

**LAND EAST OF JUNCTION J.11,
M40, BANBURY**

**HERITAGE
DESK-BASED
ASSESSMENT**

PREPARED BY PEGASUS GROUP
ON BEHALF OF GREYSTOKE CB

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DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE



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1. Introduction

- 1.1 Pegasus Group have been commissioned by Greystoke CB to prepare a Heritage Desk-Based Assessment (DBA) to consider the proposed development (Use Class B8 or Logistics) of land east of Junction J.11, M40, Banbury, as shown on the Site Location Plan provided at Plate 1 (below).
- 1.2 The site is located to the north-east of Banbury on the opposite side of the M40. There are no designated heritage assets within the site boundary.
- 1.3 This Heritage DBA accompanies an application for outline planning permission. The details of the proposals are set out more fully within Section 2 below and within the plans and documents included in the application pack.
- 1.4 This Heritage DBA provides information with regards to the significance of the historic environment and the 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

- 1.5 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.
- 1.6 The assessment methodology for this Heritage DBA has also been informed by the Guidance Document issued by Oxfordshire County Archaeology.

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

² MHCLG, *NPPF*, paragraph 194.

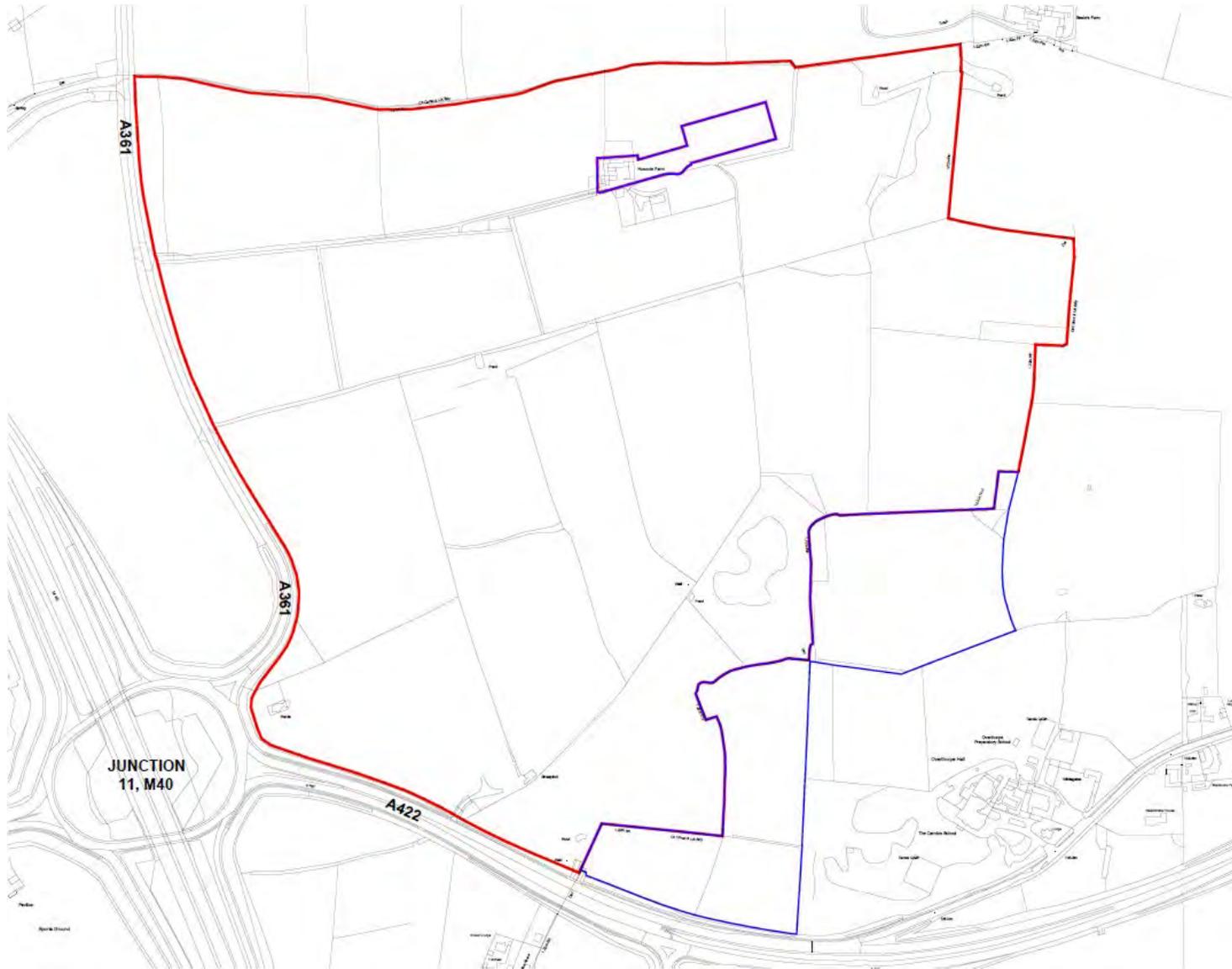


Plate 1: Site Location Plan.

2. Site Description, Proposed Development and Planning History

- 2.1 The application site covers a total area of approximately 66.15ha. It is divided into several field parcels which are defined by mature hedgerows, trees, and agricultural fencing. These fields are currently in pastoral use. Huscote Farmhouse, a derelict farm dwelling, is located within the central northern part of the site; the associated disused farm buildings (located immediately north of the farmhouse) are excluded from the application site. The boundaries of the site are defined by more hedgerows, mature trees, and small pockets of woodland.
- 2.2 The site is bounded by the A422 to the south, and the A361 to the west. More agricultural land lies to the north and east. Overthorpe Hall, now Carrdus School (an independent day preparatory school), lies c. 250m south-east of the site, separated by fields and dense woodland. To the west of the A361 and opposite the Site is the recently consented commercial development of Frontier Park, which is currently under construction (see 'Planning History' below).

Proposed Development

- 2.3 The application seeks:
- “Outline planning application for the construction of up to 140,000 sqm (1.3 million sqft) of employment floorspace (use class B8 with ancillary offices and facilities), and associated servicing and infrastructure including new site accesses, internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works. All matters of detail reserved.”*
- 2.4 These proposals are outlined on the Parameters Plan (Plate 2) which shows built development and associated infrastructure will be located in the central and western parts of the site (nearest the M40). This development will be interspersed with retained hedgerows, woodland planting, and wildlife ponds. The eastern portion of the site will remain undeveloped with provision for new woodland and orchard planting as well as the preservation of existing field parcels which will be restored as lowland meadow.

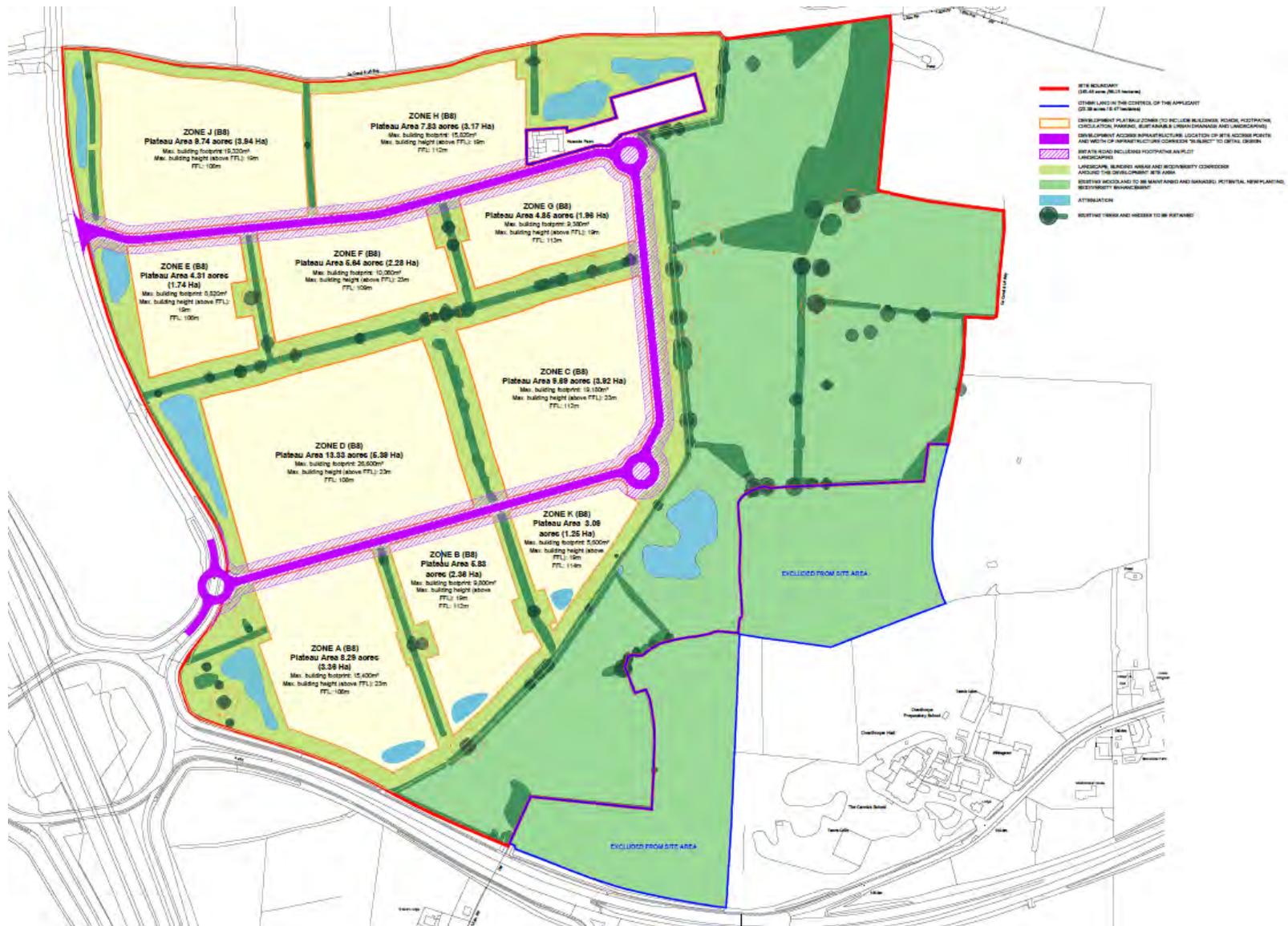


Plate 2: Extract of Parameters Plan.

Planning History

- 2.5 The only known previous planning applications which relate to the application site concern the farmhouse and buildings of Huscote Farm and are not relevant to the current proposals.
- 2.6 Of most relevance are the several planning applications which relate to the land immediately west of the site, now known as 'Frontier Park'. This land consists of three parcels, the northern two of which are presently under development for commercial and office uses (19/00128/HYBRID), whilst the third (the southern parcel) is pending a decision on application 21/02467/F.
- 2.7 A full discussion of the planning history for the site and the adjacent land to the west is set out in the Planning Statement that accompanies this application.

3. Methodology

3.1 The aims of this Heritage DBA 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 and Northamptonshire Historic Environment Record (HER) for information on the recorded heritage resource and previous archaeological works;
- Historic mapping for the site and wider study area;
- The Oxfordshire History Centre online catalogue;
- Aerial photographs and data available via the Northamptonshire National Mapping Programme;
- Portable Antiquities Scheme data; and

- Online resources including Ordnance Survey Open Source data; geological data available from the British Geological Survey and Cranfield University's Soilscales Viewer; Google Earth satellite imagery; and LiDAR data from the Environment Agency.

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 2.

APPENDIX 1: GAZETTEER

APPENDIX 2: FIGURES

3.4 Historic cartographic sources and aerial photographs were reviewed for the site, and beyond this where professional judgement deemed necessary. The site has been surveyed as part of the Northamptonshire National Mapping Programme, with aerial photographs cropmark transcriptions being available online.

3.5 Digital terrain model LiDAR data, at 1m resolution, is freely available from the Environment Agency. This was processed using ArcGIS software. Multiple hill-shade and shaded-relief models were created, principally via adjustment of the following

variables: azimuth, height, and 'z-factor' or exaggeration. The models created were colourised using pre-defined ramps and classified attribute data. The DTM shaded relief model, with azimuths graduated by 45° intervals from 0-360°, is provided in Appendix 3.

APPENDIX 3: DTM SHADED RELIEF MODEL

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

Site Visit

- 3.7 A site visit was undertaken by the Executive Director of Heritage at Pegasus Group on 29th November 2021, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas.
- 3.8 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.

³ MHCLG, *NPPF*, pp. 71-72.

⁴ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

⁵ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These

Assessment of significance

- 3.9 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."*³

- 3.10 Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2*⁴ (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.
- 3.11 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*.⁵ These essentially cover the heritage 'interests' given in the glossary of the NPPF⁶ and the online Planning Practice Guidance on the Historic Environment⁷ (hereafter 'PPG') which are **archaeological,**

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

⁶ MHCLG, *NPPF*, p. 71.

⁷ Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019),

architectural and artistic and ***historic***.

3.12 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 collective experience of a place and can symbolise wider values such as faith and cultural identity.”⁸

3.13 Significance results from a combination of any, some or all of

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

⁸ MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

the interests described above.

3.14 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*,⁹ advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

3.15 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

3.16 As defined in the NPPF:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”¹⁰

3.17 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

⁹ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

¹⁰ MHCLG, *NPPF*, p. 72.

affect the ability to appreciate that significance or may be neutral.”¹¹

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

Assessing change through alteration to setting

- 3.19 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*¹² (henceforth referred to as ‘GPA 3’), particularly the checklist given on page 11. This advocates the clear articulation of “what matters and why”.¹³

- 3.20 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: 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.

- 3.21 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.

- 3.22 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)¹⁴:

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

¹¹ MHCLG, *NPPF*, p. 71.

¹² Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017).

¹³ Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2nd edition, Swindon, December 2017), p. 8.

¹⁴ *Catesby Estates Ltd. V. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

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

3.23 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.

3.24 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 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”.¹⁵

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

Assessment of harm

3.26 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 judgement/weighting exercise as required by the NPPF.

3.27 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

¹⁵ MHCLG, PPG, paragraph 039, reference ID: 18a-039-20190723.

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”;¹⁶ and

- Less than substantial harm. Harm of a lesser level than that defined above.

3.28 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.”¹⁷

3.29 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.

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

3.31 It is also possible that development proposals will cause **no**

¹⁶ *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

¹⁷ MHCLG, *PPG*, paragraph 018, reference ID: 18a-018-20190723.

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’.¹⁸

3.32 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”*.¹⁹ 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.

3.33 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.

3.34 It should be noted that this key document also states that:

“Setting is not itself a heritage asset, nor a heritage designation...”²⁰

¹⁸ *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).

¹⁹ Historic England, *GPA 2*, p. 9.

²⁰ Historic England, *GPA 3*, p. 4.

3.35 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.

3.36 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”.*²¹

3.37 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.²²

Benefits

3.38 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.

3.39 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.

3.40 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.

3.41 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*

²¹ Historic England, GPA 3., p. 8.

²² *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

- *securing the optimum viable use of a heritage asset in support of its long term conservation.*²³

3.42 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.

²³ 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*,²⁴ 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.”²⁵

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.”²⁶

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 202 of the current, revised NPPF, see below), this is in keeping with the requirements of the 1990 Act.²⁷

4.6 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservation 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

²⁴ UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

²⁵ *Planning (Listed Buildings and Conservation Areas) Act 1990*, Section 66(1).

²⁶ *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others* [2014] EWCA Civ 137. para. 24.

²⁷ *Jones v Mordue* [2015] EWCA Civ 1243.

otherwise.²⁸

National Planning Policy Guidance

The National Planning Policy Framework (July 2021)

- 4.7 National policy and guidance is set out in the Government's 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.
- 4.8 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.
- 4.9 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 a manner appropriate to their significance forms part of this drive towards sustainable development.

- 4.10 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*

²⁸ UK Public General Acts, *Planning and Compulsory Purchase Act 2004*, Section 38(6).

(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.*²⁹

4.11 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.”³⁰ (our emphasis)

4.12 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.

4.13 Heritage Assets are defined in the NPPF as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting

²⁹ MHCLG, *NPPF*, para. 11.

³⁰ MHCLG, *NPPF*, para. 11, fn.7.

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).³¹

4.14 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."³² (our emphasis)

4.15 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."³³

4.16 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

³¹ MHCLG, *NPPF*, p. 67.

³² MHCLG, *NPPF*, p. 66.

³³ MHCLG, *NPPF*, pp. 71-72.

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."³⁴

4.17 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."³⁵*

4.18 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

³⁴ MHCLG, *NPPF*, para. 195.

³⁵ MHCLG, *NPPF*, para. 197.

*to substantial harm, total loss or less than substantial harm to its significance.*³⁶

“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.*³⁷

4.19 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.

4.20 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

³⁶ MHCLG, *NPPF*, para. 199.

³⁷ MHCLG, *NPPF*, para. 200.

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.*³⁸

4.21 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.”*³⁹

4.22 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

³⁸ MHCLG, *NPPF*, para. 201.

³⁹ MHCLG, *NPPF*, para. 202.

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 reveal its significance) should be treated favourably."⁴⁰

- 4.23 Paragraph 207 goes on to recognise that "*not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance*"⁴¹ 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."*⁴² (our emphasis)

- 4.24 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

⁴⁰ MHCLG, *NPPF*, para. 206.

⁴¹ MHCLG, *NPPF*, para. 207.

harm or loss and the significance of the heritage asset."⁴³

- 4.25 Footnote 68 of the NPPF clarifies that non-designated assets of archaeological interest which are demonstrably of equivalent significance to a Scheduled Monument will be subject to the policies for designated heritage assets.

- 4.26 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

- 4.27 The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities) 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.

- 4.28 This also introduced the national Planning Practice Guidance

⁴² Ibid.

⁴³ MHCLG, *NPPF*, para. 203.

(PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

- 4.29 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.”⁴⁴

- 4.30 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.

⁴⁴ MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

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.”⁴⁵ (our emphasis)

Local Planning Policy

- 4.31 The application site is located within Cherwell District Council, therefore planning applications are currently considered against the policy and guidance set out within the Cherwell Local Plan.

Cherwell Local Plan

- 4.32 The Cherwell Local Plan was adopted in July 2015. It contains Policy ESD 15 ‘The Character of the Built and Historic Environment’ which reads:

“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.

⁴⁵ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

New development proposals should:

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

- *Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.*
- *Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages*
- *Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette*
- *Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features*
- *Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed*
- *Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*
- *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*

- *Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation*

- *Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout*

- *Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)*

- *Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality*

- *Use locally sourced sustainable materials where possible.*

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

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

justification in the Design & Access Statement. Further guidance can be found on the Council's website.

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

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' (Oxfordshire HER) and 'ENN' (Northamptonshire HER) and HER 'monument' numbers have the prefix 'MOX' (Oxfordshire HER) and 'MNN' (Northamptonshire HER).

5.3 A gazetteer of relevant heritage data is included as Appendix 1. Designated heritage assets and HER records are illustrated on Figures 1 to 5 in Appendix 2.

Previous Archaeological Works

5.4 No previous archaeological works have been recorded within the site.

5.5 A 2011 watching brief (EOX5824), a 2019 geophysical survey (EOX6925), and a 2020 trial trench evaluation (EOX6926) have previously been carried out immediately to the west of the site, across an area of land between the site and the M40.

5.6 Other works recorded within a 500m radius of the site can be summarised as follows (in order of proximity):

- A 1995 survey of the park surrounding Overthorpe Hall, immediately south-east of the site (ENN104057).
- A 1998 Defence of Britain Survey plotted c. 230m south-east of the site, although this appears to be an arbitrary point relating to a broader survey (ENN19488).
- Surveys of Huscote Mill carried out in 2001–2002 and 2003, c. 250m north-west of the site (ENN103402 & ENN103910).
- A 1985 watching brief in association with the construction of the Banbury east-west link road, plotted c. 285 west of the site at its nearest point (EOX2099).
- A 2014 evaluation at Banbury Gateway, plotted c. 350m west of site (EOX5727).

5.7 In the wider study area, the most notable previous works are a series of geophysical surveys and evaluations recorded across a large area over 600m west, north-west, and north of the site in association with the Banbury Flood Alleviation Scheme (ENN103392, EOX2720, EOX3364, EOX5823, EOX5827, EOX6343).

5.8 Excavations have been recorded at specific locations elsewhere in the wider study area, including at Manor Farm, Old Grimsbury, c. 850m west of the site (EOX14, EOX1108 & EOX2944), and north of Banbury Lane, c. 900m east of the site

(ENN106128).

- 5.9 The results of these works are discussed below where relevant to the potential archaeological resource of the site.

Topography and Geology

- 5.10 The site slopes from approximately 100m AOD in its western part to approximately 150m AOD at its easternmost extent.
- 5.11 Most of the site lies on a bedrock of Charmouth Mudstone Formation, whereas the easternmost extent lies on Dyrham Formation Siltstone and Mudstone. Both are sedimentary rocks formed approximately 183 to 199 million years ago in the Jurassic Period and are indicative of a local environment previously dominated by shallow seas. No superficial geology is recorded.⁴⁶
- 5.12 Soils across most of the site are slowly permeable, seasonally wet, slightly acid, but base-rich with a loamy and clayey texture. In the easternmost extent, this transitions to soils which are slightly acid, loamy, and clayey with impeded drainage.

⁴⁶ British Geological Survey, *Geology of Britain viewer*, <https://www.bgs.ac.uk/map-viewers/geology-of-britain-viewer/>.

Archaeological Baseline

Prehistoric (pre-43 AD) to Romano-British (AD 43 – 410)

- 5.13 No prehistoric or Romano-British remains have been recorded within the site.
- 5.14 The conjectured route of a prehistoric travel corridor ('the Jurassic Way') is plotted as intersecting the southernmost corner of the site (MNN160137). Another branch is plotted as passing within *c.* 325m of the north-west corner of the site. These 'corridors' correspond with general evidence for movements between Yorkshire and Somerset from as early as the Neolithic and extending into the Iron Age. The plotted lines do not correspond with any clearly defined landscape features, such as trackways, and no associated prehistoric remains have been found to verify the presence of these travel corridors in the immediate vicinity of the site.
- 5.15 The geophysical survey and trial trench evaluation of the area immediately to the west of the site revealed evidence of Romano-British agricultural activity dating from the 2nd, 3rd and 4th centuries AD (EOX6925, EOX6926 & MOX27918). The geophysical anomalies comprised linear and curvilinear features which were interpreted as possible ditches, boundary features and settlement activity. The evaluation subsequently revealed ditches containing various remains and assemblages, including

2nd- to 4th-century pottery, a cremated human bone, charred cereal grains and wheat varieties consistent with Romano-British diets, and cattle bones. Together, these remains were taken as evidence of prolonged and intensive Romano-British cultivation activity, with a possible shift of focus from arable agriculture to husbandry in the 3rd/4th century.

5.16 These recorded Romano-British features and remains were concentrated in two areas: Area A, located over 150m west of the north-west corner of the site, and Area B, located within 50m of the south-west corner of the site.

5.17 Evidence of prehistoric and Romano-British activity has also been recorded in the wider study area and can be summarised as follows:

- A possible Iron Age to Romano-British settlement, represented by geophysical anomalies that have been interpreted as rectilinear enclosures, a possible trackway, and round houses, has been recorded c. 600m north-north-west of the site at its nearest point (MNN115433);
- Two conjectured routes of a Roman road known as the 'Port Way' are plotted in an area over 600m south of the site, although the existence of the road has not been verified through evaluation (MNN138180 & MOX4831). The trajectory of one conjectured route is shown extending in the direction of the western extent of site; however, this appears to have been arbitrarily plotted with no basis in recorded archaeology;
- A possible late Prehistoric rectangular enclosure

visible as cropmarks on aerial photos, located c. 710m west-north-west of the site (MOX4535);

- A possible Prehistoric to Romano-British multi-phase settlement revealed by a geophysical survey c. 800m north of the site (MNN115429);
- A scatter of Mesolithic flints found c. 900m south-south-west of the site (MOX4626);
- Late Neolithic pits and ditches excavated c. 900m west-south-west of the site in the area of the later medieval settlement of Old Grimsbury (MOX4565);
- A possible Prehistoric or Romano-British settlement expressed as cropmarks c. 950 north-east of the site (MNN172276);
- Neolithic to Bronze Age flints and evidence of Romano-British settlement excavated c. 950m north-west of the site in the area of the later medieval village of Hardwick (MOX4496); and
- Neolithic pits, ditches and associated finds, a possible Bronze Age bucket urn, and a late Iron Age to Romano-British farmstead or small settlement excavated c. 975m north-west of the site (MOX23786).

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

5.18 No medieval features are recorded within the site. Two areas of ridge and furrow earthworks are plotted immediately north and east of the site (MNN132348 & MNN140151), having been observed on aerial photographs. They can also be perceived on modern satellite imagery.



Plate 3: Example of eroded ridge and furrow earthworks within the site.

The ridges have been picked out with dotted yellow lines.

- 5.19 Ridge and furrow earthworks are present within the site, although they are not recorded within the HER datasets or *Turning the Plough*. The latter identifies historic townships where the most significant earthworks survive.⁴⁷ The ridge and furrow within the site is visible in several field parcels on aerial photographs and satellite imagery, and earthworks are extant at ground level, although these have evidently been eroded by modern agricultural practices (Plate 3).
- 5.20 More areas of ridge and furrow are recorded in the wider study area (MNN132347, MNN132349, MNN132350, MNN132352 & MNN140141).
- 5.21 The possible site of a medieval mill is plotted c. 250m west-north-west of the site (MNN135489). The earthworks of a former leat are reported to be extant although the mill itself has been lost (MNN115538). This was recorded as Huscote Mill on late 18th-century mapping and it has been speculated that a mill may have been extant since the 11th century.
- 5.22 A possible medieval enclosure is recorded between c. 300m and 460m east of the site, although the identification of this feature is based on cropmarks observed on aerial photographs and it has not been evaluated (MNN123161 & MNN140149). The character, origin, and function of any buried remains are ultimately unknown.
- 5.23 Several deserted medieval villages are recorded in the wider study area, including Nethercote c. 500m to the south (MOX26804); Old Grimsbury and an associated late Anglo-Saxon field system between c. 900m and 1km to the west (MOX4565 & MOX12463); Hardwicke c. 950m north-west (MOX4496). A possible windmill site and area of medieval agricultural activity have also been plotted over 600m north-north-west of the site (MNN123177, MNN123178, MNN123179 & MNN123180).
- 5.24 The ridge and furrow within the site and recorded early medieval and medieval remains in the wider vicinity suggest that the site formed part of the agricultural hinterland of the surrounding villages.
- Post-medieval (1540 – 1800) and Modern (1801 – present)
- 5.25 The presence of ridge and furrow earthworks within the site and in the wider study area has been discussed above and may represent continuity of agricultural practices into the post-medieval period. It is perhaps notable that the evaluation works undertaken immediately west of the site revealed buried plough furrows of likely post-medieval, not medieval, date, although earlier medieval ploughing activity could not be ruled out (EOX6925 & EOX6926).
- 5.26 The conjectured route of the turnpike road between Banbury

⁴⁷ T. Catchpole and R. Priest, *Turning the Plough* (update assessment, English Heritage, 2012).

and Lutterworth is plotted immediately north-west of the site and partially overlapping the site boundary (MNN135336). There is no evidence for this turnpike road on historic Ordnance Survey mapping (see map regression below). Another turnpike road which connected Banbury to Buckingham is recorded immediately south of the site, with this being partially fossilised in present-day Banbury Lane (MNN135321).

5.27 The boundary of Overthorpe Hall Park adjoins the south-east edge of the site but does not extend into it (MNN2985). This parkland was laid out around the hall at its centre (c. 175m from the site boundary) which was formerly known as Overthorpe Lodge (MNN140430 & MNN140434; see map regression below). The hall, which has since been converted to a school, is set within the remains of its informal gardens and is accompanied by some surviving ancillary structures.

5.28 Seale's Farm is recorded between c. 50m and 125m north-east of the site (MNN135496). This is a historic farmstead thought to be of 17th-century origins which is now a Grade II Listed asset (NHLE 1294004). It is discussed in the Setting Assessment Section below.

5.29 Recorded post-medieval and modern structures and remains in the wider study area can be summarised as follows:

- [Agricultural activity](#);
- [WWII activity](#);

- [Transport infrastructure, including the Oxford Canal and railway lines](#);
- [The country residence and grounds of Chacombe House \(MNN2986\)](#); and
- [Buildings and features associated with the settlement of Overthorpe \(MNN7622\)](#).

5.30 There is no indication that any activities or remains associated with these distant structures and features extend into the site.

Historic Map Regression

5.31 There is no tithe map coverage for the site. The 1882–84 Ordnance Survey map (Plate 4) illustrates the site as predominantly agricultural land divided into field parcels. The only recorded built form was Huscote Farm, located within the northern part of the site (although the farm buildings associated with the farmhouse lie outside the site); a small structure adjacent to the southern boundary, which appears have been associated with quarrying activity ('Brick Field'); and very small structures which appear to represent field barns or agricultural shelters.

5.32 Various farmsteads are illustrated in the surrounding landscape, the nearest being Seale's Farm to the north-east. Overthorpe Lodge is illustrated to the south-east. This comprised a house surrounded by compact gardens with a large complex of buildings immediately to the north-east.

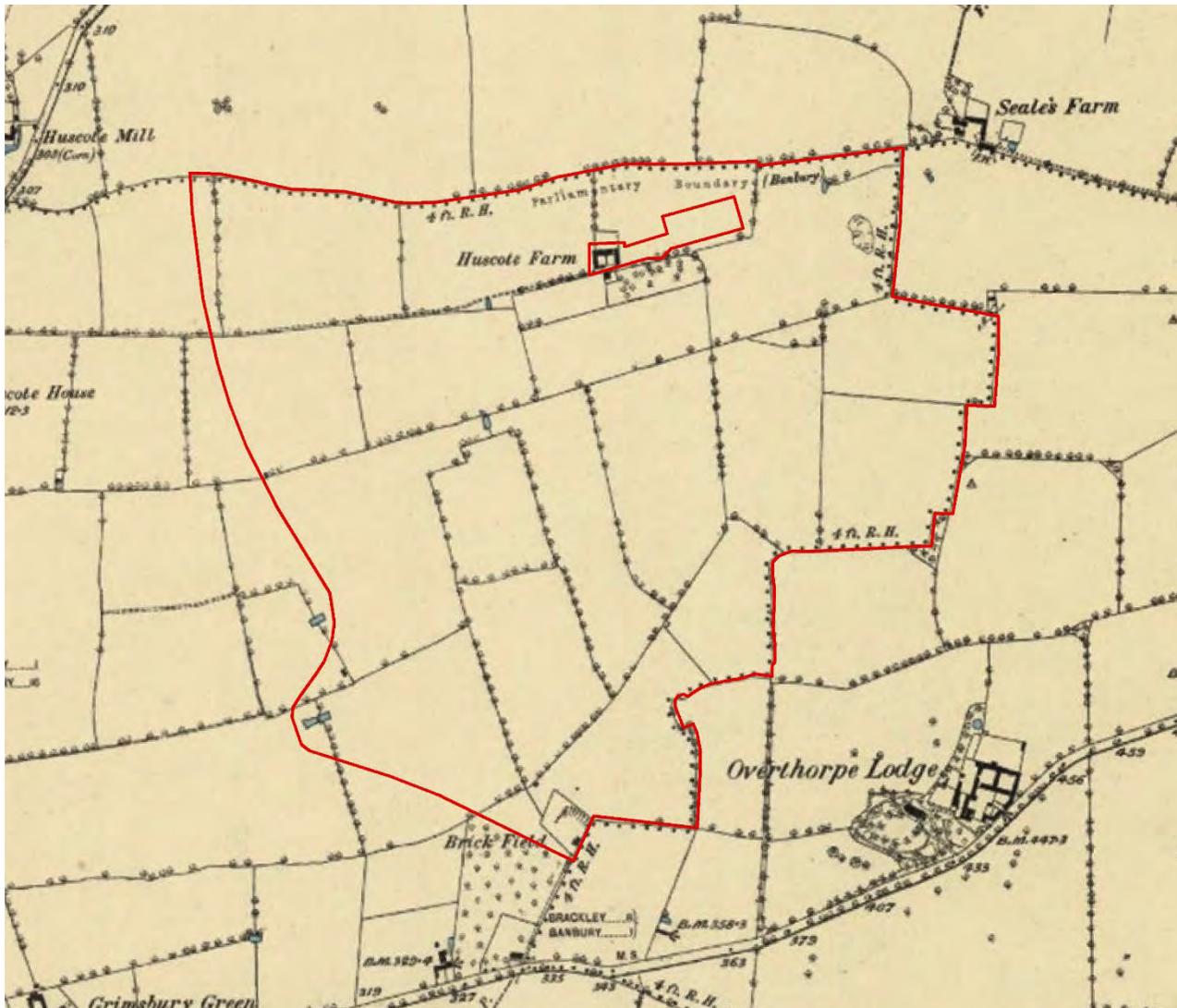


Plate 4: 1882–84 Ordnance Survey map.

Site location outlined in red.

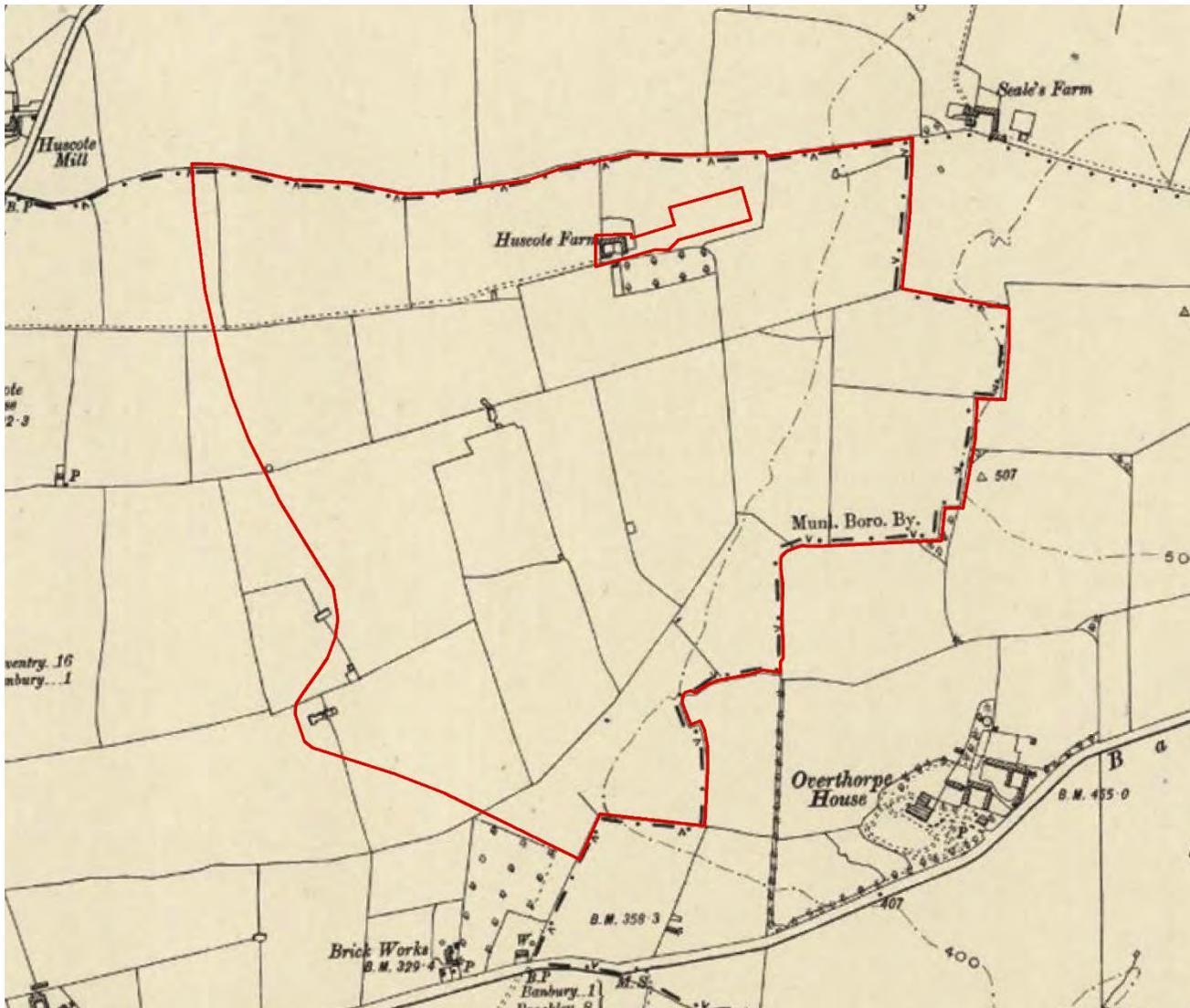


Plate 5: 1898–1900 Ordnance Survey map.

Site location outlined in red.

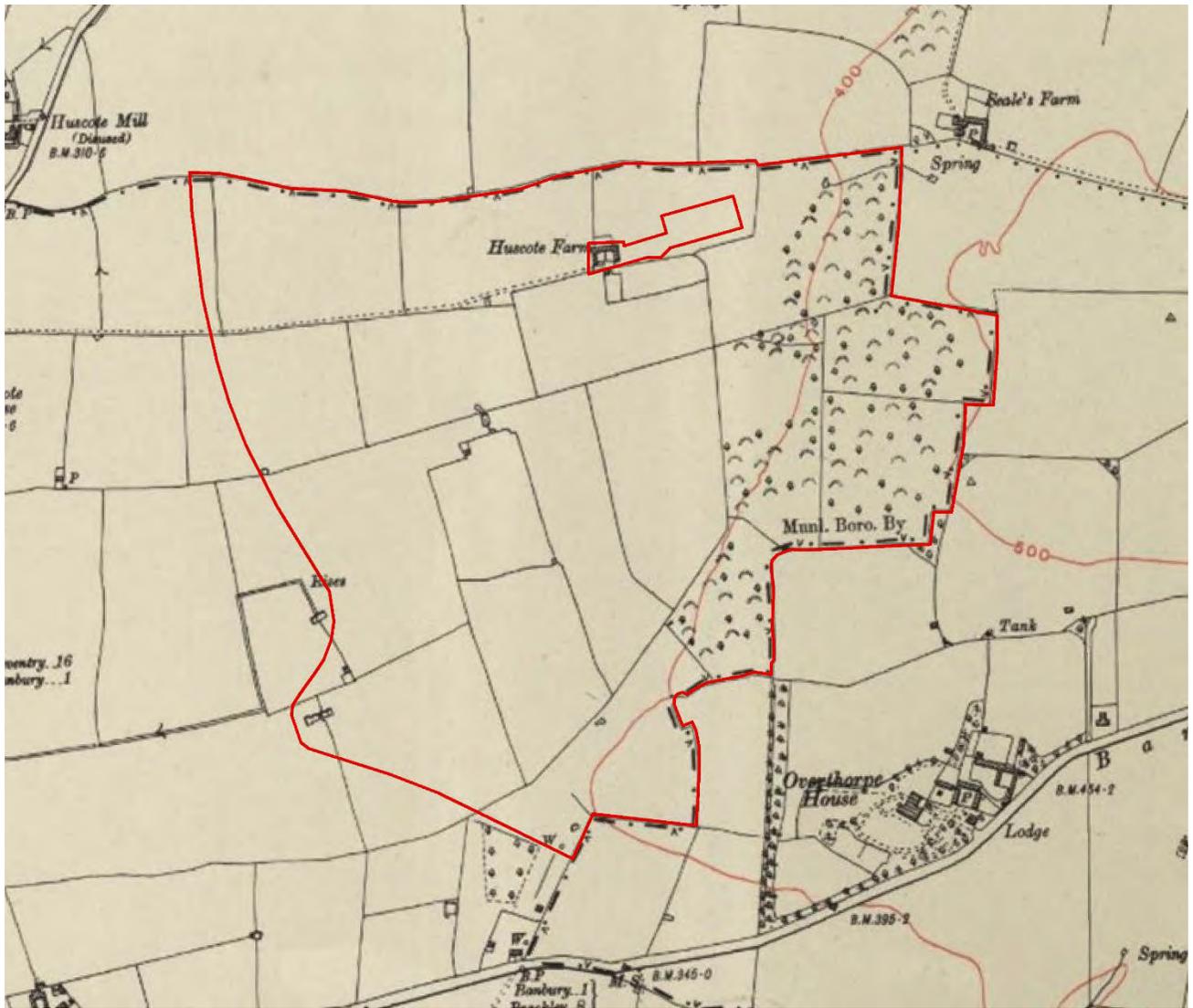


Plate 6: 1921–23 Ordnance Survey map.

Site location outlined in red.

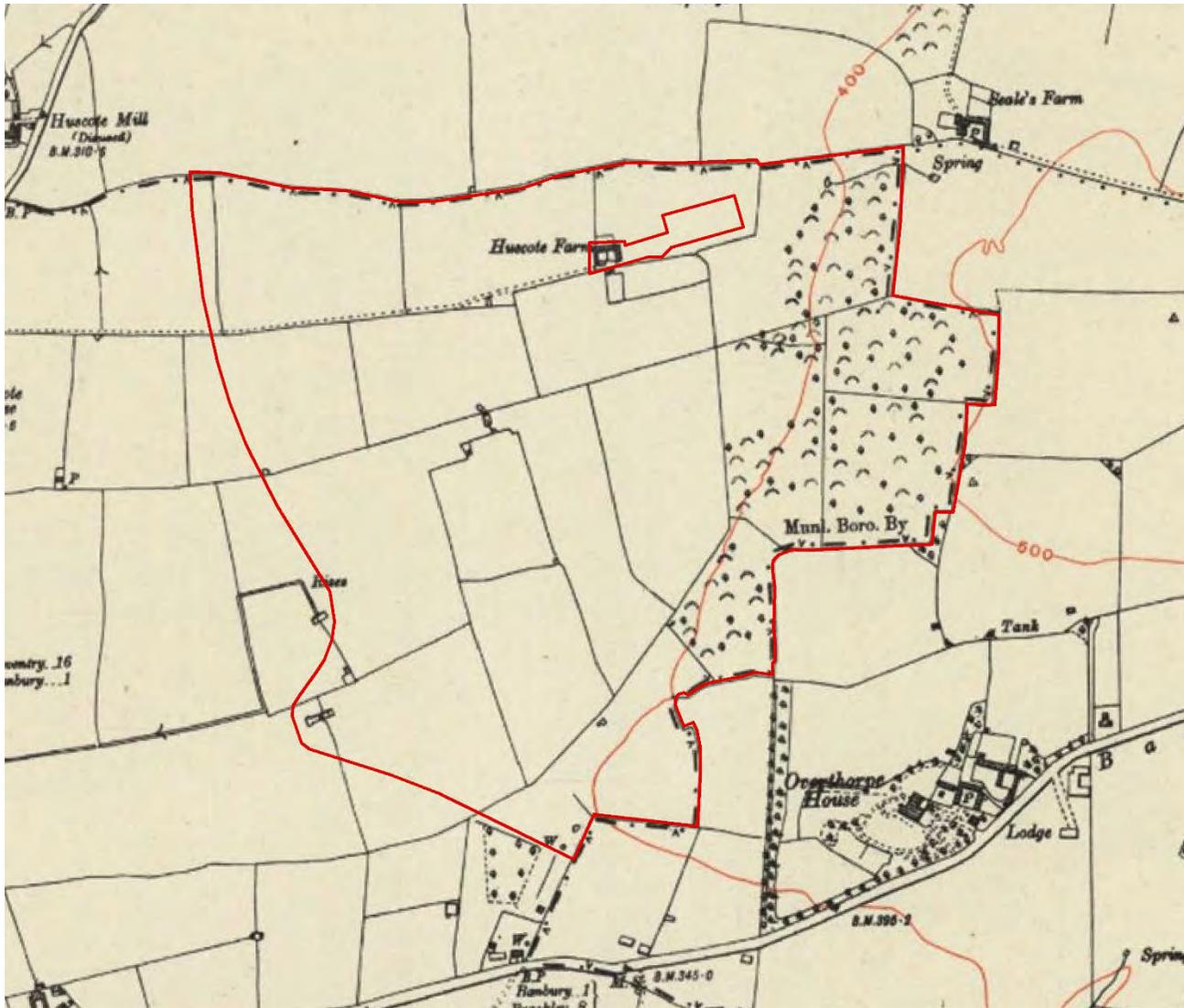


Plate 7: 1938-44 Ordnance Survey map.

Site location outlined in red.

- 5.33 The 1898–1900 Ordnance Survey map (Plate 5) illustrates no major changes within the site, only some minor field boundary changes and the abandonment of the quarry site in the southernmost part of the site. Overthorpe Lodge, by then renamed Overthorpe House, had been extended and its ancillary complex reconfigured.
- 5.34 The 1921–23 Ordnance Survey map (Plate 6) illustrates the addition of a very small structure in the centre of the site (presumably another field barn or shelter) and further very minor changes to the field boundaries. The eastern part of the site is illustrated as being characterised by furze. A tree belt had been planted along the south-east boundary of the site, apparently to delineate and screen the wider grounds of Overthorpe House from the agricultural land within the site.
- 5.35 The subsequent 1938–44 Ordnance Survey map (Plate 7) illustrates no notable changes within the site or in its immediate vicinity, and there have been no major changes or developments within the site since. In the immediate vicinity, the construction of the M40 and the associated junction in the late 1980s marks the most significant development.

LiDAR analysis

- 5.36 There is full LiDAR data coverage for the site and the wider study area. This data was obtained and processed using the methods set out in the 'Methodology' Section.
- 5.37 The DTM shaded relief model, presented at Appendix 3, show numerous parallel linear features within the site which are consistent with ridge and furrow earthworks. The presence of such earthworks has been verified by on-site observations.
- 5.38 In the central eastern part of the site, there are two conjoined linear features which appear to form the north-east corner of a rectilinear feature. Immediately east (and touching this corner) is an oval feature. The minor axis (shortest diameter) measures c. 40m, whilst the eastern extent and major axis is obscured by a field boundary.
- 5.39 Approximately 100m south-east of these features, there is a barely discernible small rectilinear feature located in the southern field parcel of the easternmost extent of the site.
- 5.40 Approximately 150m south-west of the small rectilinear feature (in the southernmost corner of the site) there is a pronounced curvilinear feature which is partially defined by a field boundary but extends to the south-west. Immediately north of this, there is a linear feature.

Statement of Archaeological Potential and Significance

- 5.41 There is some potential for prehistoric remains within the site based on the recorded evidence of Mesolithic to Iron Age activity in the study area, although verified prehistoric remains are relatively limited.
- 5.42 There is some potential for Romano-British archaeology within the site. This would most likely take the form of buried remains of agriculture and low-level settlement activity, perhaps related to the remains recorded on land immediately to the west.
- 5.43 During the medieval period, the site appears to have formed the agricultural hinterland of several small settlements. This is potentially expressed by the surviving ridge and furrow earthworks. The significance of ridge and furrow is typically derived from its contribution to the visible historic landscape character rather than its evidential value. The non-designated asset comprises the surviving ridge and furrow earthworks across the locality more widely. Together, these would typically be regarded as a non-designated heritage asset of low significance. The ridge and furrow within the site is a small part of this earthworks system.
- 5.44 Any buried remains of medieval agricultural activity, such as former field boundaries, would not be anticipated to equate to heritage assets.
- 5.45 The site appears to have remained in predominantly agricultural use from the post-medieval period to the present day, with limited evidence for quarrying activity and settlement. There is potential for buried remains of possible field barns or agricultural shelters and the former quarrying site at Brick Field, all of which are no longer extant. There is also some potential for disturbances at the north-west corner of the site associated with the creation of the Banbury-Lutterworth turnpike road, although the road does not appear to have passed through the site. Any remains would not be anticipated to equate to heritage assets.
- 5.46 Recorded settlement activity corresponds with Huscote Farm which was extant by the late 19th century. The surviving buildings of Huscote Farm are described and assessed separately below.
- 5.47 Overall, there are not anticipated to be any archaeological remains from any period within the site that would possess a significance commensurate with a Scheduled Monument or otherwise preclude development.

Impact Assessment

- 5.48 The proposed development will result in the loss of the eroded ridge and furrow earthworks within the site, but only a small loss of the remains that comprise the heritage asset as a whole. In accordance with paragraph 203 of the NPPF, a balanced judgement is required which has regard to the low significance of these remains and the minor impact on the locally surviving ridge and furrow earthworks as a whole.
- 5.49 The proposed development of the site also has the potential to disturb or truncate any buried remains, particularly in the central and western parts where new built form and infrastructure is proposed. The eastern part of the site is to remain undeveloped as restored lowland meadow, orchard, and woodland.
- 5.50 Based on the available evidence and the sources consulted, there are not anticipated to be any archaeological remains from any period within the site that would require preservation in situ or otherwise preclude development.

Huscote Farm

- 5.51 Huscote Farmhouse is located in the central northern part of the site. It is not identified as a heritage asset by the HER. Historic mapping demonstrates that the farm was extant by the late 19th century and its U-shaped layout is still legible from the surviving buildings. The farm has been abandoned and its buildings are dilapidated.

Historic Development

- 5.52 The First Edition (1881–85) Ordnance Survey map (Plate 8) shows that the farm complex was broadly defined by three ranges (variably subdivided) with a cluster of small structures extending from the east elevation of the west range.
- 5.53 The First Edition and subsequent Second Edition (1898–1900) Ordnance Survey map (Plate 9) illustrate the farmhouse as a detached building with a square footprint on the south side of the farmyard. In this respect, it appears to correspond with the footprint of the present building, although it did possess a small west extension in 1900 that is no longer extant. The farmhouse was flanked on its east side by an orchard.
- 5.54 The Third Edition (1921–22) Ordnance Survey map (Plate 10) records that the small cluster of structures adjoining the east side of the west agricultural range had been demolished.

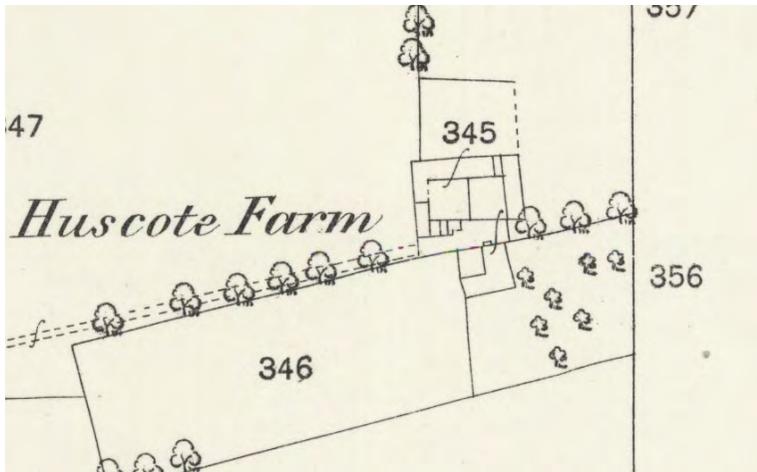


Plate 8: Detail of Huscote Farm on First Edition (1881-85) Ordnance Survey map.

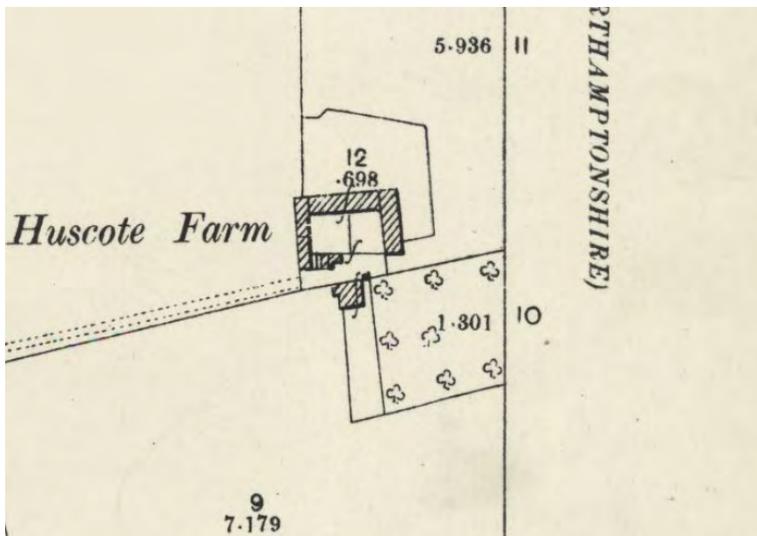


Plate 9: Detail of Huscote Farm on Second Edition (1898-1900) Ordnance Survey map.

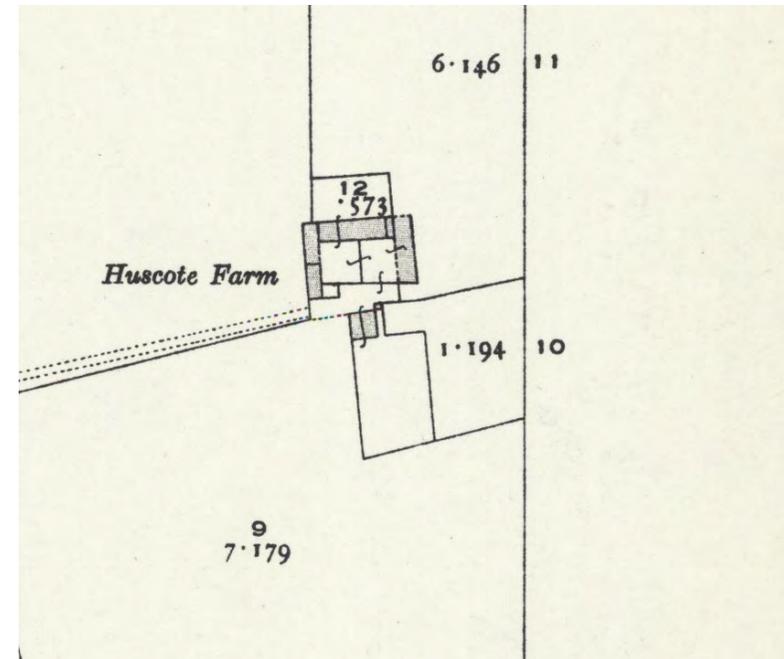


Plate 10: Detail of Huscote Farm on Third Edition (1921-22) Ordnance Survey map.

Fabric Analysis

- 5.55 An annotated plan of the present-day former farm complex is included at Plate 11 (below). Although the agricultural buildings are described and assessed, these lie outside the site boundary.
- 5.56 The former farmhouse is located immediately south of the farm buildings and its north façade faces the central yard (Plate 12). It is a two-storey, double-pile building that appears to be predominantly of brick construction although much of the

external brickwork has been covered with roughcast render. The north roof is covered in plain tiles whereas the south roof is covered in slate.

- 5.57 The north elevation is arranged across three bays with an off-centre front doorway and four symmetrically arranged window openings supported by timber lintels. The window units are missing or damaged beyond repair. At roof level, the gabled ends have raised copings and a pair of brick chimneys with simple banded detailing.
- 5.58 A small, single-storey brick structure has been added to the east elevation (Plate 13). There is a small casement window above at first-floor level which is broken but appears to have remnants

of metal glazing bars. The west flank elevation is blind (Plate 14).

- 5.59 The rear element of the building is largely screened by trees and overgrown vegetation in the former garden area (Plate 14). Based on the available glimpses, this appears to mirror the arrangement of the north elevation. The pair of gable end chimney stacks protrude from the main building and are much more robust than the north chimney stacks, although they exhibit related banded detailing.
- 5.60 Those parts of the interior which were accessible indicate that the farmhouse has been substantially altered and redecorated since its original construction (Plate 15).

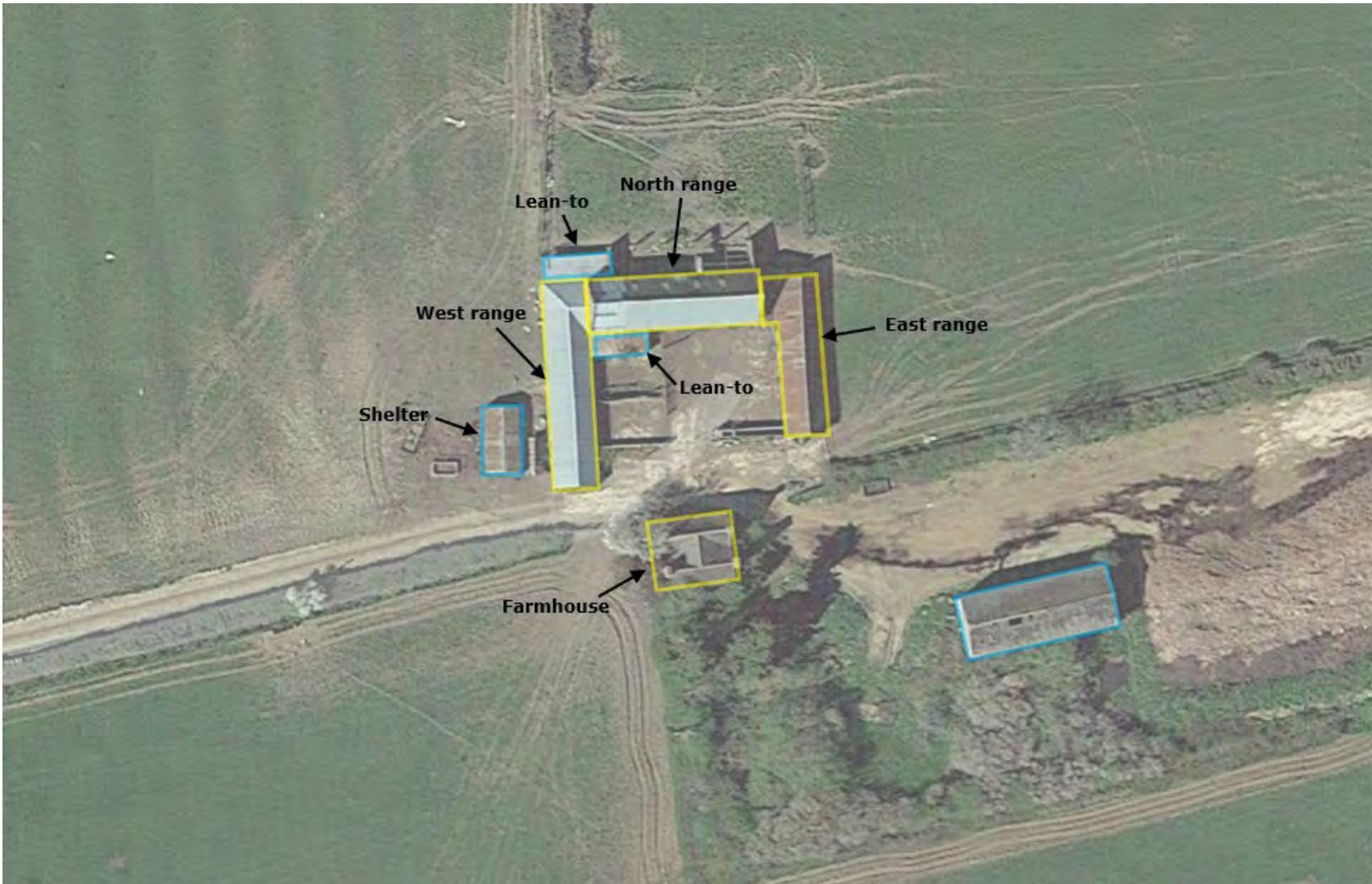


Plate 11: Plan of present-day Huscote Farm.

Buildings and structures shown on historic Ordnance Survey maps are outlined in yellow. More recent additions are outlined in blue.



Plate 12: Huscote Farmhouse, north elevation.



Plate 13: Huscote Farmhouse, east flank elevation.



Plate 14: Huscote Farmhouse, west flank and rear elevations.



Plate 15: Huscote Farmhouse, interior of kitchen.

- 5.61 The west range is a single-storey brick shelter roofed with modern corrugated sheeting (Plate 16). Brick piers arranged along the east elevation create large openings. The brickwork is laid in simple stretcher bond and breaks, especially in the south flank elevation (Plate 17), indicate that elements of the range have been substantially rebuilt. The timber roof structure is a relatively modern replacement, characterised by machine sawn purlins and sarking boards, and a truss that appears to integrate a reused telegraph pole. Internally, there are timber hay racks and feeding troughs in situ (Plate 18).
- 5.62 The north range is a two-storey brick barn with modern corrugated metal and asbestos roof, raised copings at the gable ends, and dentil brickwork at eaves level (Plate 19). There are various openings along the south elevation, including a large central opening that is missing its barn doors and has been largely infilled with corrugated sheeting, and a former first-floor opening on the east side which has been blocked up. A modern lean-to has been added to the west side of the south elevation. The north elevation is characterised by another large, central opening (also missing its historic barn doors), narrow ventilation slits, and the remains of modern lean-to extensions (Plate 20). There are no features of note internally and the timber roof structure has been substantially remodelled (Plate 21).



Plate 16: West range, east elevation.



Plate 17: West range, south flank elevation.



Plate 18: West range, detail of interior.



Plate 19: North range, south elevation.



Plate 20: North range, north elevation.



Plate 21: North range, interior.

- 5.63 The east range is another single-storey shelter of brick construction with a modern corrugated metal roof. The west elevation is largely open and characterised by modern timber and steel supports. The brick walls are uninterrupted on the east

and south flank elevations and are predominantly laid in stretcher bond, although periodically interspersed with courses of bricks laid in header bond. The south gable wall is supported by an engineered brick buttress and the burnt block quoins on the west side appear to be later insertions, as evidenced by the breaks in the neighbouring brickwork.

- 5.64 The other agricultural structures outlying the core of the former farm complex are modern additions of no interest.
- 5.65 Generally, the former farm complex is characterised by concrete hardstanding and bare earth, and the central yard area is subdivided by brick walling and metal fencing and railings. It is surrounded by agricultural land with a private trackway approach from the west.

Statement of Significance

- 5.66 Huscote Farm is a farmstead dating from the Victorian period which comprises a former farmhouse and agricultural buildings that have been much altered, are dilapidated, and in varying states of disrepair. The historic layout of the complex is still legible despite modern additions.
- 5.67 The complex derives minimal historic interest from the age and form of its earliest buildings, as well as the intactness of the late 19th-century layout, although it is no longer a working farm. There is a general lack of notable historic fixtures and fittings within the farmhouse and farm buildings.



Plate 22: East range, west elevation.



Plate 23: East elevation, south flank elevation.

- 5.68 The complex derives minimal architectural interest from the earliest fabric of the farmhouse and brick ranges. Some quality detailing is in evidence, such as the dentil brickwork of the north range and the prominent brick chimney stacks of the farmhouse; however, the buildings (especially the agricultural ranges) are generally utilitarian in their construction. It is also clear that the earliest buildings have been substantially remodelled, and elements rebuilt or replaced. The dilapidation and disrepair of the complex detracts from its aesthetic value.
- 5.69 The immediate agricultural surrounds make a very small contribution to its significance since they form the landholdings that historically served the farmstead and they illustrate its historic rural setting, especially in views on the private trackway approach from the west.
- 5.70 Overall, Huscote Farm is considered to possess low heritage significance.

Impact Assessment

- 5.71 Huscote Farmhouse will be demolished as part of the proposed development whereas the historic agricultural ranges to the north (which are located outside the site) will be preserved. In accordance with paragraph 203 of the NPPF, a balanced judgement is required which has regard to the scale of the harm, which will result in the loss of only one element of the complex, and the low significance of the complex overall.
- 5.72 As part of this balanced judgement, it must be recognised that the complex is unsuitable for modern use as a farmstead (hence its abandonment) and there are viability issues associated with the repair and reuse of the farmhouse, especially given its severe disrepair. The demolition of the farmhouse, which is now derelict and unattractive, will facilitate the adaptation and conversion of the retained agricultural buildings, which will be addressed as part of subsequent applications.

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 based on their proximity to the site comprise:
 - Grade II Listed Seale's Farm (NHLE 1294004); and
 - Overthorpe Hall.
- 6.5 Other assets have been excluded because they are not intervisible with the site due to the local topography and intervening vegetation, or they are at such a remove that the site makes no meaningful contribution to significance through

setting.

- 6.6 This includes the heritage assets which form the settlement core of Banbury to the west. Although there are long-range views of Banbury from within the site, especially from the rising ground in the eastern part, these are interrupted by large-scale modern industrial and commercial development along the M40.

Step 2

Asset 1: Seale's Farm

- 6.7 Seale's Farm comprises a house reported to be of late 17th-century origin and associated farm buildings. The house was added to the National List at Grade II on 22nd May 1985 with the following description:

"House. C17. Squared coursed limestone and ironstone, slate roof, brick and stone stacks. 2 storeys and attic, 4 bays. Main doorway in second bay from right has stone 4-centred arch, hood with diamond shaped stops, and ridged plank door, probably C17. Doorway second bay from left has square stone hood and C19 six-panel door. 3-light window with some mullions and square hood between doorways. 3-light casement window with square stone hood and wood mullions in right bay. 3-light stone mullion windows in left bay on first floor and second bay from right. Similar 2-light window (blocked) in second bay from left and 3-light wood casement with square stone hood in right bay. Gabled dormer has 2-light casement with leaded

panes. Coped gable ends with kneelers. Interior: Kitchen has open fireplace and stop-chamfered spine beams. C17 bacon cupboard fixed to ceiling with wood lattice base and wooden pendants at corners. Staircase C19. Said to have datestone 1677."

- 6.8 The farm complex is illustrated on the 1841 tithe map for the parish of Chacombe. The accompanying apportionment records it as 'Seales Hill House and Homestead' which was owned by Sir John Cope and leased to Martha Gibbard. The same individuals owned and leased the fields to the north, east and west. It is unclear whether these landholdings extended to the south as there is no tithe coverage for the area. The layout of the farm at that time broadly corresponds with that present today, although there have been some later additions and extensions. The farm was approached from the north via a private trackway, as it still is today, although the modern driveway follows a different alignment.
- 6.9 The farmhouse is orientated such that there are views to the north and the south, although views in a southerly direction appear to be curtailed by the structure immediately to the south and a dense pocket of woodland. The surrounding vegetation means that the building is best viewed and appreciated from its immediate curtilage.

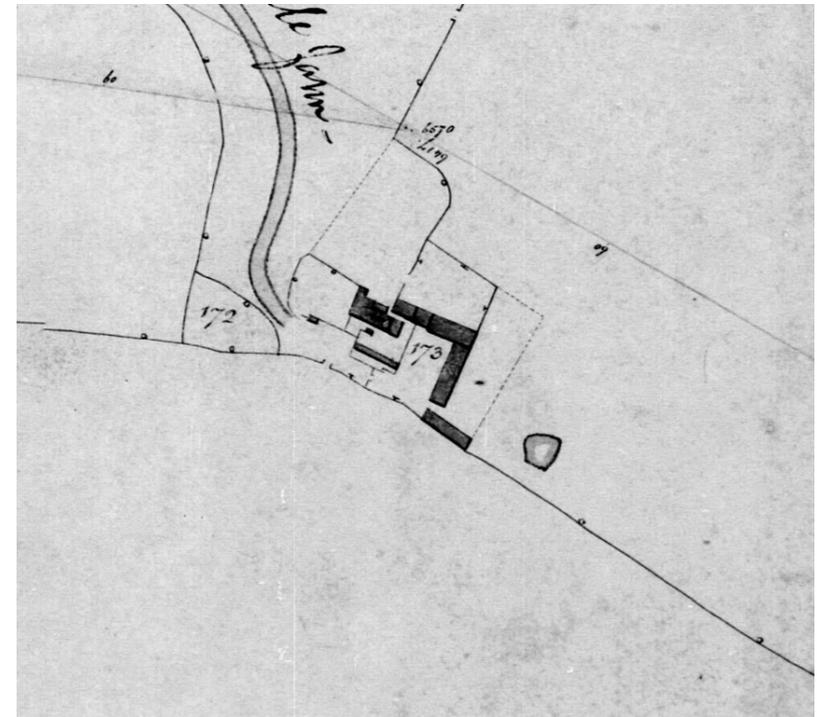


Plate 24: Detail of Seale's Farm as shown on the 1841 tithe map for the parish of Chacombe.

Statement of Significance

- 6.10 The Grade II listing of the Seale's Farm highlights that it is a heritage asset of less than the highest significance as defined by the NPPF. Most of the farm buildings appear to be curtilage listed by virtue of their age (they pre-date 1948) and their association with the house historically and at the time of listing.
- 6.11 The heritage significance of the listed house and its curtilage listed structures is principally embodied in their physical fabric.
- 6.12 The asset derives historic interest from its general form, appearance, and layout, being a good example of a farmstead of probable 17th-century origin that has been expanded and adapted. The house is reported to retain early fixtures and fittings which will augment this historic interest by illustrating the historic use of its spaces.
- 6.13 The architectural interest of the listed building is principally embodied in its earliest fabric, including its masonry core and historic fixings such as doors, as well as the fabric of its curtilage listed farm buildings.
- 6.14 The setting of Seale's Farm also contributes to the significance of the asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:
- Its garden, which illustrates the historic domestic

function of the listed building;

- The associated farm complex, which illustrates the historic farmstead context of the listed building;
- The trackway to the west and north, which forms the main approach to the listed building, although the historic experience has been eroded by the altered alignment of the trackway; and
- The surrounding agricultural land which can be most readily experienced in conjunction with the listed building in views towards and from the asset and which is known to have been in common ownership and use.

Any contribution of the site through setting

- 6.15 The site is located c. 50m south-west of Seale's Farm at its nearest point.
- 6.16 It is possible that the elements of the site nearest the farm historically formed part of its landholdings, although this is not confirmed by any known sources. Moreover, the earliest Ordnance Survey mapping appears to illustrate the north-western part of the site as forming the landholdings of Huscote Farm. Any historic functional association between the site and Seale's Farm has been severed.
- 6.17 There is no clear or designed intervisibility between the listed farmhouse and the site. A dense pocket of woodland at the north-east corner of the site and the local topography foreshorten views. There are anticipated to be some filtered glimpses of the northern edge of the site from the trackway

approach to Seale's Farm; however, this follows a different alignment than the historic trackway (which was located further to the east and directly north of the farm), therefore it does not reflect the historic experience of the asset.

6.18 Ultimately, the site is not visible in any key views of the asset

and does not form part of the immediate agricultural land which can be readily perceived in conjunction with the farm and thereby illustrates its historic agricultural setting.

6.19 For these reasons, the site makes no contribution to the significance of Seale's Farm through setting.



Plate 25: North-east-facing view towards Seale's Farm (not visible) from the north-east corner of the site.

Impact Assessment

- 6.20 The easternmost parcels of the site (located due south of Seale's Farm) will be retained as meadow. Any filtered glimpses of this part of the site from the farm will therefore be unaltered.
- 6.21 The existing pocket of woodland at the north-east corner of the site will be augmented with new woodland and orchard planting. Immediately south-west of this planting, the land falls away such that the nearest proposed built form will be located on land which is c. 30m lower than Seale's Farm, with most built form being located on land which is c. 45m lower. As a result of the local topography and the augmented intervening tree belt, the proposed development is not anticipated to be visible from the farm or readily experienced in conjunction.
- 6.22 The proposed development is therefore anticipated to cause no harm to the significance of Grade II Listed Seale's Farm in terms of setting.

Overthorpe Hall

- 6.23 Overthorpe Hall is not a designated heritage asset, although it is identified on the Northamptonshire HER. At its centre is a neo-Renaissance, or Jacobethan, style country residence of masonry construction. Its main, south-west facade has an irregular arrangement that is characterised by stone mullion and transom windows, bow windows, crenelated parapets, gables and dormers, robust chimney stacks, and simply moulded string courses and hoodmoulds.



Plate 26: Detail of Overthorpe Lodge on the First Edition (1883–85) Ordnance Survey map.

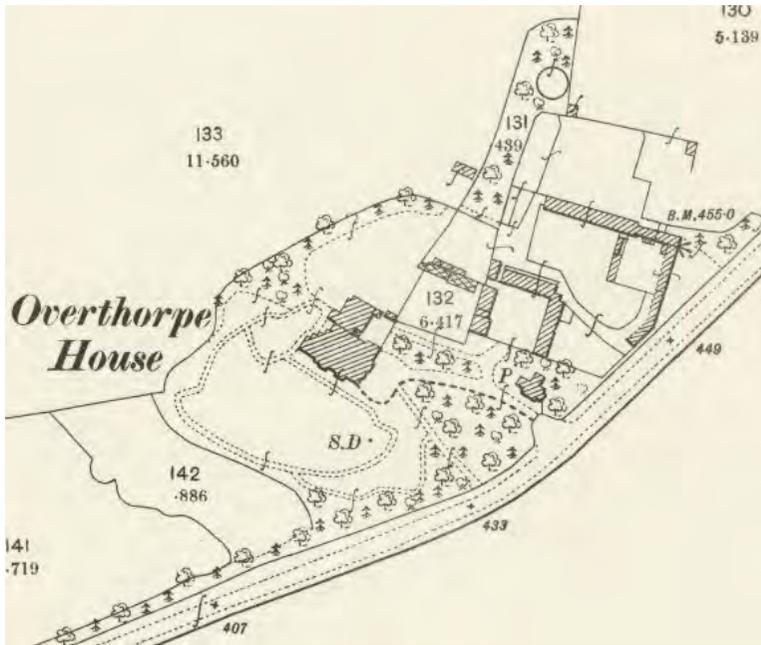


Plate 27: Detail of Overthorpe Hall on the Second Edition (1899–1900) Ordnance Survey map.

6.24 As noted above, a house was extant on the site by the late 19th century, at which time it was known as Overthorpe Lodge and occupied a more modest footprint (Plate 26). The house and its ancillary complex to the north-east had been substantially remodelled by the end of the 19th century, by which time it had been renamed Overthorpe Hall (Plate 27). The present-day façade of the house appears to date from this remodelling campaign.

6.25 The hall was converted to a school (Carrdus School) in 1970 and the house has been substantially extended to the rear (north-east) to accommodate educational and sporting facilities. Elements of its domestic grounds and ancillary buildings are still extant; however, these have been converted to new uses or eroded by modern additions, including car parks and sporting facilities.

6.26 Designed views from the principal façade of the hall were directed across its grounds to the south-west, and there are reciprocal key views of the building from this area which is characterised by a lawn and tennis courts. The hall is surrounded by belts of trees which foreshorten views beyond its grounds and also screen views towards the building from the road to the south and the surrounding landscape.

Statement of Significance

6.27 Overthorpe Hall is considered to equate to a non-designated heritage asset. Its significance is principally embodied in its physical fabric and especially the south-west elevation.

6.28 The historic interest of the building is derived from those physical elements which give legibility to its historic function as a late Victorian country house, including neo-Renaissance style facades and any historic fixtures, fittings, or internal subdivision. This historic interest has been undermined by conversion of the building from a private residence to a school which has necessitated substantial changes to its form, layout, and character.

6.29 The architectural and artistic interest of the building is principally embodied in its designed facades which are characterised by high-quality architectural detailing, including Renaissance balustrades, crenelated parapets, and moulded stringcourses and hoodmoulds. There are reported to be decorative fixtures and fittings internally, including fireplaces and a main staircase, which augment this interest.

6.30 The hall has the potential to possess a degree of archaeological interest by virtue of its siting on an earlier residence, or lodge. It is possible that elements of the earlier building were retained and integrated into the late 19th-century hall, therefore there could be concealed fabric or remains that yield information about the earlier origins, form, and appearance of the residence.

6.31 The setting of Overthorpe Hall also contributes to the significance of the non-designated heritage asset, although the significance derived from the setting is less than that from its historic fabric. The principal elements of the physical surrounds and experience of the asset (its 'setting') which are considered to contribute to its heritage significance comprise:

- The remnants of its immediate gardens which illustrate its historic function as a private country residence and may predate the late 19th-century remodelling;
- Surviving elements of the ancillary complex to the north-east;

- The driveway to the south-east which forms the designed approach to the building; and
- Remnants of its wider informal grounds and parkland.

Any contribution of the site through setting

6.32 The site is located c. 250m north-west of Overthorpe Hall at its nearest point. There is no known evidence of an association in terms of landownership or functional use, although based on proximity and the possible historic agricultural function of the complex to the north-east of the hall, it is possible that elements of the site were once in shared ownership.

6.33 On the other hand, there is no evidence that the wider grounds or parkland of Overthorpe Hall ever extended into the site. Historic mapping illustrates that trees belts were planted along the western and northern bounds of the parkland, thereby creating clear separation between the parkland and the agricultural land beyond (the site).

6.34 These tree belts and the topography of the grounds screen intervisibility between the site and the hall (Plate 28). Moreover, the hall is orientated so that designed views are directed away from the site.

6.35 The site therefore makes no contribution to the significance of Overthorpe Hall through setting.



Plate 28: Looking south-east to the tree belt at the northern edge of the grounds of Overthorpe Hall.

Impact Assessment

- 6.36 The parts of the site nearest Overthorpe Hall are to be retained as meadow, therefore any filtered glimpses between the wider grounds of the hall and the site will be unaltered.
- 6.37 The nearest new built form will be located over 400m north-west of the hall and on land which is c. 30m lower than where the hall is located. As a result of the local topography and existing, intervening tree belts, the new development is not anticipated to be visible from the hall or readily experienced in conjunction, such as from its wider grounds or its driveway approach.
- 6.38 The proposed development is therefore anticipated to cause no harm to the significance of non-designated Overthorpe Hall through change to its setting.

7. Conclusions

Archaeology

- 7.1 There is some potential for prehistoric remains within the site based on the recorded evidence of Mesolithic to Iron Age activity in the study area, although verified prehistoric remains are relatively limited.
- 7.2 There is some potential for Romano-British archaeology within the site. This would most likely take the form of buried remains of agriculture and low-level settlement activity, perhaps related to the remains recorded on land immediately to the west.
- 7.3 During the medieval period, the site appears to have formed the agricultural hinterland of several small settlements. This is potentially expressed by the surviving ridge and furrow earthworks. The significance of ridge and furrow is typically derived from its contribution to the visible historic landscape character rather than its evidential value. The non-designated asset comprises the surviving ridge and furrow earthworks across the locality more widely. Together, these would typically be regarded as a non-designated heritage asset of low significance. The ridge and furrow within the site is a small part of this earthworks system.
- 7.4 Any buried remains of medieval agricultural activity, such as former field boundaries, would not be anticipated to equate to heritage assets.
- 7.5 The site appears to have remained in predominantly agricultural use from the post-medieval period to the present day, with limited evidence for quarrying activity and settlement. There is potential for buried remains of possible field barns or agricultural shelters and the former quarrying site at Brick Field, all of which are no longer extant. There is also some potential for disturbances at the north-west corner of the site associated with the creation of the Banbury-Lutterworth turnpike road, although the road does not appear to have passed through the site. Any remains would not be anticipated to equate to heritage assets.
- 7.6 The proposed development will result in the loss of the eroded ridge and furrow earthworks within the site, but only a small loss of the remains that comprise the heritage asset as a whole. In accordance with paragraph 203 of the NPPF, a balanced judgement is required which has regard to the low significance of these remains and the minor impact on the locally surviving ridge and furrow earthworks as a whole.
- 7.7 The proposed development of the site also has the potential to disturb or truncate any buried remains, particularly in the central and western parts where new built form and infrastructure is proposed. The eastern part of the site is to remain undeveloped as restored lowland meadow, orchard, and woodland.

7.8 Based on the available evidence and the sources consulted, there are not anticipated to be any archaeological remains from any period within the site that would require preservation in situ or otherwise preclude development.

Built Heritage

Huscote Farm

7.9 The site contains part of Huscote Farm, a derelict 19th-century farm complex which has been assessed to possess low heritage significance overall.

7.10 Huscote Farmhouse will be demolished as part of the proposed development whereas the historic agricultural ranges to the north are located outside the site and will be preserved (these are anticipated to be converted to new uses as part of future applications). In accordance with paragraph 203 of the NPPF, a balanced judgement is required which has regard to the scale of the harm, which will result in the loss of only one element of the complex, and the low significance of the complex overall.

7.11 As part of this balanced judgement, it must be recognised that the complex is unsuitable for modern use as a farmstead (hence its abandonment) and there are viability issues associated with the repair and reuse of the farmhouse, especially given its severe disrepair. The demolition of the farmhouse will therefore facilitate the retention and future adaptation of the agricultural

buildings.

Seale's Farm

7.12 It has been demonstrated that the site does not contribute to the heritage significance of Grade II Listed Seale's Farm through setting.

7.13 As a result of the local topography and the augmented intervening tree belts, the proposed development is not anticipated to be visible from the farm or readily experienced in conjunction. The proposed development is therefore anticipated to cause no harm to the significance of Grade II Listed Seale's Farm in terms of setting.

Overthorpe Hall

7.14 It has been demonstrated that the site does not contribute to the significance of non-designated Overthorpe Hall through setting.

7.15 Due to the local topography and intervening tree belts, the new development is not anticipated to be visible from the hall or readily experienced in conjunction, such as from its wider grounds or its driveway approach. The proposed development is therefore anticipated to cause no harm to the significance of non-designated Overthorpe Hall through change to its setting.

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1852 Tithe map for the parish of Banbury.

1881–85 Ordnance Survey map (1:2,500).

1882–84 Ordnance Survey map (1:10,000).

1898–1900 Ordnance Survey map (1:2,500).

1898–1900 Ordnance Survey map (1:10,000).

1921–22 Ordnance Survey map (1:2,500).

1921–23 Ordnance Survey map (1:10,000).

1938–44 Ordnance Survey map (1:10,000).

Appendix 1: Gazetteer of Historic Environment Record Data

Heritage Data

Northamptonshire HER Event Data

Ev UID	Name	Event Type
ENN19486	Defence of Britain Survey, 1998	EVS
ENN19487	Banbury A361, documentary	EVS
ENN19488	Defence of Britain Survey, 1998	EVS
ENN103401	H1 Hanwell, 2003	EVS
ENN103402	Huscote Mill, 2003	EVP
ENN16426	Aerial survey, 1995	EVS
ENN109321	Banbury Filling Factory, 2015 (Observation)	EVT
ENN109550	A422 Middleton Cheney Bypass, 1991 (Watching Brief)	EVT
ENN103392	Banbury Flood Alleviation Scheme, 2003 (Geophysical survey)	EVS
ENN103910	Northamptonshire Watermills Survey, 2001-2002	EVS
ENN106044	Church Cottage, 2010 (Building Recording)	EVS
ENN106128	Land north of Banbury Lane, 2012 (Trial trench)	EVT

Ev UID	Name	Event Type
ENN104057	English Heritage Parks Register Enhancement Survey, 1995	EVS
ENN103910	Northamptonshire Watermills Survey, 2001-2002	EVS

Northamptonshire HER Monument Data

Mon UID	Pref Ref	Name	Mon Type	Period
MNN217	18	Open Field System, Overthorpe	FIELD SYSTEM; OPEN FIELD	Medieval to Modern
MNN36836	8644/0/1	WWII Road Block, Overthorpe Road	ROADBLOCK	Second World War
MNN36837	9683/0/1	A361 Road Block, Banbury	ROADBLOCK	Second World War
MNN36838	8646/0/1	A422 Road Block (WWII)	ROADBLOCK	Second World War
MNN37052	7112/0/2	The Bowling Green Public House	BOWLING GREEN?; PUBLIC HOUSE; FARMHOUSE	Modern to Late 20th Century
MNN135265	9052	Open Field System, Chacombe	FIELD SYSTEM; OPEN FIELD	Medieval to Post Medieval
MNN166456	5406	Modern settlement	SETTLEMENT?	Modern to Late 20th Century
MNN169197	6191/2	Hill Farm	FARM	Post Medieval to Late 20th Century
MNN123161	9581/0/1	Possible Medieval Enclosure (Morphed Aerial Archaeology Interpretation)	ENCLOSURE?	Medieval

Mon UID	Pref Ref	Name	Mon Type	Period
MNN123177	8645/1/5	Possible Windmill Mound/Anti-Aircraft Battery (Morphed Aerial Archaeology Interpretation)	WINDMILL MOUND?; MACULA ; ANTI AIRCRAFT BATTERY?	Medieval to Second World War
MNN123178	8645/1/6	Enclosure, Possibly Medieval or WWII (Morphed Aerial Archaeology Interpretation)	ENCLOSURE?; ENCLOSURE?	Medieval to Second World War
MNN123179	8645/1/4	Ditch, Possibly Medieval or WWII Feature (Morphed Aerial Archaeology Interpretation)	DITCH ; DITCH	Medieval to Second World War
MNN123180	8645/1/3	Possible Medieval Field Boundary or WWII Enclosure (Morphed Aerial Archaeology Interpretation)	FIELD BOUNDARY?; ENCLOSURE?	Medieval to Second World War
MNN103589	395/2/1	New Oxford Canal	CANAL	Modern to Late 20th Century
MNN135671	2134/1	Great Central Railway (Culworth Junction to Banbury)	RAILWAY	Modern to Mid 20th Century
MNN160137	195	The Jurassic Way	ROAD?; TRACKWAY?	Prehistoric
MNN105675	6191/0/8	Barn c.20m West of The Old Well House	BARN	Post Medieval to Late 20th Century
MNN115428	8645/1/1	Command Post (Banbury HAA site)	COMMAND POST?	Second World War
MNN115411	8645/1/2	Gun Emplacement Holdfasts (Banbury HAA site)	GUNPOST?	Second World War
MNN105682	6191/2/1	Hill Farmhouse	HOUSE; FARMHOUSE?	Post Medieval to Late 20th Century
MNN105684	6191/0/3	Thorpe Cottage & Castle Farm Cottage	HOUSE	Post Medieval to Late 20th Century

Mon UID	Pref Ref	Name	Mon Type	Period
MNN105685	6191/0/4	Stone House	HOUSE	Post Medieval to Late 20th Century
MNN105683	6191/0/2	Castle Farmhouse	HOUSE	Post Medieval to Late 20th Century
MNN105686	6191/0/5	Stable c.20m North-East of Stone House	STABLE	Post Medieval to Late 20th Century
MNN105687	6191/1/1	Manor House	MANOR?; HOUSE; MANOR HOUSE?	Medieval to Late 20th Century
MNN105676	6191/0/9	Dumbletons	HOUSE	Post Medieval to Late 20th Century
MNN105690	6191/0/12	St. Brides	HOUSE	Post Medieval to Late 20th Century
MNN105673	6191/0/6	Chapel House	HOUSE	Post Medieval to Late 20th Century
MNN105674	6191/0/7	Old Well House	HOUSE	Post Medieval to Late 20th Century
MNN105829	6147/1/1	Farmhouse, Seale's Farm	HOUSE	Post Medieval to Late 20th Century
MNN132347	9052/0/1	Open Fields Project: Areas of Survival of Ridge & Furrow	RIDGE AND FURROW	Medieval to Post Medieval
MNN132348	9052/0/2	Open Fields Project: Areas of Survival of Ridge & Furrow	RIDGE AND FURROW; PLOUGH HEADLAND?	Medieval to Post Medieval
MNN132349	9052/0/3	Open Fields Project: Areas of Survival of Ridge & Furrow	RIDGE AND FURROW	Medieval to Post Medieval

Mon UID	Pref Ref	Name	Mon Type	Period
MNN132350	18/0/1	Open Fields Project: Areas of Survival of Ridge & Furrow	RIDGE AND FURROW	Medieval to Modern
MNN132352	9052/0/4	Open Fields Project: Areas of Survival of Ridge & Furrow	RIDGE AND FURROW	Medieval to Post Medieval
MNN7300	8063	Former Park at Chacombe Priory	LANDSCAPE PARK?	Post Medieval to Mid 20th Century
MNN2986	1541	Chacombe House Park	LANDSCAPE PARK	Modern to Late 20th Century
MNN135336	9401/1	Banbury to Lutterworth Turnpike	TOLL ROAD	Modern
MNN135321	9277/1	Banbury to Buckingham Turnpike	TOLL ROAD	Modern
MNN2985	1532	Overthorpe Hall Park	LANDSCAPE PARK	Modern to Late 20th Century
MNN138180	55/1	The Portway (Presumed Prehistoric to Medieval Long-Distance Trackway)	ROAD ROUTE	Lower Palaeolithic to Late Medieval
MNN140141	9/0/1	Open Fields Project: Areas of Survival of Ridge & Furrow	RIDGE AND FURROW	Medieval to Modern
MNN17666	7112/1	WWI National Filling Factory No 9, Banbury	BLAST WALL; AIR RAID SHELTER; MILITARY SITE; MUNITIONS FACTORY; FILLING FACTORY; TRAINING CENTRE	First World War to Second World War
MNN7622	6191	Overthorpe	VILLAGE	Medieval to Late 20th Century
MNN140151	18/0/2	Medieval/Post Medieval Ridge & Furrow	RIDGE AND FURROW	Medieval to Modern

Mon UID	Pref Ref	Name	Mon Type	Period
MNN135489	6174/1	Huscote Mill (Hulsecote Mill)	WATERMILL	Medieval to Mid 20th Century
MNN115429	9187	Possible Prehistoric/Romano-British Settlement	SETTLEMENT; ENCLOSURE	Lower Palaeolithic to Late Roman
MNN140430	5406/1/1	Overthorpe Hall (Formerly Overthorpe Lodge)	HOUSE; SCHOOL HOUSE	Modern to Late 20th Century
MNN140431	5406/1/2	Possible Stables &/or Farm Buildings	STABLE?; AGRICULTURAL BUILDING?	Modern to Second World War
MNN140432	5406/1/3	Informal Gardens Around Overthorpe Lodge	GARDEN	Modern to Late 20th Century
MNN140433	5406/1/4	Circular Building at Overthorpe Lodge	GARDEN BUILDING?	Modern to Late 20th Century
MNN140434	5406/1	Overthorpe Hall (Formerly Overthorpe Lodge)	COUNTRY HOUSE?; SCHOOL	Modern to Late 20th Century
MNN17435	395/2	New Oxford Canal (1834)	CANAL ROUTE	Modern to Late 20th Century
MNN333	395	Oxford Canal	<< TRANSPORT & COMMUNICATIONS SITE>>	Modern to Late 20th Century
MNN165517	6191/0/13	Manor Cottage	HOUSE	Modern to Late 20th Century
MNN165518	6191/0/14	Woodlands	HOUSE	Modern to Late 20th Century

Mon UID	Pref Ref	Name	Mon Type	Period
MNN165519	6191/2/2	Building at Hill Farm	HOUSE?; BARN?	Modern to Late 20th Century
MNN165520	6191/0/15	Bromley Cottage	HOUSE	Modern to Late 20th Century
MNN135496	6147/1	Seale's Farm	FARM	Post Medieval to Late 20th Century
MNN115538	6174/1/1	Mill Leat for Huscote Mill	MILL LEAT	Medieval to Mid 20th Century
MNN115407	8645/1	H1 Hanwell-Banbury Heavy Anti-Aircraft Battery	ANTI AIRCRAFT BATTERY	Second World War
MNN140149	9581	Uncertain Medieval Activity	SITE	Medieval
MNN105688	6191/0/10	Church Cottage	HOUSE	Post Medieval to Late 20th Century
MNN105689	6191/0/16	North End House	HOUSE	Post Medieval to Late 20th Century
MNN169198	6191/0/11	Village Hall (Former House)	HOUSE; VILLAGE HALL	Post Medieval to Late 20th Century
MNN172276	9742	Probable Prehistoric or Roman Settlement	SETTLEMENT; HUT CIRCLE; LINEAR FEATURE; RECTILINEAR ENCLOSURE	Lower Palaeolithic to Late Roman
MNN115433	9188	Probable Iron Age/Roman settlement, east of the River Cherwell	SETTLEMENT; RECTILINEAR ENCLOSURE; TRACKWAY?; ROUND HOUSE (DOMESTIC)?; GRUBENHAUS?	Early Iron Age to Late Saxon

Oxfordshire HER Event Data

Ev UID	Name	Event Type
EOX1108	Excavation of Medieval Cottage and Associated Agricultural Features at Manor Farm, Old Grimsbury	EX
EOX1214	M40 Investigations	WB
EOX14	Manor Farm, Old Grimsbury	EV
EOX2720	Banbury Flood Alleviation Scheme	EV
EOX2944	Manor Farm, Old Grimsbury	PEA
EOX3364	Banbury Flood Alleviation Scheme	EX
EOX5727	Banbury Gateway	EV
EOX5823	Magnetometer Survey, Banbury Flood Alleviation Scheme	GS
EOX5824	Main Embankment Watching Brief, Banbury Flood Alleviation Scheme	WB
EOX5827	Wildmere Industrial Estate Bund, Banbury Flood Alleviation Scheme	WB
EOX6343	Banbury Flood Alleviation Scheme	PEA
EOX2099	LINEAR Banbury East-West Link Road - Watching Brief	WB
EOX6925	Geophysical Survey of Land off Junction 11	GS
EOX6926	Evaluation at of Land at Junction 11	EV
EOX2099	LINEAR Banbury East-West Link Road - Watching Brief	WB
EOX6925	Geophysical Survey of Land off Junction 11	GS

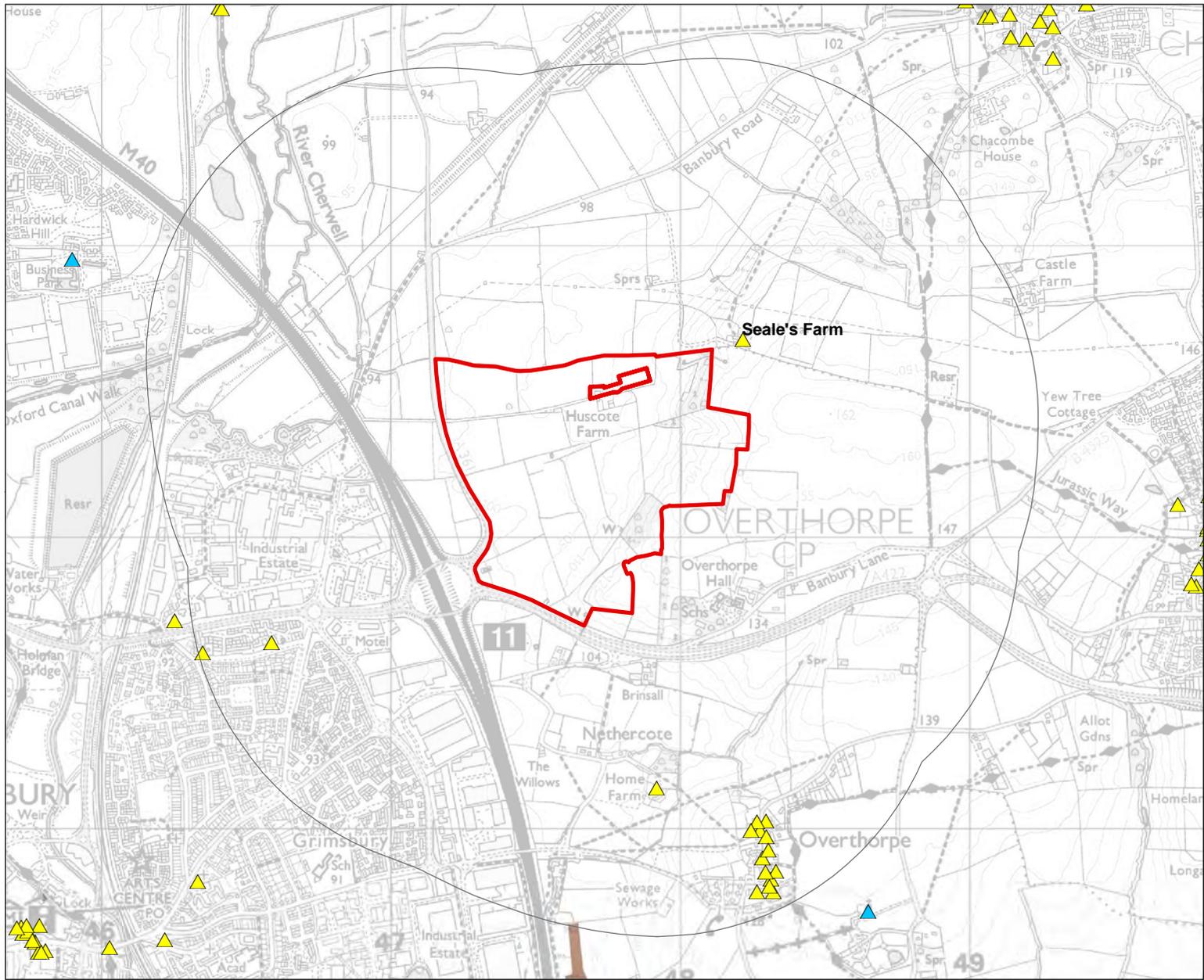
Ev UID	Name	Event Type
EOX6926	Evaluation at of Land at Junction 11	EV

Oxfordshire HER Monument Data

Mon UID	Pref Ref	Name	Mon Type	Period
MOX12463	16715	Saxon field system at Jugglers Close	FIELD SYSTEM; RIDGE AND FURROW	Early Medieval to Post Medieval
MOX23786	26359	Multi-Period Activity Dating from the Mesolithic-Medieval Periods and Roman Settlement	PIT; DITCH; DITCH; DITCHED ENCLOSURE; PIT; POST HOLE; BOUNDARY; SETTLEMENT; DITCHED ENCLOSURE; CORN DRYING OVEN; GULLY; PIT; DITCH; CREMATION; RIDGE AND FURROW; DITCH	Early Mesolithic to Medieval
MOX26804	28485	Site of Nethercote DMV	DESERTED SETTLEMENT	Medieval
MOX4491	151	Hardwick Canal Lock	CANAL LOCK	Post Medieval
MOX4496	1098	Hardwick Deserted Medieval Village	OCCUPATION SITE; DESERTED SETTLEMENT	Roman to Medieval
MOX4517	4268	Canal Bridge No 159	CANAL BRIDGE	Post Medieval
MOX4535	5702	Late Prehistoric Rectangular Enclosure, square enclosure and ring ditch	RECTANGULAR ENCLOSURE; SQUARE	Later Prehistoric

Mon UID	Pref Ref	Name	Mon Type	Period
			ENCLOSURE; RING DITCH	
MOX4541	10082	Site of milestone	MILESTONE	Post Medieval
MOX4565	11470	Old Grimsbury Deserted Settlement	FIELD BOUNDARY; PIT; DESERTED SETTLEMENT; RIDGE AND FURROW	Late Neolithic to Medieval
MOX4626	15632	Mesolithic Flints	FINDSPOT	Mesolithic
MOX4831	8926	Prehistoric Trackway and Roman Road (Portway)	ROAD	Roman
MOX27576	29194	WWII roadblock	ROADBLOCK	Second World War
MOX27918	29529	Site of Roman agriculture	BOUNDARY DITCH; DRAINAGE DITCH; CREMATION; PIT	Roman
MOX4496	1098	Hardwick Deserted Medieval Village	OCCUPATION SITE; DESERTED SETTLEMENT	Roman to Medieval

Appendix 2: Figures



KEY

- Site
- Study Area (1km)
- Scheduled Monuments

Listed Buildings

- ▲ Grade I
- ▲ Grade II*
- ▲ Grade II

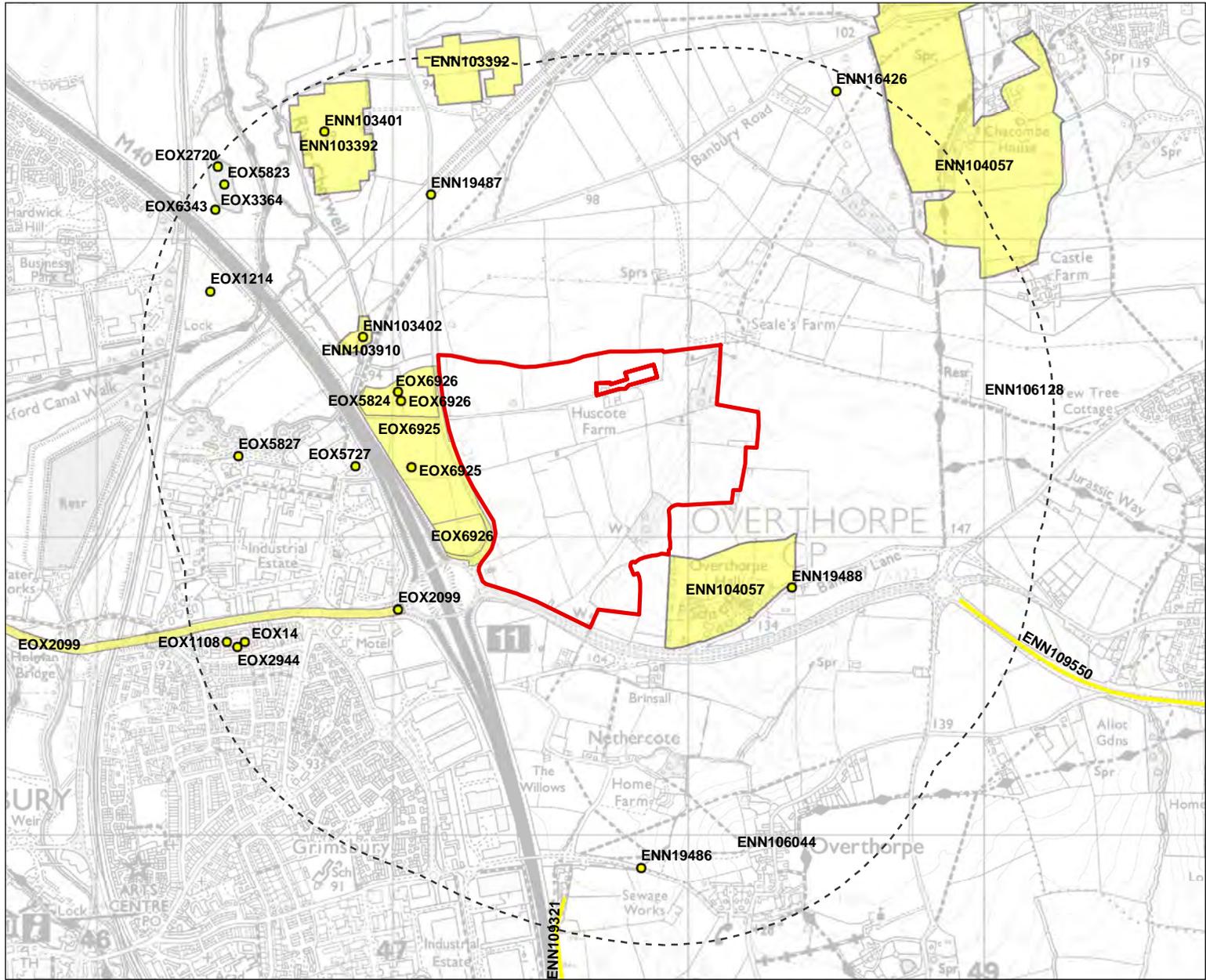
Figure 1: Map of Designated Heritage Assets

Land East of Junction J.11, M40, Banbury

Client: Greystoke CB
 DRWG No: P21-3302 Sheet No: - REV:-
 Drawn by: JT Approved by: GS
 Date: 09/05/2022
 Scale: 1:20,400 @ A4

0 0.75 km





KEY

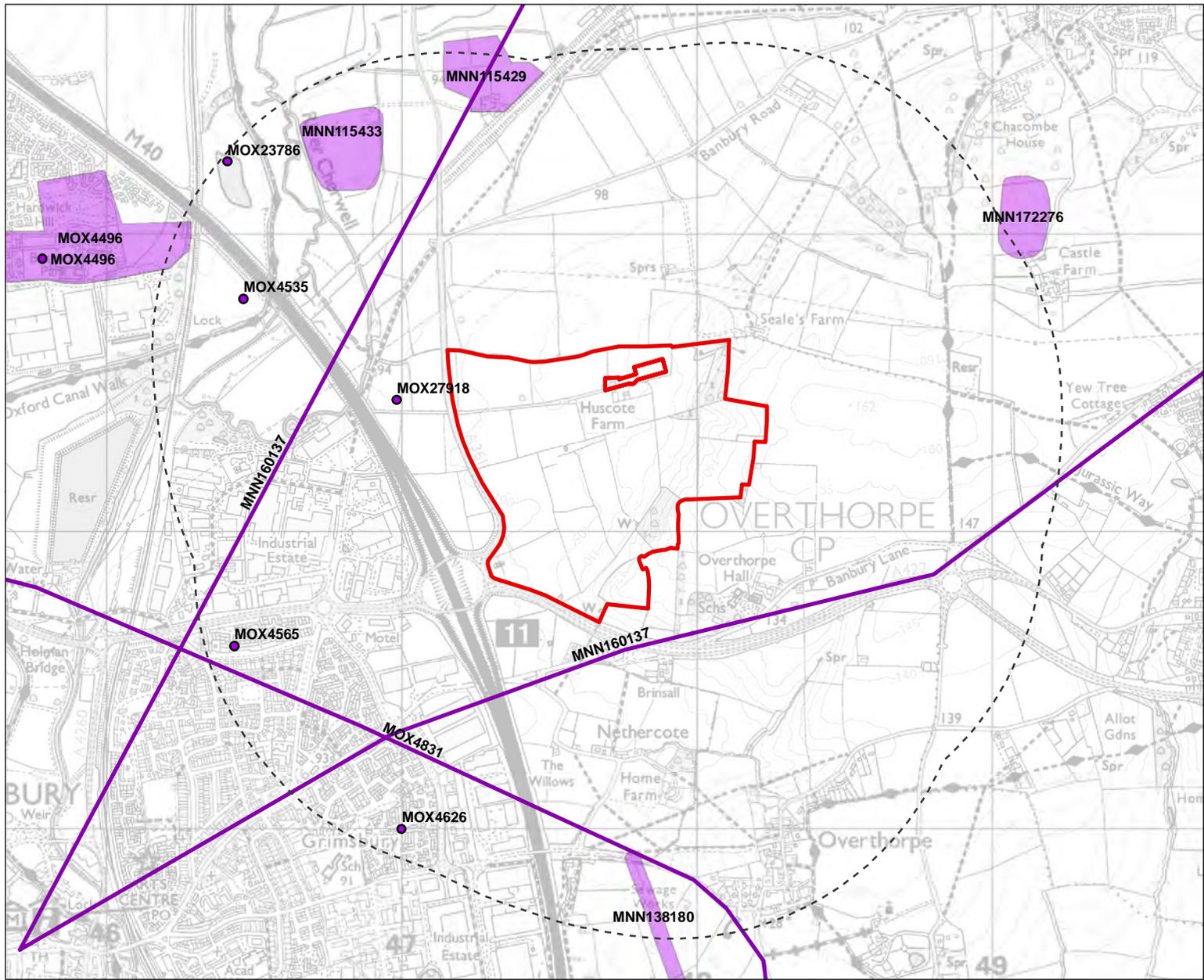
- Site
- Study Area (1km)
- Event points
- Event lines
- Event polygons

Figure 2: HER 'Events'
 Land East of Junction J.11,
 M40, Banbury

Client: Greystoke Land
 DRWG No: P21-3302 Sheet No: - REV:-
 Drawn by: JT Approved by: GS
 Date: 09/05/2022
 Scale: 1:20,000 @ A4

0 0.75 km





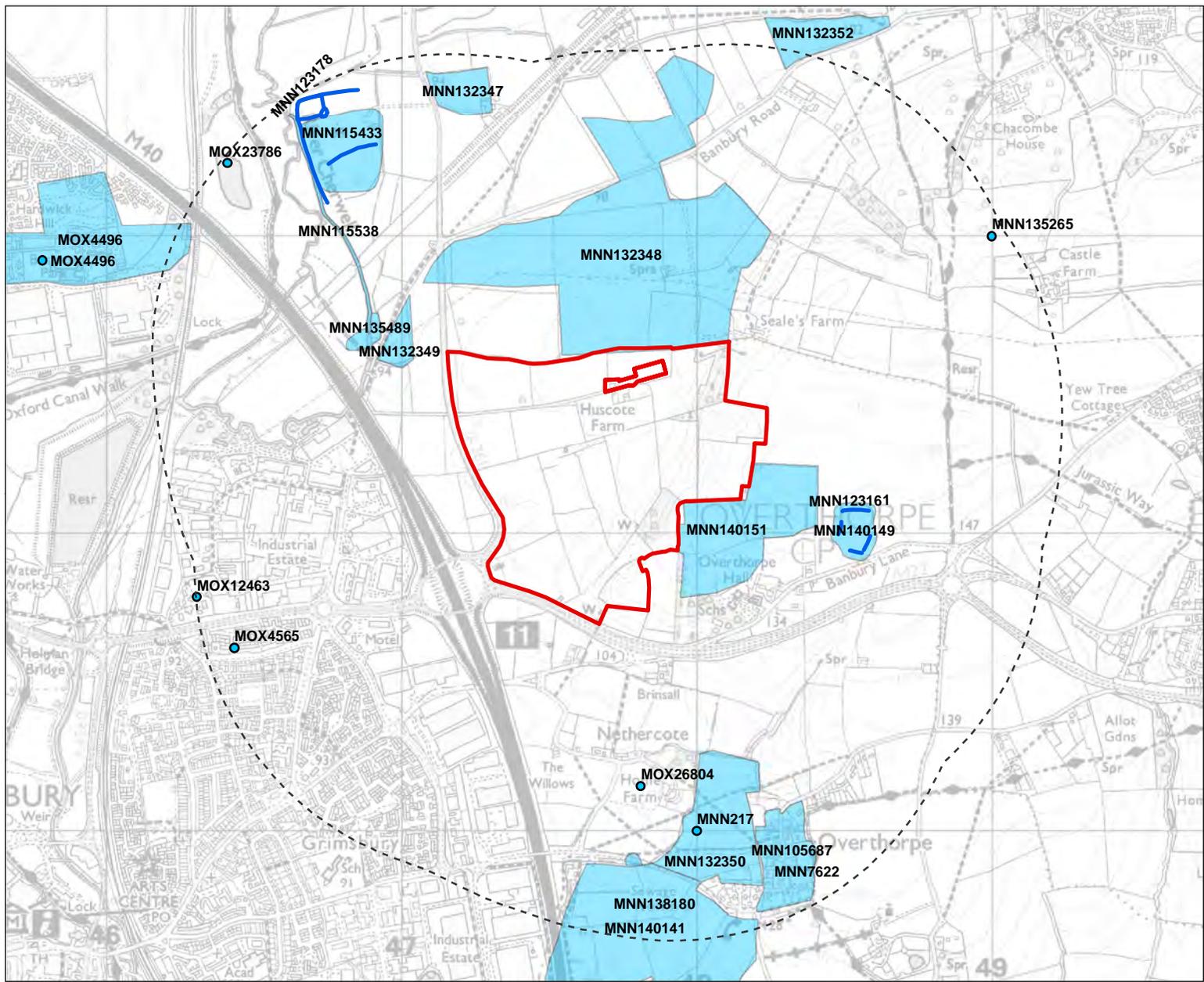
- KEY**
- Site
 - Study Area (1km)
 - Monument points
 - Monument lines
 - Monument polygons

Figure 3: HER 'Monuments' Prehistoric to Romano-British

Land East of Junction J.11, M40, Banbury

Client: Greystoke Land
 DRWG No: P21-3302 Sheet No: - REV:-
 Drawn by: JT Approved by: GS
 Date: 09/05/2022
 Scale: 1:20,000 @ A4





- KEY**
- Site
 - Study Area (1km)
 - Monument points
 - Monument lines
 - Monument polygons

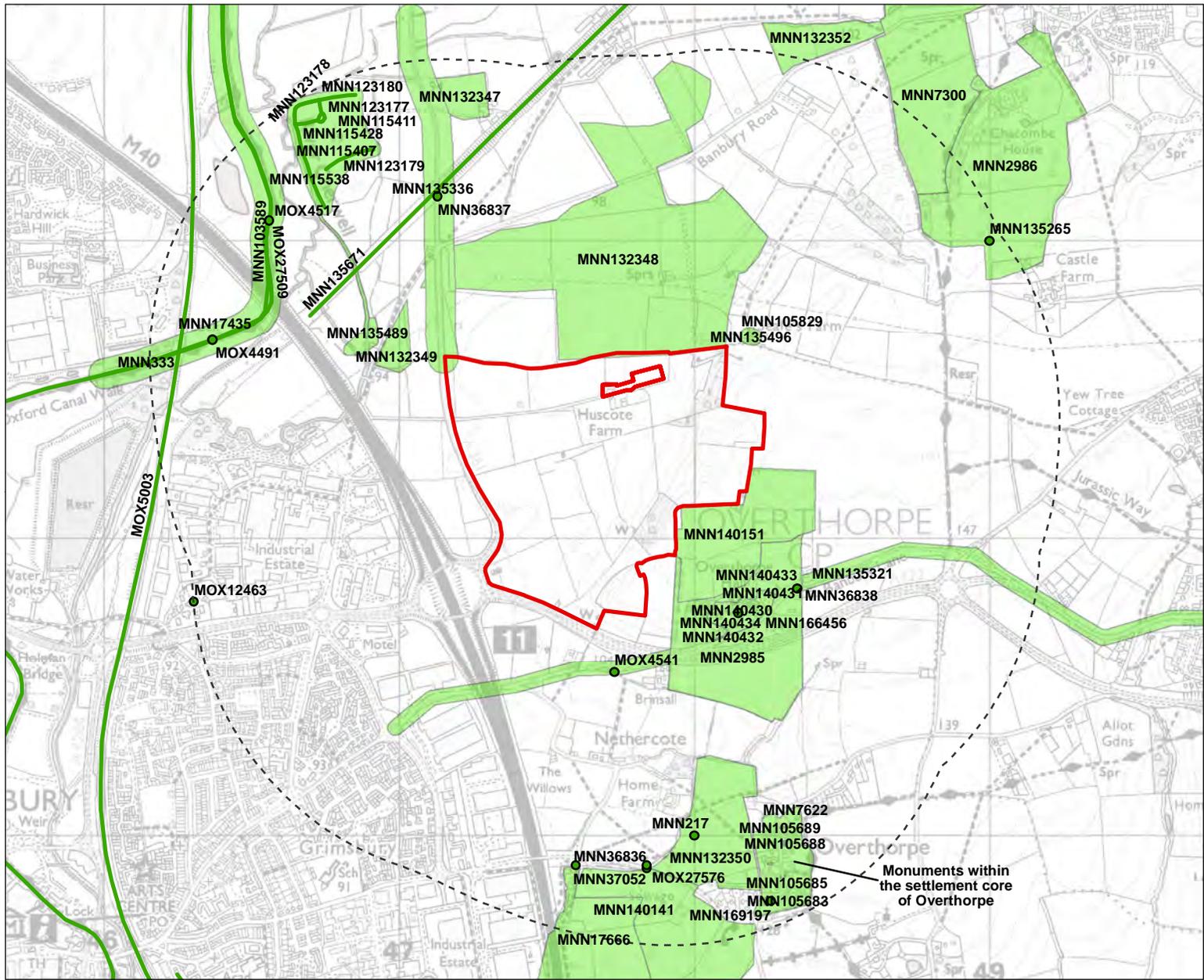
**Figure 4: HER 'Monuments'
Early Medieval to Medieval**

Land East of Junction J.11,
M40, Banbury

Client: Greystoke Land
 DRWG No: P21-3302 Sheet No: - REV:-
 Drawn by: JT Approved by: GS
 Date: 09/05/2022
 Scale: 1:20,000 @ A4

0 0.75 km





KEY

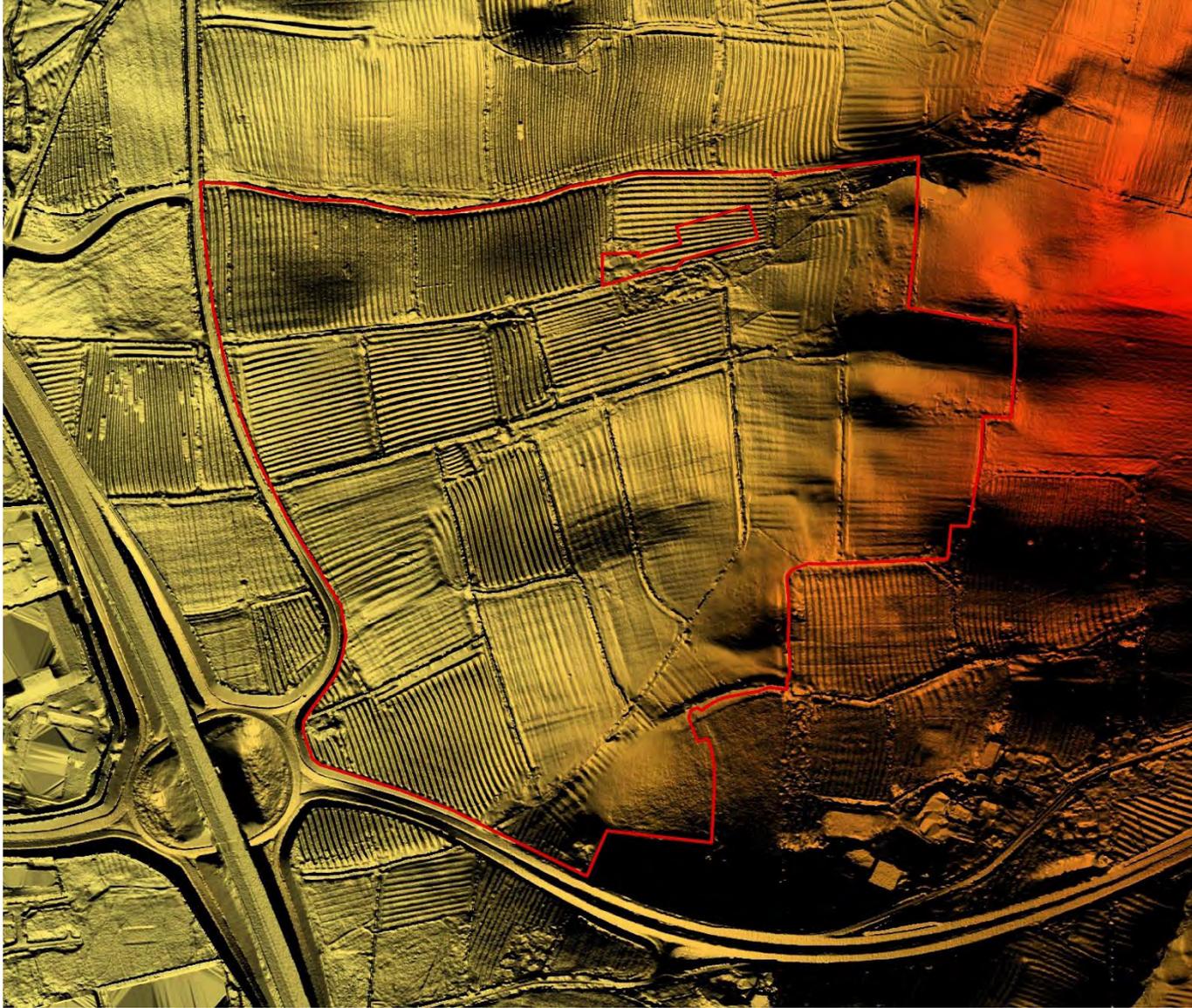
- Site
- Study Area (1km)
- Monument points
- Monument lines
- Monument polygons

Figure 5: HER 'Monuments' Post-Medieval to Modern

Land East of Junction J.11, M40, Banbury

Client: Greystoke Land
 DRWG No: P21-3302 Sheet No: - REV:-
 Drawn by: JT Approved by: GS
 Date: 09/05/2022
 Scale: 1:20,000 @ A4

Appendix 3: DTM Shaded Relief Model



Azimuth: 0; Altitude: 45; Z Factor: 20



Azimuth: 45; Altitude: 45; Z Factor: 20