

Application number(s):	21/04202/F
Application site:	Former Buzz Bingo, Bolton Road, Banbury OX16 5UL
Proposal:	Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

☒ Listed Building – refer to separate 21/04179/LB

☒ Conservation Area

☒ Setting of a Listed Building

☐ Grade I

☐ Grade II*

☒ Grade II – refer to separate 21/04179/LB

Policies

Cherwell Local Plan 2011-2031 (2015)

☒ **Policy ESD15** “Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.” And that, “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.”

New development proposals should: Conserve, sustain and enhance designated and non-designated ‘heritage assets’ including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale and massing of buildings.

Any application should include necessary information on Heritage Assets sufficient to assess the potential impact of the proposal on their significance. Further, where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.

☒ SLE2: Securing Dynamic Town Centres.

☒ ESD1: Mitigating and adapting to climate change

☒ ESD5: Renewable energy.

☒ Policy Banbury 8

Other policies include Policy SLE2, Policy BSC2, Policy ESD1, Policy ESD2, Policy ESD3, Policy ESD4, Policy ESD5, Policy Banbury 7.

Cherwell Local Plan 1996 Saved Policies

☒ **C18** Works to a listed building should preserve the building, its setting and any features of special architectural or historic interest. Alterations or extensions to a listed building should be minor and sympathetic. [21/04179/LB](#)

☒ **C23** Presumption in favour of retaining positive features within a Conservation Area.

☒ **C28** The layout, design and materials proposed within a new development should respect the existing local character. ‘control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the urban or rural context of that development.

☒ **C30:** The design of the proposed scheme should show compatibility with the existing street scene and vicinity.

☒ **C34** Buildings whose height or appearance would spoil views of St Mary’s Church, Banbury, will not normally be permitted.

9.48 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.

X	Paragraph 194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
X	Paragraph 195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
X	Paragraph 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
X	Paragraph 200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: <ul style="list-style-type: none"> a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
	Paragraph 201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: <ul style="list-style-type: none"> a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.
X	Paragraph 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
	Paragraph 203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Other Relevant Policies and guidance

X	<p>Cherwell DC's 'Guidance on heritage applications' can be found here: https://www.cherwell.gov.uk/downloads/126/conservation-and-heritage</p> <p>Historic England's Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12</p> <p>Historic England's Conservation Principles, Policies and Guidance 2008</p> <p>Historic England's The Setting of Heritage Assets, GPA3 2017</p> <p>Historic England's Streets for All</p> <p>The Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter 1987)</p> <p>CDC The Banbury Vision and Masterplan 2016 supplementary planning document – Banbury 8</p> <p>CDC Residential Design Guide supplementary planning document 2018</p> <p>CDC The Banbury Conservation Appraisal (Sept 2018)</p> <p>Oxfordshire Health Impact Assessment Toolkit</p>
---	--

Planning (Listed Buildings and Conservation Areas) Act 1990

X

Section 16. In considering whether to grant listed building consent for any works the local planning authority 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.

X

Section 72. With respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Significance

Banbury Conservation Area Appraisal – designated 1969, last reviewed September 2018: the site bounds the Main Route/Calthorpe/Medieval/and Castle Street Character Areas

Banbury is a rural market town with an intact medieval street pattern within its central core, surrounded by 18th and 19th century suburbs. The significant urban fabric and grain of the town needs to be understood and respected to inform any future development. The c1800 map of Banbury shows an exceptionally complete and elegant network of streets and spaces. The town has several archaeological sites of significance, the site of the North Bar (one of 5 toll gates in an unwallled town) lies immediately NW of the site, and the Municipal Boundary ran east of this along the south of Castle Street West – see CAA Section 4.

Banbury Conservation Area Appraisal Main Route Corridor Character Area

‘Despite comprising a variety of building types, ages, uses and architectural styles, the homogeneity of this character area is derived from its linear space clearly defined by strong building lines... This is one of the busiest areas of the town with constant movement of vehicles and pedestrians throughout the day and evening.’

Banbury Conservation Area Appraisal Medieval Core Character Area

‘The medieval street pattern remains intact comprising Market Place, medieval streets with burgage plots and interconnecting lanes. This remains the traditional retail and commercial core of the town with some retail redevelopment and continues to host the market and street fair. The treeless environment is somewhat enlivened by street furniture and active frontages at ground floor level.’

Key listed Buildings in the immediate area, not including St Mary’s which has its own Policy C34 – see above:

- BANBURY NORTH BAR STREET (East side) SP4540NW No.34 (Trelawn) 6/129 16/06/77 **GV II**
- BANBURY NORTH BAR STREET (East side) SP4540NW No.42 (Cherwell Interiors) 6/130 (Formerly listed as No.42) 07/10/69 **GV II**
- BANBURY NORTH BAR STREET (East side) SP4540NW Nos.43 and 44 (Robert Atkins 6/131 and Powdrell) (Formerly listed as No.43 and 07/10/69 No.44) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (East side) 6/132 No.45 07/10/69 **GV II**
- BANBURY NORTH BAR STREET SP4540NW (East side) No.47 (Johnson and Gaunt 6/133 Solicitors) 07/10/69 (Formerly listed as No.47) **GV II***
- BANBURY NORTH BAR STREET SP4540NW (East side) 6/134 No.48 (David Taylor) and No.49 (Roberts Dental Surgeon) 07/10/69 (Formerly listed as No.48 and No.49) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (West side) 6/135 No.20 (Arrow Audio and Oscan 07/10/69 Electronics) (Formerly listed as No.20) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (West side) 6/137 Nos.13 and 14 (4B Micro 07/10/69 Centres) (Formerly listed as No.13 and No.14) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (West side) 6/136 No.15 (The Cross Bar) 07/10/69 (Formerly listed as No.15) **GV II**
- BANBURY SOUTHAM ROAD SP4540NW (East side) 6/198 No.3 (The Three Pidgeons 16/06/77 Public House) **GV II**
- BANBURY SOUTHAM ROAD SP4540NW (East side) 6/197 Nos.4 to 8 (consecutive) 16/06/77 **GV II**

There are further listed buildings to Parsons Street and the Cornmarket that are relevant to the wider Banbury 8 site.

Local Heritage Assets/Non-Designated Heritage Assets:

These include buildings on North Bar Street, Warwick Road and Castle Street.

The Burra Charter (1979, last updated 2013) Article 1.2:

"Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups"

The Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter 1987):

"All urban communities, whether they have developed gradually over time or have been created deliberately, are an expression of the diversity of societies throughout history. This charter concerns historic urban areas, large and small, including cities, towns and historic centres or quarters, together with their natural and man-made environments. Beyond their role as historical documents, these areas embody the values of traditional urban cultures. Today many such areas are being threatened, physically degraded, damaged or even destroyed, by the impact of the urban development that follows industrialisation in societies everywhere."

"This new text defines the principles, objectives, and methods necessary for the conservation of historic towns and urban areas." It also seeks to "promote the harmony of both private and community life in these areas and to encourage the preservation of those cultural properties, however modest in scale, that constitute the memory of mankind."

"Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially: a) Urban patterns as defined by lots and streets; b) Relationships between buildings and green and open spaces; c) The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration; d) The relationship between the town or urban area and its surrounding setting, both natural and man-made; and e) The various functions that the town or urban area has acquired over time. Any threat to these qualities would compromise the authenticity of the historic town or urban area."

"The conservation of historic towns and urban areas concerns their residents first of all."

"Planning for the conservation of historic towns and urban areas should be preceded by multidisciplinary studies. Conservation plans must address all relevant factors including archaeology, history, architecture, techniques, sociology and economics."

"ensuring a harmonious relationship between the historic urban areas and the town as a whole."

"Before any intervention, existing conditions in the area should be thoroughly documented"

"New functions and activities should be compatible with the character of the historic town or urban area. Adaptation of these areas to contemporary life requires the careful installation or improvement of public service facilities."

"When it is necessary to construct new buildings or adapt existing ones, the existing spatial layout should be respected, especially in terms of scale and lot size. The introduction of contemporary elements in harmony with the surroundings should not be discouraged since such features can contribute to the enrichment of an area."

"Knowledge of the history of a historic town or urban area should be expanded through archaeological investigation and appropriate preservation of archaeological findings."

"Traffic inside a historic town or urban area must be controlled and parking areas must be planned so that they do not damage the historic fabric or its environment."

Historic England's Conservation Area Appraisal Designation Management:

Historic areas are a link to our past that provides a sense of continuity and reassurance to a community. Historic England's notes *"The way building traditions and settlement patterns are superimposed and survive over time will be unique to the townscape of each area. This local distinctiveness can provide a catalyst for regeneration and inspire well designed new development which brings economic and social benefits valued by both local planning authorities and local communities."*

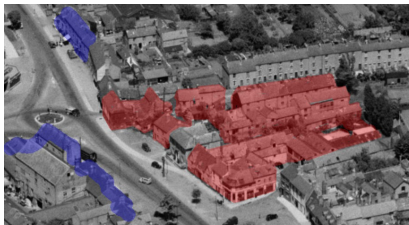
The Application Site:

The site is part of an important urban block in the centre of Banbury, lying within and adjacent to the Banbury Conservation Area. Whilst there are several important listed buildings and non-designated heritage assets, with key views and focal points, the quality of the street scene has suffered due to a lack of vision in the late 20th century and early part of the 21st century. [A concurrent application 21/04179/LB deals with the demolition of the Buzz Bingo buildings which enveloped 3 sides of the Grade II listed Trelawn House.](#)

Comparing historic and current views:



The two buildings in the black and white photo beside the roundabout were demolished as part of the road widening between 1955 and 1966. The white building on the left formed the south boundary of Back Lane and Cuttle Brook (the lane later became known as Castle Street) and the north of the lane was formed by the Three Pigeons as seen in the 2nd photograph from the right.



Copyright: Britain from Above 1947 - The red and blue hatches indicate some of the buildings that have since been demolished. <https://www.britainfromabove.org.uk/en/image/EAW006314>

The visual analysis maps in Figures 14 and 18 of the Banbury Conservation Area Appraisal (CAA) identify views. There are other important views adjacent to the site and outside of the Conservation Area which need to be considered, including views of St Mary's Church from Castle Street, North Bar Street and Southam Road (Saved Policy 34), and the settings of other listed buildings.

The submission includes an Archaeological Desk Top Assessment, a Heritage Statement, A Design and Access Statement, a Planning Statement, a Landscape Strategy, a Banbury Urban Form Analysis, and a Visual Assessment of the proposals.

Ground Contamination report:

The c1800 map shows a Tanyard* immediately north of the later Engineering Works, this is not mentioned in the report (<https://www.colvilleleather.co.uk/blogs/news/a-brief-history-of-leather-tanning>)



Lobel c1800



Plot Sheet

Flood Risk and Drainage:

The c1800 map shows 'Cuttle Brook' on the south side of 'Back Lane' which may have been diverted or buried beneath Castle Street.

Appraisal

- Demolition of modern building attached to listed building – [refer to separate 21/04179/LB](#)
- Setting of listed buildings - including views
- Banbury Conservation Area

Relevant Planning History: See Appendix for earlier applications

21/01879/Preapp – raised possible retirement living use – refer to formal Conservation Comments

21/02881/Preapp - retirement living use

Current Proposal: [Assuming the comments on the concurrent 21/04179/LB can be addressed](#)

Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

Advisory Note: This scheme has been assessed on the information submitted by the applicant to the Council. The proposal has been assessed, as applicable, against the criteria set out in the design and conservation policies of the Cherwell Residential Design SPD adopted July 2018 and Cherwell Local Plan 2011-2031, the Saved Policies from the Adopted Local Plan 1996, the NPPG - Plan Making: the Historic Environment. Describes public benefits as *'anything that delivers economic, social or environmental progress.'*, the NPPF, Historic England guidance, the Banbury Conservation Appraisal (Sept 2018), and any supplementary guidance drafted by the local authority and related to this site.

The Conservation Team have now reviewed the listed building consent for the concurrent scheme for Trelawn House 21/04179/LB and this Planning Application submitted by Churchill Retirement Living for the redevelopment of the site for '80 retirement living apartments including communal facilities, access, car parking and landscaping' in the town centre of Banbury, within the Banbury Conservation Area. We have attended two pre-app meetings where the Applicant was present along with their project team to further understand the submission. A further site visit has been undertaken to provide the Conservation Consultation response for this re-development scheme. Our comments are informed by the above, and the submission which includes an Archaeological Desk Top Assessment, Heritage Statement, Banbury Urban Form Analysis, Design and Access Statement, Planning Statement and a Visual Assessment of the proposals. We have the following observations to make:

Historic England's Conservation Area Appraisal, Designation and Management: *'Change is inevitable, and often beneficial, and this advice sets out ways to manage change in a way that conserves and enhances the character and appearance of historic areas. Conservation areas can contribute to sustainable development in all its three dimensions as outlined in the NPPF. However, 512 conservation areas were recorded as 'at risk' by local planning authorities in Historic England's national survey in 2017 through pressure for inappropriate new development, vacancy, decay or damage (the gathering of local authority information on conservation areas at risk has provided information on over 80% of conservation areas in England).'*

Banbury Conservation Area:

The Banbury Conservation Area is a designated heritage asset (DHA) and comprises mainly traditional buildings forming strong frontages on burgage plots using a limited palette of materials, form and scale. The designation aims to manage and protect the special architectural and historic interest of the urban grain of the town and the features that make it unique. Any new development should 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 planning applications must demonstrate the proposal, and its impact on the conservation area, in sufficient detail to enable a thorough assessment.

The Banbury Conservation Appraisal (CAA) identified the following summary of issues and opportunities:

- *The future preservation and enhancement of the special character of the conservation area will owe much to the positive management of the area by homeowners, landowners, highways, and service providers. In addition to national statutory legislation and local planning control, the following opportunities for enhancement have been identified: ...*
- *Promote economic regeneration through a series of heritage-led schemes*
- *Management and regeneration of degraded areas*
- *Locally significant buildings, structures and areas have been identified and added to the district-wide register of Non-designated Heritage Assets...*
- *Ensure the protection of historic detail and the reinstatement of missing architectural details*
- *Ensure that all new development is sustainable, high quality, and responds to its historic environment*
- *Promote the sympathetic management of the public realm*

Section 22 of the CAA Opportunities and Options for Regeneration: "Sadly site and whole-scale land clearance (such as land west of Pepper Alley and Bolton Road) have resulted in the loss of often significant buildings and spaces of heritage significance. However the significance of these alleys and yards remains. The best and most significant parts of the past should be integrated into the future of any location. It is therefore beholden on any scheme for the regeneration of Banbury that the enclosed and intimate nature of these spaces is ensured. Therefore where there has been site clearance any new scheme should seek to re-establish an intimate built form, referential to the historic settlement pattern of the site, which provides relatively high density accommodation in these inner-town locations." and "The town planning schemes of the 20th century have left Banbury with current day Castle Street and Bolton Road area, the remains of the northern working canal-side suburb of the town. The area now comprises a limited number of terraces of 19th century housing which sits ill with the 20th century roads that have been engineered through. The multi-storey carpark has now gone and the site sits ready for a heritage-inspired scheme sympathetic to the northern boundary of the medieval core and the remaining terraced housing which will enhance the approach to the town and the canal."

The proposed development site lies adjacent to the site of Banbury's historic North Bar, south of the Cuttle Brook and Back Lane (now known as Castle Street). There was a strong traditional frontage to North Bar Street/Southam Road with long rear linear development stretching to the east. A Tanyard* was located north of the site and likely used the Brook, contaminated land may have been encapsulated under the raised level. We later see an engineering works on the line of Castle Street, formal gardens with orchards and glasshouses, and a bowling green which was later developed as a multi-storey car park that has only recently been demolished and the land used as a surface car park.

The rear out-shots to the north of Parsons Street form an 'unsightly edge' to the north of the Medieval Core Character Area, an informal route from North Bar Street is used over private land owned by the Grade II* listed 47 North Bar Street and links with the Cornmarket and provides a shortcut to Castle Street. The CAA identifies threats to this area as: *"There are a few gap sites within the historic core, although there are development opportunities to enclose the exposed backs of properties for example at Bolton Road."* However, it also notes *"The commercial properties on Parson Street still require delivery by vehicles..."*

The visual analysis 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 2016 supplementary planning document:

Refer to the document for illustrations.

'The vision is to create a vibrant and attractive town centre, but with continued pressures from out of town retailing and internet shopping the future role and viability of the town centre, as in other towns, is being tested. The town centre must deliver an entertainment, cultural and leisure quarter, quality food retailing and new niche and speciality shops together with festivals and events. This should be complimented with improved access, an enhanced business and professional sector together with new town centre housing and improved community facilities.'

'The quality and character of the environment is a part of what creates that sense of place that unifies towns and sometimes makes them memorable. It provides the setting for daily life and enables a healthier lifestyle with better links to open space and sports facilities. Proposals include providing a north-south green lung that improves access to the town centre and opens up the canal and river; new public spaces and green links connecting the neighbourhoods together; attractive gateways in to the town; a richer more diverse bio-environment; and, new open space and amenity areas to serve the needs of residents.'

Banbury 8 – The development of the Bolton Road site on the northern edge of the town centre alongside Castle Street. 'Bolton Road Development Area' is identified as a key development site which includes this application site and is identified in the Local Plan town centre allocations. The first bullet point under the Initiative section is *"Preserving and enhancing the heritage assets, and their settings, within the town centre"*. Under Vitality *"Mixed use development of the Bolton Road site to support Parson's Street and the north-western quarter of the town centre"*. It also identifies that junction improvements are needed to the crossroads between North Bar Street/Castle Street/Warwick Road and Southam Road.

New trees and landscape to Castle Street frontage/Improvements to town centre public realm. Street improvements to North Bar Street/New linkages Bolton Road connection from Castle Street. Including as part of the making of east/west connections. *"Greening of the town centre retail area improving east – west connectivity from People's Park to an enhanced green lung along the river/canal corridor."*

Important new frontage formed from new development blocks/ retained listed building frontage/Bolton Road retained as service to rear of Parson's Street properties. New development and pedestrian links into Parsons Street/greening of Castle Street/public square and access to parking.

Bolton Road Area (Banbury 8)

The Bolton Road development area is located in the north-west corner of the town centre, south of Castle Street. Bolton Road runs in an east-west direction through the area, with the properties fronting onto Parson's Street backing onto it. The area contains a bingo club, offices and small business units. It is well located to provide access into the main retail area, but suffers from a poor image as back land with unattractive parking facilities.

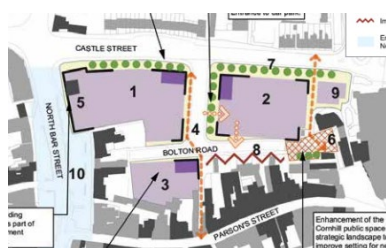
The recent demolition of the multi-storey car park provides an opportunity for redevelopment that respects the historic environment in this part of the town. There is the opportunity to redevelop the area to create: an intensification of uses; improved frontage along Castle Street; access into Parson's Street; and, synergy with the main town centre retail area. The site is prominent and visible from the main road network, but also has good links into the town centre and the Castle Quay Shopping Centre. One of the key issues, which will affect the deliverability and viability, is whether the development area should include the rear of the Parson's Street properties next to Bolton Road.

The land between Bolton Road and Castle Street should provide a mixture of residential and town centre uses, including niche retailing opportunities together with car parking to serve this part of the town centre, which will support the Parson's Street retail quarter.

The transport and movement strategy shows the Bolton Road site continuing to provide town centre car parking to service Parson's Street and the adjacent town centre area. The frontage onto Castle Street has the potential for new bus stops to provide better access to public transport. A new pedestrian link from the Bolton Road area to Parson's Street should be provided to improve connectivity through the retail area and link into the proposed enhancements around St Mary's Church and Church Lane. The special historic architectural character of the listed buildings and their settings should be considered as part of any development proposals. To deliver the Bolton Road development Cherwell District Council and Oxfordshire County Council should undertake the following actions:

- Prepare a deliverable Development Brief that develops the principles set out in this document with minimum use of Parson's Street properties;
 - Identify a development partner who shares the vision for this site and will work with CDC and OCC to deliver the scheme; and
 - Investigate the deliverability of the proposed new pedestrian link with property owners on Parson's Street.
- The key urban design principles that will guide the redevelopment of the area are set out in Appendix I.*

Bolton Road development area (Banbury 8) Development proposals should be consistent with the design principles below, which build on the Local Plan Policy.



The Banbury Vision and Masterplan 2016: Bolton Road – Urban Plan Framework pg. 62 key for numbers mentioned below.

Key urban design/development principles

1. Bolton Street development area split into three development areas (1, 2 and 3) by the existing road network, with area 1 on the west to provide three/four storey mixed use development for residential and town centre uses. Existing modern buildings will need to be removed if Area 1 comes forward for redevelopment. Uses and occupiers could remain on the site.
2. Area 2 on the east to be redeveloped for car parking and perimeter mixed use along Bolton Street close to Cornhill and the public space next to The Beer Tree public house.
3. Area 3 includes the surface car park behind Parson's Street to be developed for mixed use with a gateway building forming a frontage and access to Parson's Street through a new pedestrian link. The special historic architectural character of the listed buildings and their settings to be considered as part of any redevelopment proposals.

4. *New pedestrian and cycle link through the rear of Parson's Street properties to connect the Bolton Road Development and car park to retail activity on Parson's Street.*
5. *Existing Listed Buildings fronting onto Parson's Street and North Bar Street to be retained as part of the comprehensive regeneration of the site. All development proposals within the Bolton Road development area should seek to preserve and enhance listed buildings and the conservation area. The Urban Framework Plan opposite illustrates a development solution following the urban design principles:*
6. *Cornhill public space improved and extended with strategic landscaping at the eastern end of Bolton Road and a new pedestrian/cycle link onto Castle Street to improve town centre accessibility.*
7. *Improved frontage onto Castle Street with strategic landscaping.*
8. *Bolton Road retained for service access to rear of Parson's Street properties. Consideration to be given to the inclusion of the rear of Parson's Street as part of the development area after consultation with owners/operators.*
9. *Existing single storey building to be redeveloped.*
10. *Environmental improvements to North Bar Street and Horse Fair to include new public realm, landscape*

The proposed development site has the potential to fulfil **some of** these requirements (highlighted in green above), without compromising the wider goals of Policy Banbury 8.

Banbury 8 identifies the application site within a potential new development area with the potential for 3-4 storey mixed use, although there would be conservation and urban design concerns with 4-storey housing adjacent to the 2-storey listed buildings, we recognise there is a precedent for lower vernacular 3-stories beside the listed Trelawn House. The historic curtilage of Trelawn House, 34 North Bar Street, extended eastward. Demolition or extension to the listed building is part of a concurrent listed building consent [21/04179/LB](#).

The Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter 1987) highlights the need to understand the place and the benefits of community involvement. The following key headings for further study and analysis were identified as part of the initial preapp:

- *Topography of the site/site sections*
- *Design, layout, scale, proportion, form, massing and materials*
- *Permeability*
- *Security through design and active frontages and mixed use*
- *Healthy Place Shaping, the public realm and landscaping*
- *Heritage Statement, Design Parameters and the Setting of Heritage Assets (Historic England's guidance GPA3)*
- *Archaeology: Desk top assessment. I note an Archaeological Field Evaluation has been recommended by the County Archaeologist in their comments on this application.*

Current Proposal:

The principle of the retirement living development on the site is supported.



Plan form – building footprint and massing:

Issues: Active frontage/passive surveillance/building line/scale

Traditionally Banbury has a strong active street frontage, typically back of pavement or behind small gardens enclosed by railings running parallel with the street, of single pile, with phased rear wings extending along deep burgage plots. These rear wings were often service wings or developed as additional housing, making a very dense urban fabric which was permeable due to the many narrow lanes that ran between the urban blocks. The Grade II listed Trelawn House is a dwelling with two rear wings which creates the illusion of a deeper pile, not common in this part of the Conservation Area.

By the publication of the 1885 OS map, the north side of Castle Street West (Formerly Back Lane) consisted of a row of terraced brick houses fronting the street, which survives almost intact. The Cuttle Brook ran along the south of Back Lane and was most likely a ditch forming the Municipal Boundary. The brook is not marked on the 1885 OS Map and resulted in the boundary being marked as 'Und' (meaning undefined boundary). To the north of Trelawn House there appears to have been a parallel lane giving access to a long linear series of buildings (residential or possible mews). Separated by a smaller lane, to the north of this range, there was a short terrace in alignment with Trelawn House, set back from Castle Street behind gardens, with small yards to the rear (demolished between 1955 and 1966 to widen Castle Street). The white building in the 'Comparing historic and current views' photos, also demolished for the widening of Castle Street, addressed both North Bar Street and Castle Street but on a different alignment from Trelawn House.



c1800



1882



1900

When we look back at the early OS maps and the c1800 Lobel map we see the junction at North Bar was once denser. The proposal under the concurrent [21/04179/LB](#) looks to expose the northern gable of Trelawn House and this application does not take up the challenge of rebuilding on the corner site. This will make the intersection between the four streets less defined. The opportunity to create a piece of architecture worthy of corner status, adjacent to the Grade II listed Trelawn House and the Three Pigeons Pub was encouraged at Preapp, although the alternative option of public art celebrating the history of the North Bar was also discussed. Not building on the corner site means that there is more pressure to create denser development on Castle Street and Bolton Road. The landscaping and public artwork on the corner site must therefore make a positive statement to the streetscape. The north elevation of Trelawn House is blank and was not designed to be exposed to public view.

We also confirmed at preapp that the development did not need to be a slavish copy of typical Banbury terraces but the basic proportions of a Georgian or Victorian façade, with the balance of solid to void, could translate to a modern development. However, the proposed development aims to interpret existing terraces in a traditional way, and I do not have an issue with this if the proportions and details are correct.



The development aligns with Trelawn House creating a green wedge to Castle Street with the building line set back. It runs parallel with the north wall of Trelawn House in the western part, and then breaks forward, parallel with Castle Street. I am not wholly convinced that Trelawn House, with its blank north elevation, should dictate this move away from a strongly defined building line addressing Castle Street and North Bar Street illustrated in the Banbury 8 masterplan, especially when we need to make the best use of land. It also creates difficulty at the change in angle which has not been resolved in the proposals.

Castle Street Elevation:



The west block on Castle Street is 3-storeys, set slightly above pavement level, this should step down to 2 storeys beside Trelawn House, and the space between the two would need further consideration. As the roof is continuous and there is a stone band separating the second and first floor it looks quite monolithic, as it lacks the usual plot width of traditional terraces normally be divided by chimneys and doors. Omitting the stone band and dividing the façade into typical 2-bay burgage plots would be more reflective of the north side of Castle Street. Chimneys can be useful for disguising ventilation and SVPs. Juliet balconies would be discouraged fronting the highway. The widths of the doors and windows look too wide and the band of masonry between ground and first floors looks too thin omitting the Juliet balconies would help. The proportions of the white block are too squat, and together with the width and colour, detracts from the scheme. The depth of the roof slope east of the white block creates a roof slope that is too big (compare with the lower 3-storey roof) and starts to make the development look contrived). It would also look better without the thin vertical strip to the eastern 4-storey block, I would rather see a 2-storey building on the corner than the 4 storeys.



The relationship of the new development with Trelawn House. The landscaping scheme does not look to be particularly urban or usable but could be developed into a positive space – see comments below.

North Bar Elevation:



The proposed development south of Trelawn House is 3-storeys. North Bar Street rises in a southerly direction towards the south of the application site and adjoins modest 3-storey development with a higher eaves line. There would be an opportunity to have modest 3-storeys fronting the public car park with slightly higher eaves aligning with the adjacent 3-storeys, stepping down to 2-storeys towards Trelawn House. See comments elsewhere on the corner site.

The rendered painted brick looks contrived and should be removed. The non-symmetrical door with side light should be replaced with symmetrical door with no side lights. Porches should be narrower as per the red door version and their success will come down to the material and detail being authentic and appropriate for Banbury. The proportion of the windows is wider than we normally see in Banbury for sash windows, yet not tall enough for cruciform windows – both patterns can be found in Cherwell. The gap between lintels and cills would benefit from slight adjustment. Eaves should not overhang but be traditional, and boxed eaves or fascias should be avoided. Chimneys should be authentic.



View looking north down towards Trelawn House.

The site boundary: Refer to the Banbury Landscape Strategy.

Issues: Active frontage/passive surveillance/east-west green lung.



Railings Oxford Road

The proposals include a 1.2m high railing at the back of pavement to Castle Street and North Bar, behind which is green space with the building line set back and a single access point to the development. There are 12 No paved areas suggesting residents would be able to walk out into the ribbon of green space between the new building and the pavement. There appears to be dense planting north of the proposed hedge and I have some concerns this would hide any active frontage, and reduce limited passive surveillance of Castle Street. Trees with a higher canopy, well maintained low hedges and lawns might provide greater visible permeability between the retirement living and the street. There would also be an opportunity for a neat community garden for residents.

Trees in urban areas improve the environmental quality of the environment in a number of ways. Trees absorb noise and pollution, provide oxygen and moisture, provide privacy and can help stabilise land. They can also support wildlife. Care is needed in the selection of species, method of planting SUDS and natural watering and long term maintenance. Trees should be grown as assets rather than liabilities. Castle Street is a wide road and it would be softened by the extension of the existing trees which stood beside the former multi-storey car park.

<https://historicengland.org.uk/images-books/publications/streets-for-all/heag149-sfa-national/> page 48

		
When planting is dense it is difficult to see the active frontage behind – Castle Street elevation	Simple lawn between trees would allow greater visibility and passive surveillance	Small garden behind railings may be suitable for the terrace south of Trealwn House
		
NT Wales – east/west route	Cothay Manor Gardens – east/west route could be less formal	High tree canopy – east/west route and benefit to the wider community, lockable gates down to dusk. CCTV
		
Raised planters – fresh produce/mental health	Raised planters – fresh produce/mental health	Orchard trees– fresh produce/mental health

The Wellbeing Directorate have referred to SPD 4.130 Public Realm, Public Art and Cultural Well-being:

Q. Can contributions towards public art be targeted to this development? The historical and cultural interpretation of the North Bar and wider site would form a worthwhile part of this redevelopment and help to strengthen the understanding of North Bar and reinforce the sense of place. This could be integrated into the proposed landscaping scheme which should adhere with the Banbury 8 desire to introduce a green lung running east to west through the town centre. Public Art should be more than a simple interpretation panel although hoardings during construction can be used as such. The following publication includes a few quotes and ideas about understanding https://www.heritagecouncil.ie/content/files/bored_of_boards_1mb.pdf

MATERIALS AND DETAILS: In any forthcoming revised scheme it is worth noting the following would be required:

Slate sample

Roof details – traditional eaves/ridge/verge

Traditional black metal RWGs

Brick sample including lime pointing

Window details – avoid storm-proof details, sash windows provide the best ventilation and would suit the development

Door details

Lintel and cill details including thresholds

Services, including routes and vents.

Railing details

Landscaping details including EV charging

Public Art

Defer to OCC Archaeology for any excavation conditions and mitigation.

Level of harm

☒

No Harm to certain elements of the scheme

☒

Less than Substantial Harm

☐

Substantial Harm

Public Benefit (NPPG)

☒

Yes – Green Lung

☐

No

Comments

The key points to note are that development should be sympathetic and conserve, sustain and enhance the special architectural or historic interest considered to be of national importance and therefore worth protecting. Works to a listed building should preserve the building, its setting and any features of special architectural or historic interest.

Recommendation

Refusal as submitted. With some adjustment, based on the comments above, there could be an acceptable development but we are not quite there yet. We would need to agree an EOT or withdrawal with the option to engage in PREAPP.

☐

No objections

☒

Objections to some aspects

☒

Engage in preapp

Supporting information required

Refer to comments.

Conservation Officer: Joyce Christie

Date: 17/03/2022 updated 22.03.2022