

<b>Application number(s):</b>	23/03139/REM
<b>Application site:</b>	Land Adjoining Withycombe Farmhouse Stratford Road Drayton
<b>Proposal:</b>	Reserved Matters Application (layout, scale, appearance, and landscaping) for 22/02101/OUT - 250 dwellings, public open space, landscaping and associated supporting infrastructure at Land Adjoining Withycombe Farmhouse, South of Banbury Rise, Banbury.

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

### Policies

#### **Cherwell Local Plan 2011-2031 (2015)**

- 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 205.** 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 206.** 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 207.** 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 208.** 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 209.** The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

#### Other Relevant Policies and guidance

#### Planning (Listed Buildings and Conservation Areas) Act 1990

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

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

#### Significance (50 words)

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

#### Appraisal (250 words)

The landscaping, layout and design details submitted reflect the proposals made at the outline stage. The layout and landscaping ensure that the development respects the heritage assets, specifically Withycombe Farmhouse. Space has been provided between the farm and the built development. Planting and a rural edge/lower density building is proposed in the part of the development closest to the farmhouse and this is

welcomed, this is considered to further help mitigate the impact on any heritage assets. Therefore, in terms of impact on heritage assets and the historic environment the proposals are considered to be acceptable.

These comments are in relation to heritage only and it is advised that specialist Urban Design advice should be sought.

**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 benefit of the development.

**Recommendation**

No objections

Objections

Engage in preapp

**Suggested Conditions**

Materials if further details are necessary.

**Conservation Officer:** Emma Harrison

**Date:** 20/03/2024