

Application number(s):	22/02101/OUT
Application site:	Land Adjoining Withycombe Farmhouse Stratford Road A422 Drayton
Proposal:	Outline planning application for a residential development comprising up to 250 dwellings (with up to 30% affordable housing), public open space, landscaping and associated supporting infrastructure. Means of vehicular access to be determined via Edinburgh Way, with additional pedestrian and cycle connections via Dover Avenue and Balmoral Avenue. Emergency access provision also via Balmoral Avenue. All other matters reserved

<input type="checkbox"/>	Listed Building	<input type="checkbox"/>	Conservation Area	<input checked="" type="checkbox"/>	Setting of a Listed Building
<input type="checkbox"/>	Grade I	<input type="checkbox"/>	Grade II*	<input checked="" type="checkbox"/>	Grade II

Policies

Cherwell Local Plan 2011-2031 (2015)

<input checked="" type="checkbox"/>	Policy ESD15 New development proposals should: Conserve, sustain and enhance designated and non-designated 'heritage assets' including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale and massing of buildings
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Cherwell Local Plan 1996 Saved Policies

<input checked="" type="checkbox"/>	C18 Works to a listed building should preserve the building, its setting, and any features of special architectural or historic interest. Alterations or extensions to a listed building should be minor and sympathetic.
<input type="checkbox"/>	C23 Presumption in favour of retaining positive features within a Conservation Area.
<input type="checkbox"/>	C28 The layout, design and materials proposed within a new development should respect the existing local character. 'control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the urban or rural context of that development.

NPPF – Chapter 16

<input checked="" type="checkbox"/>	Paragraph 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
<input checked="" type="checkbox"/>	Paragraph 200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly Exceptional.

Paragraph 201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- 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.

Paragraph 202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Other Relevant Policies and guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16. In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Significance (50 words)

The application site is on the edge of Banbury adjacent to existing housing and other recently approved housing proposals. However the site is adjacent to the grade II Listed Building, Withycombe Farmhouse and the attached stable. The farmhouse can be dated to the mid-17th century and the stable 18th century. The site is also close to Wroxton Abbey grade II* registered park and garden which also contains the grade II* Wroxton Arch. The significance therefore lies in the contribution the site makes to the setting of the Listed Buildings and the registered park.

Appraisal (250 words)

The proposal has changed little to the details submitted as part of the previous preapp.

The development would sit to the south of the recent development on the edge of Banbury and would fill in the open space between the current edge of the town and Withycombe farmhouse which is a grade II Listed Building. Due to the location of the site it is inevitable that the development will alter the setting of the Listed Building. The farmhouse and its associated buildings currently sit in a mostly agricultural setting and the residential development here will change this, particularly on the eastern side. It is accepted that due to the development that has already taken place and that which has consent surrounding the site the setting of the listed building has already been compromised to an extent. However it is still considered that the proposal will result in some harm to the Listed building through development within its setting albeit at the lower end and the NPPF requires that this harm is weighed against any benefits.

Because of the location and the development taking place to the north of the site the proposal is not considered to have the same level of impact on the setting of the registered park, Wroxton Abbey or the Wroxton Conservation area. Therefore the development is not considered to result in harm to the significance of these heritage assets.

It is noted that this application is an outline application and therefore there are no details with regards to design, size, and final layout of the proposed dwellings. It is advised that detrimental changes to the setting of the Listed Building could be mitigated through the retention of the open spaces, appropriate and substantial landscaping, and screening. Some visibility of the Listed Building should be retained to allow the appreciation of how the building sits within its setting. It is acknowledged that an area of open land is proposed around Withycombe Farm, with larger open spaces to the north and south and this is welcomed. Furthermore the design and materials used in the new dwellings will be key to reducing any harm that results from the development.

Although the development will result in some less than substantial harm to the significance of the Listed Building as a result of development within its setting, it is considered that on balance there are no notable objections on heritage grounds.

Level of harm

☐

No Harm

☒

Less than Substantial Harm

☐

Substantial Harm

Public Benefit (NPPG)

☒

Yes

☐

No

Comments

The development will inevitably result in less than substantial harm, however it is possible that in this instance the public benefits can be weighed against that harm.

Recommendation

☒

No objections

☐

Objections

☐

Engage in preapp

Suggested Conditions

- Open space around the listed building to be retained as per plans
- Landscaping and screening

Conservation Officer: Emma Harrison

Date: 14/10/2022