

LAND AT MANOR FARM, NOKE,
OXFORDSHIRE

ARCHAEOLOGY AND BUILT HERITAGE ASSESSMENT

PREPARED BY PEGASUS GROUP
ON BEHALF OF OXFORD NEW ENERGY

P19-2636 | JANUARY 2022



Document Management				
Version	Date	Author	Checked/approved by:	Reason for revision
1	21.01.2022	Donald Sutherland Senior Heritage Consultant	Gail Stoten Executive Director (Heritage)	N/A

Pegasus Group

5 The Priory | Old London Road | Canwell | Sutton Coldfield | B75 5SH
T 0121 308 9570 | E Birmingham@pegasusgroup.co.uk | W www.pegasusgroup.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

ARCHAEOLOGY AND BUILT HERITAGE ASSESSMENT

LAND AT MANOR FARM, NOKE, OXFORDSHIRE

ON BEHALF OF: OXFORD NEW ENERGY

Prepared by: Donald Sutherland

Pegasus Group

5 The Priory | Old London Road | Canwell | Sutton Coldfield | B75 5SH
T 0121 308 9570 | **E** Birmingham@pegasusgroup.co.uk | **W** www.pegasusgroup.co.uk

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

CONTENTS:

1. INTRODUCTION	1
2. SITE DESCRIPTION, PROPOSALS, AND PLANNING HISTORY	2
3. METHODOLOGY	4
4. PLANNING POLICY FRAMEWORK	11
5. THE HISTORIC ENVIRONMENT	21
6. SETTING ASSESSMENT	29
8. CONCLUSIONS	42
9. SOURCES	44

APPENDICES:

APPENDIX 1: GAZETTEER OF HISTORIC ENVIRONMENT RECORD DATA

APPENDIX 2: DESIGNATION DESCRIPTIONS

APPENDIX 3: FIGURES

FIGURES:

Figure 1: Designated Heritage Assets

Figure 2: HER Events

Figure 3: HER Monuments – Prehistoric to Medieval

Figure 4: HER Monuments – Post-Medieval and Modern

PLATES:

PLATE 1: AREA OF SITE PROPOSED FOR DEVELOPMENT (NOT TO SCALE).....	1
PLATE 2: PHOTOGRAPH TAKEN FROM SOUTH-WEST OF SITE, FACING NORTH-EASTWARDS, ACROSS SITE.....	2
PLATE 3: DEVELOPMENT FRAMEWORK PLAN	3
PLATE 4: EXTRACT FROM 2021 SATELLITE IMAGERY SHOWING CROPMARKS SOUTH OF SITE BOUNDARIES	22
PLATE 5: POSTULATED LINE OF ROMAN ROAD (PINK) AND CROPMARKS IN SOUTH OF SITE (BOUND IN RED).....	24
PLATE 6: EXTRACT FROM MAP OF FEATURES PREPARED BY C.J. CHEETHAM IN 1996. SHOWING SITE (BOUND IN RED), POSSIBLE ROMAN ROAD CROSSING SITE, AND POSSIBLE POTTERY MANUFACTURING LOCATION TO SITE’S SOUTH-EAST (BOUND IN BLUE)	25
PLATE 7: EXTRACT FROM 1849 TITHE MAP OF NOKE	27
PLATE 8: EXTRACT FROM 1876, 1ST EDITION OS MAP	27
PLATE 9: EXTRACT FROM 1899, 2ND EDITION OS MAP.....	27
PLATE 10: EXTRACT FROM 1922 OS MAP	28
PLATE 11: EXTRACT FROM 1978 OS MAP	28
PLATE 12: PHOTOGRAPH FACING SOUTHWARDS, ACROSS GARDEN, TOWARDS NORTHERN ELEVATION OF GRADE II LISTED MANOR FARMHOUSE.....	30
PLATE 13: PHOTOGRAPH FACING SOUTH-WEST TOWARDS FORMER MANOR FARM BUILDINGS INCLUDING GRADE II LISTED BARN (CIRCLED IN BLUE) AND GRADE II LISTED FARMBUILDING (CIRCLED IN RED)	31
PLATE 14: PHOTOGRAPH FACING SOUTHWARDS, TAKEN FROM PUBLIC FOOTPATH TO THE NORTH OF THE FARM BUILDINGS (OUTSIDE PROPOSED DEVELOPMENT SITE)	32
PLATE 15: PHOTOGRAPH FACING SOUTHWARDS FROM SITE, TOWARDS MANOR FARM (CIRCLED BLUE).....	32
PLATE 16: PHOTOGRAPH TAKEN FROM PUBLIC FOOTPATH WITHIN SITE, FACING SOUTHWARDS TOWARD MANOR FARM. NORTHERN FAÇADE OF BARN CIRCLED IN BLUE.	33
PLATE 17: EXTRACT FROM 1849 TITHE MAP OF NOKE, SITE BOUND IN RED. LAND OWNED BY THE DUKE OF MARLBOROUGH AND OCCUPIED BY JAMES TREDWELL IN PINK; LAND OWNED BY THE DUKE OF MARLBOROUGH AND OCCUPIED BY THOMAS WING IN GREEN; AND, LAND OWNED BY THE TRUSTEES OF BLEWBERRY CHARITY AND OCCUPIED BY WILLIAM ROGERS IN BLUE	34
PLATE 18: PHOTOGRAPH TAKEN FROM SCHEDULED VILLA SITE, FACING SOUTH-EASTWARDS, ALONG OXFORDSHIRE WAY	36
PLATE 19: PHOTOGRAPH TAKEN FROM SCHEDULED AREA, FACING NORTH-EAST TOWARDS SITE WHICH LIES BEYOND THE ARABLE FIELD IN THE CENTRE OF THE IMAGE (MARKED BY BLUE ARROW)	37

PLATE 20: ISLIP CONSERVATION AREA (BLUE) AND SITE (RED)..... 38
PLATE 21: PHOTOGRAPH FACING EAST-NORTH-EASTWARDS OUT FROM CONSERVATION AREA ON MIDDLE STREET..... 39
PLATE 22: PHOTOGRAPH FACING WESTWARDS FROM PUBLIC FOOTPATH WITHIN SITE. DISTANT, GLIMPSED VIEWS OF CONSERVATION AREA CIRCLED IN BLUE. 40

1. Introduction

1.1 Pegasus Group have been commissioned by Oxford New Energy to prepare an Archaeology and Built Heritage Assessment to consider the proposed solar scheme on land at Manor Farm, Noke, Oxfordshire, as shown on the Site Location Plan provided at Plate 1.

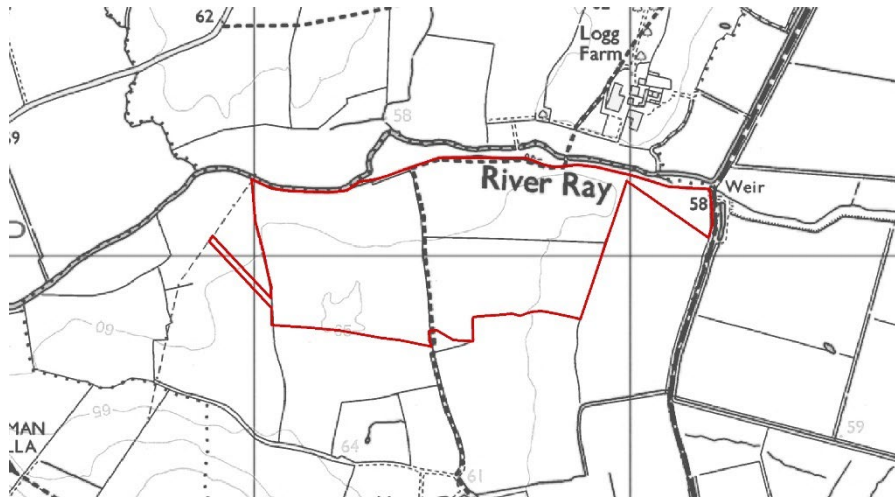


Plate 1: Area of site proposed for development (not to scale)

1.2 This Archaeology and Built Heritage Assessment provides

information with regards to the significance of the historic environment and archaeological resource to fulfil the requirement given in paragraph 194 of the Government's National Planning Policy Framework (the NPPF¹) which requires:

"an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."²

1.3 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment and archaeological resource, following paragraphs 199 to 203 of the NPPF, any harm to the historic environment resulting from the proposed development is also described, including impacts to significance through changes to setting.

3.

¹ Ministry of Housing, Communities and Local Government (MHCLG), *National Planning Policy Framework (NPPF)* (London, July 2021).

² MHCLG, *NPPF*, paragraph 194.

³ MHCLG, *NPPF*, paragraph 194.

2. Site Description, Proposals, and Planning History

Site Description

- 2.1 The site comprises c.43.78ha of land to the north of the village of Noke, Oxfordshire. This comprises a main site area and two linear strips of land to form the proposed construction and operational access tracks which extend south from the main site area.
- 2.2 The site consists of land currently in agricultural use, which is split into multiple field enclosures, three of which are included fully within the site boundary and one which is partly included (the remaining part lying to the south of the site).
- 2.3 The field enclosure boundaries are generally vegetated with native hedgerow and hedgerow trees, albeit fragmented in places. The River Ray forms the northern boundary of the site, a tributary of which runs to the east of the site. Both of these watercourses are vegetated with relatively more mature tree belts and hedgerow vegetation.



Plate 2: Photograph taken from south-west of site, facing north-eastwards, across site

Proposed Development

- 2.4 The scheme is for the erection of a ground mounted solar farm incorporating the installation of solar photovoltaic panels, associated infrastructure, a new temporary construction access and use of an existing access for an operational access.

Planning History

- 2.6 No planning history for the site was identified within recent planning history records held online by Cherwell District Council.

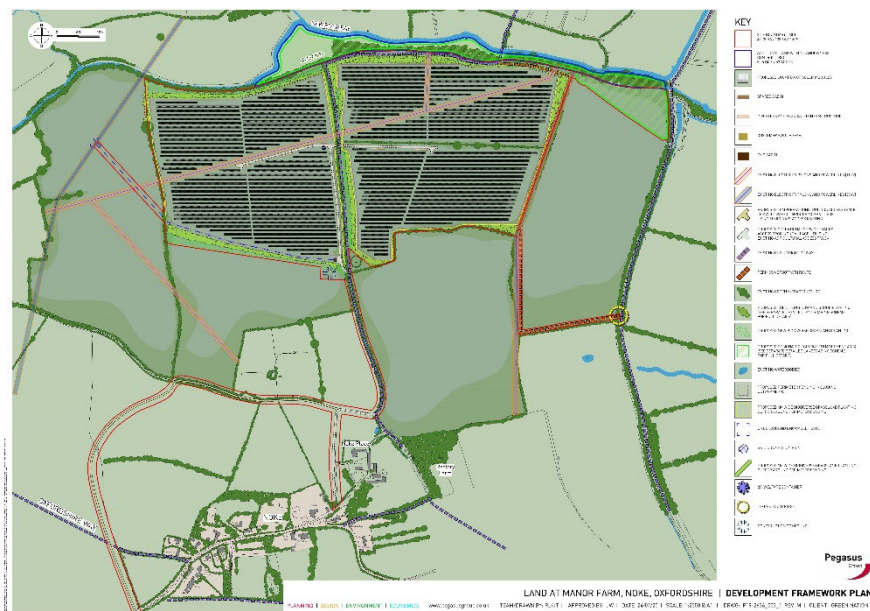


Plate 3: Development Framework Plan

- 2.5 The development envelope, which includes the solar panels, inverters and their associated infrastructure and security fencing, is located in the western three field enclosures and allows a 10m buffer from the River Ray corridor to the north.

3. Methodology

3.1 The aims of this Archaeology and Built Heritage Assessment are to assess the significance of the heritage resource within the site, to assess any contribution that the site makes to the heritage significance of the surrounding heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant. This assessment considers the archaeological resource, built heritage and the historic landscape.

Sources of information and study area

3.2 The following key sources have been consulted as part of this assessment:

- **The National Heritage List for England for information on designated heritage assets;**
- **The Oxfordshire Historic Environment Record (HER) for information on the recorded heritage resource and previous archaeological works;**
- **The Islip Conservation Area Appraisal as prepared by Cherwell District Council; and,**
- **Online resources including Ordnance Survey Open Source data, and geological data available from the British Geological Survey.**

3.3 For digital datasets, information was sourced for a 1km study area measured from the boundaries of the site. Information

gathered is discussed within the text where it is of relevance to the potential heritage resource of the site. A gazetteer of recorded sites and findspots is included as Appendix 1 and maps illustrating the resource and study area are included as Appendix 3.

3.4 Historic cartographic sources and aerial photographs were reviewed for the site, and beyond this where professional judgement deemed necessary.

3.5 Heritage assets in the wider area were assessed as deemed appropriate (see Section 6).

Site Visit

3.6 A site visit was undertaken by a Senior Heritage Consultant from Pegasus Group on 1st April 2021, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas.

3.7 The visibility on this day was clear. Surrounding vegetation was not fully in leaf at the time of the site visit and thus a clear indication as to potential intervisibility between the site and the surrounding areas could be established.

Assessment of significance

3.8 In the NPPF, heritage significance is defined as:

*"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. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."*⁴

3.9 Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2*⁵ (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

3.10 In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.⁶ These essentially cover the heritage 'interests' given in the glossary of the NPPF⁷ and the online Planning Practice Guidance on the Historic

Environment⁸ (hereafter 'PPG') which are **archaeological, architectural and artistic** and **historic**.

3.11 The PPG provides further information on the interests it identifies:

- **Archaeological interest:** "As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point."
- **Architectural and artistic interest:** "These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture."
- **Historic interest:** "An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their

⁴ MHCLG, *NPPF*, pp. 71-72.

⁵ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

⁶ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These

heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see *idem* pp. 28-32.

⁷ MHCLG, *NPPF*, p. 71.

⁸ Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

collective experience of a place and can symbolise wider values such as faith and cultural identity.”⁹

3.12 Significance results from a combination of any, some or all of the interests described above.

3.13 The most-recently issued guidance on assessing heritage significance, Historic England’s *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12*,¹⁰ advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

3.14 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

3.15 As defined in the NPPF:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”¹¹

3.16 Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change

as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”¹²

3.17 Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

3.18 How setting might contribute to these values has been assessed within this Report with reference to *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*¹³ (henceforth referred to as ‘GPA 3’), particularly the checklist given on page 11. This advocates the clear articulation of “what matters and why”.¹⁴

3.19 In GPA 3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things:

⁹ MHCLG, PPG, paragraph 006, reference ID: 18a-006-20190723.

¹⁰ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

¹¹ MHCLG, NPPF, p. 72.

¹² MHCLG, NPPF, p. 71.

¹³ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

¹⁴ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 8.

topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

- 3.20 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.
- 3.21 A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and also that factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement)¹⁵:

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56).”

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of

course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”

Levels of significance

- 3.22 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.
- 3.23 In accordance with the levels of significance articulated in the NPPF and the PPG, three levels of significance are identified:
- **Designated heritage assets of the highest significance**, as identified in paragraph 200 of the NPPF, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World

¹⁵ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 68 of the NPPF;

- **Designated heritage assets of less than the highest significance**, as identified in paragraph 200 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and
- **Non-designated heritage assets.** Non-designated heritage assets are defined within the PPG as “buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.¹⁶

3.24 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

3.25 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced

¹⁶ MHCLG, PPG, paragraph 039, reference ID: 18a-039-20190723.

¹⁷ *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

judgement/weighting exercise as required by the NPPF.

3.26 In order to relate to key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** *It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”;*¹⁷ and
- **Less than substantial harm.** *Harm of a lesser level than that defined above.*

3.27 With regards to these two categories, the PPG states:

*“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”*¹⁸

3.28 Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle of the spectrum and upper end of the less than substantial harm scale.

3.29 With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated. As such, harm to such assets is

¹⁸ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

articulated as a level of harm to their overall significance, with levels such as negligible, minor, moderate and major harm identified.

- 3.30 It is also possible that development proposals will cause ***no harm or preserve*** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.¹⁹
- 3.31 Preservation does not mean no change; it specifically means no harm. GPA 2 states that "*Change to heritage assets is inevitable but it is only harmful when significance is damaged*".²⁰ Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.
- 3.32 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in GPA 3, described above. Again, fundamental to the methodology set out in this document is stating "what matters and why". Of particular relevance is the checklist given on page 13 of GPA 3.

¹⁹ *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).

²⁰ Historic England, *GPA 2*, p. 9.

- 3.33 It should be noted that this key document also states that:

*"Setting is not itself a heritage asset, nor a heritage designation..."*²¹

- 3.34 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.
- 3.35 With regards to changes in setting, GPA 3 states that:

"Conserving or enhancing heritage assets by taking their settings into account need not prevent change".²²

- 3.36 Additionally, it is also important to note that, as clarified in the Court of Appeal, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused.²³

Benefits

- 3.37 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets concerned.

²¹ Historic England, *GPA 3*, p. 4.

²² Historic England, *GPA 3.*, p. 8.

²³ *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

3.38 As detailed further in Section 6, the NPPF (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

3.39 Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 201 and 202.

3.40 The PPG provides further clarity on what is meant by the term 'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation.*²⁴

3.41 Any 'heritage benefits' arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the Decision Maker.

²⁴ MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

4. Planning Policy Framework

4.1 This section of the Report sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the site, with a focus on those policies relating to the protection of the historic environment.

Legislation

4.2 Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,²⁵ which provides statutory protection for Listed Buildings and Conservation Areas.

4.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

*"In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*²⁶

4.4 In the 2014 Court of Appeal judgement in relation to the

Barnwell Manor case, Sullivan LJ held that:

*"Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."*²⁷

4.5 A judgement in the Court of Appeal ('Mordue') has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 draft of the NPPF, the requirements of which are now given in paragraph 196 of the revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.²⁸

4.6 With regards to development within Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability

²⁵ UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

²⁶ *Planning (Listed Buildings and Conservation Areas) Act 1990*, Section 66(1).

²⁷ *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137. para. 24.

²⁸ *Jones v Mordue* [2015] EWCA Civ 1243.

of preserving or enhancing the character or appearance of that area.”

- 4.7 Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the character and appearance of the designated Conservation Area that is the focus of special attention.
- 4.8 Scheduled Monuments are protected by the provisions of the *Ancient Monuments and Archaeological Areas Act 1979* which relates to nationally important archaeological sites.²⁹ Whilst works to Scheduled Monuments are subject to a high level of protection, it is important to note that there is no duty within the 1979 Act to have regard to the desirability of preservation of the setting of a Scheduled Monument.
- 4.9 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.³⁰

National Planning Policy Guidance

The National Planning Policy Framework (July 2021)

- 4.10 National policy and guidance is set out in the Government’s

²⁹ UK Public General Acts, *Ancient Monuments and Archaeological Areas Act 1979*.

National Planning Policy Framework (NPPF) published in July 2021. This replaced and updated the previous NPPF 2019. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

- 4.11 The NPPF sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.
- 4.12 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the ‘presumption’) sets out the tone of the Government’s overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in

³⁰ UK Public General Acts, *Planning and Compulsory Purchase Act 2004*, Section 38(6).

a manner appropriate to their significance forms part of this drive towards sustainable development.

4.13 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

For decision-taking this means:

- a. approving development proposals that accord with an up-to-date development plan without delay; or*
- b. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."³¹*

³¹ MHCLG, NPPF, para. 11.

4.14 However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change."³² (our emphasis)

4.15 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

4.16 Heritage Assets are defined in the NPPF as:

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."³³

³² MHCLG, *NPPF*, para. 11, fn. 7.

³³ MHCLG, *NPPF*, p. 67.

³⁴ MHCLG, *NPPF*, p. 66.

4.17 The NPPF goes on to define a Designated Heritage Asset as a:

"World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation."³⁴

4.18 As set out above, significance is also defined as:

"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."³⁵

4.19 Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 195 that:

"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. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."³⁶

³⁵ MHCLG, *NPPF*, pp. 71-72.

³⁶ MHCLG, *NPPF*, para. 195.

4.20 Paragraph 197 goes on to state that:

"In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c. the desirability of new development making a positive contribution to local character and distinctiveness."³⁷*

4.21 With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

"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."³⁸

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting),

³⁷ MHCLG, *NPPF*, para. 197.

³⁸ MHCLG, *NPPF*, para. 199.

should require clear and convincing justification. Substantial harm to or loss of:

- 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."³⁹*

4.22 Section b) of paragraph 200, which describes assets of the highest significance, also includes footnote 68 of the *NPPF*, which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

4.23 In the context of the above, it should be noted that paragraph 201 reads as follows:

"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:

³⁹ MHCLG, *NPPF*, para. 200.

- 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.*⁴⁰

4.24 Paragraph 202 goes on to state:

*"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."*⁴¹

4.25 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better

⁴⁰ MHCLG, *NPPF*, para. 201.

⁴¹ MHCLG, *NPPF*, para. 202.

⁴² MHCLG, *NPPF*, para. 206.

reveal its significance) should be treated favourably."⁴²

4.26 Paragraph 207 goes on to recognise that "*not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance*"⁴³ and with regard to the potential harm from a proposed development states:

*"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole."*⁴⁴ (our emphasis)

4.27 With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

*"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."*⁴⁵

4.28 Footnote 68 of the NPPF clarifies that non-designated assets of

⁴³ MHCLG, *NPPF*, para. 207.

⁴⁴ Ibid.

⁴⁵ MHCLG, *NPPF*, para. 203.

archaeological interest which are demonstrably of equivalent significance to a Scheduled Monument will be subject to the policies for designated heritage assets.

- 4.29 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

- 4.30 The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.
- 4.31 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

⁴⁶ MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

- 4.32 The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."⁴⁶

- 4.33 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later

inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”⁴⁷ (our emphasis)

Local Planning Policy

4.34 Planning applications within Noke are currently considered against the policy and guidance set out within the Adopted Cherwell Local Plan 2011-2031 Part 1, re-adopted on 19 December 2016.

4.35 Policy ESD 15 of the Local Plan relates to the built and historic environment and is as follows:

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

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

New development proposals should:

- *Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should*

be designed to improve the quality and appearance of an area and the way it functions

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

⁴⁷ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

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

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

- *Use locally sourced sustainable materials where possible.*

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

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

Emerging Policy

- 4.36 The Local Plan Review 2040 is currently underway however no draft policies were available to review at the time this report was written.

5. The Historic Environment

5.1 This section provides a review of the recorded heritage resource within the site and its vicinity in order to identify any extant heritage assets within the site and to assess the potential for below-ground archaeological remains.

5.2 Designated heritage assets are referenced using their seven-digit NHLE number, HER 'event' numbers have the prefix EOX and HER 'monument' numbers have the prefix MOX.

5.3 A gazetteer of relevant heritage data is included as Appendix 1. Designated heritage assets and HER records are illustrated on Figures 1-4 in Appendix 3.

Previous Archaeological Works

5.4 A geophysical survey has been undertaken within the site, to inform the current application. The survey identified several anomalies potentially indicative of archaeological remains, which were largely focussed within the south of the site (Appendix 4). These will be discussed in more detail in the relevant chronological periods below.

5.5 A moderate number of previous archaeological works are recorded as having been undertaken in the wider vicinity of the site, however none are identified as having been undertaken within the site itself. Previous archaeological works in the vicinity comprise:

- **A building survey at Logg Farmhouse, c.255m north-east of the site (ref. EOX5937);**
- **A historic area assessment and observations at Manor Farm, Manor Farm Stables, and Manor Barn, c.460m south of the site (refs. EOX513, EOX514, and EOX515);**
- **Archaeological watching brief and excavations associated with the Southern Electric 33Kv Refurbishment Headington to Bicester Overhead Line, c.525m south-west of the site (ref. EOX1675);**
- **Observations of trenches at St Giles Church, Noke, c.585m south of the site (ref. EOX2395);**
- **A negative watching brief at Tree Nursery, c.605m south of the site (ref. EOX801);**
- **Archaeological Evaluation and Watching Brief at 1 Moorsights, c.685m north-east of the site (ref. EOX2297);**
- **Watching Brief on New Power Cables, c.715m north-east of the site (ref. EOX2090);**
- **Watching Brief at College Farm, College Farm Close, c.765m north-east of the site (ref. EOX2426); and,**
- **Archaeological Evaluation at Islip, c.935m west of the site (ref. EOX1796).**

5.6 The results of these works are discussed below, where relevant

to the potential archaeological resource of the site.

Topography and Geology

- 5.7 The topography of the site rises gradually from the northern boundary adjacent to the River Ray corridor towards the south-west. Levels sit at c.56-59m AOD along the northern and eastern site boundaries. These levels rise to the south-west gradually to form a localised soft 'dome' in the south-western part of the main site area, rising to c.65m aOD.
- 5.8 Bedrock geology in the north of the site is mapped as Kellaways Clay Member – Mudstone. This sedimentary bedrock formed approximately 164 to 166 million years ago during the Jurassic Period in a local environment previously dominated by shallow seas. In the south the site, bedrock geology is mapped as Cornbrash Formation – Limestone. This sedimentary bedrock formed approximately 164 to 168 million years ago during the Jurassic Period in a local environment previously dominated by shallow carbonate seas.
- 5.9 No superficial geology is mapped across the majority of the site, deposits on the northern extent of the site are mapped as Alluvium – Clay, Silt, Sand and Gravel. These superficial deposits formed up to 2 million years ago during the Quaternary Period in a local environment previously dominated by rivers.

Archaeological Baseline

Earlier prehistoric (pre c. 700 BC)

- 5.10 A moderate amount of prehistoric heritage is recorded within the

vicinity of the site, however this is largely represented by isolated findspots.

- 5.11 Bronze Age ring ditches are recorded on the southern boundary (ref. MOX7087). It is recorded that two possible cropmarks, potentially indicative of ring ditches, are visible on aerial photographs of the site, and that the field to the northwest was previously named 'Barrow Well Furlong', with the 'Barrow Well' existing until the 1980s. The two cropmarks are visible on recent satellite imagery as lying c.12m-50m south of the site. They comprise two circular cropmarks, the larger northern one measuring c.25m in diameter and the smaller, southern one measuring c.10m in diameter (Plate 4).



Plate 4: Extract from 2021 satellite imagery showing cropmarks south of site boundaries

- 5.12 Both putative ring ditches were clearly defined by the

geophysical survey (Appendix 4).

- 5.13 Possible undated bowl barrows are recorded c.400m south-west of the site where indistinct cropmarks have been identified. These marks include one possible circular enclosure (ref. MOX7089).
- 5.14 A possible later Prehistoric enclosure and features are recorded c.880m north-west of the site (ref. MOX5272). A conjoined rectilinear enclosure and oval enclosure along with vague linear features are recorded as having been identified from aerial photographs in this area.
- 5.15 An undated ring ditch is also recorded as being visible as a cropmark on historic aerial photographs c.955m north-north-east of the site (ref. MOX5056).
- 5.16 Recorded findspots of earlier prehistoric date in the vicinity comprise:
- **A possible Mesolithic awl recorded as having been found south bank of River Ray, c.405m west of the site (ref. MOX5244);**
 - **Struck flints including a leaf-shaped arrowhead and fabricator along with a fragment of sheet bronze, potentially the socket of a Bronze Age spearhead, recorded as having been found c.620m south of the site (ref. MOX7083);**
 - **A possible core and four Neolithic flint flakes, including a flint blade and fragment of a scraper/gouge, recorded as having been found c.685m south-west of the site (ref. MOX5270);**

- **A Neolithic Greenstone axe, and sandstone whetstone recorded as having been recovered c.770m north-north-east of the site (ref. MOX5103);**
- **Approximately ten Mesolithic flint flakes and chips, including some broken blades are recorded as having been recovered from the surface of a ploughed field c.790m south-west of the site (ref. MOX5296);**
- **A lithic scatter including 6 waste flakes recorded as having been found c.865m west-south-west of the site (ref. MOX5287); and,**
- **Various flint artefacts ranging from the Mesolithic to Bronze Age recorded as having been found c.995m south-west of the site (ref. MOX5271).**

Iron Age (c. 700 BC – AD 43) and Romano-British (AD 43 – 410)

- 5.17 A moderate amount of Iron Age and/or Romano-British heritage is recorded within the vicinity of the site.
- 5.18 The postulated route of a Roman road is recorded as crossing the site on a broadly north to south and north-east to south-west alignment (ref. MOX7088 – Plate 5).
- 5.19 The possible route of this Roman road is largely based on identified cropmarks and is recorded as being visible along much of its length on aerial photographs as hedge lines and cropmarks. A review of the source material however indicates that the possible line of the road identified by the Historic Environment Record is likely to be mislocated, with a proposed crossing point of the River Ray having been identified at SP 5435

1432, c.480m west of the point recorded by the HER.⁴⁸ The line recorded by the HER appears to broadly correspond to a trackway recorded on late-19th and 20th century OS mapping along at least its northern extent (see Plates 8-10) and it is possible cropmarks associated with this later trackway may have been confused with the postulated line of the Roman road.



Plate 5: Postulated line of Roman road (pink) and cropmarks in south of site (bound in red)

5.20 Linear cropmarks are visible within the south of site, running on a broadly north-north-west to south-south-east alignment (Plate 5). The general direction of these cropmarks runs towards Noke and could potentially link to the identified crossing point of the River Ray, although no cropmarks were identified further to the

⁴⁸ Cheetham, C.J., 1996, 'Some Roman and pre-Roman settlements and roads by the confluence of the Cherwell and the Ray near Otmoor', *Oxoniensia* 60 (for 1995), p.423

north, linking to this point. Narrower linear cropmarks appear to run to the east of this feature, which may represent enclosures and/or drainage features (Plate 5). Geophysical anomalies corresponding to these cropmarks were identified during the survey of the site (Appendix 4).

5.21 Although the cropmarks within the site may represent the line of a former Roman road, too much reliance has been placed on the routes of hedgerows and field boundaries, which have been conflated with a continuance of a road line, despite being far more recent landscape features. It is possible therefore that the observable cropmarks within the site may represent alternative features such as boundary ditches/enclosures. While these are potentially of Iron Age/Romano-British date this remains uncertain, and they may represent later features.

5.22 The geophysical survey within the site has identified several anomalies which are largely focussed within the south-east of the site. Based on the nature of the anomalies, and recovery of Romano-British pottery within this area during the survey, the anomalies are thought to represent potential Romano-British settlement remains. A collection of pits was identified to the west of the possible settlement site which may represent some contemporary industrial activity e.g. quarrying. A relatively strong response was also recorded to the south of these which

may signify a focus of industrial activity, potentially the remains of a kiln (Appendix 4).

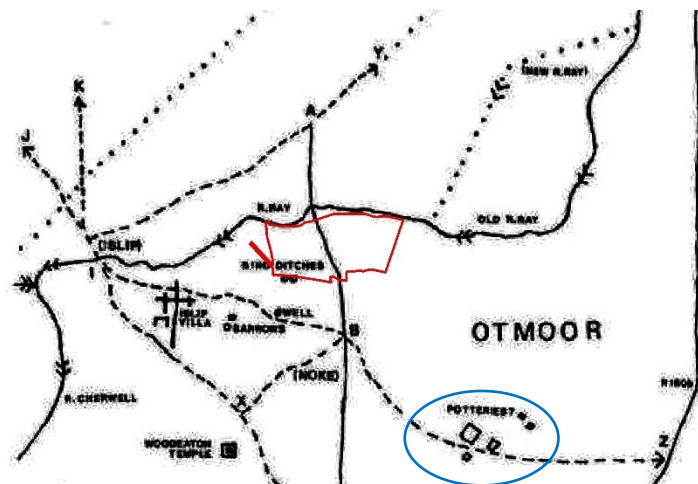


Plate 6: Extract from map of features prepared by C.J. Cheetham in 1996. Showing site (bound in red), possible Roman road crossing site, and possible pottery manufacturing location to site's south-east (bound in blue)

5.23 A Romano-British pottery manufacturing site is recorded as lying c.40m south of the site (ref. MOX7081) where it is identified that large quantities pottery were recovered during fieldwalking. A review of the reports referenced by the Historic Environment Record however, suggests that the pottery production site has been mislocated and in fact lies c.1.2km south-east of the site (see Plate 6). The presence of pottery manufacturing in this location has been confirmed by subsequent archaeological

works.⁴⁹

5.24 Another possible pottery manufacturing site is recorded c.390m south of the site (ref. MOX7082). Again, having reviewed the references relating to this record, this appears to relate to the identified pottery manufacturing site to the east-south-east of Noke discussed above, and is likely to be mislocated.

5.25 The Islip Roman villa is a Scheduled Monument which lies c.680m south-west of the proposed development site (ref. MOX300; NHLE ref. 1015161). The villa is of corridor type and is situated within its own enclosure, beyond which lies a larger, outer enclosure; the villa will be discussed in more detail in Section 6 below. Linear field ditches to the north of the villa are visible as cropmarks on historic aerial photographs and potentially represent associated field systems (ref. MOX5267). Late Iron Age and Romano-British material is also record as having been recovered during fieldwalking at the villa site (ref. MOX24065).

5.26 In the wider vicinity of the site, several findspots are also recorded. These comprise:

- **A Roman coin, recorded as having been found c.790m north of the site (ref. MOX5090);**
- **Roman coins recorded from documentary evidence as having been found c.815m south-south-west of the site (ref. MOX27491), however only a 4-figure grid reference is**

⁴⁹ Pine, J. (Thames Valley Archaeological Services Ltd), 2005, *Ashgrave, RSPB Otmoor Noke, Oxfordshire: An Archaeological Evaluation (Phase 1)*

provided so the exact findspot location is uncertain;

- **Roman pottery, recorded as having been found c.905m south-west of the site (ref. MOX5218); and,**
- **Roman millstones recorded as having been recovered from c.945m north of the site (ref. MOX12545).**

Early medieval (410 AD – 1066) and Medieval (1066 – 1539)

- 5.27 No medieval heritage is recorded within the proposed development site, which is likely to have formed part of the agricultural hinterland to nearby settlements throughout these periods. Evidence of buried remnant furrows was identified during the geophysical survey of the site (Appendix 4).
- 5.28 Identified heritage in the vicinity is focussed around Noke c.515-970m south of the site (refs. MOX5232; MOX5251; MOX5277; and MOX7078), Oddington c.630-995m north-north-east of the site (refs. MOX23583; MOX5091; MOX5104; MOX5326; MOX5346; and MOX5348), and Islip >885m west of the site (refs. MOX5231; and, MOX5260). As this identified heritage is not considered to be of direct relevance to the site's archaeological potential, it will not be discussed in detail here. However, all recorded elements will be outlined in Appendix 1, with locations provided on Appendix 3, Figure 3.

Post-medieval (1540 – 1800) and Modern (1801 – present)

- 5.29 The proposed development site is likely to have been under agricultural use throughout the post-medieval and modern periods and no heritage elements from these periods is recorded within the site.
- 5.30 Identified heritage in the vicinity is focussed in Noke to the south, Oddington to the north-north-east, and Islip to the west, with occasional isolated elements such as at Logg Farmhouse and Barn, c.210-240m north-north-east of the site (refs. MOX14395; and MOX14309). Recorded heritage in the vicinity is not considered to be of direct relevance to the site's archaeological potential so will not be discussed in detail here. However, all recorded elements will be outlined in Appendix 1, with locations provided on Appendix 3, Figure 4.

Site Development

- 5.31 The 1849 Tithe Map of Noke represents the site as forming all or parts of several agricultural fields, with a small, wooded area represented in the north-west of the site (Plate 7).

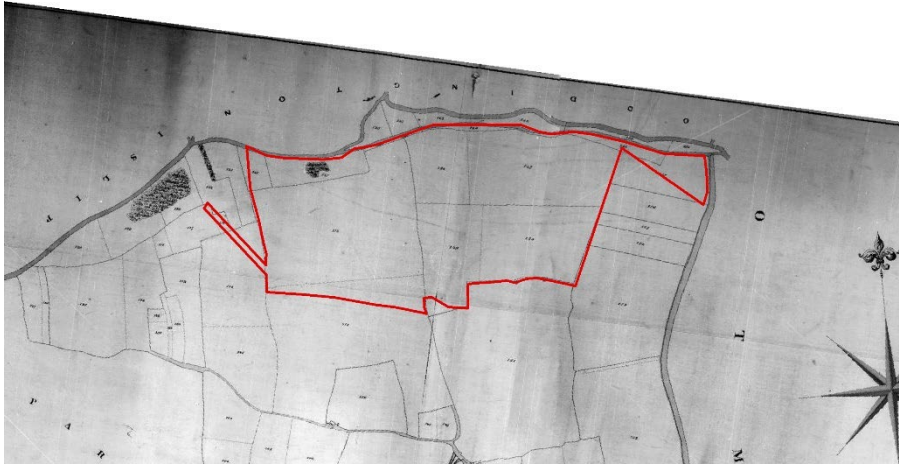


Plate 7: Extract from 1849 Tithe Map of Noke

5.32 Other than the loss of some internal field boundaries, the site appears to have changed little through the late-19th and 20th centuries. A former footpath/trackway which connected Noke and Oddington is represented as crossing the site on late-19th century and early-20th OS maps but is absent by the 1970s (Plates 8-11).

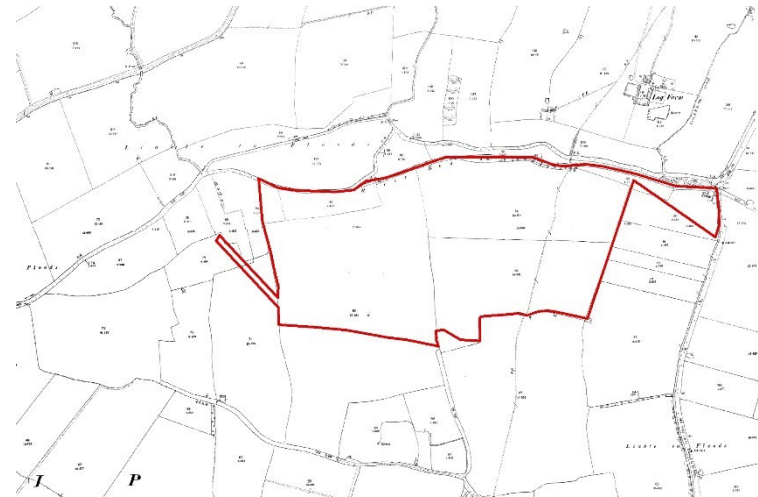
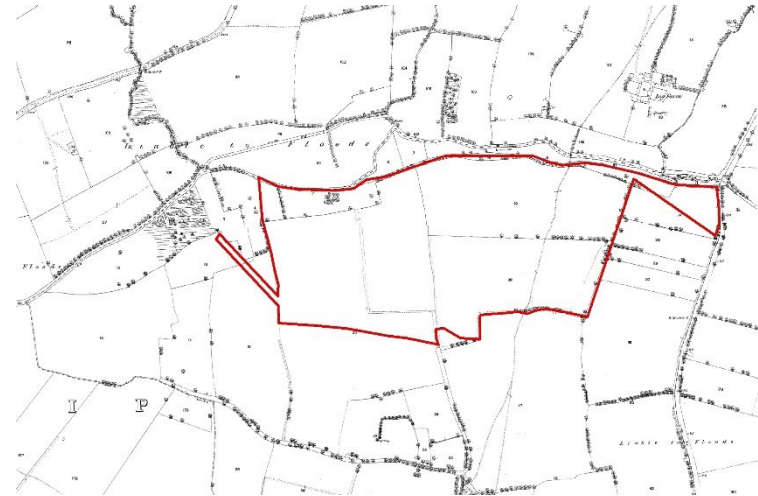


Plate 9: Extract from 1899, 2nd Edition OS map

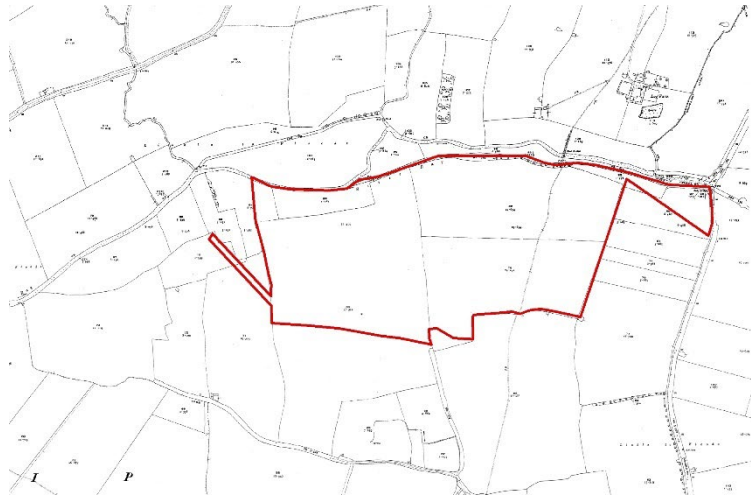


Plate 10: Extract from 1922 OS map

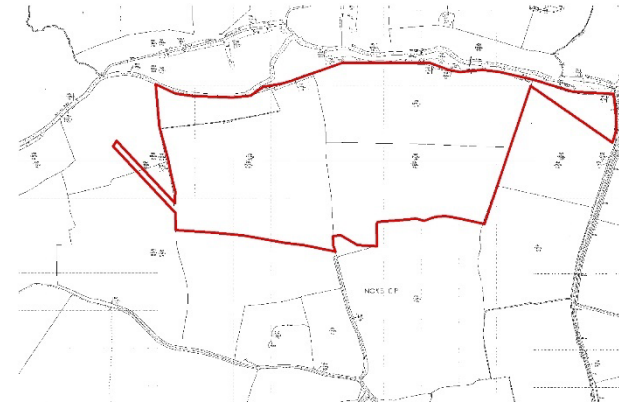


Plate 11: Extract from 1978 OS map

6. Setting Assessment

6.1 Step 1 of the methodology recommended by the Historic England guidance GPA 3 (see Methodology above) is to identify which heritage assets might be affected by a proposed development.

6.2 Development proposals may adversely impact heritage assets where they remove a feature that contributes to the significance of a heritage asset or where they interfere with an element of a heritage asset's setting that contributes to its significance, such as interrupting a key relationship or a designed view.

6.3 Consideration was made as to whether any of the heritage assets present within or beyond the 1km study area include the site as part of their setting, and therefore may potentially be affected by the proposed development.

Step 1

6.4 Assets in the vicinity identified for further assessment on the basis of proximity to the site, intervisibility and/or historical association comprise:

- **The three Grade II Listed buildings which comprise Manor Farm, namely the Grade II Listed Manor Farmhouse (NHLE ref. 1193475), the Grade II Listed Farm Building (NHLE ref. 1193487) and the Grade II Listed Barn (NHLE ref. 1046552);**
- **Grade II Listed Rectory Farmhouse (NHLE**

1046554);

- **Islip Roman Villa Scheduled Monument (NHLE ref. 1015161); and,**
- **Islip Conservation Area.**

6.5 Assets excluded on the basis of distance from the site, lack of intervisibility and/or lack of historical association comprise:

- **Grade II* Listed St Giles' Church, Noke (NHLE ref. 1369713) and its associated designated memorials and headstones, c.575m south of the site;**
- **Grade II Listed Logg Farmhouse (NHLE ref. 1046556) and its associated, Grade II Listed Barn (NHLE ref. 1286100), c. 210-240m north-north-east of the site;**
- **Other Grade II Listed buildings within Noke >610m south of the site;**
- **St Andrew's Church, Oddington (NHLE 1369717, Grade II* Listed), c. 620m north of the Site.**

Step 2

Manor Farm

6.6 Manor Farm lies c.415m south of the proposed solar site and comprises: The Grade II Listed Manor Farmhouse (NHLE ref. 1193475), the Grade II Listed Barn (NHLE ref. 1046552), and

the Grade II Listed Farm Building (NHLE ref. 1193487).

6.7 Manor Farmhouse is a former 16th-century mansion that was later converted to a farmhouse and retains fabric and fittings that date from the 16th to 18th centuries. It is constructed of limestone rubble with ashlar dressings and a plain tile roof, and is now a private residence. The Barn is a traditional late 17th- or early 18th-century agricultural building that is constructed of limestone rubble, while the Farm Building is an agricultural building of uncertain origin that appears to date from the 17th century and is also constructed of limestone rubble.

6.8 The former farm buildings lie to the north of Noke village and are surrounded by domestic garden areas and recreational facilities, including a swimming pool and tennis court to the south, with agricultural land beyond, to the north. Manor Farm can be approached from Noke village via a trackway or from the public right of way to the north.





Plate 13: Photograph facing south-west towards former Manor Farm buildings including Grade II Listed Barn (circled in blue) and Grade II Listed Farmbuilding (circled in red)

6.9 Views from Manor Farmhouse extend across the surrounding gardens. Views from the farmhouse are largely focussed southwards across the walled garden area (including swimming pool and tennis court), and northwards across the associated gardens, towards agricultural land beyond. Beyond the associated gardens, longer distance views to the east, west and south are generally screened by surrounding vegetation and built form. Views to the north-west fall upon the formerly associated agricultural buildings and modern additions, which

includes the Grade II Listed Barn and Grade II Listed Farmbuilding. Longer distance, partially screened views are possible northwards, extending across the agricultural land beyond the gardens and former farm buildings.

6.10 Views from the two Grade II Listed former agricultural buildings are broadly similar, extending across the associated gardens, to agricultural land beyond. Historically, the Barn and Farmbuilding were working agricultural buildings so any views towards the Site would have been incidental rather than designed.

6.11 The Grade II Listed buildings of Manor Farm are best viewed and appreciated from within their immediate vicinity, especially from the former farmyard where the relationship and historic functional association between the buildings can be fully appreciated.

6.12 There are glimpsed long-range views to Manor Farm from various locations, including from Noke village to the south and from the track and public right of way to the north (Plate 14).



6.13 There are distant, glimpsed views to Manor Farm from within the southern part of site with intervening trees and vegetation offering some screening (Plate 15). There are also limited, highly screened, distant views of some of the former farm buildings, primarily the northern elevation of the former barn, from the public footpath which crosses the site (Plate 16). The glimpsed, distant views from within the site are not considered to be key views.



Plate 15: Photograph facing southwards from site, towards Manor Farm (circled blue)

6.14 Although the site is not readily discernible from ground level adjacent to the Manor Farm buildings, it is anticipated that distant views of parts of the site will be possible from some of the upper elements of at least some of the buildings.



Plate 16: Photograph taken from public footpath within site, facing southwards toward Manor Farm. Northern façade of barn circled in blue.

- 6.15 The significance of all three heritage assets is principally derived in their physical fabric. Manor Farmhouse is of architectural, artistic and historic interest as a former mansion (now a farmhouse) with fabric that dates from the 16th century. The Farmbuilding and Barn to the north have architectural and historic interest as 17th- or 18th-century agricultural buildings that have recently been converted to residential use (LPA refs. 00/02531/LB & 00/02529/F, permitted 2001).
- 6.16 Setting does contribute to heritage significance of these heritage

assets but to a far lesser degree than their physical fabric. The immediate curtilage of the Listed Buildings makes the greatest contribution to their heritage significance through setting. Together, the Listed Buildings possess group value as a collection of farm buildings that were historically and functionally associated and retain a historically illustrative spatial relationship. In addition to this, the farmyard and domestic gardens make a contribution to the heritage significance of the assets through setting, being illustrative of the historic functional use of the farm and the recent change to entirely domestic use.

- 6.17 The wider agricultural landscape, including some fields to the north share a historical functional association with Manor Farm, having been under the same ownership and occupation in the mid-19th century (highlighted in blue on Plate 17 – including the eastern area of the site). This land is therefore considered to make a contribution to the heritage significance of the assets through setting, being illustrative of the historic surrounds of the farm complex and its historically associated agricultural land.



6.18 However, it should be noted that Manor Farm is no longer a working farm, having been converted to residential use in the early 21st-century and as evidenced by the conversion of the outbuildings and the construction of modern recreational facilities (i.e., the swimming pool and tennis court) to the south of Manor Farmhouse. The historic functional association with the agricultural land to the north (which includes parts of the site) has therefore been severed.

6.19 For these reasons, parts of the site are considered to make only a very minor contribution to the heritage significance of the Grade II Listed Manor Farmhouse, Farmbuilding and Barn

through setting.

6.20 Under the current proposals, the proposed solar scheme will be offset from the former farm buildings at Manor Farm by at least 445m. The development is anticipated to result in a minor change to the settings of the Listed buildings with the replacement of some previously associated agricultural land with solar panels and distant, glimpsed views of portions of the solar scheme anticipated to be possible from upper portions of at least Manor Farmhouse. The proposals are also anticipated to result in a minor change to some glimpsed, publicly accessible views of at least the Grade II Listed Barn, from a footpath within the site; this is not a key or important view of the building.

6.21 Due to the severance of the historical functional association following the conversion of the former farm buildings to residential use, and the retention of the closest agricultural land to the buildings, this minor change in setting is only anticipated to result in a very minor level of harm to the significance of the Grade II Listed heritage assets. This harm is clearly less than substantial and lies at the lowermost end of this spectrum.

Rectory Farmhouse

6.22 Rectory Farmhouse is a Grade II Listed Building (NHLE ref. 1046554) which lies c.515m south of the proposed solar site. The Listed Building is a former farmhouse that dates from the early 18th century and is constructed of limestone rubble, with slate roofs.

6.23 The farmhouse is located on the eastern side of Noke and

possesses a former farmyard to the west, including an outbuilding or barn. It is surrounded by a large domestic garden area which is itself enveloped by trees and vegetation. The farmhouse can be approached via lanes to the south and west, or the public right of way to the north.

- 6.24 Due to the dense surrounding vegetation, views from the farmhouse are focused on the immediate farmyard and surrounding garden areas and long-distance views to/from the property are generally not possible. However, vegetation has been cleared from part of the eastern curtilage boundary and this is likely to allow longer distance views from the eastern elevation of the property, beyond the associated gardens, to fields in the east.
- 6.25 Rectory Farmhouse is best viewed from its forecourt, which is where the position of the asset within a former working farm can be best appreciated, as well as the surrounding garden areas. There is no intervisibility between Rectory Farmhouse and the site owing to intervening vegetation and distance between the two.
- 6.26 The heritage significance of the asset is primarily embodied in its physical fabric which is of architectural and historic interest as an example of a former farmhouse (now an isolated dwelling) with fabric that dates from the early 18th century and was once sub-divided.
- 6.27 The setting of the Listed Building makes a lesser contribution to its heritage significance. It is the immediate curtilage of the

asset which makes the greatest contribution to its setting. This includes the former farmyard (now a forecourt), the former outbuildings which historically served the farm, and the gardens attached to the house. These elements of the Listed Building's curtilage are illustrative of the Listed Building's position within, and functional relationship to, a historic working farm complex as well as its change of use to a residential dwelling detached from agricultural activities.

- 6.28 Parts of the wider agricultural landscape makes a minimal contribution to the heritage significance of the asset through setting as land which is illustrative of the historic rural surrounds of the former farmhouse. Some land in the vicinity also shares a historical functional association with the former farmhouse, having been under the same occupation in at least the mid-19th-century.
- 6.29 However, Rectory Farmhouse is no longer a working farmhouse and has become functionally detached from the surrounding agricultural landscape. It is the agricultural land to the east of the former farmhouse (not the site) which gives legibility to the asset's historic rural setting since there appear to be views from the asset over this land. The closest element of the proposed development site lies c.515m north of the heritage asset, while the closest element of formerly associated land in the site is c.570m to the north-west of the farmhouse, being separated by intervening agricultural land and vegetation.
- 6.30 Due to the lack of intervisibility, distance from the site and

cessation of the former farm buildings' agricultural function, the site is not considered to make any contribution to the heritage significance of the Grade II Listed Rectory Farmhouse through setting.

- 6.31 As a result, the proposed development is not anticipated to result in any harm to the significance of the Grade II Listed building.

Islip Roman Villa

- 6.32 Islip Roman villa is a Scheduled Monument (NHLE ref. 1015161) located c.685m south-west of the site at its nearest point. Its remains, which survive wholly below ground and have been discovered through excavation and aerial photography, include a villa of the winged corridor type surrounded by inner and outer enclosures.
- 6.33 Partial excavations in 1962 indicates that the villa complex is thought to date from the late 1st century AD to the early 2nd century AD, while fieldwalking has recovered pottery of later 3rd- and 4th- century date from the inner enclosure, suggesting some later activity or re-use of the site.
- 6.34 The villa site is located between the villages of Islip and Noke and is now surrounded by fields. It is best approached on foot via the Oxfordshire Way, which crosses the Scheduled area.
- 6.35 The villa may have possessed a wider agricultural estate, however the extent of this estate is unknown and is cannot be said to be reflected by the present landscape, which is

characterised by enclosed post-medieval field systems and includes nearby settlements that are of medieval origin.

- 6.36 Views from the villa site generally fall across the surrounding agricultural landscape with elements of modern built form within and adjacent to Noke to the north-west. Longer distance views also include modern elements such as buildings and power lines, amongst the generally agricultural settings.



Plate 18: Photograph taken from Scheduled villa site, facing south-eastwards, along Oxfordshire Way

- 6.37 The Scheduled Monument is not readily appreciable from above ground and it is not visible from the wider landscape, including

when looking towards the Scheduled Monument from within the site. Some portions of the site are distantly visible from the Scheduled area but these views are very limited as a result of distance, topography and intervening vegetation (e.g. Plate 19).



Plate 19: Photograph taken from Scheduled area, facing north-east towards site which lies beyond the arable field in the centre of the image (marked by blue arrow)

6.38 The heritage significance of the asset is very largely embodied in the buried remains of the villa complex, which include the main villa building, associated outbuildings, possible garden landscaping features, and associated enclosures and field systems. These buried remains are of archaeological and historic

interest.

6.39 Elements of the Scheduled Monument's setting make a lesser contribution to its heritage significance. These may include any other buried features associated with the villa that lie outside the scheduling boundary, such as any former trackways and field systems.

6.40 The buried remains of the Romano-Celtic temple north of Woodeaton (NHLE ref. 1006355), c.400m south-east of Islip Roman Villa at its nearest point, can also be considered to contribute to the setting of the Roman villa as a near-contemporary and possibly associated religious site that is in relatively close proximity.

6.41 The possible remains of a Roman road have been recorded within the central northern part of the Site (HER ref. MOX7088) and the conjectured route of this road is indicative of a possible association with the Roman villa to the south-west. The geophysical survey of the site identified potential Romano-British settlement remains and industrial activity within the south of the site. Potential evidence of pottery manufacture is also recorded to the immediate south-east of the site, however it is likely that this has been mislocated (HER refs. MOX7081 and MOX7082).

6.42 If such remains survive within the site, and they are contemporary with the villa site, they could be considered to contribute to the heritage significance of the Scheduled Monument through setting. This would only be a very minor

contribution at most. The loss of any contemporary archaeological remains as a result of the development would be anticipated to result in a very minor degree of harm to the significance of the heritage asset, through changes to its setting, which would clearly be less than substantial, at the lower end of this spectrum. However, it is anticipated that this harm could be largely mitigated if any remains were preserved by record (e.g. through a programme of archaeological works), or could be mitigated entirely should such remains be preserved *in situ* (e.g. by design/construction methods).

Islip Conservation Area

- 6.43 The Islip Conservation Area was first designated in November 1989. Since then, the boundary of the Conservation Area has been revised and now covers the historic core of the village as well as some outlying areas and fields comprising c.29.3ha in total (Plate 20). The site lies c.915m east of the Islip Conservation Area boundary at its nearest point.

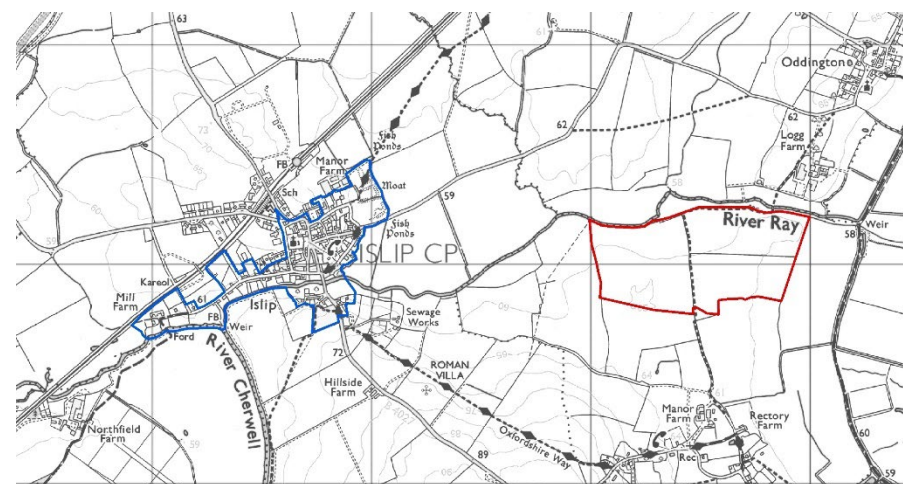


Plate 20: Islip Conservation Area (blue) and site (red)

- 6.44 The surrounds of the Conservation Area are largely rural with agricultural land extending in most directions from the Conservation Area boundaries. The exceptions to this are in the north-west where some modern built form extends beyond the Conservation Boundaries and where the railway line runs to the immediate north of the Conservation Area.



Plate 21: Photograph facing east-north-eastwards out from Conservation Area on Middle Street.

6.45 The Conservation Appraisal identifies nine distinct character areas each of which has several key views identified. The majority of these key views are focussed inwards towards the historic core of the settlement, however occasional key views outwards, across the surrounding agricultural land, are identified from the edges of the Conservation Area. Where views are possible outwards from the Conservation Area, they are largely confined to the immediately adjacent agricultural land

e.g. at Middle Street (Plate 21). Some longer distance views to the north-east (not in the direction of the site) are however identified from the north-east of the Conservation Area where it is identified that the *'view across Moatfield is one of the few truly open views in the village.'*⁵⁰

6.46 Elements of the Conservation Area are distantly visible from within the site when traversing the public right of way that runs through the centre of the site. There are glimpsed, long-distance views to the tower of the Grade I Listed Church of St Nicholas and partial views of some built form on the eastern edge of the Conservation Area (Plate 22). This public right of way runs parallel with the Conservation Area on a roughly north-south orientation, therefore it does not constitute a direct approach to the Conservation Area and any glimpsed views to the church tower and the eastern edge of Islip village are considered to be incidental rather than key. Further to this, it should be noted that the site is not located within the parish of Islip.

⁵⁰ Cherwell District Council, 2008, *Islip Conservation Area Appraisal*, p.41



Plate 22: Photograph facing westwards from public footpath within site. Distant, glimpsed views of Conservation Area circled in blue.

- 6.47 It should also be noted that when stood at the western boundary of the site (nearest the Conservation Area), boundary vegetation screens views in this direction (Plate 22).
- 6.48 The site is not visible when traversing Lower Street or Middles Street at the eastern edge of the Islip Conservation Area owing to intervening vegetation and built form and no clear views of the site were identified from within the Conservation Area. There may be potential for glimpsed views to the Site from the upper storey eastern elevation windows of the dwellings located on

Lower Street, however the immediate focus of any such views would be to the more immediate expanse of agricultural land that is located between the Conservation Area and the Site.

6.49 The Islip Conservation Area Appraisal was published by Cherwell District Council in April 2008 and outlines those elements of the Conservation Area that contribute to its special interest, character and appearance (and overall heritage significance).

6.50 Those elements that contribute to the special interest, character and appearance of the Conservation Area include:

- **The 26 designated heritage assets within the Conservation Area, including the Grade I Listed Church of St Nicholas and many 17th and 18th century buildings, which are of architectural, artistic, historic and archaeological interest as well as illustrating the village’s development;**
- **Several unlisted buildings which are considered to positively contribute to the character and appearance of the village;**
- **The vernacular style of the historic buildings within the Conservation Area which make use of limestone, stone slate roof tiles and thatch;**
- **The nucleated layout of the village (centred on the parish church), which is illustrative of its medieval origins;**
- **The historic association of the village and its church with Edward the Confessor and Westminster Abbey;**
- **Areas of open green space, including Church Square at the centre of the village, the**

churchyard, and fields at the periphery of the Conservation Area boundary; and

- **Key views, including intrinsic views along The Walk and the High Street, outward-facing views from the churchyard to the west.**

6.51 The setting of the Conservation Area also contributes to its heritage significance. Those elements of setting that are considered to positively contribute include:

- **The surrounding agricultural landscape, specifically those fields in the immediate vicinity of the village and those located within the parish of Noke, which are illustrative of the historic rural context of the Conservation Area and can be appreciated when looking out from the edges of the village; and**
- **Some long-distance views towards the Conservation Area from the surrounding countryside, especially those views to the church tower from the Bicester-Oxford railway line to the west and from the A34 (as identified by the Islip Conservation Area Appraisal).**

6.52 Only one building on Lower Street is a designated heritage asset, namely Numbers 1, 2 and the Thatched Cottage (a Grade II

Listed Building) and it is not anticipated that the Site would be visible from the east-facing windows of this asset.

6.53 Although there are glimpsed, distant views of elements within the east of the Conservation Area from a public footpath within the site, these are not considered to be key or important views. As a result, the proposed development site is not considered to contribute to the significance of the Conservation Area.

6.54 Given the distance of the site from the Conservation Area and fact that identified key views will be unaffected by the proposals, the proposed solar scheme is not anticipated to result in any harm to the significance of the Islip Conservation Area or any of the identified heritage assets within it.

8. Conclusions

Archaeology

- 8.1 A moderate amount of earlier prehistoric heritage is recorded in the vicinity of the site, including two possible ring ditches, visible as cropmarks >12m south of the site. Given the recorded heritage in the vicinity, and some undated cropmarks within the site, the site is considered to have moderate potential for archaeological remains from the prehistoric period.
- 8.2 The posited line of a Roman road is recorded as running through the east of the site, having been identified through cropmarks. Cropmarks are certainly visible within the southern part of the site, however it remains uncertain as to whether this represents the line of a former road or another linear feature e.g. ditch/enclosure. Additional cropmarks visible to the east may be associated and/or related to drainage. Several geophysical anomalies have been identified, and Romano-British pottery was observed within the south of the site during a geophysical survey. The anomalies are interpreted as potentially representing a Romano-British settlement site, along with possible industrial activity. A possible Romano-British pottery working site is recorded immediately to the south of the site, however this appears to have been mislocated, and relates to a site to the south-east. On the basis of the possible Roman road, geophysical survey, and recorded heritage in the vicinity, the site is considered to have very high potential for Romano-British

and/or Iron Age archaeological remains.

- 8.3 The site is considered to have very low potential for significant archaeological remains from the medieval period onwards.
- 8.4 There is currently no evidence to suggest that archaeological remains will be present within the site which are of Schedulable quality or are of a significance to preclude development.

Built Heritage

- 8.5 The proposed development within the site is anticipated to result a very minor level of harm to the significance of the Grade II Listed heritage assets at Manor Farm, through changes to their setting. This harm is clearly less than substantial and lies at the lowermost end of this spectrum.
- 8.6 As per Paragraph 202 of the NPPF, such harm does not preclude development, but should be weighed against the public benefits of the proposals.
- 8.7 The site has potential for Romano-British archaeological remains which may be contemporary with the Islip Roman Villa, a Scheduled Monument. If such remains are present within the site, they could make, at most, a minor contribution to the significance of the heritage asset, through setting. The loss of any such remains may therefore result in a very minor degree of harm, which is clearly less than substantial to the significance

of the Scheduled Monument. Such harm could however be mitigated, either through archaeological works or by *in situ* preservation, should remains be identified.

- 8.8 The proposed development is not anticipated to result in harm to the significance of any other heritage assets identified in the wider vicinity.

9. Sources

Legislation and Policy Guidance
English Heritage, Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment (London, April 2008).
Historic England, Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2 (2nd edition, Swindon, July 2015).
Historic England, The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (2nd edition, Swindon, December 2017).
Historic England, Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12 (Swindon, October 2019).
Ministry of Housing, Communities and Local Government (MHCLG), National Planning Policy Framework (NPPF) (London, February 2019).
Ministry of Housing Communities and Local Government (MHCLG), Planning Practice Guidance: Historic Environment (PPG) (revised edition, 23rd July 2019), https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment .
UK Public General Acts, <i>Ancient Monuments and Archaeological Areas Act 1979</i> .
UK Public General Acts, <i>Planning (Listed Buildings and Conservation Areas) Act 1990</i> .
UK Public General Acts, <i>Planning and Compulsory Purchase Act 2004</i> .
Court and Appeal Decisions
Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697.
Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin).

R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).	
Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.	
Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137.	
Jones v Mordue [2015] EWCA Civ 1243.	
Cartographic Sources	
1849	Tithe Map of Noke
1876	1 st Edition OS map
1899	2 nd Edition OS map
1922	OS map
1978	OS map

Appendix 1: Gazetteer of Historic Environment Record Data

Heritage Data

HER Event Data

Ev UID	Name	Event Type
EOX1675	Southern Electric 33Kv Refurbishment Headington to Bicester Overhead Line, Oxon: Arch'l WB and Excavation	WB
EOX1796	Islip: Archaeological Evaluation	EV
EOX2090	Watching Brief on New Power Cables	WB
EOX2297	Report on an Archaeological Evaluation and Watching Brief, 1 Moorsights	EV
EOX2395	St Giles Church, Noke: Notes on Site Visit 9 September 1991	RO
EOX2426	College Farm, College Farm Close	WB
EOX513	Manor Farm	BS
EOX514	Manor farm Stables	RO
EOX515	Manor Farm barn	RO

HER Monument Data

Mon UID	Pref Ref	Name	Mon Type	Period
MOX5103	5270	Neolithic Greenstone Celt and sandstone whetstone	FINDSPOT	Neolithic
MOX5244	8743	Mesolithic Flints (Half a mile E of village, south bank of River Ray)	FINDSPOT	Mesolithic
MOX5270	11633	Neolithic Flint Flakes (in centre of field to E of villa)	FINDSPOT	Neolithic
MOX5271	11634	Mesolithic to Bronze Age Flint Implements	FINDSPOT	Early Mesolithic to Late Bronze Age
MOX5287	14345	Lithic Scatter	LITHIC SCATTER	Prehistoric
MOX5296	14354	Mesolithic Flint Flakes	FINDSPOT	Mesolithic
MOX7083	15436	Lithic Scatter	LITHIC SCATTER; FINDSPOT	Early Neolithic to Post Medieval
MOX5272	12198	Possible Later Prehistoric Cropmarked enclosure and features	OVAL ENCLOSURE; RECTILINEAR ENCLOSURE	Later Prehistoric
MOX7087	11610	Bronze Age Ring Ditches	RING DITCH	Bronze Age
MOX7089	9406	Possible Undated Bowl Barrows	BOWL BARROW?	Bronze Age
MOX12545	16783	Roman Mill Stones	FINDSPOT	Roman
MOX24065	27554	Surface assemblage of RB and Late Iron Age material at Islip Villa	FINDSPOT	Late Iron Age to Roman

Mon UID	Pref Ref	Name	Mon Type	Period
MOX300	1330	Islip Roman Villa	VILLA; ENCLOSURE	Roman
MOX5090	1809	Roman Coin	FINDSPOT	Roman
MOX5218	2380	Roman Pottery	FINDSPOT	Roman
MOX5267	11609	Roman Linear Field Systems	FIELD SYSTEM	Roman
MOX7081	15890	Roman Pottery Manufacturing Site (New Ground)	POTTERY MANUFACTURING SITE	Roman
MOX7082	15892	Roman Pottery Manufacturing Site (New Ground)	POTTERY MANUFACTURING SITE	Roman
MOX7088	12726	Possible Roman Road (Upper Log, NE of Noke)	ROAD	Roman
MOX27491	1319	Roman Coins findspot	FINDSPOT	Roman
MOX7088	12726	Possible Roman Road (Upper Log, NE of Noke)	ROAD	Roman
MOX23583	26177	Medieval pits and cobbled surface at Moorsights	RUBBISH PIT; COBBLED ROAD	Medieval
MOX5091	1810	Anglo Saxon Inhumation Cemetery in Oddington	INHUMATION CEMETERY	Early Medieval/Dark Age
MOX5104	5386	Possible Medieval Camera of Knights Templars	TEMPLARS CAMERA	Medieval
MOX5231	5277	Medieval Moat and Residence of Abbot of Westminster	MANOR; MOAT	Medieval
MOX5232	5278	Church of St Giles	CHURCH	Medieval to Post Medieval

Mon UID	Pref Ref	Name	Mon Type	Period
MOX5251	9987	Orchard Cottage	HOUSE; HOUSE	Medieval to Post Medieval
MOX5260	11086	Medieval Fishpond, S of Moat	FISHPOND	Medieval
MOX5277	13228	Manor Farm, Noke	FARMHOUSE	Medieval to Post Medieval
MOX5326	5285	Church of St Andrew	CHURCH	Medieval to Post Medieval
MOX5346	5847	Oddington Shrunken Medieval Village	DITCH; SHRUNKEN VILLAGE; BOUNDARY DITCH	Early Medieval/Dark Age to Medieval
MOX5348	5883	Medieval Churchyard Cross, Church of St Andrew	CROSS	Medieval to Mid 20th Century
MOX7078	16278	Occupation cropmarks and medieval pottery scatter	MANOR HOUSE?; OCCUPATION SITE; FINDSPOT	Medieval to Post Medieval
MOX7078	16278	Occupation cropmarks and medieval pottery scatter	MANOR HOUSE?; OCCUPATION SITE; FINDSPOT	Medieval to Post Medieval
MOX13176	18063	CHURCH OF ST GILES, FLAXMAN MEMORIAL APPROXIMATELY 3 METRES EAST OF CHANCEL SOUTH EAST CORNER	GRAVESTONE; SITE	Post Medieval
MOX13177	18067	IDLE HOLLOW	HOUSE; SITE	Post Medieval to Late 20th Century

Mon UID	Pref Ref	Name	Mon Type	Period
MOX13178	18069	THE PLOUGH PUBLIC HOUSE	PUBLIC HOUSE; SITE	Post Medieval
MOX13179	18072	RECTORY FARMHOUSE	FARMHOUSE; HOUSE; SITE	Post Medieval to Late 20th Century
MOX13187	18042	NUMBERS 1, 2 AND THE THATCHED COTTAGE, LOWER STREET	ROW HOUSE; ROW; ROW HOUSE; SITE	Post Medieval
MOX13351	18062	BRIGGS COTTAGE AND COLLEGE COTTAGE	HOUSE	Post Medieval to Late 20th Century
MOX13352	18066	CHURCH OF ST GILES HEADSTONE APPROXIMATELY 4 METRES SOUTH EAST OF CHANCEL SOUTH EAST CORNER	GRAVESTONE; SITE	Post Medieval
MOX13353	18073	VINE COTTAGE	TIMBER FRAMED HOUSE; SITE	Post Medieval to Late 20th Century
MOX13924	18071	RECTORY FARM COTTAGE	HOUSE; SITE	Post Medieval to Late 20th Century
MOX13925	18064	CHURCH OF ST GILES, GROUP OF 4 HEADSTONES AND A FOOTSTONE APPROXIMATELY 1 METRE AND 3 METRES EAST OF CHANCEL NORTH EAST CORNER	GRAVESTONE; GRAVESTONE; GRAVESTONE; GRAVESTONE; SITE	Post Medieval
MOX14001	18065	CHURCH OF ST GILES, GROUP OF 9 HEADSTONES APPROXIMATELY 3 METRES AND 4 METRES TO WEST	GRAVESTONE; GRAVESTONE; GRAVESTONE; GRAVESTONE; GRAVESTONE;	Post Medieval

Mon UID	Pref Ref	Name	Mon Type	Period
			GRAVESTONE; GRAVESTONE; SITE	
MOX14002	18068	THE OLD RECTORY	VICARAGE; HOUSE; SITE	Post Medieval to Late 20th Century
MOX14003	18070	RECTORY COTTAGE	HOUSE; SITE	Post Medieval to Late 20th Century
MOX14005	18078	MANOR FARMHOUSE, BARN APPROXIMATELY 50 METRES TO NORTH	BARN; SITE	Post Medieval
MOX14146	18081	RECTORY FARMHOUSE	FARMHOUSE; CONSERVATORY; HOUSE; SITE	Post Medieval to Late 20th Century
MOX14309	18077	LOGG FARMHOUSE, BARN APPROXIMATELY 30 METRES TO SOUTH	BARN; SITE	Post Medieval
MOX14395	18076	LOGG FARMHOUSE	FARMHOUSE; SITE	Post Medieval
MOX14396	18079	MEDCRAFT FARMHOUSE	FARMHOUSE; HOUSE; SITE	Post Medieval to Late 20th Century
MOX5129	12624	Former Methodist Chapel	CHAPEL	Post Medieval
MOX5278	13229	Farmbuilding, Manor Farm	STABLE	Post Medieval
MOX5279	13230	Barn, Manor Farm	BARN	Post Medieval
MOX7080	16280	Post Medieval Well ("The Roman Well")	WELL	Post Medieval

Mon UID	Pref Ref	Name	Mon Type	Period
MOX5056	9192	Undated Circular Feature	RING DITCH	Unknown

Historic England Data (within 1km of site)

Historic England Listed Buildings

List Entry	Name	Grade	Eastings	Northings
1046550	CHURCH OF ST GILES, FLAXMAN MEMORIAL APPROXIMATELY 3 METRES EAST OF CHANCEL SOUTH EAST CORNER	II	454458	213173.4
1046551	IDLE HOLLOW	II	454672	213086.4
1046552	MANOR FARMHOUSE, BARN APPROXIMATELY 100 METRES TO NORTH WEST	II	454488	213326.4
1046553	THE PLOUGH PUBLIC HOUSE	II	454213	213127.4
1046554	RECTORY FARMHOUSE	II	454704	213255.4
1046556	LOGG FARMHOUSE	II	455032	214465.4
1046557	MEDCRAFT FARMHOUSE	II	455356	214878.4
1046558	RECTORY FARMHOUSE	II	455154.5	214781.3
1046575	NUMBERS 1, 2 AND THE THATCHED COTTAGE	II	452891	214082.4

List Entry	Name	Grade	Eastings	Northings
1193429	BRIGGS COTTAGE COLLEGE COTTAGE	II	454774	212818.4
1193472	CHURCH OF ST GILES HEADSTONE APPROXIMATELY 4 METRES SOUTH EAST OF CHANCEL SOUTH EAST CORNER	II	454461	213171.4
1193475	MANOR FARMHOUSE	II	454549	213261.4
1193487	MANOR FARMHOUSE, FARMBUILDING APPROXIMATELY 50 METRES TO NORTH WEST	II	454498	213291.4
1193500	ORCHARD COTTAGE	II	454852	212866.4
1193527	VINE COTTAGE	II	454823	212846.4
1193568	CHURCH OF ST ANDREW, CHURCHYARD CROSS APPROXIMATELY 6 METRES TO WEST	II	455235	214802.4
1286100	LOGG FARMHOUSE, BARN APPROXIMATELY 30 METRES TO SOUTH	II	455037	214420.4
1286112	RECTORY FARM COTTAGE	II	454692	213074.4
1286160	CHURCH OF ST GILES, GROUP OF 4 HEADSTONES AND A FOOTSTONE APPROXIMATELY 1 METRE AND 3 METRES EAST OF CHANCEL NORTH EAST CORNER	II	454457	213179.4
1369713	CHURCH OF ST GILES	II*	454446	213173.4
1369714	CHURCH OF ST GILES, GROUP OF 9 HEADSTONES APPROXIMATELY 3 METRES AND 4 METRES TO WEST	II	454425	213168.4
1369715	THE OLD RECTORY	II	454369	213134.4

List Entry	Name	Grade	Eastings	Northings
1369716	RECTORY COTTAGE	II	454694	213062.4
1369717	CHURCH OF ST ANDREW	II*	455260	214801.4
1369718	MANOR FARMHOUSE, BARN APPROXIMATELY 50 METRES TO NORTH	II	455205	214979.4

Historic England Scheduled Monuments

List Entry	Name	Area (ha)	Eastings	Northings
1006355	Romano-Celtic temple N of Woodeaton	15.68569	453577.5	212614.8
1015161	Islip Roman villa, 300m east of Hillside Farm	6.229204	453295.5	213436.5

Appendix 2: Designation Descriptions

MANOR FARMHOUSE

Overview

Heritage Category:

Listed Building

Grade:

II

List Entry Number:

1193475

Date first listed:

10-Apr-1987

Statutory Address:

MANOR FARMHOUSE

Location

Statutory Address:

MANOR FARMHOUSE

The building or site itself may lie within the boundary of more than one authority.

County:

Oxfordshire

District:

Cherwell (District Authority)

Parish:

Noke

National Grid Reference:

SP 54549 13261

Details

NOKE SP51SW 6/114 Manor Farmhouse GV II Farmhouse incorporating part of a mansion. C16, late C17 and early C18. Limestone rubble with ashlar dressings; plain-tile roof with brick stacks. L-plan. 2 storeys plus attic. 3-window front of C18 main range has leaded casements of 3, 3 and 2 lights with, at first floor, stone flat arches and, at ground floor, wooden lintels. The windows in the right bay are at lower level and the bay also contains a doorway with a plank door. The right end wall is tile hung. The roof is half-hipped to right and

has a stack to left of centre. The short hipped-roofed late C17 range projecting to left of the main range has pairs of heavy cross windows in its end wall (original at first floor) and slightly later leaded mullioned-and-transomed casements facing right; the main entrance lies near the angle. The left wall has a fine projecting stone chimney with a brick-shafted ashlar stack, beyond which is a small hipped-roofed projection with cross windows. A further projecting chimney with 2 diagonal brick shafts is probably C16, and rises against a crow-stepped gable with rendered brick parapet containing a small 2-light wood-mullioned window. Rear of house has further casements. Interior: C16 section has a Tudor-arched stone fireplace with recessed spandrels and a brick relieving arch, and the room has heavy joists; first-floor room has re-used C17 panelling. Late C17 wing has a moulded rectangular stone fireplace, and the roof has 2 rows of butt purlins and cambered collars. The earlier sections are part of a mansion built by the Bradshawe family; the C18 wing may represent a rebuilding undertaken when the house was acquired by the Duke of Marlborough in the early C18. (V.C.H.: Oxfordshire, Vol.VI, p.268; Buildings of England: Oxfordshire, p.718).

Listing NGR: SP5454913261

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

243356

Legacy System:

LBS

Sources

Books and journals

Pevsner, N, Sherwood, J, The Buildings of England: Oxfordshire, (1974), 718

Salzman, L F, The Victoria History of the County of Oxford, (1959), 268

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

MANOR FARMHOUSE, FARMBUILDING APPROXIMATELY 50 METRES TO NORTH WEST

Overview

Heritage Category:

Listed Building

Grade:

II

List Entry Number:

1193487

Date first listed:

10-Apr-1987

Statutory Address:

MANOR FARMHOUSE, FARMBUILDING APPROXIMATELY 50 METRES TO NORTH WEST

Location

Statutory Address:

MANOR FARMHOUSE, FARMBUILDING APPROXIMATELY 50 METRES TO NORTH WEST

The building or site itself may lie within the boundary of more than one authority.

County:

Oxfordshire

District:

Cherwell (District Authority)

Parish:

Noke

National Grid Reference:

SP 54498 13291

Details

NOKE SP51SW 6/116 Manor Farmhouse, farmbuilding approx. 50m. to NW GV II Farmbuilding of uncertain origin. C17. Coursed limestone rubble with ashlar dressings; Stonesfield-slate and corrugated-asbestos roof. Single range. 2 storeys plus attic. Symmetrical 3-window front has widely-spaced 3-light stone-mullioned windows at first floor and has, at ground floor, similar windows in the outer bays plus a later segmental-arched central entrance with inserted loft door above; original wide doorways adjacent to the windows have been built up. End walls have 2-light mullioned windows at first floor and single-light openings in the gables. All window openings and mullions have plain chamfers. Roof is slated to front only. Interior: stop-chamfered intersecting beams. 5-bay butt-purlin roof with framed trusses built into gables; has tall tie beams morticed for attic joists with soffit tenons and diminished haunches; trusses retain framing for attic partitions; all rafters are tenoned and pegged into purlins. Possibly the stable range of the C16/C17 mansion of which part is incorporated into Manor Farmhouse. (V.C.H.: Oxfordshire, Vol. IV, p.268; Buildings of England: Oxfordshire, p.718).

Listing NGR: SP5449813291

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

243358

Legacy System:

LBS

Sources

Books and journals

Pevsner, N, Sherwood, J, The Buildings of England: Oxfordshire, (1974), 718

Salzman, L F, The Victoria History of the County of Oxford, (1979), 268

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing

MANOR FARMHOUSE, BARN APPROXIMATELY 100 METRES TO NORTH WEST

Overview

Heritage Category:

Listed Building

Grade:

II

List Entry Number:

1046552

Date first listed:

10-Apr-1987

Statutory Address:

MANOR FARMHOUSE, BARN APPROXIMATELY 100 METRES TO NORTH WEST

Location

Statutory Address:

MANOR FARMHOUSE, BARN APPROXIMATELY 100 METRES TO NORTH WEST

The building or site itself may lie within the boundary of more than one authority.

County:
Oxfordshire
District:
Cherwell (District Authority)
Parish:
Noke
National Grid Reference:
SP 54488 13326

Details

NOKE SP5ISW 6/115 Manor Farmhouse, barn approx. 100m. to NW GV II Barn. Late C17/early C18, Limestone rubble with ashlar dressings; Stonesfield-slate and old plain-tile roofs. 5-bay plan with central porch and opposed full-height doors. Slits to each bay and to ends. Main roof is half-hipped. Tiled porch has a weatherboarded gable. Interior: clasped-purlin roof with curved inner principals.

Listing NGR: SP5448813326

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:
243357

Legacy System:
LBS

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

End of official listing