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| Application number(s): | 23/02338/OUT |
| Application site: | Land West Of Oxford Close And North Of Corner Farm Station Road Kirtlington |
| Proposal: | Erection of 15 detached and semi-detached single and two-storey dwellings (including affordable housing) together with access, parking, amenity space and landscaping - re-submission of 22/03049/OUT |

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

Policies

Cherwell Local Plan 2011-2031 (2015)

- Policy ESD15** New development proposals should: Conserve, sustain and enhance designated and non-designated 'heritage assets' including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale, and massing of buildings.

Cherwell Local Plan 1996 Saved Policies

- C18** Works to a listed building should preserve the building, its setting, and any features of special architectural or historic interest. Alterations or extensions to a listed building should be minor and sympathetic.

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

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

NPPF – Chapter 16

- Paragraph 199.** When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- Paragraph 200.** Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- grade II listed buildings, or grade II registered parks or gardens, should be exceptional.
 - assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly Exceptional.

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

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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

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

Other Relevant Policies and guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

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

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

Significance (50 words)

The site is located in the countryside adjacent to Kirtlington village. The conservation area of Kirtlington covers the eastern part of the village that sits along the main road through the village, adjacent to Kirtlington Park. Kirtlington Park is a Registered Park and Garden. The conservation area boundary also sits at the entrance to the village of Kirtlington and therefore although the site is not directly adjacent to the conservation area it may contribute to the approach to the conservation area. There is more modern development between the site and the conservation area and there are no Listed buildings within or adjacent to the site.

The significance of the site lies in the contribution it makes to the setting of the conservation area which in turn is considered to contribute to the setting of the Registered Park and Garden.

Appraisal (250 words)

The conservation team did not provide comments on the previous application on this site, and it is assumed that this is because the site does not contain any designated heritage assets and is not within a conservation area.

Although the site lies outside of the conservation area the relationship between the site and the conservation area, (primarily in how the conservation area is experienced in the landscape as you approach along Station Road) is to be taken into account when assessing the potential impact on heritage assets. It is important to note that the more modern development that exists is considered to provide a buffer between the development site and the conservation area. Furthermore it is considered that the conservation area is not experienced until you fully enter the village and pass the housing to the north of Station Road. Therefore the direct setting and approach to the conservation area from this direction is not considered to be harmfully altered by proposed development on this site.

With regards to the proposed layout of the development, the provision of green space to the west of the access road is considered to potentially soften this boundary with the countryside. Also keeping the new dwellings closer to the existing built form of the village may help to reduce the prominence of the new development. The treatment of this space and boundary will therefore be important.

With regards to the potential impact to the Listed buildings located within the village; these buildings are located within the existing built form and are considered to be at such a distance from the development site that they will not be affected by the proposed development.

It is recognised that this application is an outline application to include means of access and layout, therefore the plans are somewhat indicative at this stage. However there are aspects of the proposals that would need to be carefully considered at the reserved matters stage, these include: the treatment of the access from Station Road, the boundary treatments, landscaping, design, and materials used. These details will be key to ensuring a positive form of development. The spaces need to be carefully designed to retain openness and ensure that the conservation area is not impacted as a result of development within its setting.

It is acknowledged that the proposed development would result in changes to the landscape immediately surrounding Kirtlington, and this may be harmful in landscape and settlement character terms, but this does not necessarily equate to harm to significance of the heritage assets through development within their setting. The proposed development of this site is not considered to reduce the ability to appreciate what is special about the heritage assets.

Overall in heritage terms the proposal is not considered to result in harm to the significance of the heritage assets through development within their setting.

Level of harm

No Harm

Less than Substantial Harm

Substantial Harm

Public Benefit (NPPG)

Yes

No

Comments

It is for the planning officer to weigh the public benefits.

Recommendation

No objections

Objections

Engage in preapp

Suggested Conditions

As the application is an Outline application there are no suggested conditions at this stage

Conservation Officer: Emma Harrison

Date: 16/11/2023