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APP/5/B-D  
Section 78 Appeal

Land at North West Bicester, Charlotte Avenue,  
Bicester, OX27 8BP

Appendices to Accompany Proof of Evidence of  
Hannah Leary BA(Hons) DiP TP MRTPI

Appeal Reference: APP/C3105/W/23/3315849

LPA Ref: 21/01630/OUT

Prepared on behalf of Firethorn Developments Limited

May 2023

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78**

**APPEAL AGAINST THE NON-DETERMINATION OF PLANNING APPLICATION FOR:**

**“OUTLINE PLANNING APPLICATION FOR UP TO 530 RESIDENTIAL DEVELOPMENT DWELLINGS (WITHIN USE CLASS C3), OPEN SPACE PROVISION, ACCESS, DRAINAGE AND ALL ASSOCIATED WORKS AND OPERATIONS INCLUDING BUT NOT LIMITED TO DEMOLITION, EARTHWORKS, AND ENGINEERING OPERATIONS, WITH THE DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT, AND SCALE RESERVED FOR LATER DETERMINATION.”**

**Land at North West Bicester, Charlotte Avenue, Bicester, OX27 8BP**

**Appendices to Accompany  
Proof of Evidence of  
Hannah Leary BA(Hons) DiP TP MRTPI**

<b>Project Ref:</b>	31036/A5
<b>Status:</b>	Final
<b>Issue/Rev:</b>	1
<b>Date:</b>	9 May 2023
<b>Prepared by:</b>	Hannah Leary
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Ref: 31036/A5/HL/sl  
Date: 9 May 2023

## **APPENDICES**

**APPENDIX APP/5/B  
HL1** : **Heritage Impact Assessment, from Mr  
Sutton of Cotswold Archaeology**

**APPENDIX APP/5/C  
HL2** : **Representations in respect of the CDC  
Community Involvement Paper (2020)**

**APPENDIX APP/5/D  
HL3** : **Representations in respect of the CDC  
Development Options Paper (2021)**

**APPENDIX APP/5/B  
HL1**

**Heritage Impact Assessment, from Mr Sutton of Cotswold  
Archaeology**

**APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY  
PLANNING ACT IN RELATION TO  
LAND TO THE NORTH WEST BICESTER  
HOME FARM, LOWER FARM AND SGR2, CAVERSFIELD**

**PLANNING APPLICATION NUMBER: 21/01630/OUT  
PINS REF: APP/C3105/W/23/3315849**

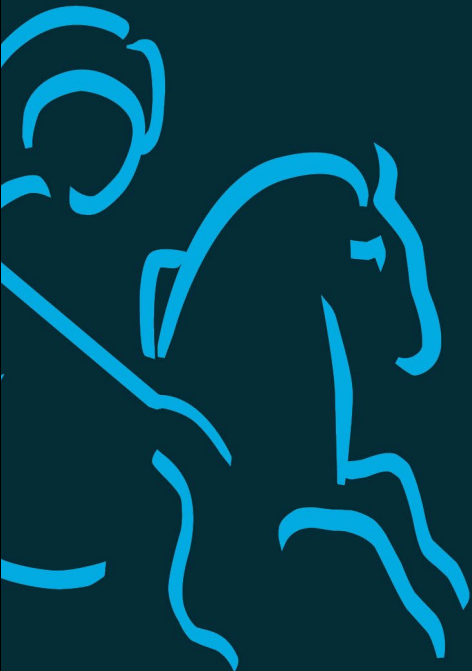
**HERITAGE IMPACT ASSESSMENT**



*Prepared for:*  
Firethorn Trust

CA Project: MK0896

May 2023



**APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY  
PLANNING ACT IN RELATION TO  
LAND TO THE NORTH WEST BICESTER  
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**HERITAGE IMPACT ASSESSMENT**

**May 2023**

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# 1. INTRODUCTION

## *The scope and purpose of this work*

- 1.1. This report has been drafted to provide clarity on the matters associated with heritage assets further to a representation to the appeal proceedings by St Laurence's Church. The Council do not identify heritage matters as a reason for refusal, and this is made clear in their Statement of Case and in the Statement of Common Ground with the Appellant. In summary, the shared position is that while some limited heritage harm is identified by both parties (the Council and Appellant), this harm is outweighed by the demonstrable public benefits of the Appeal Scheme
- 1.2. The assessment work present here is almost entirely derived from the reporting within the Environmental Statement that supported the planning application. Additional narrative has been added only to direct specific matters to respond to the representations made by St Laurence's Church.
- 1.3. The Environmental Statement (Chapter 11 and its technical appendices) include summaries of the relevant heritage legislative, national and local policy tests. The ES also includes the methodological approaches taken, with reference to the key guidance documents followed within the heritage impact assessment. Thus, these are not repeated here. However, included within Annex A of this document is a short narrative on the key guiding principles, to provide a contextual understanding of heritage significance and the setting of heritage assets, in particular.
- 1.4. Whilst I reference planning policy of relevance to heritage assets, Ms Leary, in her Proof of Evidence, addresses the matter of the weight to which these issues are material within the planning balance.
- 1.5. It is understood that this Impact Assessment report will be appended to Ms Leary's Proof of Evidence.
- 1.6. A description of the nature of the Appeal Site and the scope of the proposals included within the Appeal Scheme are set out within the Appellants Statement of Case and other supporting documents. Thus, these will not be repeated here.

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### *Qualifications and experience*

- 1.7. This Impact Assessment report is authored by myself, Robert Sutton; the principle author of the work that accompanied the planning application. I am the Director of Heritage Consultancy at Cotswold Archaeology. I am a Member of the Chartered Institute for Archaeologists (MCIfA), and Cotswold Archaeology is a Registered Organisation with the Institute.
- 1.8. I am an archaeologist by qualification and have been practicing as a heritage consultant for over 20 years. A graduate of Bournemouth University, I worked as field archaeologist in London before spending nearly 10 years as a heritage consultant at Atkins. I have led the consultancy team of Cotswold Archaeology since 2011, growing the team from four to 20 professional consultants.
- 1.9. I have authored or provided the technical review of over 200 Cultural Heritage chapters of Environmental Statements and many hundreds of heritage assessments for planning applications. I have prepared over 75 expert witness statements for Public Inquiries, Hearings, Written Representations and planning committee meetings. I have appeared as an Expert Witness at NSIP examinations and planning and listed building appeal hearings and inquiries. I provide heritage advice to LPAs, developers, government agencies and interested third parties.
- 1.10. I have undertaken heritage assessment work on some of the largest infrastructure projects, in some of the most environmentally sensitive locations in the UK. These have comprised on-shore wind farm projects; a NSIP for an off-shore wind park; and solar farm schemes ranging from ½ha to 700ha. Rail projects have included HS2 London to Birmingham and the route optioneering assessment work on the 'y-route'. Road scheme assessments have included new 60-mile motorways to junction improvements projects. My experience undertaking assessments for residential and mixed-use schemes range from single building conversions to 300+ new homes. Specifically, I have acted as an Expert Witness for many different schemes where the setting of Listed Buildings (specific rural churches) was a reason for refusal.
- 1.11. I am at the forefront of developing best practice and industry guidance having devised, with acoustic experts, on behalf of Historic England, the methodology for assessing the effect of intrusive noise on heritage assets. I was also part of the team that developed the cultural heritage assessment methodology within the DfT's Design

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Manual for Roads Bridges guidance document. In early 2015, on behalf of the government (HS2 Ltd) I developed the scheme-wide historic building and historic landscape mitigation recording strategy and specification for HS2 (London to Birmingham). I am on the Advisory Panel that drafted and published the *Principles for cultural heritage impact assessment* on behalf of IEMA, IHBC and ClfA. I am the author of cultural heritage topic chapter for the 2019, 3<sup>rd</sup> edition of the *EIA Handbook* (ed. Carrol and Turpin).

### **Summary of key matters**

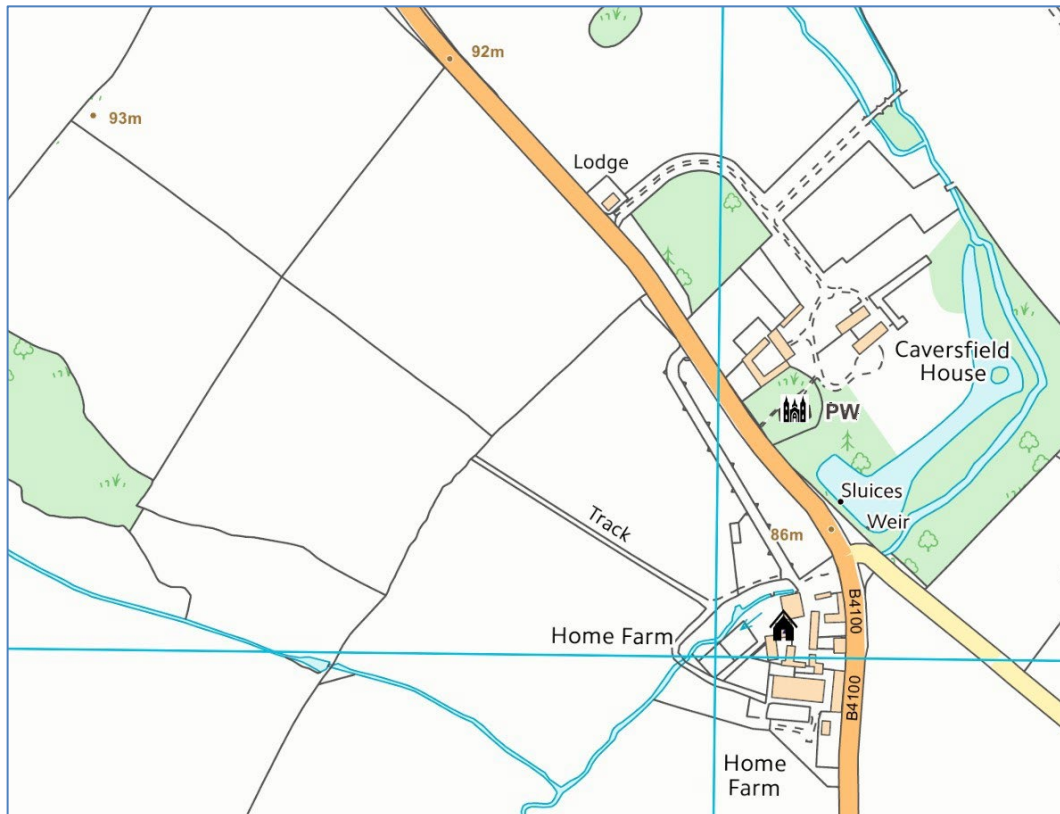
1.12. This report focuses on the following key matters:

- How the Appeal Scheme would change the setting of the Church of St Laurence, a Grade II\* Listed Building, and the potential effects of this change on its heritage significance; and
- How the Appeal Scheme would change the setting of Home Farmhouse, a Grade II Listed Building, and the potential effects of this change on its heritage significance; and
- A specific response to the representations of St Laurence's Church (in sole regard to heritage matters).

## 2. HERITAGE SIGNIFICANCE AND IMPACT ASSESSMENT

### *Introduction*

- 2.1. The following section derives some of its reference material from the documents that accompanied the application. The Historic England Listed Building descriptions comprise some useful information on the key heritage assets and these have drawn on in the drafting of the narratives below.



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**Figure 1 – Location of Listed Buildings**

### ***Church of St Laurence, Grade II\* Listed Building***

#### *Description of the building and its significance*

- 2.2. The Church of St Laurence was granted Grade II\* status in 1966 and is situated c. 45m to the north-east of the Appeal Site, within the small, rural settlement of Caversfield, to the east of the B4100 and adjacent to Caversfield House (a non-designated heritage asset, unaffected by the Appeal Scheme) (Figure 1). The Church is a designated heritage of the highest significance.
- 2.3. The earliest elements are believed to date to the 10th or 11th centuries, with further additions dating to the late 12th and 13th centuries. The Church was restored and

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partially rebuilt in 1874. It is constructed of coursed and random limestone rubble with ashlar dressings and the roof is of Stonesfield-slate and concrete plain tiles.

- 2.4. The Church has a simple plan form, with a chancel, aisled nave and west tower. The tower exhibits three construction phases, with the base pre-dating the Norman Conquest. The base has small windows to the north and south with external splays. All other windows in the tower and the stone quoins have been renewed and the east and west facing gables have been rebuilt.
- 2.5. The chancel dates to the 13th century, with a pair of lancets in the east wall and a further lancet and two-light decorated window and square-headed 15th century window in the south. There is also a small door within the northern façade of the chancel. The chancel was subject to large-scale restoration in the 19th century. The 19th century vestry is located to the north of the chancel and includes a three-light decorated-style window below a gable.
- 2.6. The aisles, which were rebuilt in coursed rubble in the 19th century, principally have small lancets, and on the north side there is a short-gabled porch projection with a re-used 12th century doorway of two orders with engaged shafts, an inner roll and an outer band of undercut chevrons. The interior of the Church has several important features, all of which contribute to the overall significance of the Listed Building.
- 2.7. The significance of the Church of St Laurence is principally derived from its preserved 10th -15th century fabric, which provides the building with special architectural and historic interest. The 19th century alterations and additions also provide some degree of historic interest. The development of the building over time demonstrates changing architectural styles and provides the building with a high level of evidential value.
- 2.8. There is also the potential for the survival of further medieval architectural elements, which may have been obscured by later alterations. The building also has a high degree of illustrative value, showing the value of the Church within society throughout its history, with continued investment and alteration.
- 2.9. The high level of aesthetic value of the Church, derived from its architecture, is appreciated more from the immediate surrounds. This is not apparent at greater distance due to the relatively small tower and the level surrounding topography preventing views of the Church from afar. There is also extensive screening, provided



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by tall, mature vegetation, which limits views of the Church and its more immediate setting.



**Photo 1 –the Church tower looking north from within the Appeal Site (February 2021)**

2.10. Furthermore, the Church holds a high level of communal value, serving as a community place of worship since the 10th century. Further communal value is derived

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from the 25 Commonwealth War Graves situated within the churchyard, associated with personnel serving at RAF Bicester before and during the Second World War.

*The setting of the building*

- 2.11. The immediate setting of the Church comprises the small, surrounding churchyard, enclosed by tall trees and other vegetation. The churchyard contains several Commonwealth Graves, as mentioned above, which contribute to the building's significance through demonstration of its relationship to nearby RAF Bicester. The dense boundary vegetation creates an enclosed, tranquil and verdant character, contributing to the isolated, rural character of the Church.
- 2.12. The wider setting extends to Caversfield House and associated buildings, to the north and north-west; gardens, woodland and fishpond to the east; the buried remains of suspected deserted medieval settlement further to the east and north-east; and agricultural land to the south and west. Although the 19th century Caversfield House is not contemporary to the Church of St Laurence, it is situated upon the site of an earlier manor house, illustrating the historic association between the two key local structures. The wider setting also extends to include the wider agricultural landscape, including the Appeal Site.
- 2.13. Views of the Church tower are afforded from within the eastern part of the Appeal Site; but otherwise views of the structure are relatively limited within the wider landscape. For instance, when passing along the road adjacent (B4100) to the Church (in an easternly or even westerly direction) it is likely that a traveller would pass by the Church without noticing it. Whilst the tower has been designed to be seen, the overall experience and ability to appreciate the structure and its setting is reduced by the high degree of intervening vegetation.
- 2.14. Whilst the Appeal Site forms part of the wider agricultural landscape, any contribution to the Church has been reduced by the development of the Exemplar Site to the north and south of the Appeal Site and the 'business' of the B4100 which separates the Church from the Appeal Site.

*Summary statement of significance (including reference to setting)*

- 2.15. The significance of the Church of St Laurence is principally derived from its aesthetic, evidential and historic (illustrative) values, which are embodied within its fabric and form. The immediate setting of the Listed Building makes a positive contribution to this significance. The current character of the Site, set within the wider setting, makes a

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minor contribution to the overall significance of the heritage asset, through preservation of an element of the rural surrounds.

*The impact of the Appeal Scheme on heritage significance*

- 2.16. The principal elements of significance, i.e. the asset's historic fabric and form and its more contributory, immediate setting would be preserved. However, the Appeal Scheme would result in a change within its wider setting from agricultural fields to modern, residential development. Considered in isolation, this harm would be "less than substantial" and very much at lower end of the scale. This harm needs to be considered alongside the public benefits of the Appeal Scheme, as directed by paragraph 202 of the NPPF (CD 8.1.1). These benefits are dealt with, in the round (i.e., including heritage benefits), by Ms Leary in her Proof of Evidence.
- 2.17. Views of the Church tower from within the Appeal Site (and across the Appeal Site from the south) contribute to the experience of the asset from its wider environs but are a minor contributor to its overall significance. Retention of these views has been incorporated into the Appeal Scheme with a road corridor set within the eastern part of the Site, aligned with the Church, to draw views to the prominent feature of the tower. This road corridor, lined on either side by built-form and potentially trees too, will seek to reinforce and frame this view. This will undoubtedly improve the aspect, drawing greater attention to the tower in particular and this is deemed to be a benefit in so far as it 'better reveals the significance' of the designated heritage asset. The scale of this benefit is considered below and also by Ms Leary in her Proof of Evidence.
- 2.18. Thus, the harm occasioned by the loss of the agricultural setting of the Church must be assessed alongside the heritage benefits that will be delivered by the enhancement of the view of the tower from the south. While I make no attempt to weigh the less than substantial harm (at lower end of the scale) against the collective public benefits of the Appeal Scheme, it is my opinion that heritage benefits alone outweigh the harm.

***Home Farmhouse, Grade II Listed Building***

*Description of the building and its significance*

- 2.19. Home Farmhouse comprises an early-mid 17th century farmhouse, with 18th and 19th century extensions, granted Grade II status in 1987 and situated c. 65m to the east of the Appeal Site (Figure 1). This is a designated heritage of less than highest significance.



2.20. The building is two storeys in height and a three-unit plan, in addition to the added rear extensions. Its construction is of coursed, squared limestone, with ashlar dressings. The gabled roof is covered with old plain tiles, with a large chimney projection of red brick stacks at each gable end. The front elevation of the building has two-light ovolo moulded, stone-mullioned windows at each end bay. The central bay has a door opening and a casement window. On the first floor there are three two-light ovolo moulded, stone-mullioned windows. To the rear of the building there are some catslide outshoots, with timber casements in the gables of these projections. There is also a first-floor weather boarded dormer.

2.21. The significance of the building is principally derived from its preserved architectural fabric and historic form. This fabric holds a degree of evidential value, with the potential to yield evidence about historic farming practices and associated dwellings in the post-medieval period. There is also a degree of illustrative value, derived from the historical development of the building. The aesthetic value of the building has been maintained through limitation of alterations to the exterior of the building, particularly the front elevation.



Figure 2 - Tithe Map of the Parish of Caversfield, 1851 (extract)

#### *The setting of the building*

2.22. The immediate setting of Home Farmhouse includes enclosed gardens, to the immediate west, and a series of historic and modern farm buildings of various sizes

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and design, in all other directions. These farm buildings vary between stone-built historic farm buildings and 20th century buildings of no architectural and limited historic value.

- 2.23. The stone-built farm buildings possess some architectural and historic value, making a positive contribution to the setting and aesthetic of the Farmhouse through demonstration of its historic setting and contemporary style. Some of these buildings have been converted to office use, whilst others still appear to hold an agricultural function.
- 2.24. The 20th century farm buildings also contribute to the Farmhouse's historic interest, through demonstration of the continued agricultural use and associations. Architecturally, however, they do not contribute to the significance of the asset.
- 2.25. The gardens to the west of the farmhouse appear as domestic gardens, possibly with some formal elements, which contribute to the aesthetic value of the building, rather than to the understanding as a historic Farmhouse. The gardens are illustrated on the 1854 Caversfield Tithe Map and therefore show the continued use of this space as gardens since at least the mid-19th century.
- 2.26. The wider setting of the asset is made up of the surrounding agricultural fields, to the south, east and west, including the Appeal Site; Caversfield, to the north, including the Church of St Laurence; RAF Bicester, further to the south-east; and new development within the Exemplar Site, slightly further to the north-west, south and south-west.
- 2.27. The Farmhouse has lost a degree of its connection to the surrounding agricultural land due to recent residential development; however, those parts immediately surrounding it do still allow for some understanding of the building within its original, historic rural and agricultural context. These fields include the Appeal Site, which via links in ownership and tenancies during at least the 19<sup>th</sup> century was historically associated with Home Farmhouse.
- 2.28. There is very limited experience of this historic association from the asset, with the Appeal Site being physically and visually removed from the Farmhouse by a dense tree belt. The considerable height of vegetation surrounding the Farmhouse and its gardens affords a very limited experience of the agricultural land to the north-west, west and south-west, and views from these aspects, including from within the Site, afford only glimpses of the roofline of the farmhouse. Elements of this intervening

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vegetation are illustrated by the 1854 tithe map and later 19th century Ordnance Survey maps reproduced at figure 2 above, suggesting historic planting intending to separate the domestic building from its agricultural surrounds.

2.29. Whilst historically there was a functional connection between the Farmhouse and the adjacent agricultural land, the perception of this is now relatively limited, reducing the overall contribution made by this element of the wider setting to the significance of Home Farmhouse. The development of the nearby Exemplar Site has further reduced the contribution that the wider setting makes to the significance of Home Farmhouse, giving the appearance of the Farmhouse as part of a larger settlement. Therefore, whilst the understanding of the functional link between the Site and the Farmhouse has been eroded by the surrounding modern development, the Farmhouse and its associated buildings do still retain a small remnant of a functional connection to the Appeal Site. This lacks legibility due to the clear visual separation. It is therefore considered that the present agricultural character of the Appeal Site makes only a limited contribution to the setting of Home Farmhouse, translating to an overall minor contribution to significance.

*Summary statement of significance (including reference to setting)*

2.30. Home Farmhouse derives its principal significance from its architectural and historic interest, embodied within the fabric of the building itself, and to a far lesser extent its evidential value. It also derives value from its immediate setting, comprising domestic gardens and a complex of historic and modern farm buildings. The wider agricultural setting is considered to make a limited contribution to the overall setting. Due to the general reduction of this rural setting, however, it is considered that the existing character of the Appeal Site makes at most a minor contribution to the significance of the Farmhouse, in part due to the loss of clear functional relationship between the Appeal Site and the asset, with the legibility of this diminished by the intervening planting, limiting any visual relationship.

*The impact of the Appeal Scheme on heritage significance*

2.31. The visual separation of Home Farmhouse from principal elements of the agricultural landscape has been caused by the planting of a dense vegetation barrier, in place to some degree since the mid-19th century and possibly earlier. The associative element between the agricultural land and the function of the Farmhouse has been diminished since the separation of the ownership and tenancies. This has been further affected by the introduction of new built residential form within the Exemplar Site and the

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conversion of several former agricultural buildings within the farm complex to office use.

- 2.32. However, the Appeal Scheme would result in less than substantial harm to the significance of Home Farmhouse, through change of the agricultural character of the Appeal Site to a more urban character. The principal elements of significance, i.e., the asset's architectural and historic interest and its more contributory, immediate setting would be preserved. Thus, this harm would be very much at lower end of this scale and the harm would not affect the 'special architectural and historic interest' and reason for its designation as a Listed Building.
- 2.33. Careful selection of materials, typology and layout has been drawn from Home Farmhouse and its associated buildings to inform the design of elements of the Appeal Scheme closest to the asset to create a more coherent new landscape and surrounds. The 'Character area' of the eastern part of the Site would be designed in such a way as to visually incorporate elements of the surrounding built heritage. This will ensure any potential effects that may have been caused by the presence of 'jarring' architectural forms, can be avoided.
- 2.34. Thus, as has been described above in relation to the Church, the harm occasioned by the loss of the agricultural setting to Home Farmhouse (less than substantial, very much at lower end of the scale) needs to be weighed against the collective public benefits of the Appeal Scheme. This balancing exercise can be found in the Proof of Evidence of Ms Leary.

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### 3. OTHER MATTERS

#### *Response to the representations by Dr Christopher Young, St Laurence's Church DCC*

- 3.1. In specific regard to the heritage matters presented within Dr Young's letter of March 2023 (CD 9.5), I have the following observations:

#### *The 'group value' of the Church, Farmhouse and Caversfield House*

- 3.2. The most recent correspondence from St Laurence's Church (March 2023), draws particular attention to the 'group value' of the Church, Home Farmhouse, the Manor House (Caversfield House) and 'village earthworks'. It is suggested that the effect of the Appeal Scheme on these assets 'as a complex' has been underestimated.
- 3.3. The matter of the interrelationship of these assets (historic buildings) was discussed in Chapter 11 of the Environmental Statement and is further referenced above. For the avoidance of doubt, the listing description for each of these assets include do not reference the potential enhanced significance of the architectural and historic interest from any 'group value'. In short, the group value of these assets plays a very minor role in their heritage significance. None of their special architectural or historic interest is related to this relationship.
- 3.4. There are no locations in the wider landscape where a visual experience of these three buildings (or collection of buildings) can be had together. Further to this point, the Appeal Scheme would in no way be experienced in any location were this group value may be articulated.
- 3.5. While there are some associated attributes to this complex and some merit in recognising the group value of the assets, the Appeal Scheme would in no way adversely effect their significance in any greater way than has been articulated at an individual, asset-by-asset, approach.

#### *A suitable archaeological mitigation strategy*

- 3.6. A further matter raised in the letter relates to an 'underestimation of the potential for as yet unrecorded archaeological remains', particularly in the eastern part of the Appeal Site.
- 3.7. Detailed desk-based assessment supported by field investigations (geophysical survey and archaeological trial trenching) have allowed for a robust understanding of archaeological potential across the Appeal Site, and specifically in the eastern parcel.

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This work was carried out to industry good practice against Written Schemes of Investigation (WSI) that were approved by Council's archaeological advisors.

- 3.8. The potential impacts of construction, as would likely to be caused by the Appeal Scheme, informed an appropriate and proportionate mitigation strategy. This work will involve the professional excavation and recording of discovered archaeological remains, in advance of construction. The scope and scale of this work was devised by the Council's archaeological advisors. While limited evidence for possible archaeological remains were identified within the eastern part of the Appeal Site, this was not deemed sufficient to propose further work in this area.
- 3.9. A suitable condition will allow for the work to be undertaken to an approved specification (WSI), including for the provision of community involvement, publication and depositing of the archive.
- 3.10. These matters were fully considered and detailed in the Archaeological Assessment that formed Appendix 11.1 of the Environmental Statement.

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## 4. CONCLUSIONS

- 4.1. The following section presents a summary of the key conclusions that I have reached regarding the potential impact of the Appeal Scheme on heritage assets. This accords with the Appellant's Statement of Case; and this should be read alongside the Statement of Common Ground. I believe the conclusions presented below are correct, well-founded, and a proportionate assessment of the impact of the Appeal Scheme (in regard to heritage matters).
- 1) The Appeal Scheme lies within the setting of two Listed Buildings (designated heritage assets).
  - 2) The loss of agricultural hinterland to the Church of St Laurence will have a minor impact on the significance of the building, resulting in less than substantial harm at the lowest end of the scale. The creation of a new framed view would be a heritage benefit to be weighed against this harm.
  - 3) The Appeal Scheme will change the character of the wider and formerly associated agricultural setting of Home Farmhouse and this will result in less than substantial harm (very much at lowest end of the scale).
  - 4) The Council has stated that any harm to these Listed Buildings (designated heritage assets) would be demonstrably outweighed by the public (including heritage) benefits of the Appeal Scheme.
- 4.2. The identified harm (at lower end of less than substantial) the Appeal Scheme would occasion to the two Listed Buildings (designated heritage assets) via changes to their setting, needs to be weighed against the public benefits of the scheme, in accordance with paragraph 202 of the NPPF (CD 8.1.1). This is dealt with in Ms Leary's Proof of Evidence.

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## 5. REFERENCES

Chartered Institute for Archaeologists, 2017, *Standard and Guidance for Historic Environment Desk-Based Assessment*

IEMA, IHBC and CIfA, 2021, *Principles of Cultural Heritage Impact Assessment in the UK (2021)*

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Historic England, 2017, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)*,

Historic England, 2019, *Historic England Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets*

Ministry of Housing, Communities and Local Government, 2021, *National Planning Policy Framework (NPPF) (CD 8.1.1)*

Ministry of Housing, Communities and Local Government, 2019, *National Planning Policy Guidance (PPG) (CD 8.1.2.)*

Cherwell Local Plan, 2011-2031 (CD 4.1)

Planning (Listed Buildings and Conservation Areas) Act 1990 Act of UK Parliament



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## ANNEX A - FUNDAMENTAL PRINCIPLES OF HERITAGE ASSESSMENT

### *Introduction*

- 1) This Annex sets out the fundamental principles within legislation and planning policy with regard to the safeguarding of the significance of heritage assets (including their settings). These themes are drawn out, into a narrative, to provide the contextual background of the methodology adopted in the impact assessment presented in above. In the most part, these themes are well-articulated in legislation, policy and good practice guidance; however, in some cases, key points are given further elaboration to demonstrate the specific applicability to the key issues that are the subject of this Appeal.

### *A changed and changing historic environment*

- 2) Our historic environment tells a story of change. The buildings of today that have stood for hundreds of years would have, when first constructed, looked alien within their environments. The same can be said of landscape features such as ridge and furrow, so prevalent in parts of the English medieval countryside, which had no place in the farmed landscapes of the pre-Roman or Roman period. The transportation infrastructure of more recent times in the form of canal, rail and motorway often paid little respect or even acknowledgement of the grain of the landscape through which they pass. Our historic environment is one of change and creation. Our legislative and policy framework seeks to safeguard those elements that tell the most important stories of these changes.
- 3) Within our historic environment there are some special buildings and places that survive as an 'intact artefact', a time capsule; telling an important story of a specific event, presenting an unadulterated articulation of a designer's intention or the unaltered aftermath of a single occurrence. When in the presence of these buildings and places, one can be more easily transported to the past time in question, forming an integral part of the experience of their heritage significance. These buildings and places are extremely rare and are especially sensitive to changes that would interfere with the quality of this 'unaltered experience'.
- 4) Therefore, most of our historic environment, and even the majority of designated heritage assets, tell stories of change. The historic buildings, monuments, landscape

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features, ruins and their settings, that are the subject of this Appeal, are heritage assets that tell stories of change too.

### *Understanding heritage significance and setting*

- 5) The NPPF (CD 8.1.1) provides a definition of ‘significance’ for heritage policy (Annex 2). This states that heritage significance comprises ‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic’.
- 6) Regarding ‘levels’ of significance (or more properly ‘importance’) the NPPF (2021) provides a distinction between: designated heritage assets of the highest significance (including scheduled monuments); designated heritage assets not of the highest significance (including Grade II Listed Buildings); and non-designated heritage assets.
- 7) The ‘setting’ of a heritage asset comprises ‘the surroundings in which a heritage asset is experienced’. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’ (NPPF (2021), Annex 2; CD 8.1.1). Thus, it is important to note that ‘setting’ is not itself a heritage asset: however, it may contribute to the significance of a heritage asset.
- 8) Guidance on assessing the effects of change upon the setting and significance of heritage assets is provided in ‘Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets’, which has been utilised for the assessment presented here. To quote directly from this document “Analysis of setting is different from landscape assessment. While landscapes include everything within them, the entirety of very extensive settings may not contribute equally to the significance of a heritage asset, if at all.” Therefore, understanding and articulating the relative significance of the component parts of the setting of a heritage asset is a critical component to the impact assessment (see below).
- 9) In summary, setting can contribute to heritage significance through associated attributes i.e., surviving elements within its surrounds that have a tangible association with the important stories of the asset itself (maybe lying well-beyond the experience of the asset); or at specific locations where the asset itself is experienced.

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- 10) In the vast majority of cases heritage significance is experienced when one is looking towards (or simply 'looking at') the heritage asset. The sensory and intellectual stimulation drawn from the aesthetic and historic (illustrative) value of a building (such as a post-medieval farm complex) is obviously had from views towards it. It is highly relevant that there will be locations within the setting of a heritage asset where this is best or most commonly experienced.
  - 11) The importance of understanding and articulating the relative contribution to the significance of an asset (or elements of an asset) is well-grounded in policy and good practice guidance. Historic England's *The Setting of Heritage Assets* mentions that by "considering the level of ... [the relative] contribution to significance, it is possible to gauge impact more transparently and more consistently" (page 10).
  - 12) To quote, again, from *The Setting of Heritage Assets* "Views, however, can of course be valued for reasons other than their contribution to heritage significance. They may, for example, be related to the appreciation of the wider landscape, where there may be little or no association with heritage assets" (page 1). The guidance goes further on this point to state that "Views out from heritage assets that neither contribute to significance nor allow appreciation of significance are a matter of amenity rather than of setting" (page, 7).

### *The Significance of Places of Worship*

- 13) Due to the proximity of the Church of St Laurence it is worthwhile considering the specific heritage guidance for assessing the significance of designated places of worship.
- 14) The significance of churches and other places of worship is a particular research priority identified by Historic England, as part of its National Heritage Protection Plan (NHPP; EH 2012). Activity 4D1 of the NHPP had a particular emphasis on the interiors of churches and chapels.
- 15) In the context of places of worship, Historic England is explicit on the contribution that their physical fabric and internal fixtures and fittings make to their special architectural and historic interest, as well as their vulnerability to change.
- 16) In 2017 Historic England re-published guidance on the selection criteria used when designating places of worship, *Listing Selection Guide: Places of Worship*. In relation to the fixtures, fittings and decoration of places of worship, this guidance states that

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“These can be of great importance in defining the character of a place of worship, and are sometimes regarded as the most important elements of all. Liturgical fittings which reflect the nature of worship in that building, and changes in that through time, may be of particular interest,..... In some cases, the artistic or design interest of these elements may be enough in themselves to warrant a higher grade for the church than would be justified by its architectural aspects alone.” (page 35).

- 17) It is clear from the NHPP and the Listing Selection Guide that Historic England considers that the internal features of a church are likely to make the greatest contribution to its special architectural and historic interest. This focus on the contribution interiors make to the significance of such places of worship is further emphasised by the Places of Worship Strategy 2013-2018 (EH 2014), with one of its three research priorities comprising the ‘improved understanding and valuing of historic church and chapels [sic] interiors’ (the other two research priorities being related to non-Christian faith groups).
- 18) That is not to say that the exterior of churches, and in particular their relationship with their surroundings, is of no significance, but rather that it is all too easy to focus solely upon the way in which a church has been designed to ‘make a statement’ in its landscape context, and fail to recognise that its primary role was to provide a place of worship (a role fulfilled internally) for its community.
- 19) Furthermore, when the Listing Selection Guide does make reference to the ‘setting’ of Places of Worship (Historic England 2017, 35-36) it doesn’t venture far from the churchyard or the group value of any associated buildings and structures.

***Change does not necessarily result in harm***

- 20) For a proposal (a development) to cause harm to a heritage asset it has to have the potential to impact its heritage significance or the way in which its significance is experienced. Change to the character of the setting of a heritage asset does not necessarily result in harm to its significance.
- 21) As Historic England guidance states, ‘Many places coincide with the setting of a heritage asset’ and ‘conserving or enhancing heritage assets by taking their settings into account need not prevent change; indeed change may be positive’ (page 8). Thus change, even that which is perceived by some as unwelcome and/or considerable in scale is not to be necessarily equated with harm to heritage significance. As such, the introduction of, say, new residential development within a

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part of the setting of a heritage asset, and specifically a part that contributes little or nothing to its heritage significance, is not necessarily harmful. It is only when this change alters one or more of those elements that materially contribute to the asset's significance, or when it impinges on the experience of the asset's significance that harm can arise.

- 22) Therefore, the assessment presented here is solely concerned with identifying such instances of harm or benefits. Thus, identifying a change of character is not, of itself evidence of an impact (or harm) in heritage terms.

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**APPENDIX APP/5/C**

**HL2**

**Representations in respect of the CDC Community Involvement**

**Paper (2020)**

**BY EMAIL ONLY:** [PlanningPolicyConsultation@Cherwell-DC.gov.uk](mailto:PlanningPolicyConsultation@Cherwell-DC.gov.uk)

Cherwell Local Plan Review 2040  
Planning Policy Team  
Planning Policy, Conservation and Design  
Cherwell District Council  
Bodicote  
Banbury  
OX15 4AA

31036/A3/HL  
9<sup>th</sup> September 2020

Dear Sir/Madam,

**CHERWELL LOCAL PLAN REVIEW 2040 - PLANNING FOR CHERWELL TO 2040  
A COMMUNITY INVOLVEMENT PAPER – JULY 2020**

We write on behalf of our Client, Firethorn Bicester Limited, and in respect of the Cherwell District Council (CDC) consultation on the above. Our Client has land interests at North West Bicester, which is the subject of an adopted Supplementary Planning Document (SPD). I have enclosed a location plan which shows the extent of their land interests (Mosaic dwg. ref. 1192-001).

In response to your Call for Sites request in Section 5 of the Paper, we can confirm on behalf of our Client that the land shown on the enclosed plan is available for development, and our Client is currently working on the preparation of an outline planning application for residential development on that site.

We would also like to comment on the consultation Paper as follows:

- i. Amongst the announcements from central Government at the beginning of August was a new set of data for housing delivery (New Standard Method 2020) – albeit at present unconstrained – but which indicates that Cherwell may have to deliver up to 73% more homes than current levels. We would like to understand how CDC will address this additional requirement in relation to Question 2 and the Housing ‘Key Issues’ identified ?;
- ii. We welcome the fact that your review of affordable housing requirements will be taking into account viability (Question 2 – Housing – Key Issues);
- iii. We note that, in reference to Bicester at paragraph 2.64, you refer to the North West Bicester site as being a ‘low-carbon community’. This differs from the ‘true zero carbon’ definition within the adopted SPD. This is welcomed as we believe that it reflects the point made in relation to affordable housing at (ii) above, that viability needs to be taken into account, but we would welcome a clearer definition of ‘low carbon’, and would ask that this is reflected in an amended version of the SPD; and



- iv. We note that the delivery of residential development in the Bicester area is not identified within the 'Key Issues' for the area. We assume that this is because there are already significant allocations identified in and around Bicester for residential development and that on this basis there is no additional need for housing allocations as those existing allocations can manage the identified housing need, or any increase in housing need as referred to in (i) above.

We would be grateful if you could take these observations and comments on board and keep us informed of the next stages of the Local Plan Review process. Should you require any further information regarding our Client's land interests then please do not hesitate to contact me.

Yours sincerely,



**HANNAH LEARY**  
Planning Associate

- cc. By Email:
- |               |   |                 |
|---------------|---|-----------------|
| Caroline Ford | - | Cherwell DC     |
| Paul Martin   | - | Firethorn Trust |
| Rob Bolton    | - | Review Partners |
| Robin Meakins | - | Barton Willmore |

**APPENDIX APP/5/D**

**HL3**

**Representations in respect of the CDC Development Options Paper  
(2021)**

Cherwell Local Plan Review 2040  
Planning Policy Team  
Cherwell District Council  
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OX15 4AA

**BY EMAIL ONLY:** [planning.policy@Cherwell-DC.gov.uk](mailto:planning.policy@Cherwell-DC.gov.uk)

31036/A3/HL/sl  
10<sup>th</sup> November 2021

Dear Sir/Madam,

**CHERWELL LOCAL PLAN REVIEW 2040 - PLANNING FOR CHERWELL  
COMMUNITY INVOLVEMENT PAPER 2 – DEVELOPING OUR OPTIONS – SEPTEMBER 2021**

We write on behalf of our Client, Firethorn Bicester Limited, and in respect of the Cherwell District Council (CDC) consultation on the above. Our Client has land interests at North West Bicester, which is the subject of an adopted Supplementary Planning Document (SPD). I have enclosed a location plan which shows the extent of their land interests (Mosaic dwg. ref. 1192-001).

In our response to your Call for Sites request in September 2020, we confirmed on behalf of our Client that the land shown on the enclosed plan is available for development. Since that time our Client has submitted an outline planning application to CDC for residential development on that site. This is currently the subject of discussions with your Officers.

We would also like to comment on the Consultation Paper referred to above as follows:

- i. Section 5.4 – Suitable and Sustainable Homes:
  - a. We welcome the references to the importance of high-quality design and sustainable methods of construction. In our view this should include specific reference to the positive contribution that can be made both in sustainability terms and delivery terms, by Modern Methods of Construction (or MMC);
  - b. We note the reference to the demand for social rented homes in the District. This will ultimately have to be considered in the context of the wider demands of any development control policies, site allocation policies or SPD provisions, and will be subject to viability testing;
  - c. Paragraph 5.4.4 – it will be essential to understand how the trajectories for housing delivery for Oxfordshire as a whole as described, will have an impact on the number of homes required in Cherwell. Based on the increase in numbers at County-wide level, it is assumed that there would also be an increase in Cherwell. These figures need to be set out in more detail;
  - d. Paragraph 5.4.10 – the percentage of affordable housing being sought should be in

- line with national policy, and will be subject to viability testing in accordance with the NPPF; and
- e. Paragraph 5.4.11 – the potential role of Build to Rent as a tenure and product should be recognised within affordable housing policy;
- ii. Section 5.5 – Mitigating and Adapting to Climate Change:
    - a. Paragraph 5.5.10 – we welcome the acknowledgement of the fact that the application of local standards which go beyond those standards set by central Government would need to be considered against the usual viability tests;
  - iii. Section 5.13 – Infrastructure and Infrastructure Funding:
    - a. We recognise the need for strategic key infrastructure to support the delivery of new development. Such infrastructure should be designed and costed in full in order to enable proportionate contributions to be made to that infrastructure as the phases of development come forward;
  - iv. Section 6.3 – Bicester:
    - a. Paragraph 6.3.7 – it should be noted that the delays in delivery at North West Bicester have also related to viability challenges;
    - b. Option 22 (Housing and Employment Growth at Bicester) and Option 23 (Bicester 2 – Directions of Growth) – we support the continuing focus of new development towards existing or new settlements. If greenfield sites are to be considered in order to assist CDC in achieving what are expected to be higher levels of housing need, it is our view that the Council should seek to maximise the development potential and the investment made in new infrastructure at the new settlement locations, and focus further new development around these existing strategic allocations – including North West Bicester.

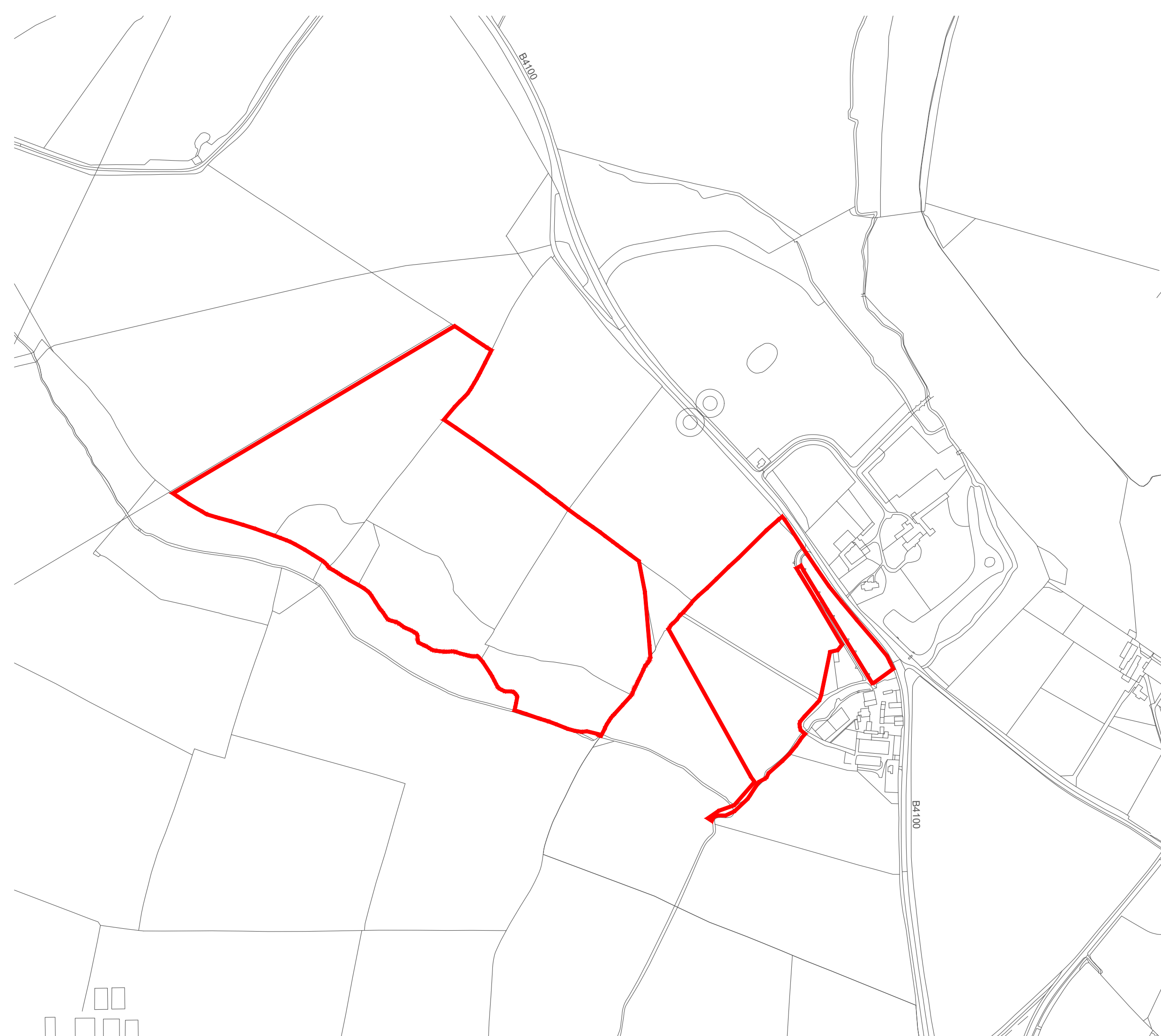
We would be grateful if you could take these observations and comments on board and keep us informed of the next stages of the Local Plan Review process. Should you require any further information regarding our Client's land interests then please do not hesitate to contact me.

Yours sincerely,



**HANNAH LEARY**  
Planning Director

- cc. By Email:
- |                  |   |                 |
|------------------|---|-----------------|
| Caroline Ford    | - | Cherwell DC     |
| Paul Martin      | - | Firethorn Trust |
| Eleanor Musgrove | - | Firethorn Trust |
| Rob Bolton       | - | Review Partners |
| Robin Meakins    | - | Barton Willmore |



 Draft application boundary 22.48ha

Project  
**Land at North West Bicester**

Drawing Title  
**Location Plan**

Date	Scale	Drawn by	Check by
17/08/2020	1:5,000 at A3	ML	LA
Project No	Drawing No	Revision	
1192	001	Draft	

