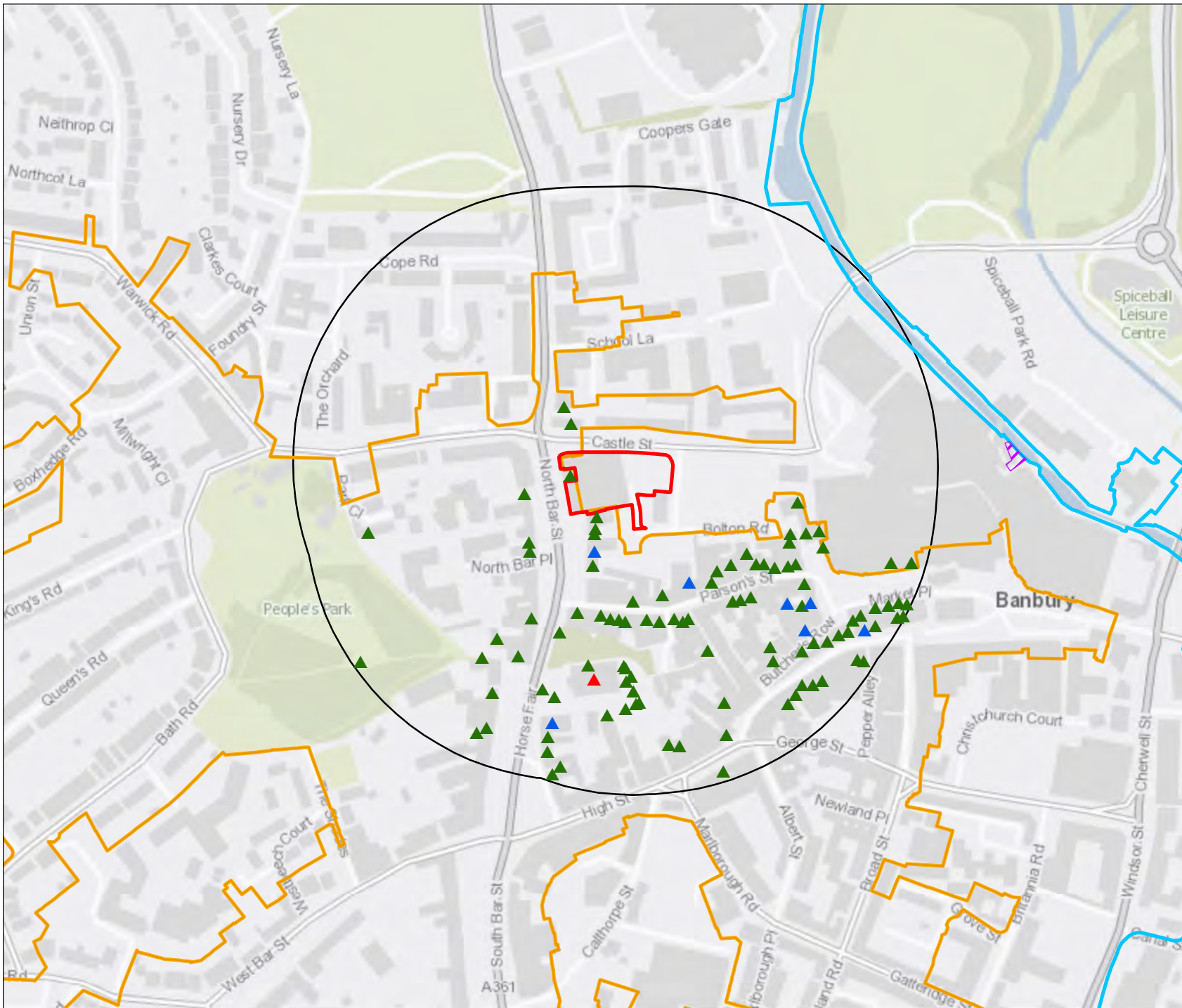


**KEY**

 Site



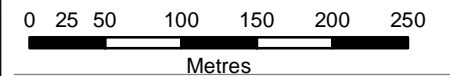
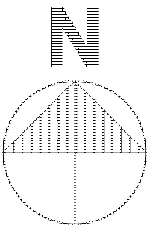
**Planning Issues**  
 Land at Bolton Road, Banbury,  
 Oxfordshire, OX16 0TH -  
 Heritage Statement  
**Figure 1: Site Location**  
 Brook Holt 3 Blackburn Road Sheffield S61 2DW  
 T: 0114 2669292 www.ecusltd.co.uk



**KEY**

- Site
- Study Area
- Scheduled Monument
- ▲ Grade I Listed Building
- ▲ Grade II\* Listed Building
- ▲ Grade II Listed Building
- Banbury Conservation Area
- Oxford Canal Conservation Area

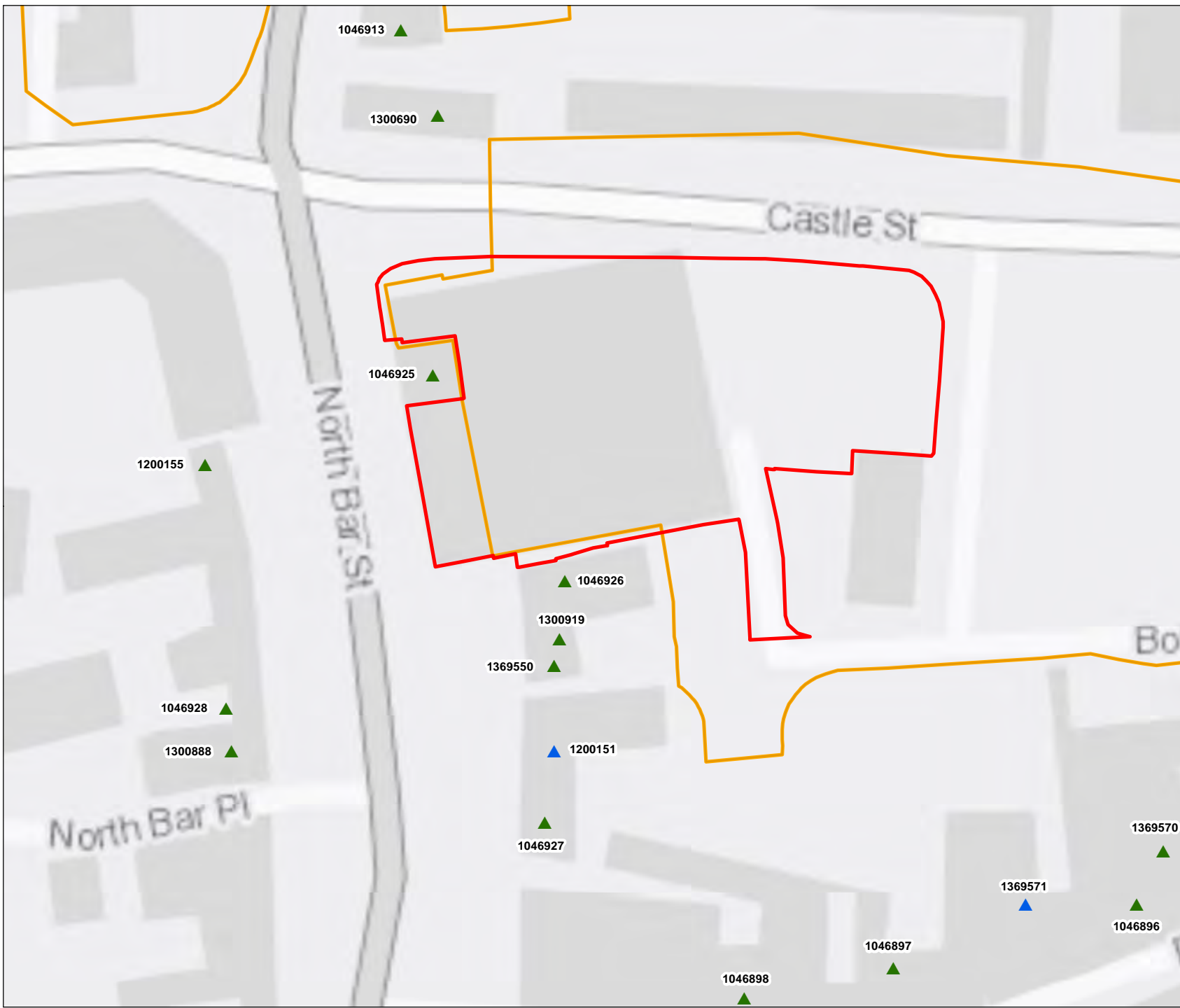
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**Planning Issues**  
 Land at Bolton Road, Banbury,  
 Oxfordshire, OX16 0TH -  
 Heritage Statement

**Figure 2: Designated Heritage Assets in a 250 m Study Area**

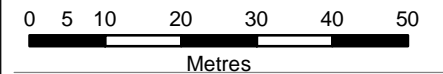
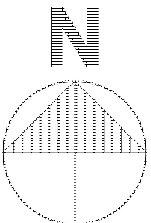
Brook Holt 3 Blackburn Road Sheffield S61 2DW  
 T: 0114 2669292 [www.ecusltd.co.uk](http://www.ecusltd.co.uk)



**KEY**

- Site
- Scheduled Monument
- ▲ Grade I Listed Building
- ▲ Grade II\* Listed Building
- ▲ Grade II Listed Building
- Banbury Conservation Area
- Oxford Canal Conservation Area

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**Planning Issues**  
 Land at Bolton Road, Banbury,  
 Oxfordshire, OX16 0TH -  
 Heritage Statement

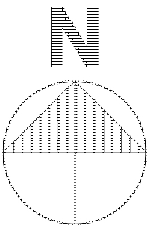
**Figure 3: Designated Heritage Assets in proximity to the Site**

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KEY

 Site



0 5 10 20 30 40 50  
Metres

**Planning Issues**  
Land at Bolton Road, Banbury,  
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Heritage Statement

**Figure 4: Extract from the Parish of  
Banbury Tithe Map 1852**

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## **Appendix 4: Ordnance Survey Mapping**



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**Report Ref:** EMS-735259\_956637  
**Grid Ref:** 445427, 240729

**Map Name:** County Series

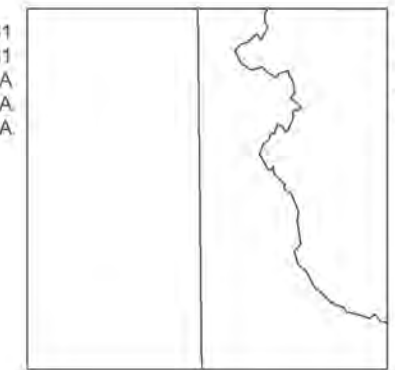
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**Printed at:** 1:10,560



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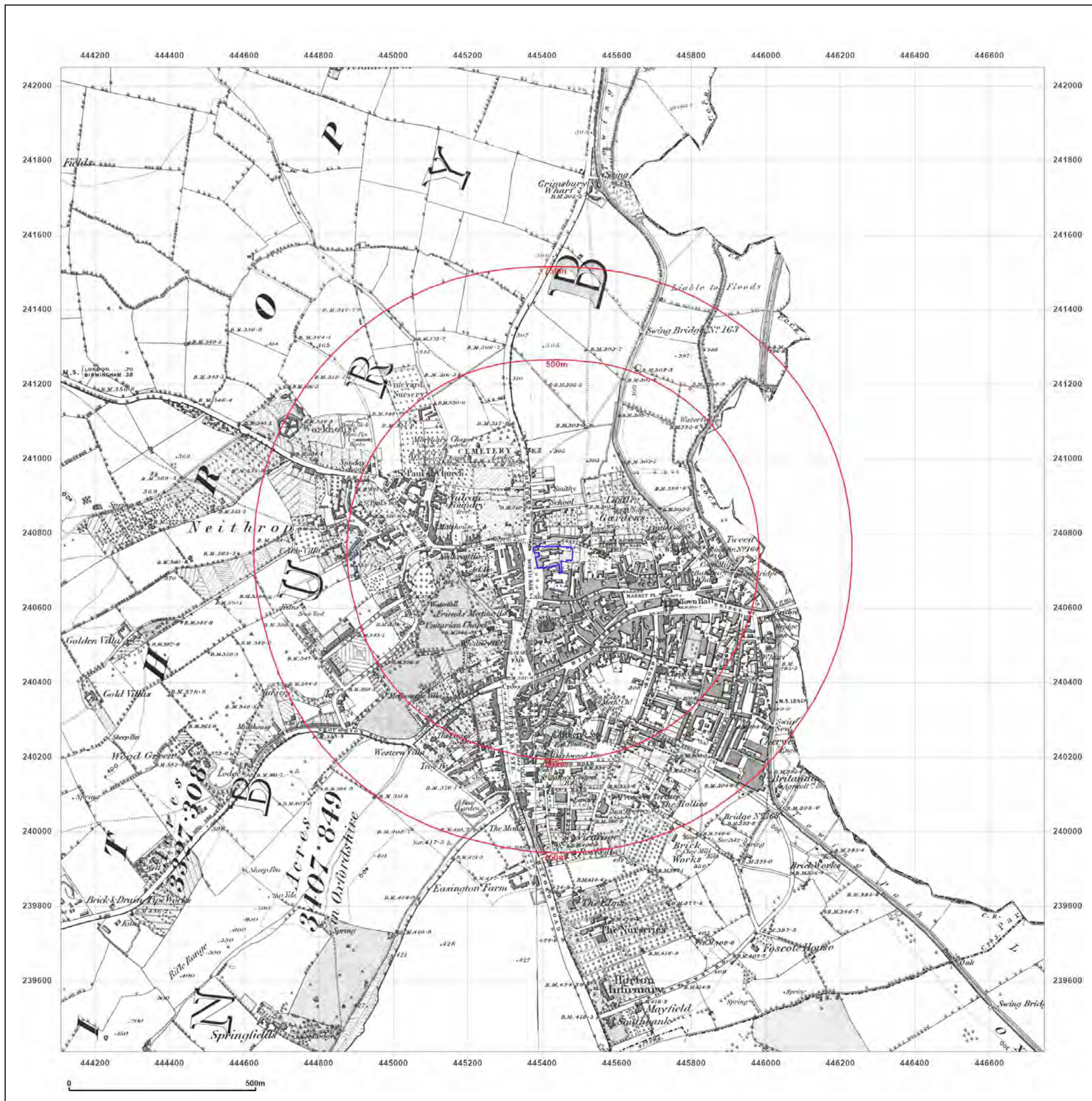


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**Map Name:** County Series

**Map date:** 1882

**Scale:** 1:2,500

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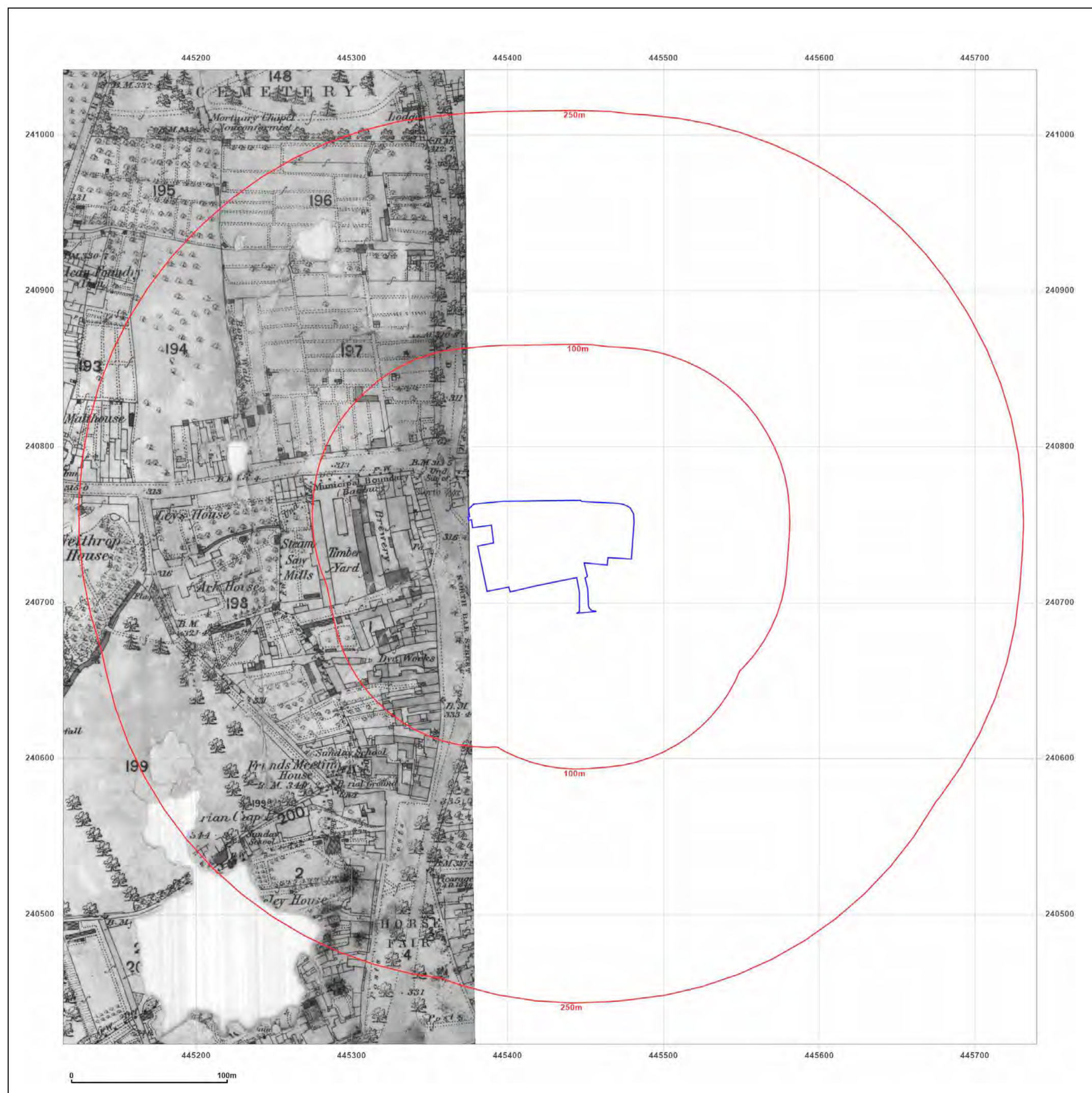


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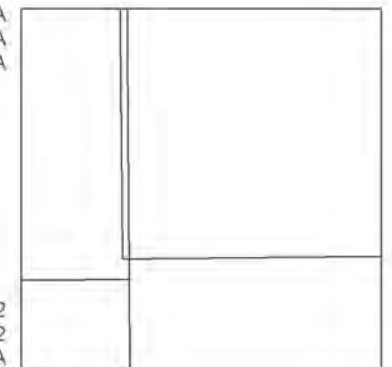
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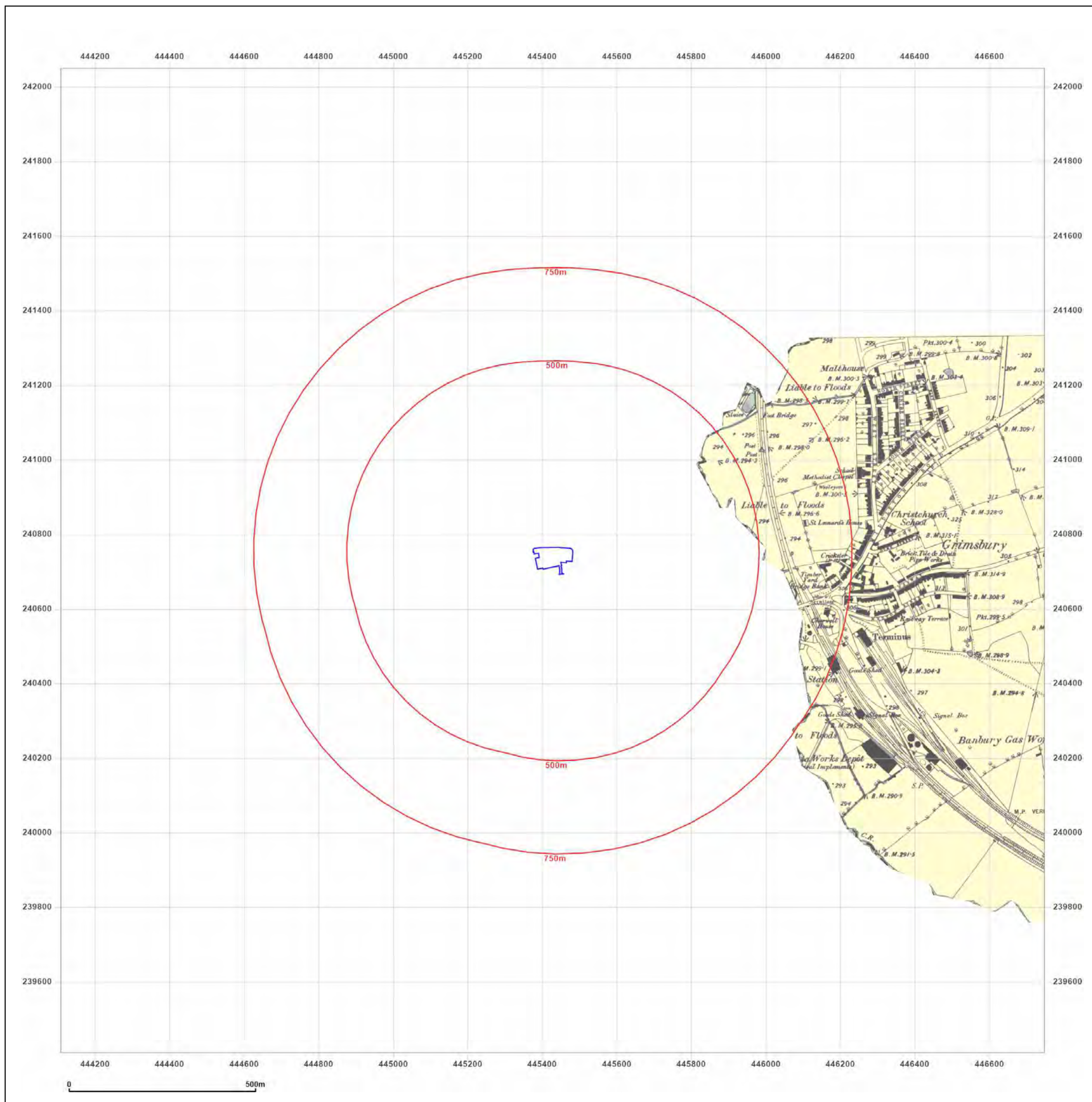


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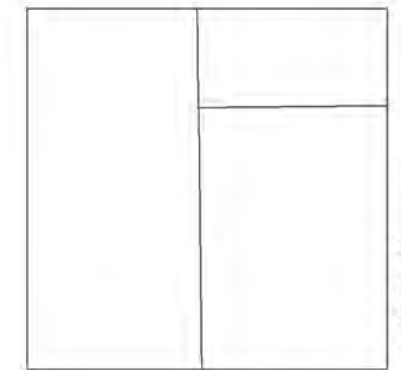
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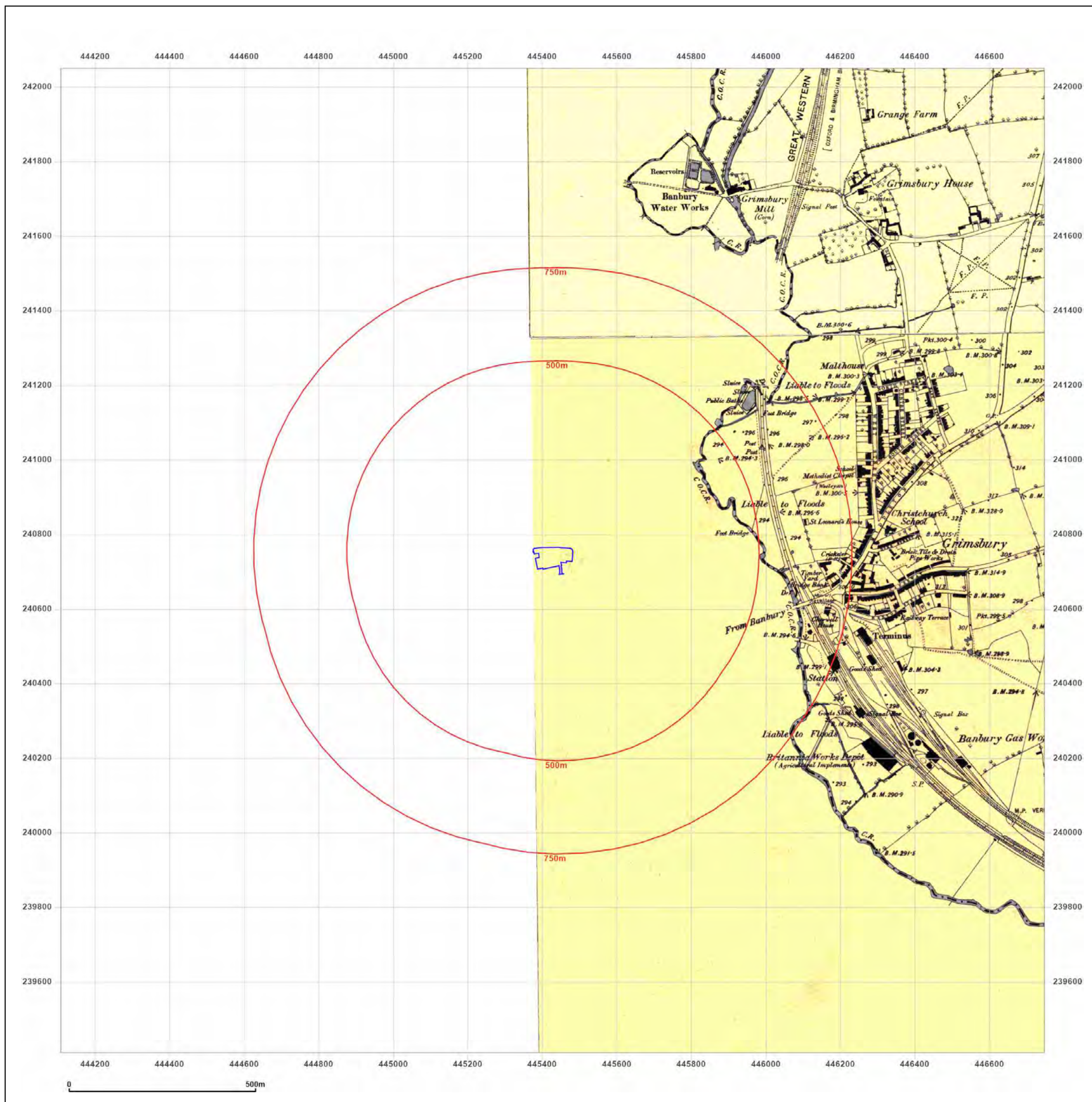


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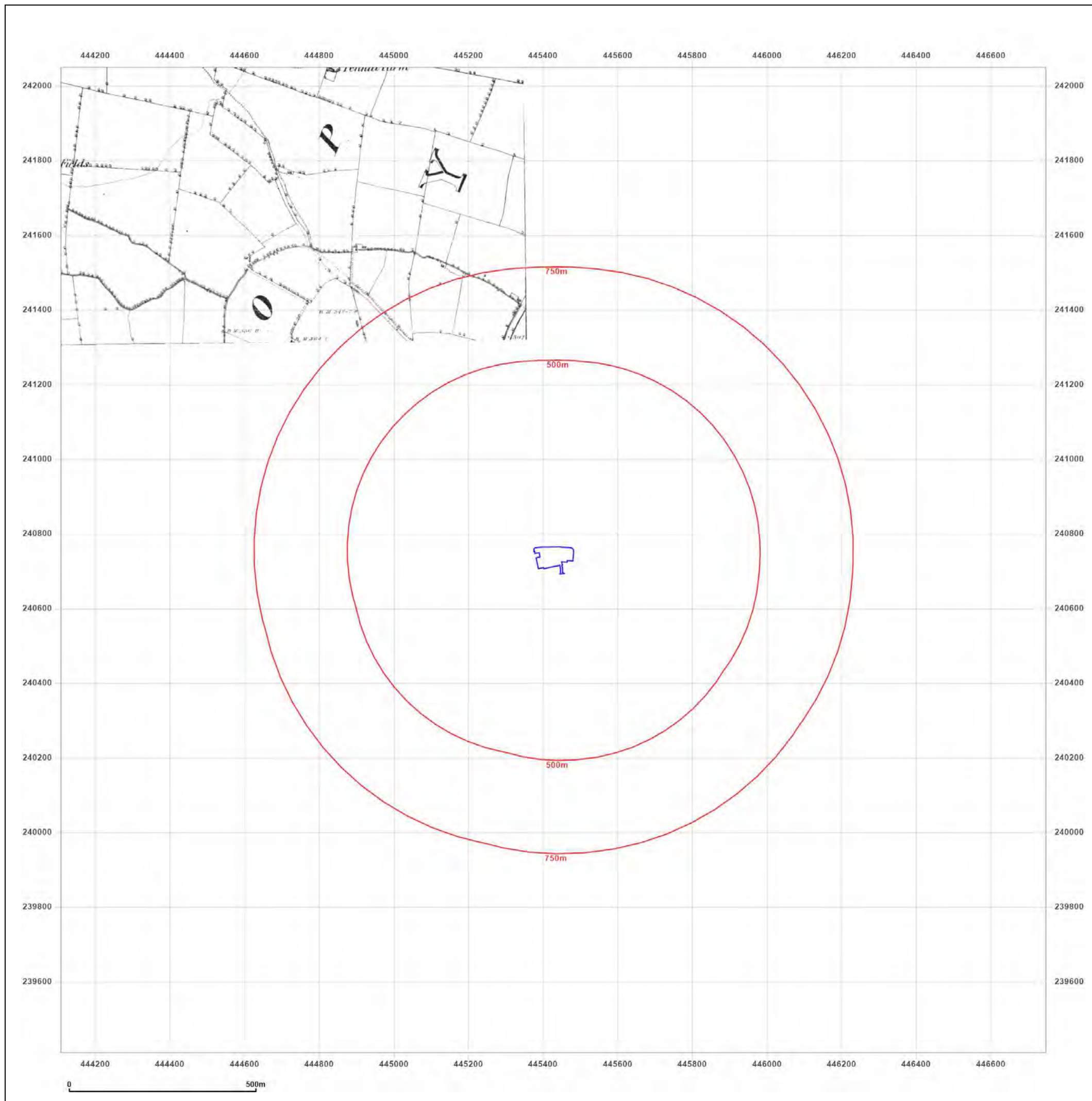
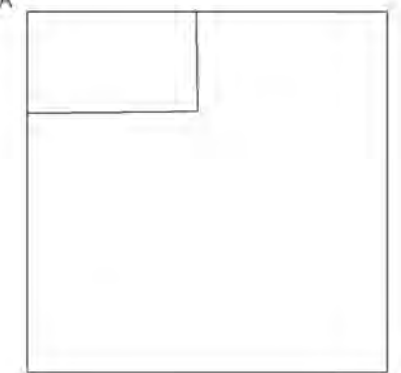
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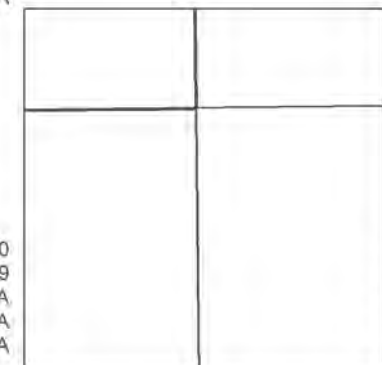
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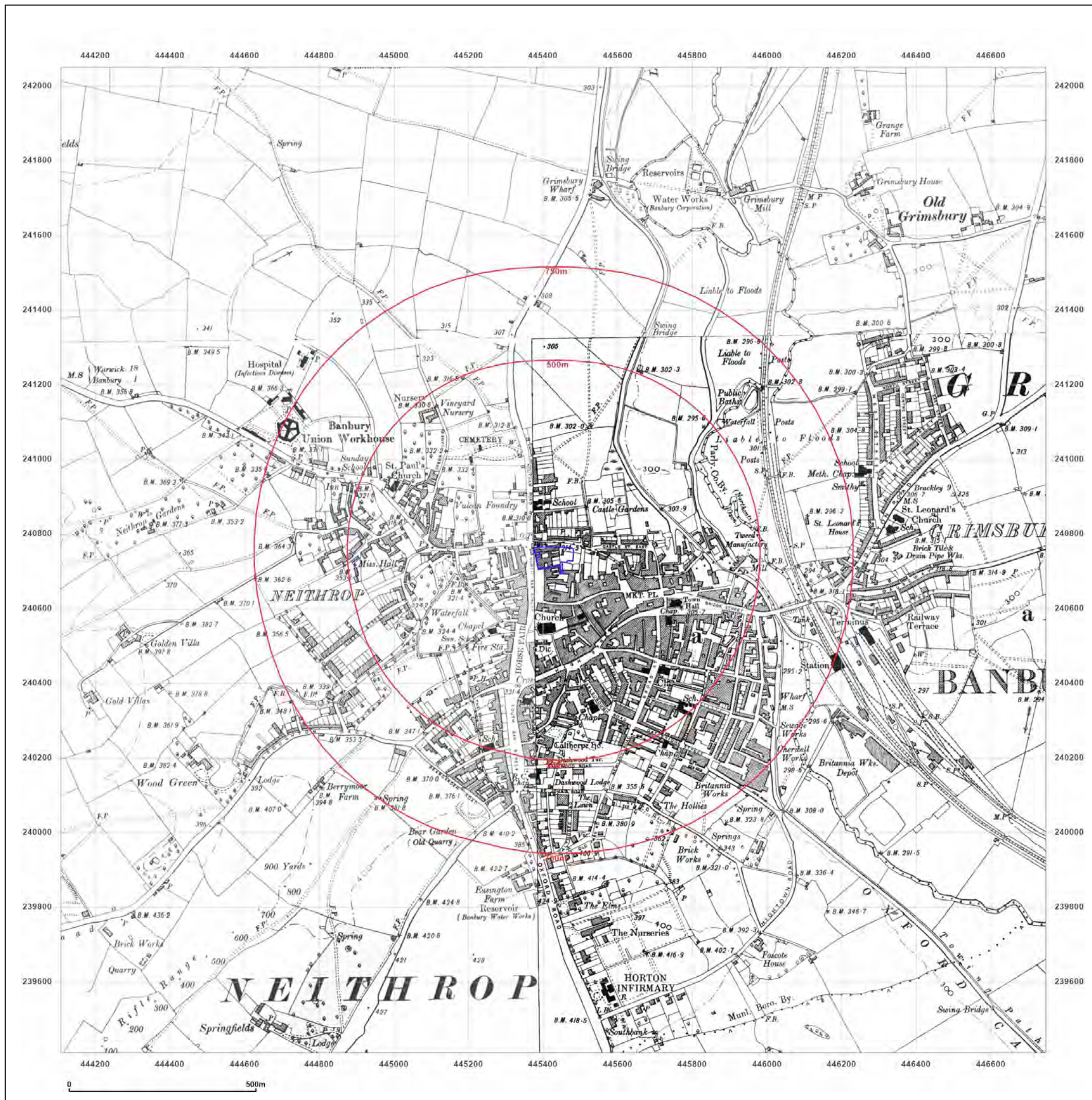


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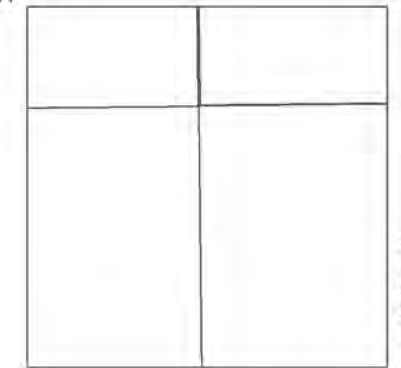
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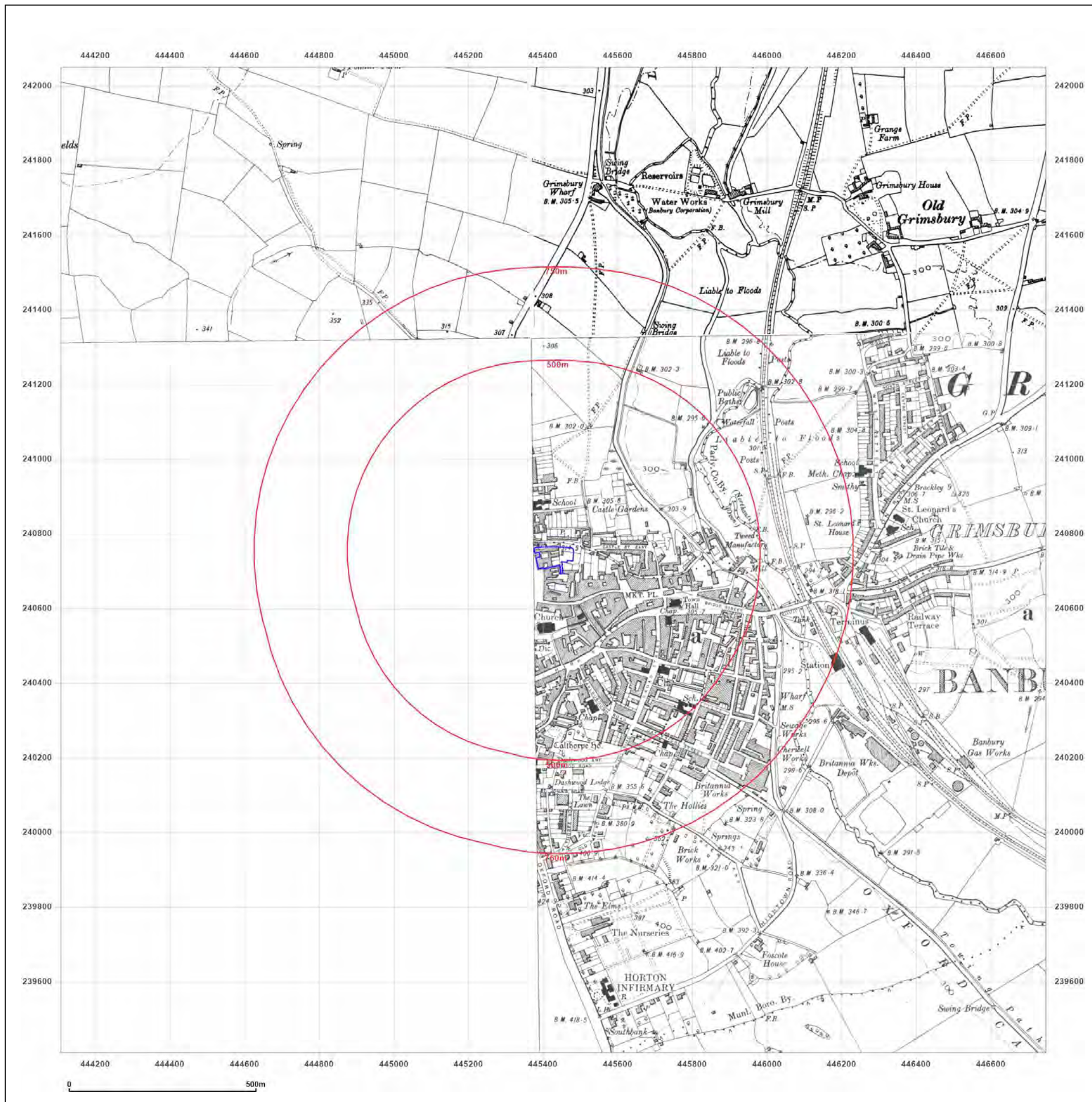


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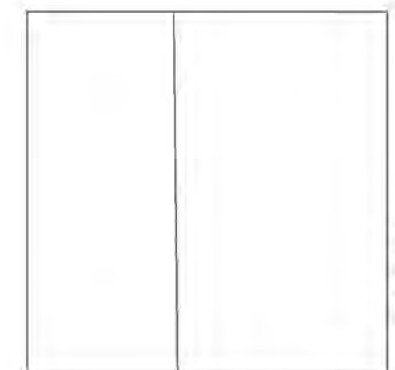
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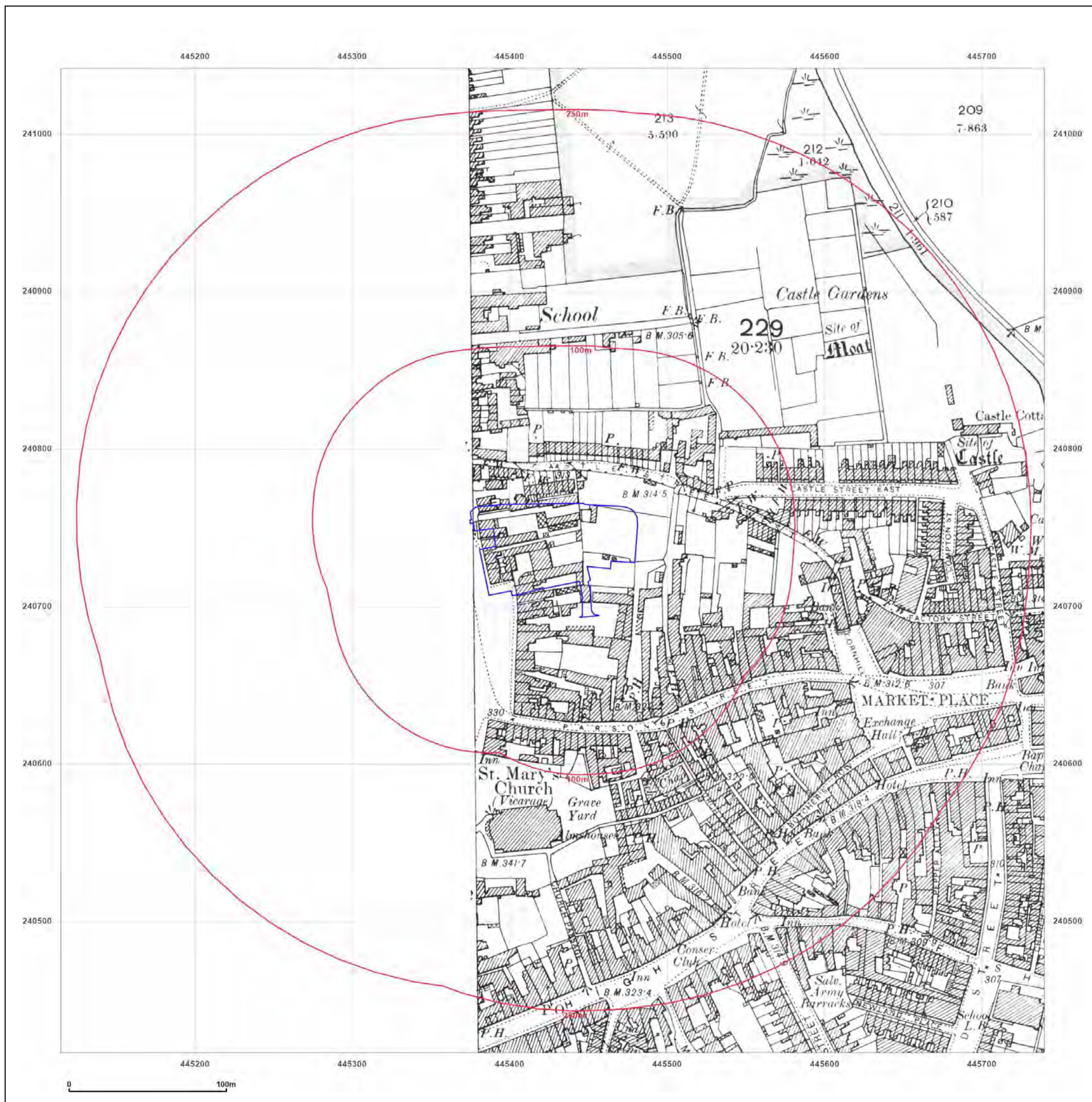


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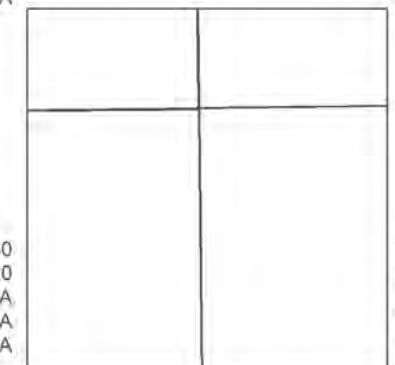
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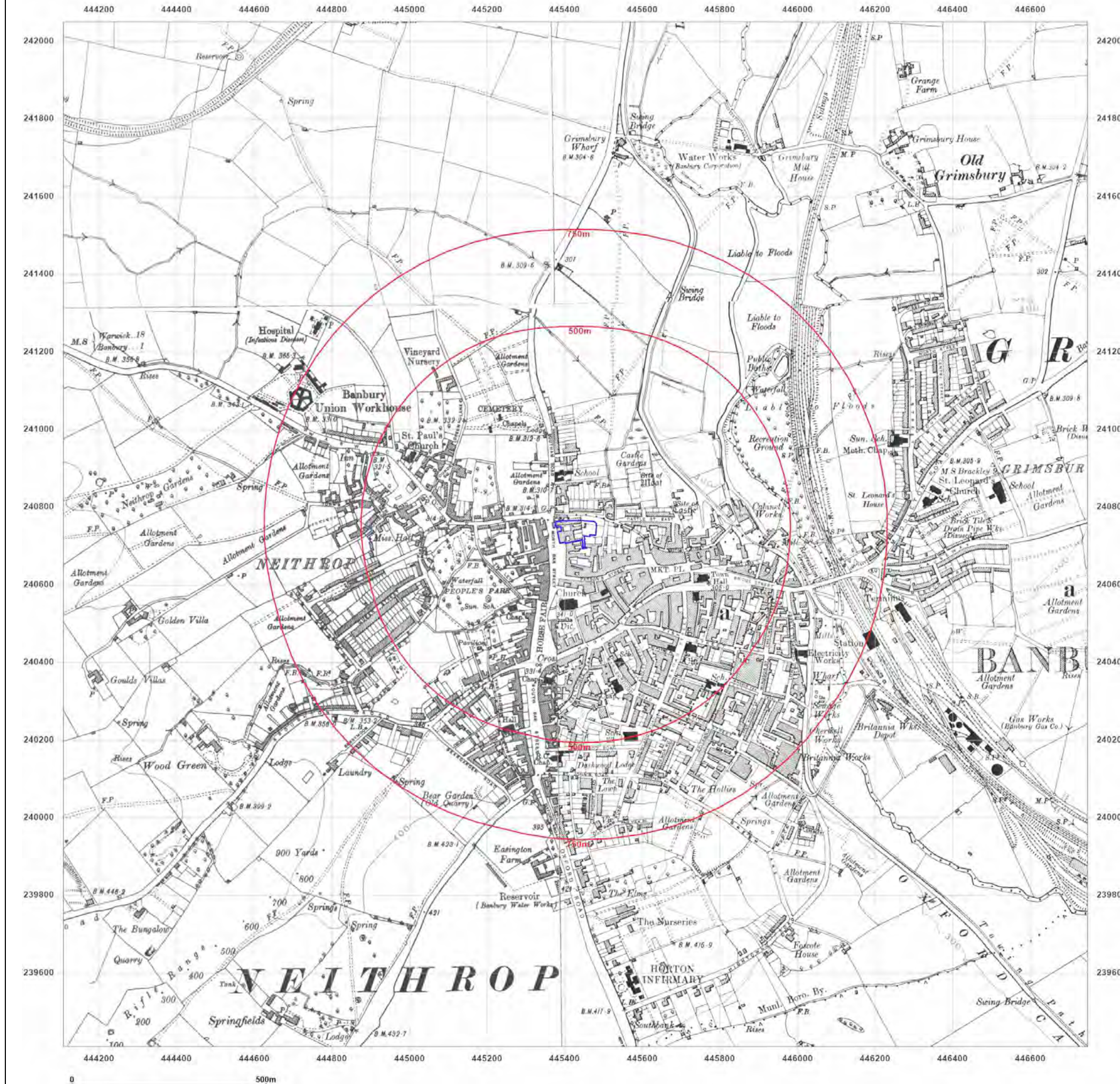
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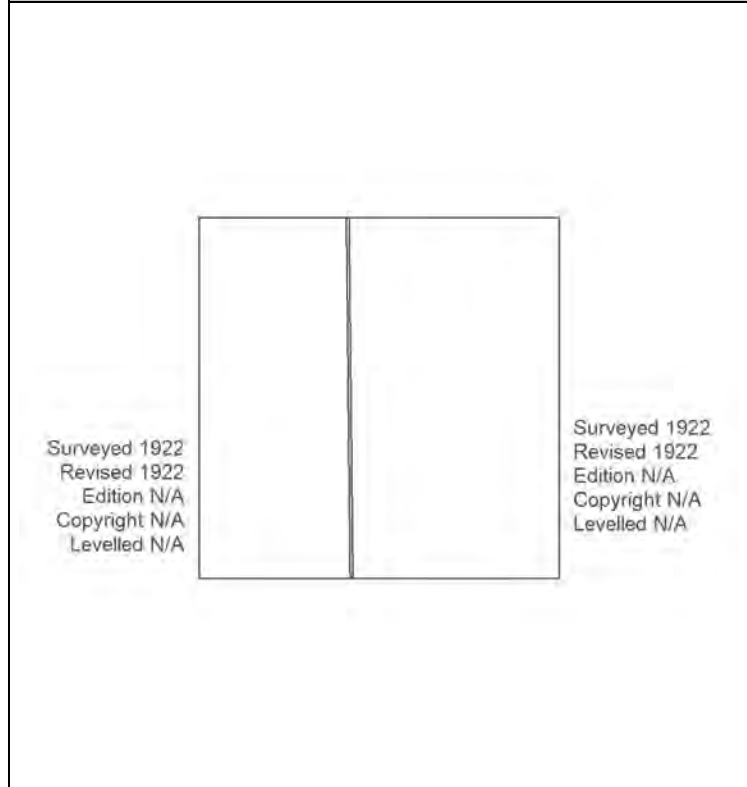
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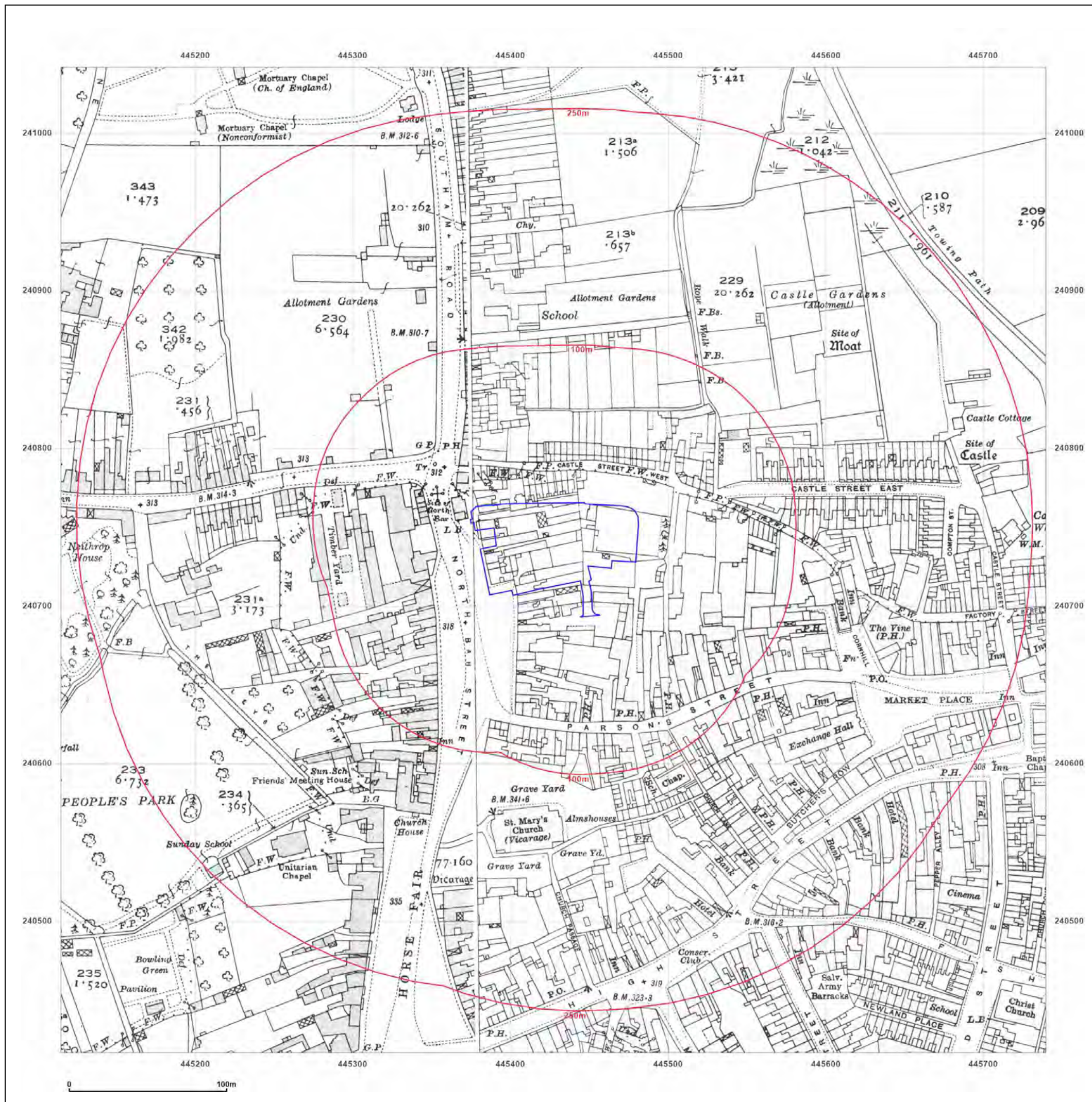


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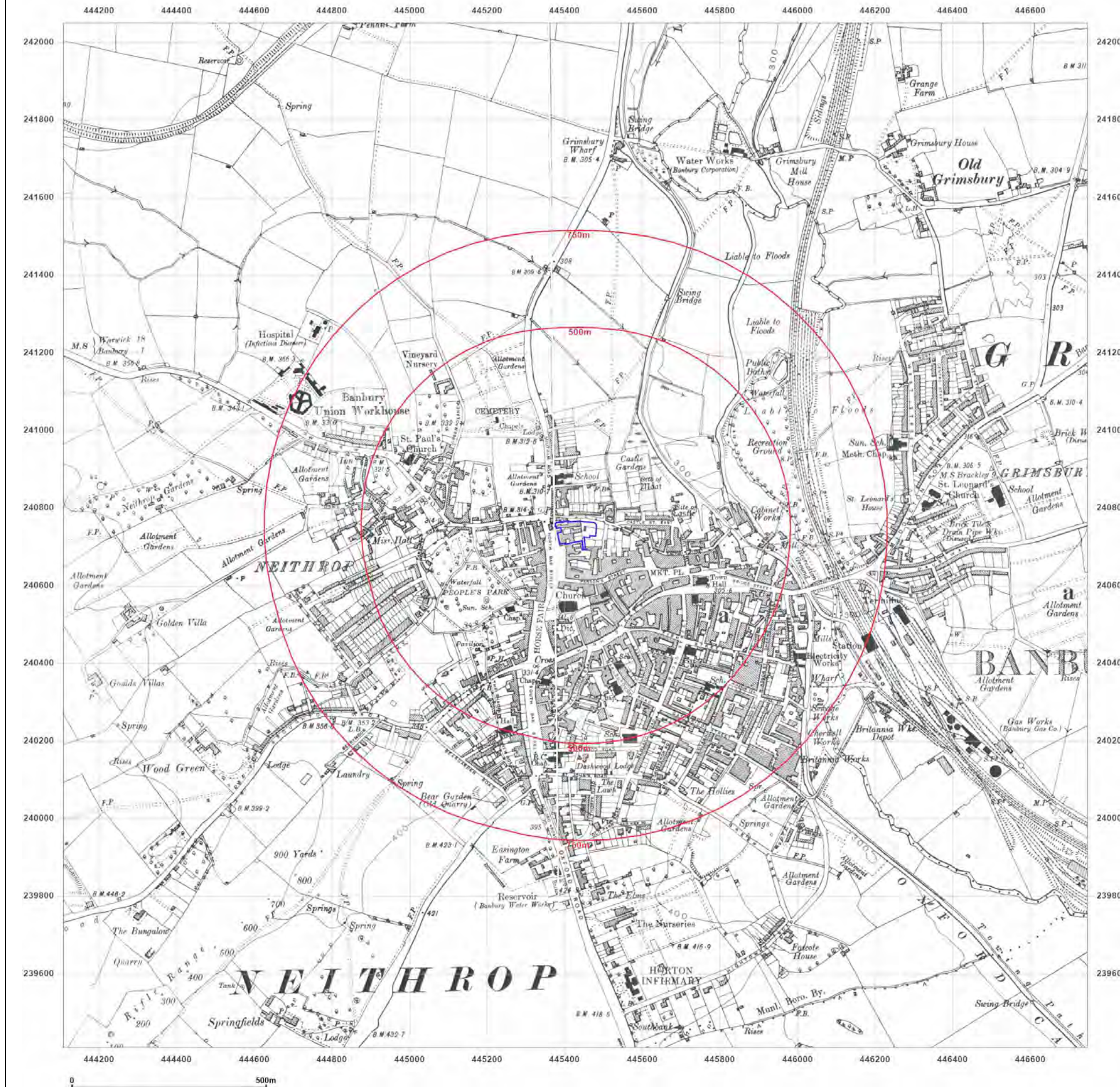


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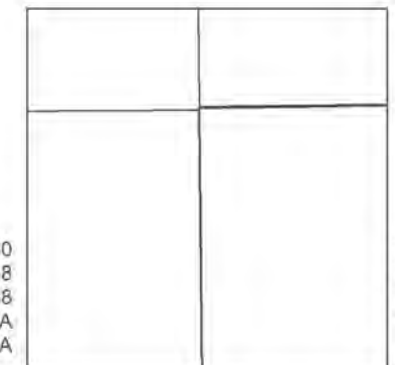
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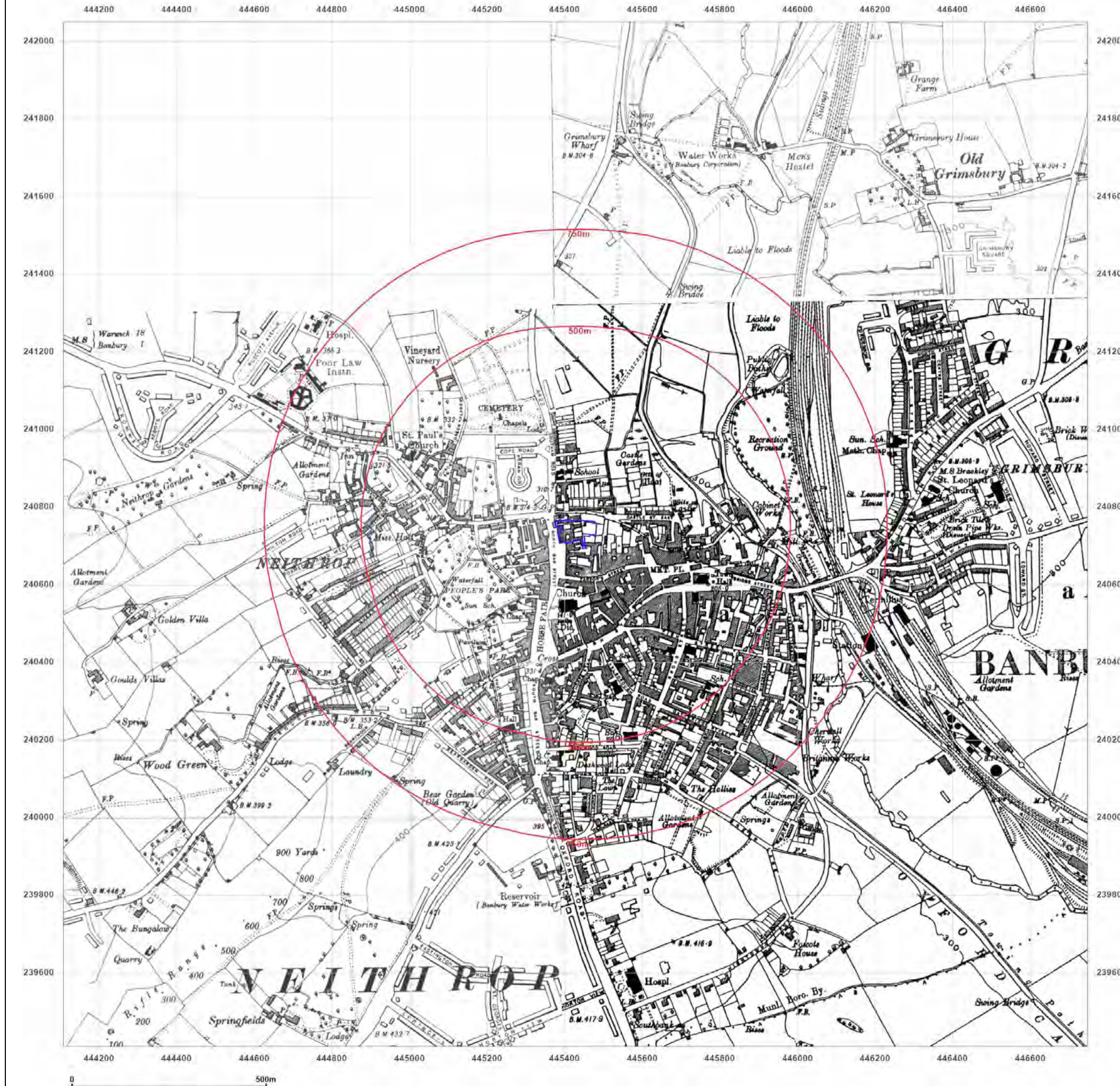


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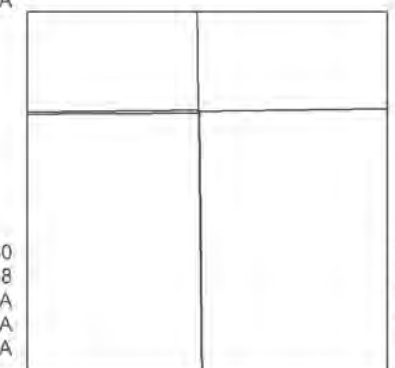
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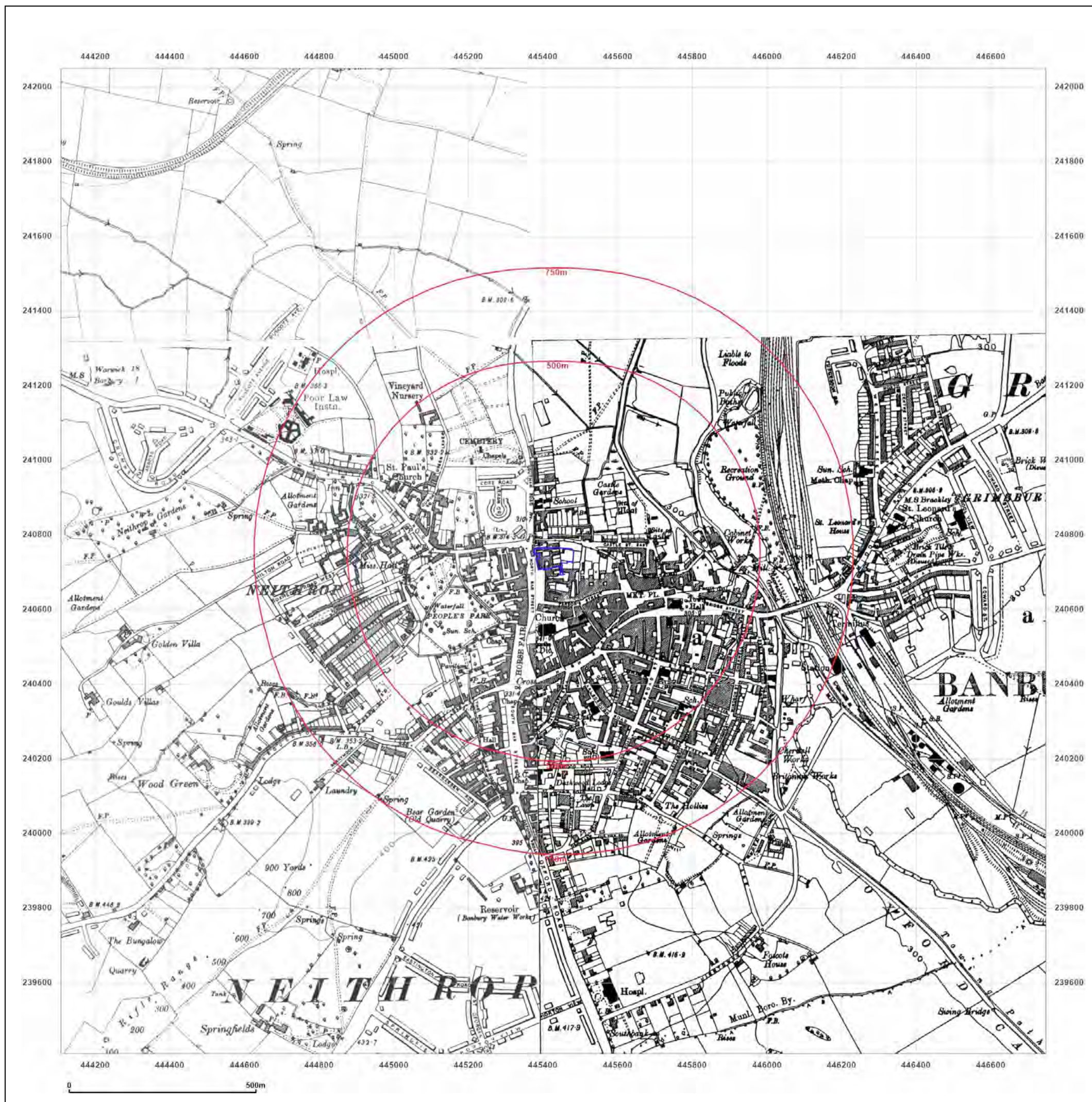


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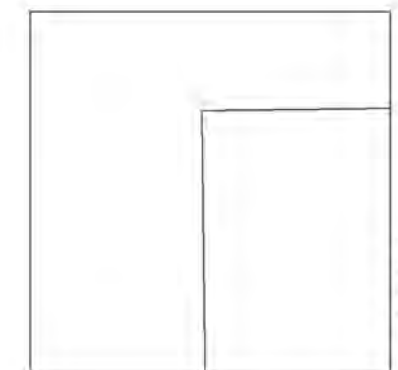
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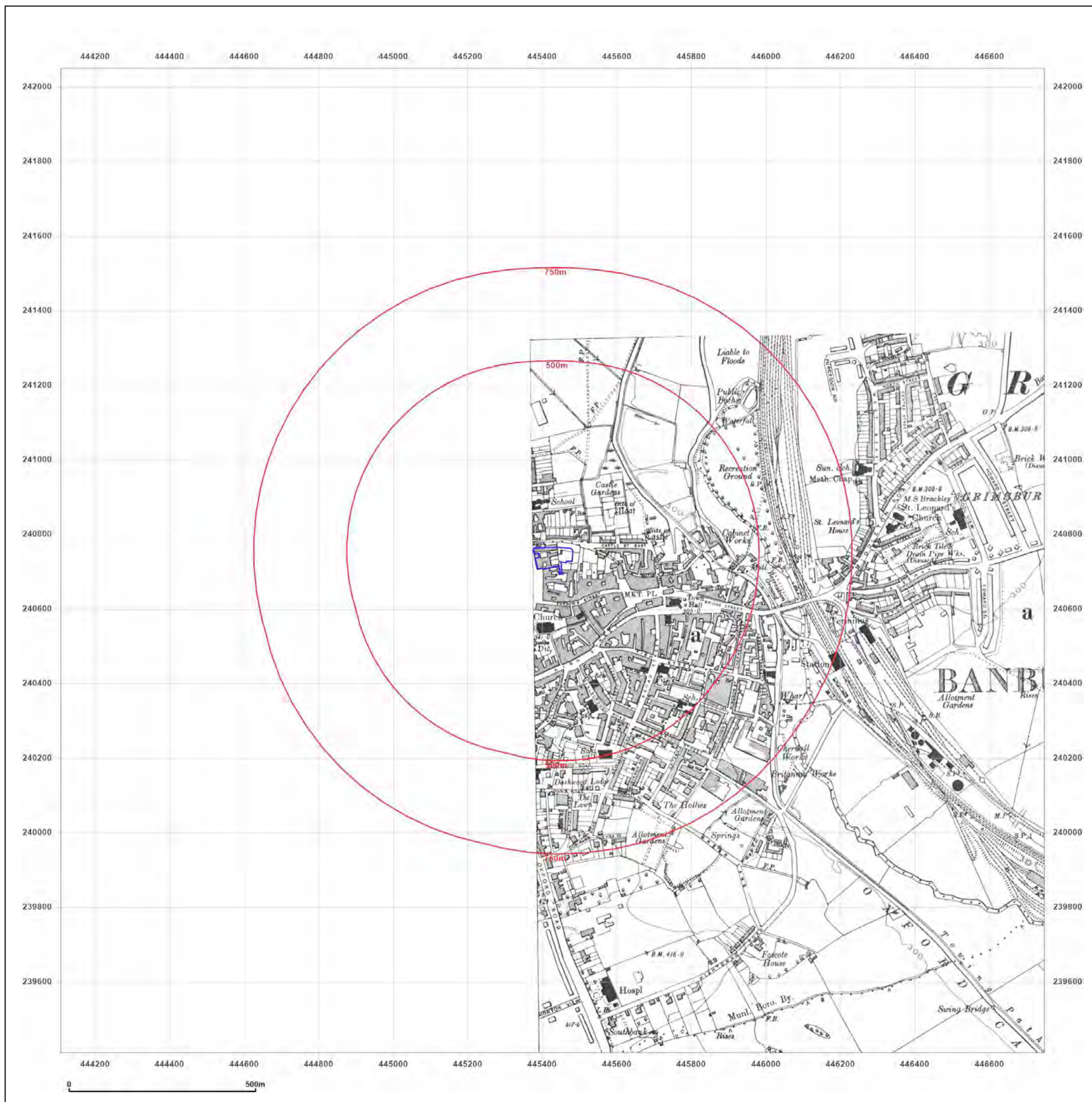


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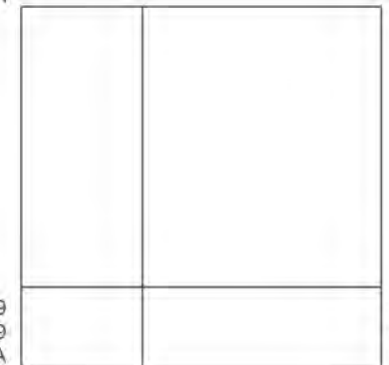
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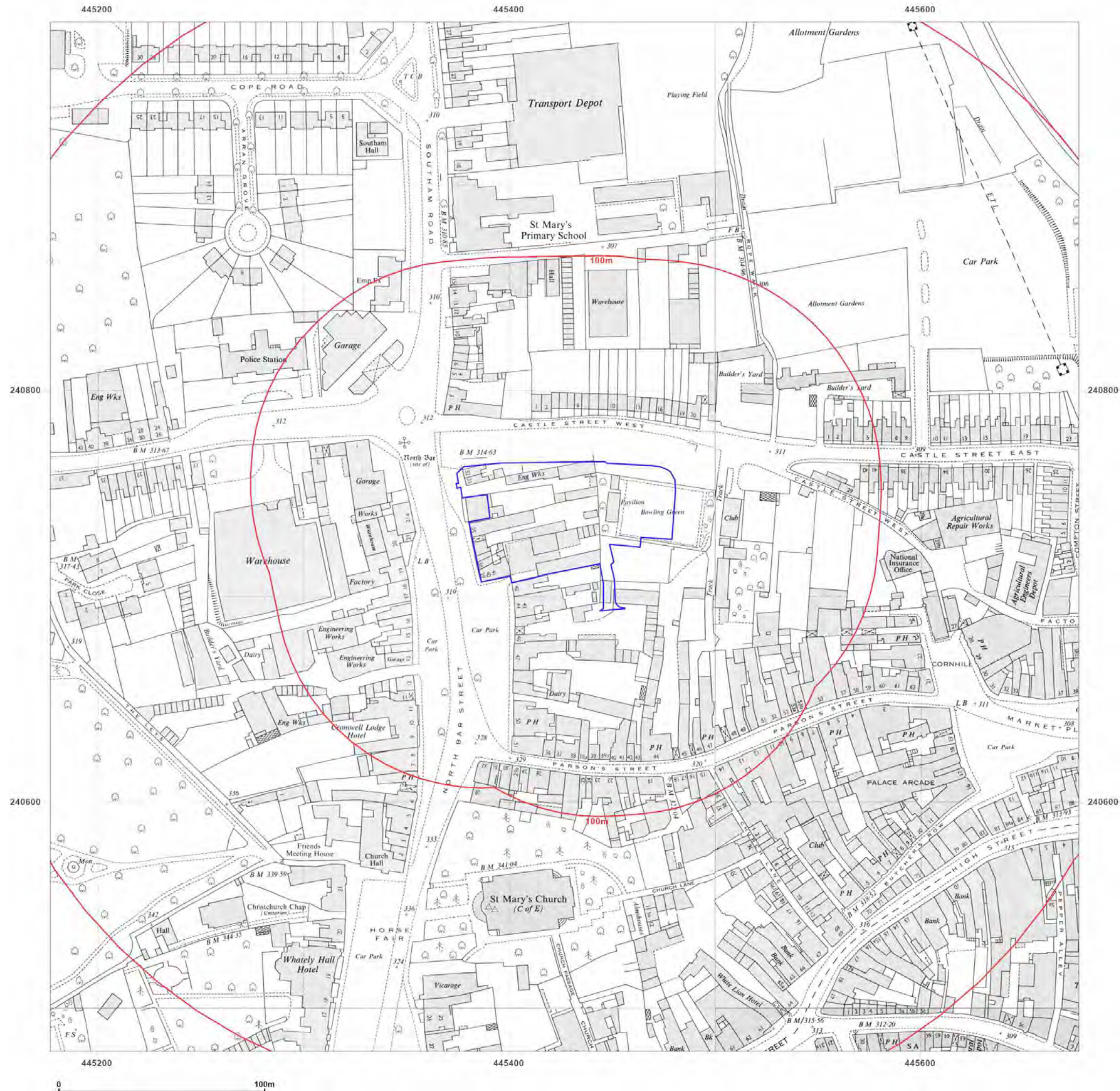
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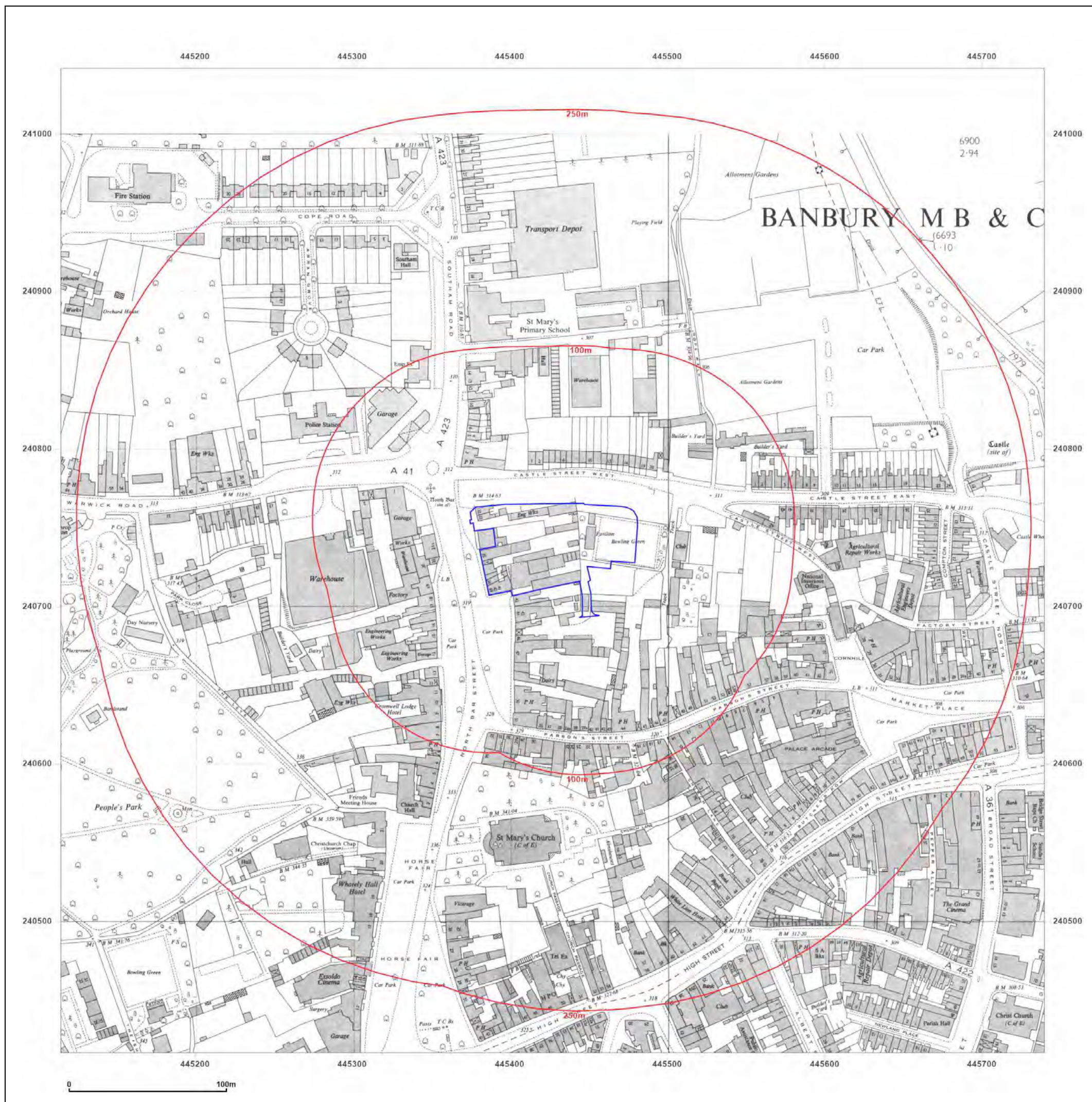


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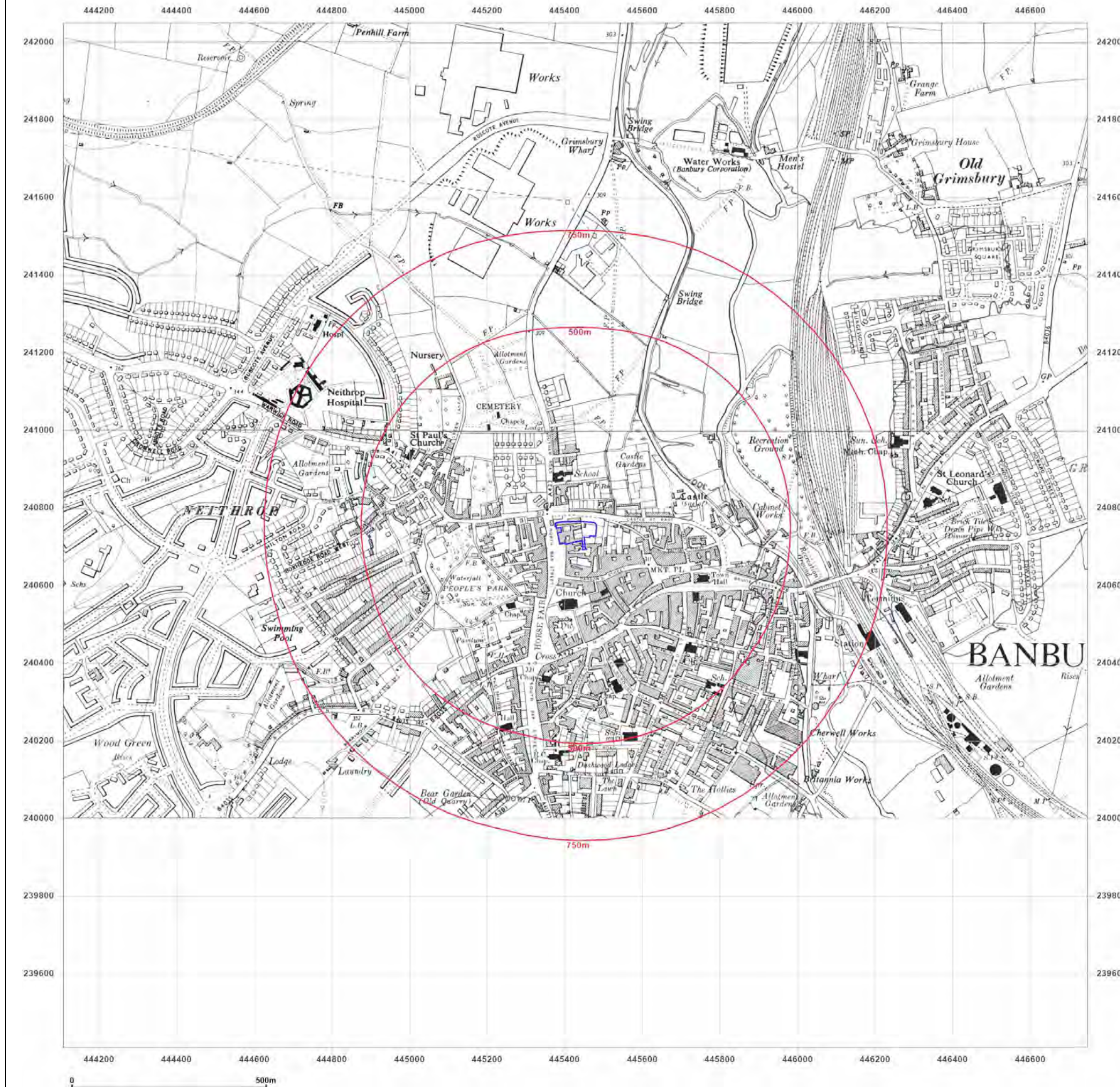
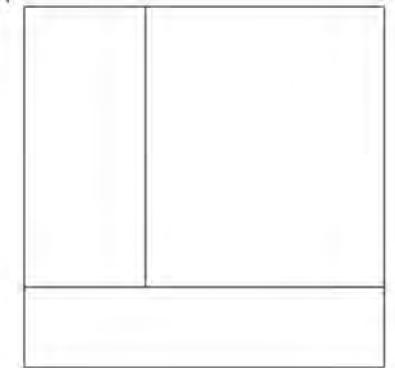
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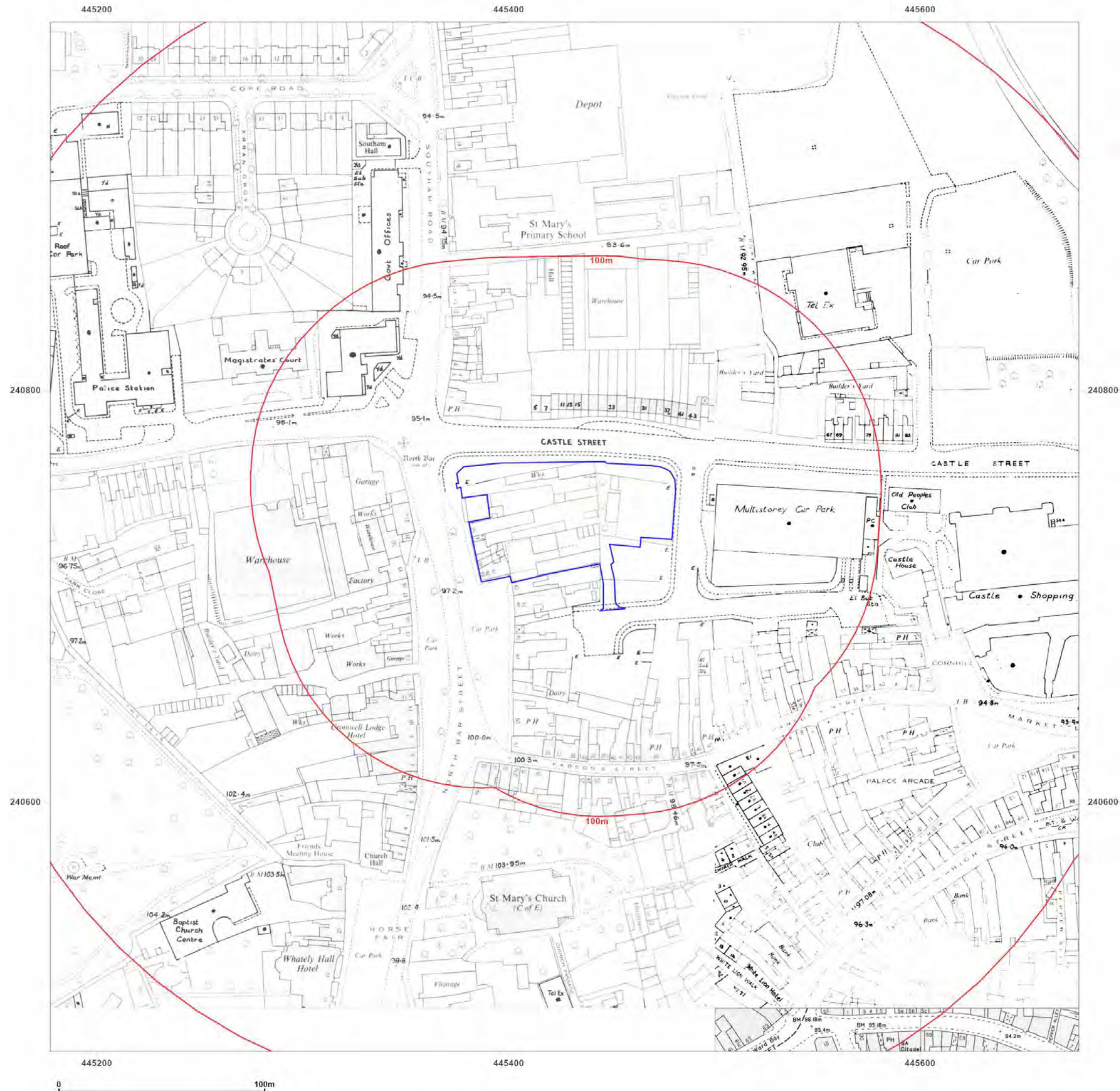
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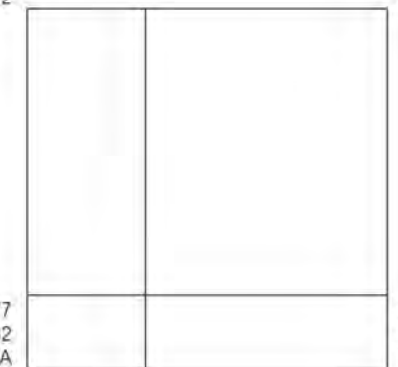
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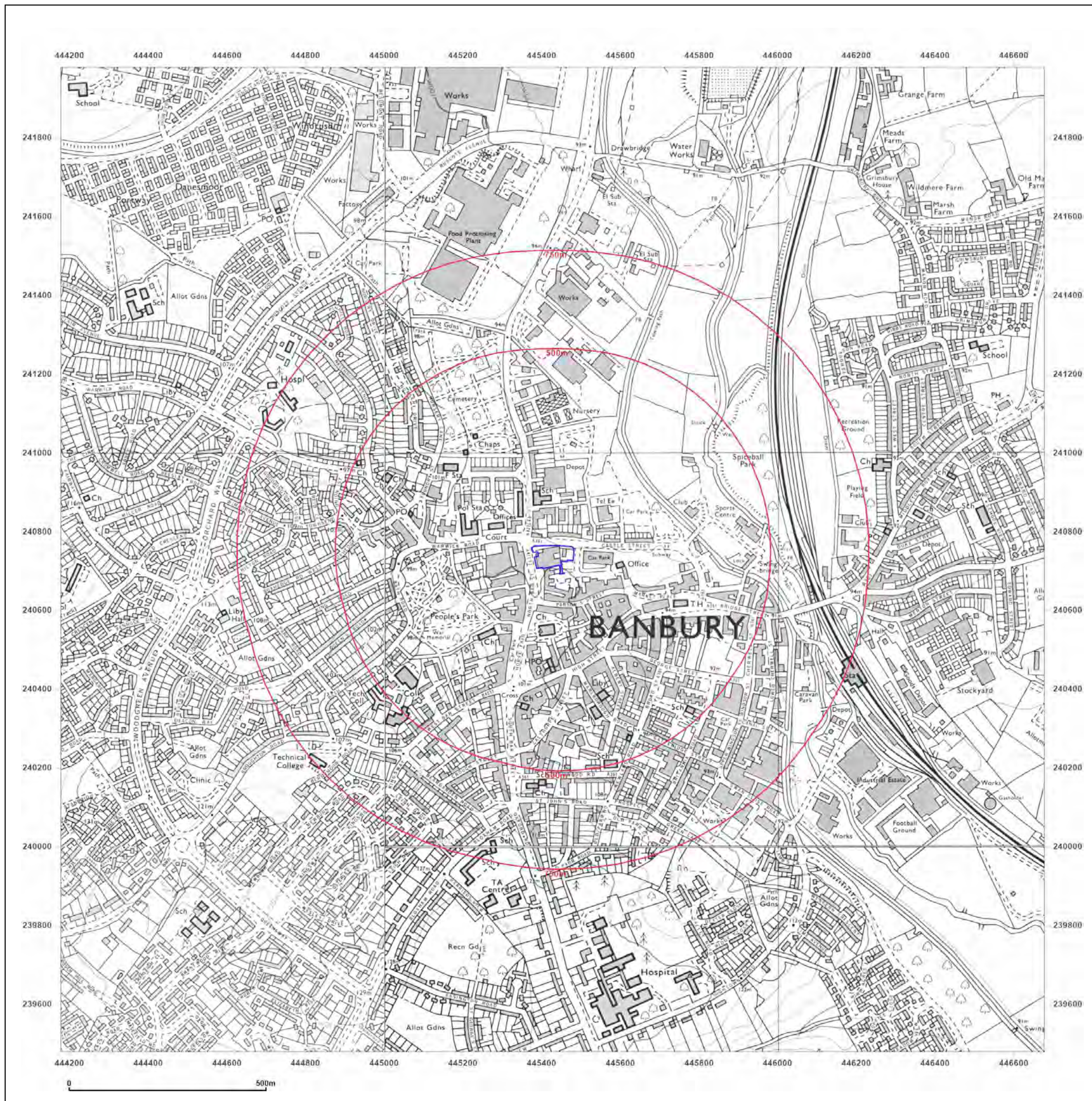


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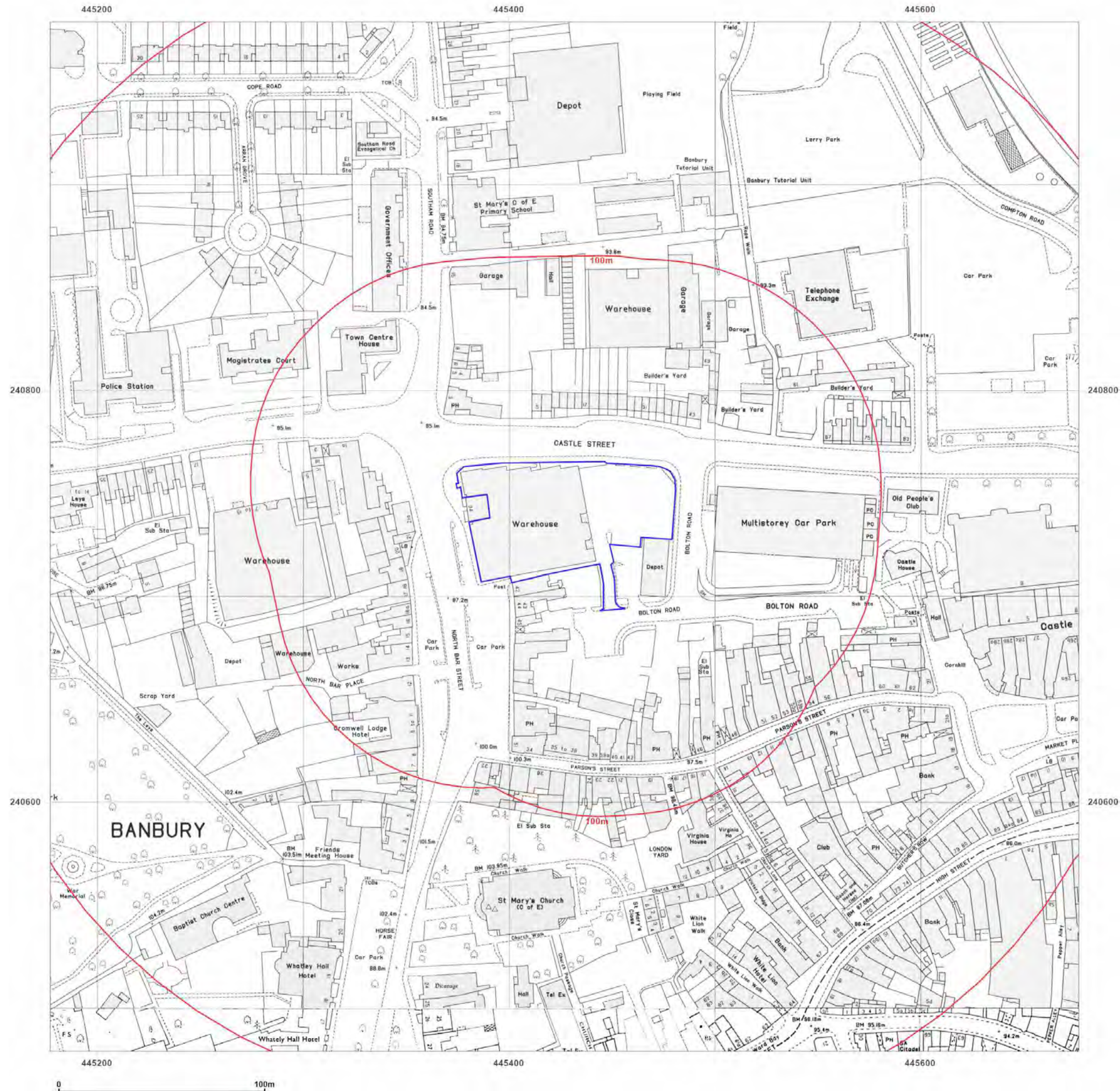
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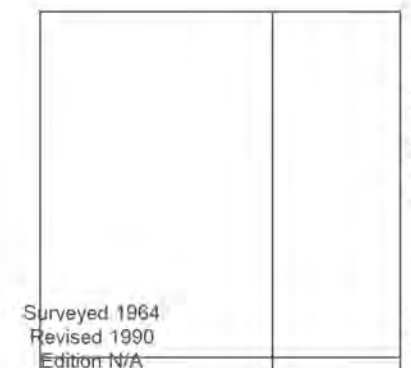
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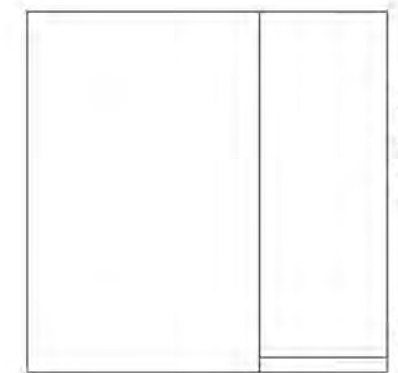
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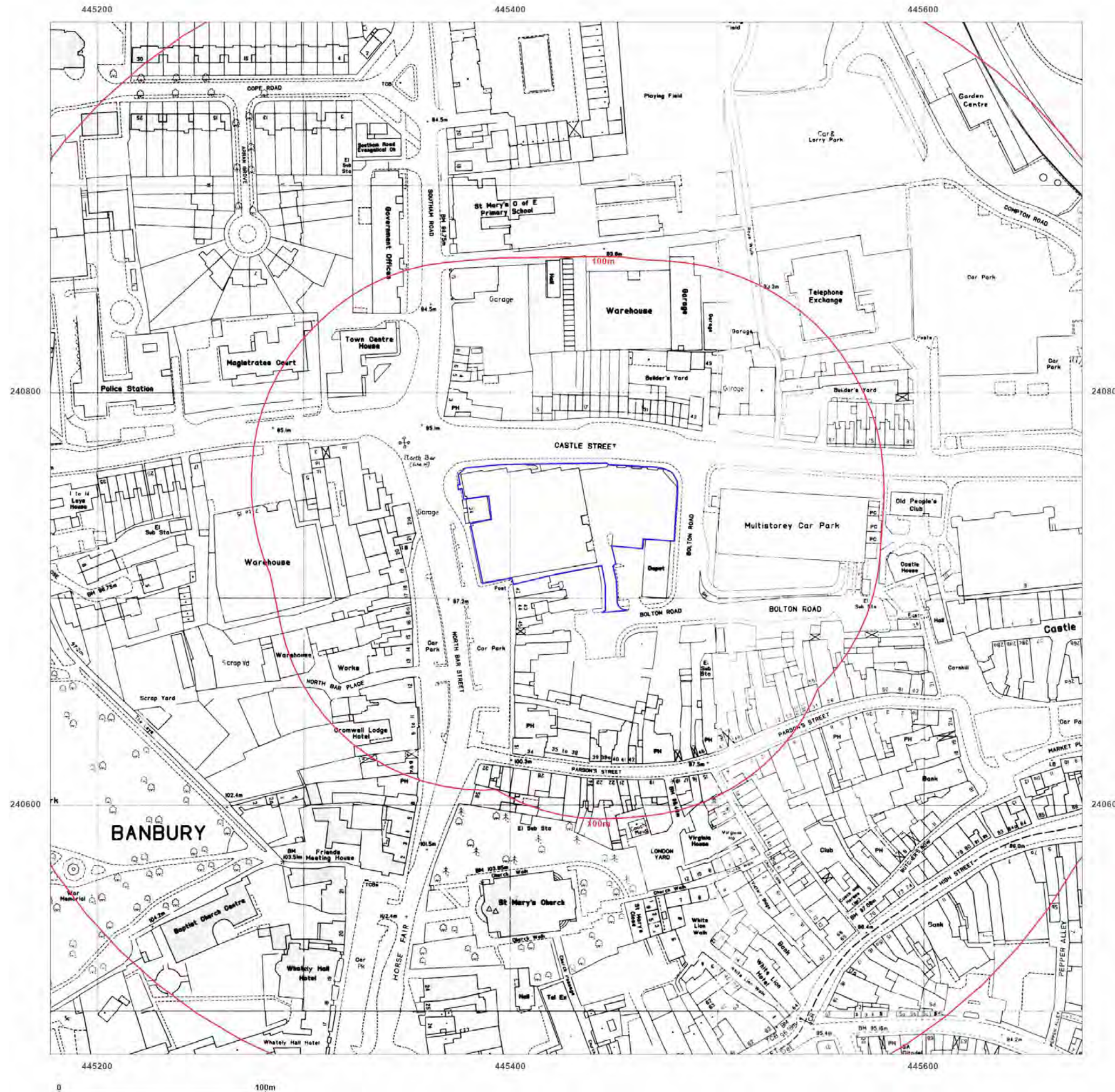
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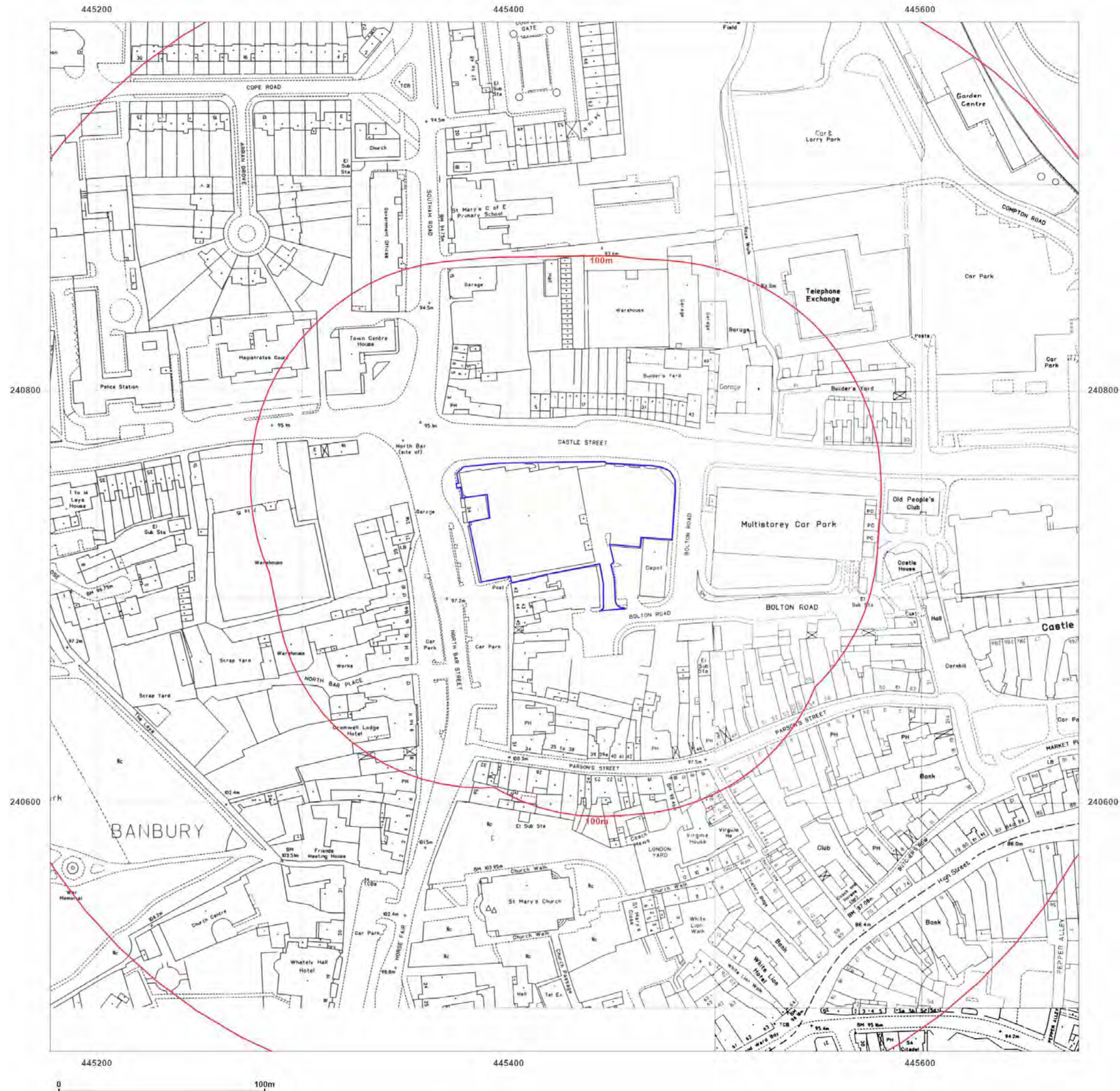
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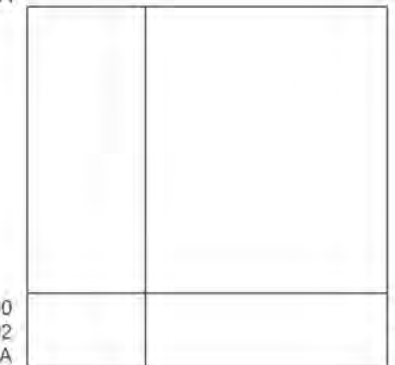
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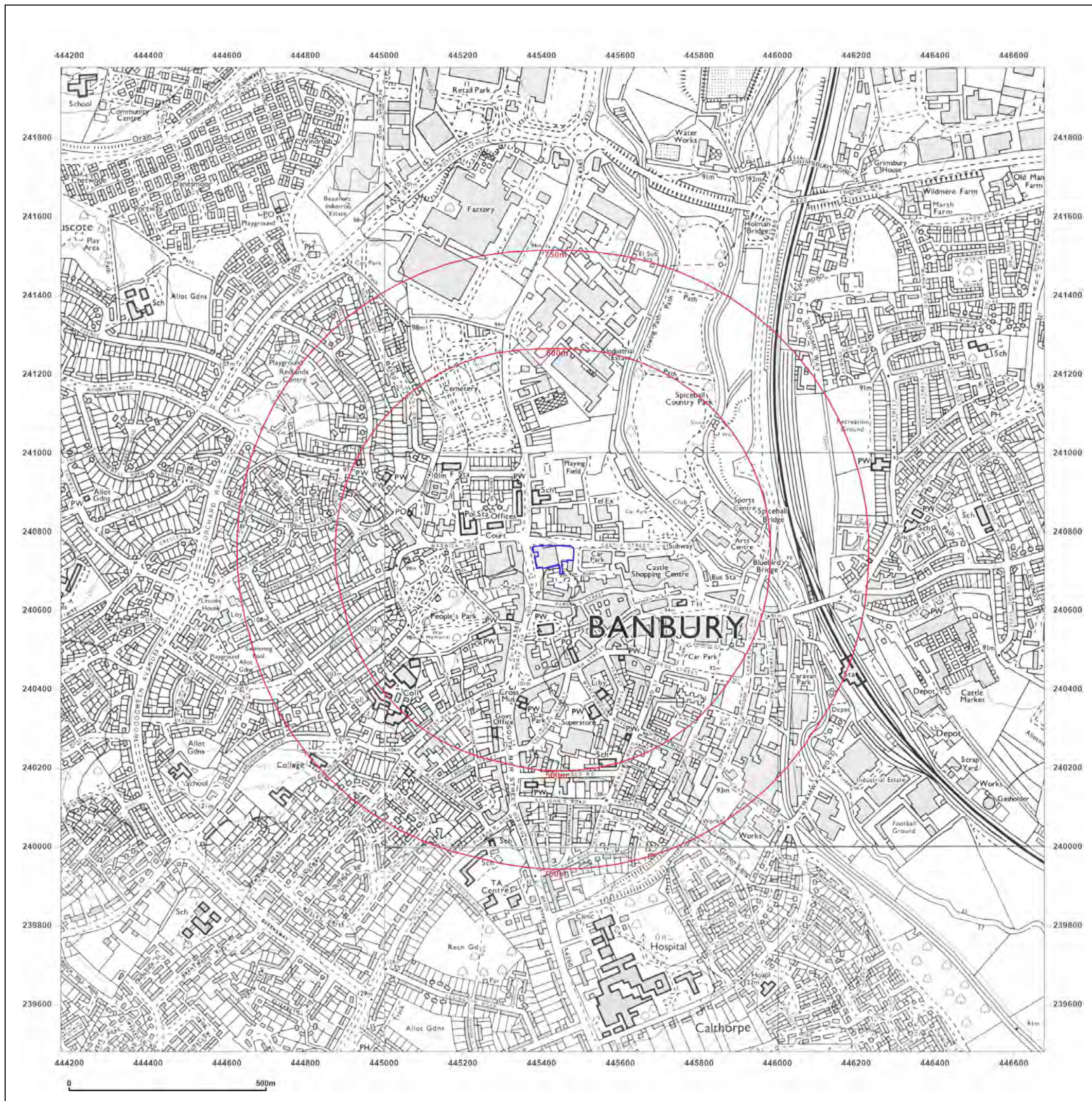


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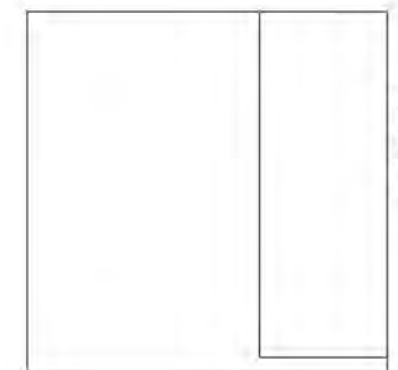
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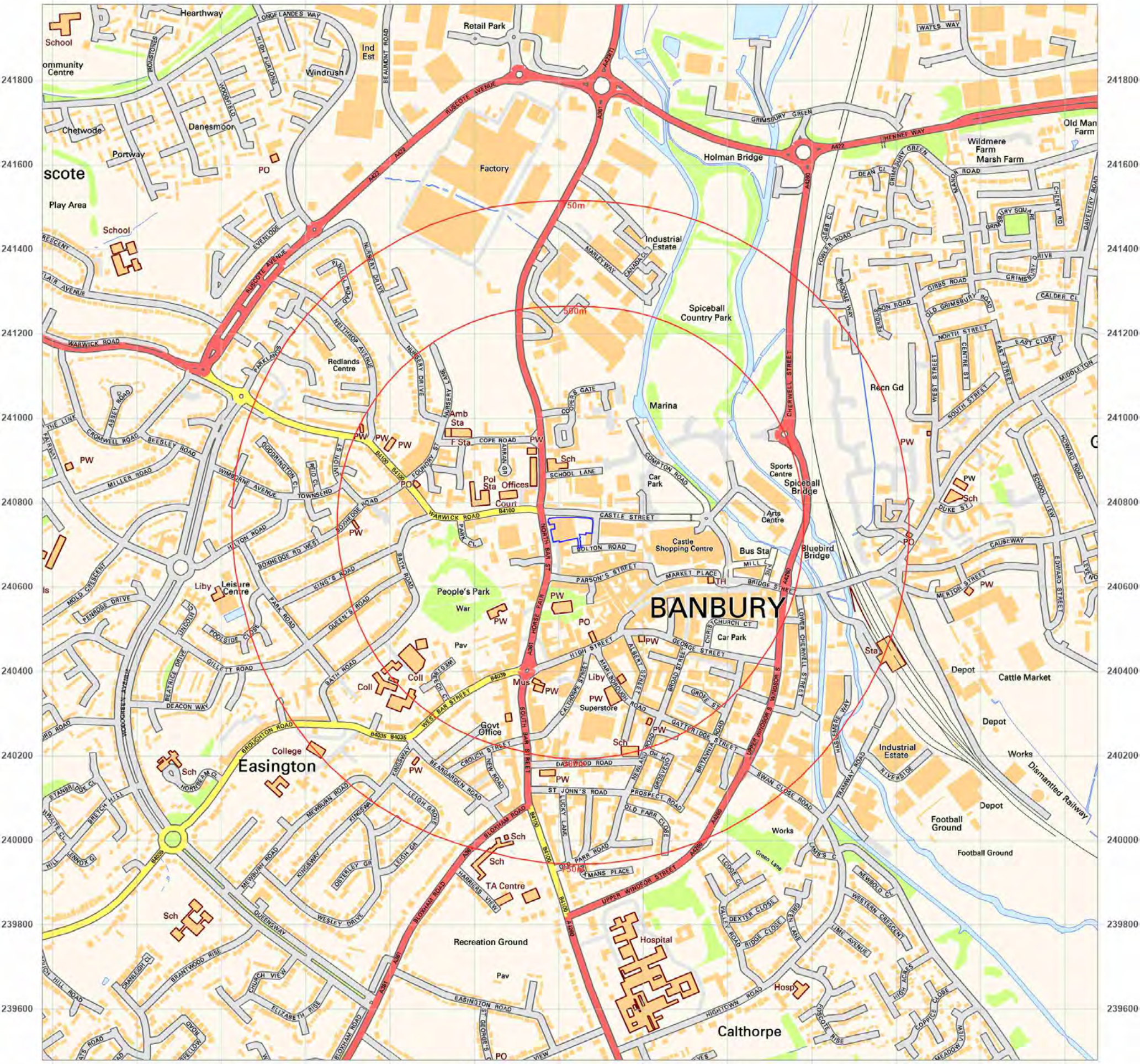
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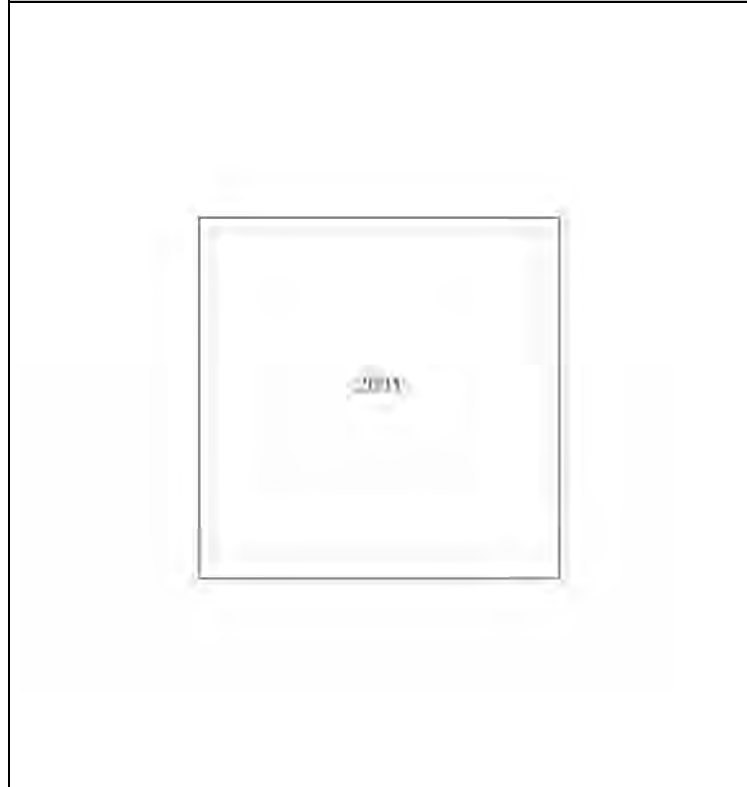
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Map date: 2001

Scale: 1:10,000

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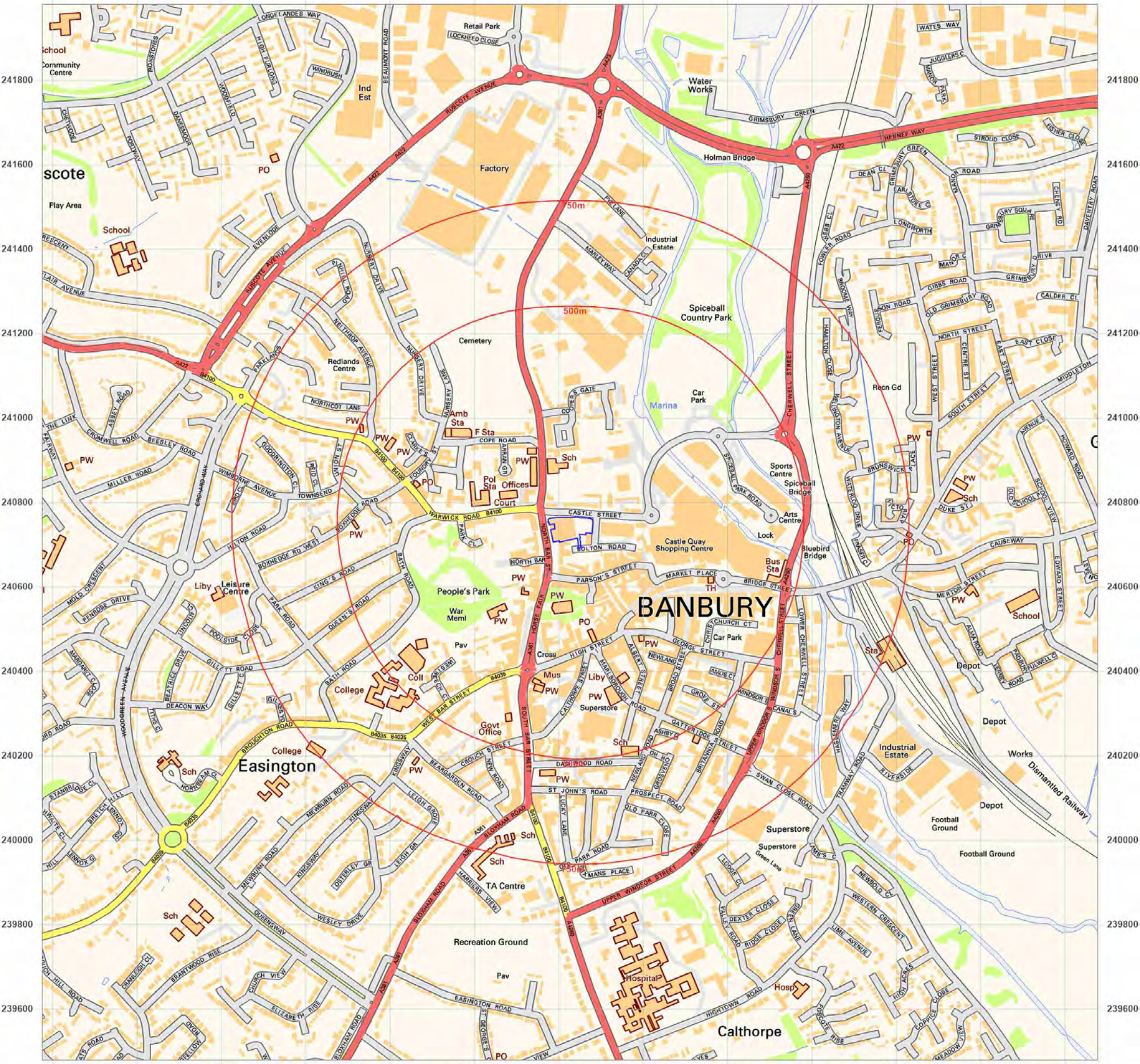
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Map Name: National Grid

Map date: 2010

Scale: 1:10,000

Printed at: 1:10,000



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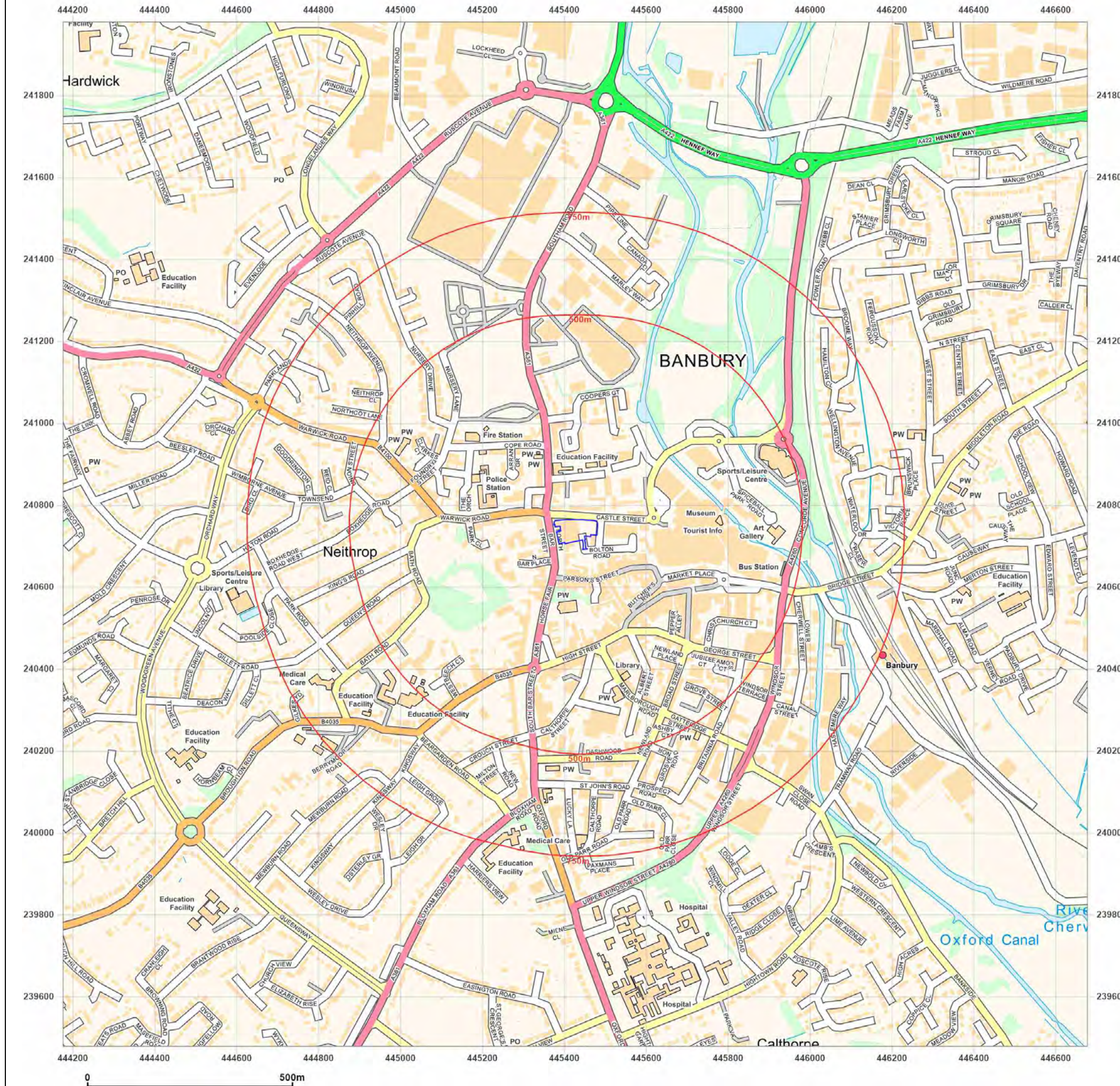
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## **Appendix 5: Pre-Application Response**

# Planning and Development

David Peckford, Assistant Director – Planning and Development



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

Planning Issues  
Rosie Roome  
Churchill House, Parkside  
Christchurch Road  
Ringwood  
Hampshire  
BH24 3SG

Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

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Please ask for: **Linda Griffiths**

Direct Dial: **01295 227998**

Email: **[linda.griffiths@cherwell-dc.gov.uk](mailto:linda.griffiths@cherwell-dc.gov.uk)**

Our Ref: **21/02881/PREAPP**

---

16th November 2021

Dear Ms Roome,

Thank you for your pre-application enquiry received 23<sup>rd</sup> August 2021 with regard to the proposed redevelopment of the site to form apartments for older people (60+ years and/or partner over 55), with communal access, car parking and landscaping at the former Buzz Bingo site, Bolton Road, Banbury, OX16 5UL.

Further to your above-mentioned pre-application enquiry and your Teams Meeting of 2<sup>nd</sup> November 2021 with myself and Joyce Christie, I write with the Council's response.

Your enquiry sought advice on a re-development of the former Buzz Bingo site for a care home and an element of retail fronting onto North Bar, although I understand from our meeting that the retail unit is unlikely to be included in any subsequent planning application due to a lack of interest to date. The scheme comprises a 3-4 storey development with vehicular and pedestrian access to Bolton Road at the rear. I note that an existing tyre depot and Trelawn House are both excluded from the scheme.

Your enquiry is accompanied by a cover letter, pre-application proposal document and site plan.

## **Principle of Development**

The site forms part of a larger allocated site in the adopted Cherwell Local Plan 2011-2031 ('CLP 2015') under Policy Banbury 8: Bolton Road. Policy Banbury 8 seeks to regenerate this part of the town and provide a mixed use development of employment uses and housing comprising retail, hotel, leisure, ancillary residential, car parking and 200 dwellings in conjunction with the wider retail and leisure proposals. Your site is located at the western end of the allocation occupying a prominent corner position and is bounded by North Bar to the west, Castle Street to the north and Bolton Road to the east. The policy requires a high quality landmark mixed use development that will support the regeneration of this area and its integration with the wider town centre with pedestrian and cycle linkages through Parsons street and Castle Quay shopping centre. Policy SLE2: Securing Dynamic Town Centres seeks to direct 'Main Town Centre Uses' towards the town centres of Banbury and Bicester.

Policy Banbury 8 also states that the development proposals will be expected to be in accordance with an SPD for the site and also to come forward in a comprehensive approach for the redevelopment of the whole site accompanied by a detailed masterplan to ensure a fully integrated and comprehensive development of the site rather than piecemeal. In terms of the SPD this has not been progressed to date

and is unlikely to be produced in conjunction with this development plan. The Banbury Vision and Masterplan SPD 2016, however, remains a material consideration.

The site is partly within the Banbury Conservation Area and is in Banbury Town Centre within the Shopping Area (as defined on the Local Plan Map – Policy Banbury 7). This policy seeks to strengthen the town centre and supports shopping, leisure and other main town centre uses within it and residential development in appropriate locations except where it will lead to the loss of retail or other main centre uses. Policy Banbury 7 goes on to say, however, that the change of use of site for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre. I am therefore of the view that the redevelopment of the site for a care home can be considered to accord with Policies 7 and Banbury 8 in principle.

Notwithstanding the above, the NPPF defines bingo halls and offices as town centre uses. Paragraph B.48 of the Local Plan explains that the loss of jobs in any use class will be a consideration in determining a planning application. The pre-application proposal is therefore inconsistent with Policy Banbury 7 in this regard as it would lead to the loss of main town centre uses in the town centre. It is relevant to also consider however, that the main bingo building has been vacant for some time and that the proposal will provide potential for regeneration albeit only a part of the whole allocation. Further information regarding job losses resulting from the proposal and new jobs to be provided should be included within any subsequent planning application. In terms of existing occupiers, we would not wish to see these companies/employees lost to the District and therefore information will be required in terms of suitable alternative office accommodation within Banbury.

The Council's 2020 Annual Monitoring Report demonstrates that the Council has a 4.7 housing land supply for the period 2021-2026. Your proposal will contribute towards the Council's 5 year housing land supply. The proposal is consistent with Policy Banbury 8 in terms of providing new homes, but falls short on the number set out in the policy and does not provide market or much needed affordable family housing.

Policy Banbury 8 also states that in order to achieve continuity in design and delivery of the vision, a small scale piecemeal approach would not be appropriate. The policy explains that a comprehensive approach is preferred but that a phased approach may be permitted provided that proposals will contribute towards the creation of a single integrated community and coherent development. As discussed at our meeting, the pre-application submission relates to only part of the site and more crucially does not include the tyre depot or Trelawn House adjacent. As such the application is not in accordance with Policy Banbury 8 and may not therefore achieve the policy objectives. As discussed, any subsequent submission would need to include evidence of positive engagement with adjacent landowners and, if a comprehensive re-development proposal could not be achieved, a comprehensive masterplan would be required as part of that submission to show how this development would not prejudice the acceptable and viable re-development of the remainder of the site. This would ensure that the adjacent land and could be fully integrated, including a single vehicular access point for all.

The Banbury Vision and Masterplan SPD which was adopted in 2016 is also relevant in the consideration of the pre-application proposal which identifies the site as a potential area for re-development for town centre uses and car parking. The SPD contains objectives which seek to create a vibrant, attractive town centre and environment and high quality housing development.

The proposal must also be considered against and be consistent with housing policies in the CLP 2015. The proposals are consistent with Policy BSC2 which states that the Council will encourage the re-use of previously developed land. The site is in an extremely sustainable location. In terms of Policy BSC3 Affordable Housing and BSC4 Housing Mix, the proposal requires further consideration.

Having regard to the above, in principle, I am supportive of the redevelopment of the site; however, I do have reservations given the piecemeal nature of the submission, particularly in respect of the adjoining Tyre Depot, which is excluded, which consequently would not be in accordance with Policy Banbury 8.

I would therefore encourage you to further engage with adjoining landowners prior to submitting any subsequent planning application as it is crucial for the benefit of the conservation area, adjacent heritage assets, integration, connectivity with the remainder of Banbury Town centre and the overall design quality that a piecemeal design approach is avoided from the outset. I understand that the District Council owns the car park and may be interested in bringing the site forward comprehensively. Please speak to our Estates Team. As discussed, it would also be beneficial to include Trelawn House within your re-development proposals.

## **Quantum of Development and Proposed Uses**

Policy Banbury 8 envisages that in conjunction with the wider retail and leisure proposals for this area that approximately 200 new dwellings will also be delivered. This application site relates to approximately 0.48ha of the wider 2 hectares site. The submission which includes the demolition of the former bingo building and offices proposes that the redevelopment of the site would be predominantly occupied by a new care home with some potential small retail experience to the frontage to North Bar. Your submission does not provide for market family housing or affordable housing, and although numbers are not specified it is estimated that approx. 100 residential units will be provided within the care home.

Whilst it is accepted that a care home on this part of the site may be acceptable in principle and that the remainder of the Bolton Road development site may be better suited to retail, leisure, car parking and hotel uses as required by Policy Banbury 8 due to its proximity and relationship with the town centre itself, the redevelopment of this part of this site in isolation for residential uses only must not prejudice the viability and timely delivery of either the total number of dwellings (200) for the overall site or the delivery of the remainder of the site; including the design and place shaping principles, improved links to the town centre and improved public realm accordingly as required by the policy and SPD.

Notwithstanding the above, as advised at our meeting, I consider that the development of this site to *include* a care home is acceptable in principle having regard to its proximity to the town centre, local amenities and public transport connections.

## **Historic Environment**

The proposals require careful consideration against the NPPF, Government guidance and local planning policy relating to the conservation and enhancement of the historic environment.

The site is located in an area of archaeological interest within the medieval core of the town, immediately south east of the site of North Bar, originally built around the C13th and one of the 5 gates around the town. Little formal archaeological investigations have been undertaken in this part of Banbury although a series of medieval walls and a possible oven were recorded on evaluation 118m south east of the proposed site.

A C16th house is recorded on the site, which stood until 1979. Several other buildings were recorded on the site on early OS maps and archaeological remains related to these houses could survive below the current buildings.

These proposals therefore have the potential to impact on archaeological remains associated with the medieval and early post medieval development of the town.

An archaeological desk based assessment would need to be submitted with any subsequent planning application for the site in line with the National Planning Policy Framework ('NPPF 2021') paragraph 194. The assessment will need to be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for desk-based assessments including the submission of an appropriate written scheme of investigation to agree the scope of the assessment.

Policy ESD15 of the CLP 2015 states that new proposals should conserve, sustain and enhance designated and non-designated 'heritage assets' including buildings, features, archaeology, conservation areas and their setting and to ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale and massing of buildings.

Banbury is a rural market town with an intact medieval street pattern within its central core and is surrounded by 18<sup>th</sup> and 19<sup>th</sup> Century suburbs. The significant urban fabric and grain of the town needs to be understood and respected to inform any future development. The town has several archaeological sites of significance and the municipal boundary ran along the south of Castle street.

There are a number of listed buildings adjacent and within the vicinity of the site. Trelawn House is an early C19 2 storey building fronting North Bar, constructed in red brick with sliding sash windows which is completely surrounded by the development but is excluded from the development site. The row of buildings set back from North Bar to the south of the site are also listed as too are buildings on the opposite side of North Bar. The Three Pigeons Pub which sits on the corner of Southam Road/castle street is also Grade II listed alongside the row of 5 dwellings to its north fronting Southam Road. There are further listed buildings along Parsons Street and Cornmarket that are relevant to the wider Banbury 8 site. There are also Local Heritage Assets/Non-Designated Heritage Assets on North Bar, Castle Street and Warwick Road. In terms of important views into and from the site, a number are identified on figures

14 and 18 of the Banbury Conservation Area Appraisal, but others need to be considered also, including views of St Mary's Church from Castle Street, North Bar Street and Southam Road, as well as the setting of other listed buildings.

The site lies partially within Banbury Conservation Area which was designated in 1969 and last reviewed in September 2018. The Banbury Conservation Area is a designated heritage asset and comprises mainly traditional buildings forming strong frontages on burgage plots using a limited palette of materials, from and scale. The designation aims to manage and protect the special architectural interest of the urban grain of the town and features that make it unique. Any new development would need to preserve or enhance the character or appearance of the conservation area, the 'special architectural or historic interest of which it is desirable to conserve or enhance'. This enables the achievement of higher standards of design in new developments and secures the conservation of existing important features and characteristics. Information supporting any subsequent planning application must demonstrate the proposal, and its impact on the character of the conservation area in sufficient detail to enable a thorough assessment. Full regard must be given to the Banbury Conservation Area Appraisal 2018 in respect of this proposal and any subsequent planning application submission.

Unfortunately, the area in question has suffered from whole-scale land clearance; the conservation area appraisal recognises the opportunity for the regeneration of the area and advises that any new development proposals should seek to re-establish an intimate built form, referential to the historic settlement pattern of the site. The visual analysis in the appraisal of the Main Route Character Area (Figure 18) identifies the bingo site as a negative landmark and the crossroads where the north Bar stood as a point of disorientation.

The Banbury Vision and Masterplan SPD 2016 advises that in respect of Banbury 8 there is an opportunity to redevelop the area to create an intensification of uses, improved frontage along Castle Street, access to Parsons Street and synergy with the main town centre retail area. The frontage onto Castle Street has the potential for new bus stops to provide better access to public transport and a new pedestrian access from the Bolton Road area to Parsons Street will improve permeability and integration with the town centre retail/restaurants/financial uses etc, together with enhancements around St Mary's Church and Church Lane. Specific design principles for this area are set out in Appendix 1 of the Banbury Vision and Masterplan which must be considered in respect of any redevelopment proposals.

The proposals have been assessed by the Council's Conservation Team which advises that whilst removing a poor streetscape and creating a stronger urban block, it does currently illustrate substantial levels of harm to the historic urban fabric and impacts the visual quality of the conservation area and the setting of listed buildings and non-designated heritage assets. Any new development proposal must be based on a heritage or place-making led approach to the benefit of the wider area.

A Heritage Report is required which includes an impact assessment of the development proposals under their 'review process'. A diagram which colour codes the number of storeys of the buildings on/surrounding the site would help to inform what is appropriate in terms of height of development. There is no detailed analysis of setting or views, including saved Policy C34 protecting views of St Mary's Church. Wire frame views would help to analyse the impact of the proposals on important views of St Mary's Church and other listed buildings or non-designated heritage assets. Street elevations with rooflines of the opposite side of the street would help to assess the appropriateness of the proposed heights. The datum site level and street levels also require due consideration, and a full level survey of the site and surrounding streets would be needed as part of the analysis to allow street sections to be drawn up. A sun path analysis and shading diagrams will also help assess the impact of the development in terms of itself and adjacent existing development.

The setting of listed buildings needs to be assessed in terms of Historic England's guidance on the Setting of Heritage Assets (GPA3), there needs to be some off-set benefit for the development in terms of heritage. Reinstating a garden/yard to the Grade II Trelawn House would help to redress the harm of the existing inappropriate development.

In terms of the submission, it is noted that the development proposes essentially 3.5 storey development with 4 storeys to Castle Street/Bolton Road and a slightly lower building to North Bar immediately to the south of Trelawn House. As discussed at our meeting, whilst it is accepted that the existing bingo building is poor in terms of design, massing and appearance and has a detrimental impact upon the setting and historical integrity of Trelawn House, it does not dominate in terms of height. The proposed buildings however, due to their height, massing and proximity to the listed building will also have an adverse impact on its setting and historical integrity. Further consideration must therefore be given to the height and placement of buildings around Trelawn House, perhaps by proposing 2 storey immediately adjacent and stepping up away from the building towards Bolton Road.

Having regard to the above, it is considered that the scale and massing of buildings in relation to Trelawn House, the Conservation Area and other listed buildings must be given further consideration. It is also important that the design of the development also has regard to the former historic context and form of the site and that the new development is not simply a series of generic buildings which could be found anywhere. In terms of the setting and impact on heritage and non-heritage assets, there does not appear to have been any initial considered design work. Whilst the existing Grade II listed Trelawn House is retained in the scheme (essential), it is essential that the scale and massing of the proposed buildings do not overwhelm and diminish the character and historical integrity of the retained structure.

In terms of design, it is noted that you refer to the design of the building being Georgian; however, the buildings proposed are not Georgian in their proportions, design and fenestration and are not appropriate as indicated. Design is discussed in more detail below.

To conclude, in our opinion the development as currently proposed fails to preserve or enhance the character of the Banbury Conservation Area and would be detrimental to the setting and historical integrity of Trelawn House contrary to Policies Banbury 8 and ESD15 of the Cherwell Local Plan 2015.

### **Layout, Design, Open Space and Landscaping**

Policy Banbury 8 requires a high quality landmark mixed use development that will support the regeneration of this area and its integration into the wider town centre. The policy also requires a design which respects and enhances the conservation area and the historical grain of adjoining areas and in particular, the Grade II Listed building to the west of the site.

The site is part of an important and visually prominent urban block within the centre of Banbury which lies within and adjacent to the Banbury Conservation Area. The quality of the street scene here has suffered in recent past, but the re-development of this site gives a great opportunity to improve this busy and prominent junction with high quality, well-designed landmark buildings which respect the historic core and adjacent heritage assets in terms of scale, massing, design and choice of materials. It should also be mindful of the setting of listed buildings and the heritage in views. This site can also potentially act as an important catalyst for the remainder of Policy Banbury 8 being brought forward for development accordingly, although it should be noted that Policy Banbury 8 recommends that the whole site is developed as one rather than piecemeal as is the case here and the inclusion of the adjacent tyre depot within any redevelopment scheme is therefore actively encouraged as a minimum.

As discussed above, there is a great opportunity here to enhance this part of Banbury, providing a rich grain of streetscape and urban housing development which draws on the architectural and historical context of the site and conservation area as a whole.

Policy Banbury 8 also sets out a number of site-specific design and place shaping principles relating to the development of the site. One of those is that the development should comply with Policy ESD15 of the CLP 2015. Policy ESD15 advises that the design standards for new development, whether housing or commercial are equally important, and seeks to provide a framework for considering the quality of the built environment, to ensure that we achieve locally distinctive design which reflects the context within which it sits. This policy also advises that that the design of all new developments will need to be informed by an analysis of the context, together with an explanation and justification of the design principles that have informed the design rationale which should be demonstrated in a Design and Access Statement. The pre-application submission does not include a design and access statement but is accompanied by a brief pre-application document, which includes several photos of the existing area and site, proposed indicative layout and elevations, but it is not entirely clear how the scale, height and massing and design of the proposed buildings have been derived. It is essential from an urban design perspective to understand the visual impacts of the heights proposed along key vistas around the site as well as the setting of adjacent listed buildings, views of St Mary's Church and the impact upon the character and appearance of the Conservation Area. It is not considered that this has been properly demonstrated through the current submission. At our meeting I raised concerns regarding the proposed heights having regard to the existing Trelawn House in particular.

Having assessed the illustrative layout, I also have concerns regarding the layout which must provide a sense of place and appropriate public and private realms, thereby providing an appropriate living environment for its future occupiers and an appropriate landmark building and high quality well-designed development at this key edge of town centre site. Design is not only about the physical appearance of a development, but how it works, functions and fits together both in terms of itself but also with that around it.

The proposed masterplan and layout plan must be robust having derived from a full understanding of both the site's constraints and opportunities and its setting, providing a new development that sits comfortably with its location and surroundings.

In respect of the above, we discussed at our meeting the relationship of the development with Castle Street, North Bar and Bolton Road as well as the internal arrangements in terms of access and private space.

The Banbury Vision and Masterplan SPD also contains development principles and aspirations for the development of the site which must be considered. One of those criteria relates to building heights and advises that 3 to 4 storey development might be appropriate on this part of the site. Whilst I do not disagree with this assumption in principle, regard must be had to the existing immediately adjacent development and the adjacent listed buildings which are generally smaller in scale than the buildings illustrated here and consideration must be given to more than storey heights when considering what might be acceptable development on this site as the overall height of a building, regardless of the number of storeys can vary considerably depending upon its design, use etc. Natural ground levels must also be considered carefully in respect of building heights and numbers of storeys as this appears to have been raised above Castle Street and North Bar and also rises upwards towards Parsons Street.

As discussed at our meeting, there are concerns regarding the overall height of the buildings proposed; firstly, in relation to and their proximity to Trelawn House and secondly in respect of the raised ground levels relative to castle Street. As discussed, whilst the existing bingo building is of no merit and the setting of Trelawn House is adversely affected by it, the current bingo buildings are no higher than Trelawn House whilst those proposed are higher, overly dominant and would be clearly visible behind and to the side. This would not be an appropriate design solution. At our meeting we discussed stepping the development down adjacent to Trelawn House and stepping up in height as one moves eastwards along Castle Street.

It is further noted that the Banbury and Vision Masterplan indicates that a 4 storey block may be appropriate on the corner of Castle Street and Bolton Road. However, I consider that the building proposed would be unduly prominent here and at odds with the scale of existing development along Castle Street which are a mix of 2 and 3 storey C19th terraced properties. The proposed building here as designed is too narrow as a single block and hipped roofs are not a traditional feature of north Oxfordshire. This landmark building must be a locally distinctive and bespoke in its design having been specifically designed to address this corner having regard to its context, the character of Banbury town centre and traditional local vernacular.

In terms of design, the development must respond to the existing development within Banbury town centre, which is essentially characterised by buildings creating a strong vertical rhythm with simple variation in design. Whilst I accept that your design proposals have attempted to do this in terms of the surrounding development, the proportions and window details are incorrect and the buildings are severely over-dormered. You will note from an analysis of Banbury that dormers are generally not a prominent feature of traditional local vernacular and tend to be used only on occasion. (If in every case the applicant stated this was the 'occasion' where dormers could be appropriate, the result would be a substantial and inappropriate change in character. Our strong advice is therefore against the dormers.)

Furthermore, it is considered that the proposals do not create the bespoke design solutions required for this prominent landmark location as required by Policies ESD15 and Banbury 8. A landmark building must provide interest, draw attention and focus creating a sense of place and arrival into the centre of Banbury. The building fronting North Bar is not acceptable having regard to the catslide roof, proliferation of dormers, window detail and height relative to Trelawn House.

In respect of the comments above relating to heights, domination, design and impact on the setting of the listed buildings and character and appearance of the Banbury Conservation Area, Cherwell District Council promotes good quality, well designed, bespoke and innovative design and sustainable architecture. It is considered that a modern architectural solution might be appropriate here provided it reinforces local vernacular in terms of proportions, fenestration and materials, etc. In this case, the proposed new buildings should be formal and classical in their arrangement and have a strong vertical emphasis and sliding sash windows. We discussed this briefly at our meeting.

Another key aspiration of the Banbury Vision and Masterplan SPD is the provision of a 7m landscape set back to Castle Street. We note the provision of this in your scheme; however, having regard to the change in levels from the existing Castle Street and the site, it is not clear whether this has been properly considered. There are no cross sections submitted and it is not clear how the vision here might

be realised. Further detail and information is necessary here as it is likely that unless the land levels are reverted to original levels on the site that a series of retaining features may be necessary.

Connectivity is also an important issue which has not been addressed here to realise the aspirations of Banbury 8 as a whole and in the development of this site. The single point of vehicular and pedestrian/cycle access is shown to the rear of the site from Bolton Road. This is insufficient in terms of connectivity and integration, and it is considered that access into the site and the building should also be provided from Castle Street. This would also help to ensure active frontages to these principal streets which is vital for integration and connectivity with the surrounding area. OCC has also raised this concern. Neither does it appear that any proper consideration has been given to the future integration and connectivity with the remainder of Banbury 8 and the adjacent tyre depot which should be included within the re-development of this site.

Should a piecemeal development of this site in advance of the remainder of Banbury 8 coming forward be considered appropriate, any future application submission must be accompanied by a masterplan for the whole of the site so that we can ensure that matters such as improved connectivity to the town centre and the integration of all the parcels can be achieved and also to ensure that the development of this block in isolation does not prejudice the future viability of the remainder of Banbury 8, and acts as a catalyst rather than an inhibitor.

This comprehensive masterplan should reflect and respond to the analysis of key constraints and opportunities. It is considered that the opportunities plan fails to reflect the opportunities relating to improved connections and linkages to North Bar, Castle Street and Bolton Road and allowing more space around the listed Trelawn House to improve its setting. Whilst I note that open space is proposed to the side of Trelawn House to Castle Street, the proposals still appear to envelop the building on all other sides. In terms of the open space to the Castle Street junction to expose the side of Trelawn House, further information is required in terms of the vision here as it is not clear and I am not convinced that this provides the appropriate landmark feature on this prominent cross-roads as required by the policy. The development here must celebrate the junction and provide a sense of place and arrival.

The development proposed is rather inward looking with a single point of vehicular and pedestrian access only from the rear and without any consideration of the future development of the adjacent tyre depot.

In terms of open space provision, there appears to be minimal private amenity space for all residents. As discussed at our meeting, the small patio areas indicated to Castle Street are not appropriate and will have little amenity benefit as they will be overlooked and suffer traffic noise and pollution and as a consequence are unlikely to be used. I note a small seating area and landscaped area is indicated outside the residents' lounge, but this is minimal for the number of residents with little scope for shrub and tree planting. It is also located immediately adjacent to the main car park and access road into the site. This must be re-considered. This is especially pertinent following the recent pandemic and the need to provide good quality, usable and accessible outdoor space.

The Council's Residential Development Guide SPD 2018 is also relevant in terms of the development and the advice therein.

## **Highways**

The submission has been assessed by OCC as local highway authority. The detailed comments are attached for your information. You will note that the main issues relate to connectivity for walking and cycling in and around the development and servicing. A future planning application would also need to be supported by a Transport Statement, Travel Plan, Construction Traffic Management Plan and Delivery and Servicing Management Plan.

In terms of connectivity, concerns are raised that pedestrian access is only shown at the south to Bolton Road and there is likely to be a desire for future residents to travel in other directions and this will be particularly important for those with reduced mobility. Access to North Bar and Castle Street will also be important in terms of connectivity, creating active frontages and access to public transport. Consideration must also be given to the Banbury Vision and Masterplan SPD in this respect, which shows improved connectivity and footpath linkages along Bolton Road. It should further be noted that Policy Banbury 8 requires that the re-development of the site provides for increased connectivity and permeability with the surrounding area and the main town centre shopping area. In the absence of a masterplan for the whole area, consideration must still be given to the wider area and how improved links might be provided. The Transport Assessment will need to make reference to this alongside an assessment of existing walking and cycling routes to likely destinations, including identifying the potential for improvements.



In terms of parking and servicing, a future application will need to set out the level and justification for both vehicle and cycle parking which will be expected to reflect the town centre location and encouragement of sustainable travel modes.

In terms of the retail unit, the submission states that this would be serviced from North Bar. This may be acceptable in principle but widening of the pavement in this location may be necessary to avoid restricting pedestrian movement and ensuring pedestrian safety. The submission would also need to demonstrate that a suitable vehicle could manoeuvre safely in and out of a location where the loading/unloading operation would not obstruct other users.

OCC advises that bin stores would likely be best located where they can be collected from Bolton Road. Accordingly, tracking drawings would be required, to demonstrate that the site can be accessed and exited in a forward direction.

### **Flood Risk and Drainage**

Whilst the application site lies with Flood Zone 1, a Flood Risk Assessment will be required as part of any subsequent planning application submission. A detailed surface water management strategy must also be submitted in accordance with the 'Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire'.

The submission has been assessed by OCC as Lead Local Flood Authority who advise that the proposed development lies within a drinking water protected area and drinking water safeguard zone. It is also situated in a high risk ground water vulnerability area. The proposal also includes car parking, which reduces the water quality being discharged. Therefore, water quality standards must be met.

The proposed development needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.

The proposed development must meet local standards, L19, 'At least one surface water feature should be deployed within the drainage system for water quality purposes, or more features for runoff which may cause higher levels of pollutants in accordance with the CIRA SuDS Manual C753. Only if surface water features are demonstrated as not viable, the approved/proprietary engineered pollution-controlled features such as vortex separators, serviceable/replaceable filter screens, or pollution interceptors may be used'.

The detailed comments received from OCC drainage team are attached for your information.

### **Land Contamination, Noise, Odour and Air Quality**

The constraints for the site have highlighted that the site may be contaminated. Information will therefore need to be provided with any subsequent application which demonstrates that the development proposal is not adversely affected by land contamination, or can be made suitable through remedial works.

In terms of air quality, it is necessary to ensure that the development isn't impacted by poor air quality and therefore an air quality impact assessment will be required to be submitted with any subsequent planning application which will assess the impact of the development on air quality and where mitigation might be required. CDC has produced an Air Quality Action Plan which must also be considered.

Due to the location of this site on the corner of a busy junction, a noise report will be required to show that all habitable rooms within the care home will achieve the noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) for indoor ambient noise levels. There should also be consideration of the external noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) should external amenity space be provided. Whilst carrying out the noise report consideration should also be given to BS4142:2014.

In terms of odour, consideration should be given to occupants of the proposed and nearby dwellings should any extraction systems be used as part of the development and an odour survey carried and mitigation proposed should it be required.

## **Sustainable Construction**

Policies ESD1-5 of the CLP 2015 require the consideration of sustainable construction matters through the submission of planning applications and seek to achieve a development in excess of Part L of the Building Regulations and also development which is water efficient.

Policy ESD3 sets out the Council's approach to implementing the first step of energy hierarchy in Policy ESD2, specifically its encouragement for the use of sustainable design and construction. Policy ESD3 states: (i) all new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy and (ii) that all new non-residential development will be expected to meet at least BREEAM 'Very Good'. Any application should be accompanied by an Energy Statement which outlines how proposals will meet the criteria in the policy.

Policy ESD4 requires that any development of 100 dwellings or more to include a feasibility study for the provision of District Heating and Combined Heat and Power. Whilst your proposal may not exceed 100 units, the whole allocation seeks approximately 200 dwellings and therefore this policy remains relevant here. Where this is demonstrated to be viable, it should be provided on site. Details will need to be included with the application.

An application submission must also include a feasibility assessment for the potential of on-site renewable energy in accordance with Policy ESD5. This will be required as part of the development.

Measures should also be included to encourage the uptake of low emission transport including the provision of Electric Vehicle (EV) charging infrastructure. As a consequence we would seek the provision of charging points with each parking space provided to allow for the future uptake of all residents and employees to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

The consideration of the above is becoming more pertinent having regard to climate change, Government policy and targets and Cherwell District Council's Climate Change Emergency Declaration.

## **Health and Well-being**

Health and well-being is high on both the Government's and this council's agenda, particularly in the light of the recent pandemic and impact it has had on the population, emphasising the need for access to good quality public open space as well as the benefit of private outdoor space. It is therefore suggested that a Health Impact assessment should be carried out in connection with any subsequent planning application on this site. A Health Impact Assessment is a tool used to identify the health impacts of a development and how best to prevent ill-health, promote good health and reduce health inequalities. Whilst HIAs are not currently a legal or policy requirement of the planning system, they are recognised as good practice in the Planning Practice Guidance. An Oxfordshire Health Impact Toolkit has been approved for use across Oxfordshire.

## **Planning Obligations**

A number of contributions, such as affordable housing will be required. Policy BSC3 refers to a requirement for affordable housing provision of sites of more than 10 dwellings and Policy Banbury 8 together with the adopted Banbury Vision and Masterplan SPD refer to a mixed use development on this site, including approximately 200 homes. I note that you state that you do not intend to provide any affordable housing provision on the site and that a payment will be made for provision elsewhere. I will need to discuss the matter further with our housing team as there is also a need for affordable elderly housing provision within the District and we need to ensure that this can be achieved appropriately.

On site provision will be required in terms of open space and contributions towards community facilities, indoor and outdoor sport provision, public art, walking and cycling improvements and public transport infrastructure. Whilst I note that this proposal relates to a care home, residents are unlikely to require nursing care and as such are likely to be reasonably independent and are likely to use local facilities such as the sports centre and other local community facilities.

Further detail and information in respect of the planning obligations will emerge with any subsequent planning application submission, including any other contributions such as health.

## **Conclusion**

Overall, whilst the principle of the re-development of the site is acceptable and supported by the Local Plan, I do not consider that it would be acceptable to come forward in the form shown or in the absence of the adjacent tyre depot and evidence of active engagement with landowners in respect of the remainder of the allocation. Further, for the reasons set out above, I do not consider that a planning application based on this submission would be acceptable in its current form, both in terms of scale and form and represents an overdevelopment of the site. Without evidence that the delivery of this site will not prejudice the delivery of the key objectives sought under Policy 8 and the Banbury Vision and Masterplan SPD, the proposal would not be considered to accord with those policies and the development plan accordingly.

The above-mentioned advice is given without prejudice to the determination of any subsequent application submitted to and determined by the Local Planning Authority.

Yours sincerely

Linda Griffiths

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