

Heritage Statement.

Land West of Fringford Road, Caversfield.

On behalf of Richborough Estates Limited.

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Author: Jon Kaines





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Contents.

1. Introduction.....	4
2. Proposed Development.....	6
3. Site Description and Planning History.....	7
4. Methodology.....	8
5. Policy Framework.....	11
6. The Historic Environment.....	12
7. Setting Assessment.....	16
8. Conclusions.....	26
Sources.....	27

Appendices contents.

Appendix 1: Gazetteer.....	33
Appendix 2: Figures.....	41
Appendix 3: Assessment Methodology.....	42
Appendix 4: Legislative Framework.....	48
Appendix 5: National Policy Guidance.....	50
Appendix 6: Relevant Development Plan Policies.....	57
Appendix 7: List Entries.....	60

Plates:

Plate 1: Site Location Plan.....	4
Plate 2 Illustrative Masterplan.....	6
Plate 3 Looking north-east to the Grade II* Listed Church of St Laurence from the B4100.....	17
Plate 4 Extract from the Caversfield Tithe Map (church shown in blue, Caversfield House in orange).....	17



Plate 5 Extract from the 1881 Ordnance Survey map.....	18
Plate 6 The lodge on Fringford Road	18
Plate 7 Extract from the Ordnance Survey map of 1922.....	19
Plate 8 Extract from the 1955 Ordnance Survey map.....	20
Plate 9 Extract from a recent aerial photograph © Google.....	20
Plate 10 Looking north-west towards the church and Caversfield House from within the site.....	21
Plate 11 The Home Farm complex (Farmhouse orange arrow).....	23
Plate 12 Extract from the Ordnance Survey Map of 1881.....	23

1. Introduction

1.1. Pegasus Group have been commissioned by Richborough Estates to prepare a Heritage Statement to consider the proposed residential development of land at Caversfield, Bicester, as shown on the Site Location Plan provided at Plate 1.

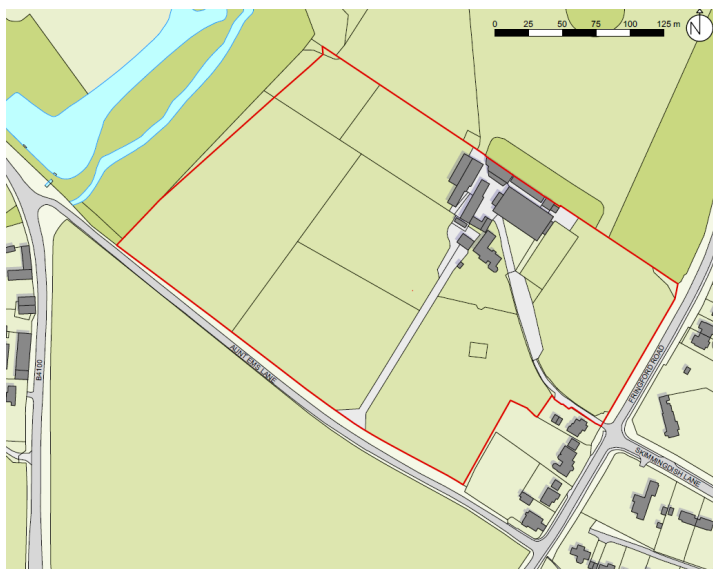


Plate 1: Site Location Plan

1.2. The Site forms a roughly rectangle parcel of land. The Site is composed mainly of grassland.

1.3. This Assessment provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 200 of the Government's *National Planning Policy Framework* (the *NPPF*, December 2023) which requires:

"...an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting".¹

1.4. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the historic environment, following paragraphs 205 to 209 of the *NPPF*, any harm to the historic environment resulting from the proposed development is also described, including impacts on significance through changes to setting.

1.5. As required by paragraph 200 of the *NPPF*, the detail and assessment in this Report is considered to be *"proportionate to the assets' importance"*.²

1.6. Pre-Application Advice has been received from Cherwell District Council on 12th June 2023.

1.7. With regards to heritage matters, this stated that the Conservation Officer considered that the proposed development would not impact upon the heritage significance of the Conservation Area. We agree, and as

¹ Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, December 2023), para. 200.

² DLUHC, *NPPF*, para. 200.



such, the setting of this asset will not be considered in detail below.

- 1.8. With regards to Caversfield House and the Grade II* Listed Church of St Lawrence, the pre-application response considered that the site lies within the setting of these assets, and so these will be considered below. It should be noted that the pre-application advice predates

changes to the proposed scheme, and also predates an appeal decision for land at North West Bicester, which is relevant to the same assets.

2. Proposed Development

- 2.1. The application seeks outline permission for Demolition of existing structures and erection of up to 99 dwellings, access, open space and associated works (outline, all matters reserved save for access).
- 2.2. Development is focussed in the central area of the site, with a significant buffer of open space on the western side, and further open space on the eastern side.



Plate 2 Illustrative Masterplan

3. Site Description and Planning History

Site Description

- 3.1. As noted above, the site comprises several grazing paddocks and the buildings of a modern farm complex.

Planning History

- 3.2. An application made for the residential development of the site in 2013 (13/01056/OUT) was refused by Cherwell District Council for reasons including the harm to built heritage assets. The subsequent appeal was dismissed, with the Inspector finding harm to a group of heritage assets comprising the Grade II* Listed Church, Grade II Listed Home Farmhouse and Caversfield House.
- 3.3. It should be noted that the currently proposed scheme notably differs to that proposed in 2013 due to the inclusion of large buffers of open space at the north-western and south-western sides of the site.
- 3.4. The Inspector's Decision for this appeal (APP/C3105/A/13/2208385) is discussed below, where relevant, although it should be also be noted that this decision dates to March 2014, and predates Historic England's guidance on *The Setting of Heritage Assets*, the current version of which was published in 2017, but the first version of which was published in 2015.

- 3.5. An Inspector's Decision for another residential development site to the north-west (Charlotte Avenue, North-west Bicester, APP/C3105/W/23/3315849) is also relevant, as it discusses many of the same assets.

4. Methodology

- 4.1. The aims of this Report are to assess the significance of the heritage resource within the site/study area, to assess any contribution that the site makes to the heritage significance of the identified 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.
- 4.2. This assessment considers the archaeological resource and built heritage matters. It should be noted that matters relating to archaeology were not a reason for the dismissal of the previous appeal. Nonetheless a new HER search has been submitted and a summary of archaeological potential presented below.

Sources

- 4.3. The following key sources have been consulted as part of this assessment:
- The Oxfordshire Historic Environment Record (HER) for information on the recorded heritage resource within the vicinity of the site;
 - The National Heritage List for England for information on designated heritage assets;
 - Historic maps available online;
 - Aerial photographs available online via Historic England's Aerial Photo Explorer and Britain from Above;

- Historic England's Aerial Archaeology Mapping Explorer;
- Old photographs accessible via the Historic England Architectural Red Box Collection; and
- Other 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.

- 4.4. 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**.
- 4.5. Historic cartographic sources and aerial photographs were reviewed for the site, and beyond this where professional judgement deemed necessary.
- 4.6. Heritage assets in the wider area were assessed as deemed appropriate.
- 4.7. 2022 1m LiDAR data for the study area was downloaded in composite Digital Terrain Model format from the Environment Agency. The data was then processed and interrogated using industry-standard GIS software. Multiple hill-shade and shaded-relief models were created, principally via adjustment of the following

variables: azimuth, height, and ‘z-factor’. The models created were colourised using pre-defined ramps and classified attribute data and are provided in Appendix 2.

Site Visit

- 4.8. A site visit was undertaken by a Heritage Consultant from Pegasus Group in August 2022, during which the site and its surrounds were assessed.

Photographs

- 4.9. Photographs included in the body text of this Report are for illustrative purposes only to assist in the discussions of heritage assets, their settings, and views, where relevant. Unless explicitly stated, they are not accurate visual representations of the site or development proposals nor do they conform to any standard or guidance i.e., the Landscape Institute Technical Guidance Note 06/19. However, the photographs included are intended to be an honest representation and are taken without the use of a zoom lens or edited, unless stated in the description or caption.

Assessment Methodology

- 4.10. Full details of the assessment methodology used in the preparation of this Report are provided within **Appendix**

3. However, for clarity, this methodology has been informed by the following:

- ClfA's *Standard and Guidance for Historic Environment Desk-Based Assessment*;³
- *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision-Taking in the Historic Environment* (hereafter GPA:2);⁴
- *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) – The Setting of Heritage Assets*, the key guidance of assessing setting (hereafter GPA:3);⁵
- *Historic England Advice Note 1 (Second Edition) – Conservation Area Appraisal, Designation and Management* (hereafter HEAN:1).⁶
- *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (hereafter HEAN:12);⁷ and
- *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*.⁸

³ Chartered Institute for Archaeologists (ClfA), *Standard and Guidance for Historic Environment Desk-Based Assessment* (revised edition, October 2020).

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

⁵ Historic England, *Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets* (GPA:3) (2nd edition, Swindon, December 2017).

⁶ Historic England, *Historic England Advice Note 1 – Conservation Area Appraisal, Designation and Management* (HEAN:1) (2nd edition, Swindon, February 2019).

⁷ Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets* (HEAN:12) (Swindon, October 2019).

⁸ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

Consideration of Harm

- 4.11. It is important to consider whether the proposals cause harm. If they do, then one must consider whether the harm represents "*substantial harm*" or "*less than substantial harm*" to the identified designated heritage assets, in the context of paragraphs 207 and 208 of the *NPPF*.⁹ With regard to non-designated heritage assets, potential harm should be considered within the context of paragraph 209 of the *NPPF*.¹⁰
- 4.12. The *PPG* clarifies that within each category of harm ("*less than substantial*" or "*substantial*"), the extent of the harm may vary and should be clearly articulated.¹¹

- 4.13. The guidance set out within the *PPG* also clarifies that "*substantial harm*" is a high test, and that it may not arise in many cases. It makes it clear that it is the degree of harm to the significance of the asset, rather than the scale of development which is to be assessed.¹² In addition, it has been clarified in a High Court Judgement of 2013 that substantial harm would be harm that would:

"...have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced."¹³

⁹ DLUHC, *NPPF*, paras. 207 and 208.

¹⁰ DLUHC, *NPPF*, para. 209.

¹¹ DLUHC, *Planning Practice Guidance (PPG)*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

¹² DLUHC, *PPG*, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019).

¹³ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.

5. Policy Framework

Legislation

- 5.1. Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and their settings and Conservation Areas.¹⁴
- 5.2. In addition to the statutory obligations set out within the aforementioned Act, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.¹⁵
- 5.3. Full details of the relevant legislation are provided in **Appendix 4**.

National Planning Policy Guidance

- 5.4. National Planning Policy guidance relating to the historic environment is provided within Section 16 of the

Government's *National Planning Policy Framework* (NPPF), an updated version of which was published in December 2023. The NPPF is also supplemented by the national *Planning Policy Guidance* (PPG) which comprises a full and consolidated review of planning practice guidance documents to be read alongside the NPPF and which contains a section related to the Historic Environment.¹⁶ The PPG also contains the *National Design Guide*.¹⁷

- 5.5. Full details of the relevant national policy guidance are provided within **Appendix 4**.

The Development Plan

- 5.6. Applications for Planning Permission are currently considered against the policy and guidance set out within Cherwell Local Plan 2011–31.
- 5.7. Details of the policy specific relevant to the application proposals are provided within **Appendix 6**.

¹⁴ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

¹⁵ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

¹⁶ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment* (PPG) (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

¹⁷ Department for Levelling Up, Housing and Communities (DLUHC), *National Design Guide* (London, January 2021).

6. The Historic Environment

6.1. 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.

6.2. The heritage data was provided by the County Historic Environment Record and is copyright of Oxfordshire County Council. Oxfordshire County Council Archaeological Services has a curatorial role and approved a written scheme of investigation for this assessment on 26/09/2023¹⁸.

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

6.4. A gazetteer of relevant heritage data is included as Appendix 1. Designated heritage assets and HER records are illustrated on Figures 2 to 4 in Appendix 1.

Previous Archaeological Works

6.5. The site was the subject of a geophysical survey in 2013 (EOX3465)¹⁹ which the HER describes as "in advance of construction of new housing on parcel of land at Land at

South Lodge Stables". A small number of positive linear anomalies were recorded (MOX28204).

6.6. A further 18 investigations are recorded within the study area (Figure 2). These comprise:

- An examination of aerial photos followed by geophysical survey and evaluation at Bicester Eco Town, 300m to the north-west (EOX 3147, EOX5589, EOX6336),
- Two geophysical surveys 350m north-east of the site, at Dymock's Farm (EOX2035) and Land near Woodcote Road (EOX6789),
- An evaluation at Bicester Aerodrome mostly beyond the study area, at 900 m up to 1.8km to the east (EOX7504)
- An evaluation at Bicester Heritage Hotel (EOX6742)
- A watching brief at RAF Bicester (EOX953)
- Evaluation, excavation and post-excavation assessment at Slade Farm, 900m to the south and now within the town of Bicester (1996, EOX35, EOX41, EOX2524),

¹⁸ Pegasus Group. 2023 *Written Scheme of Investigation for a Heritage Statement: Land at Caversfield*, Bicester. Unpublished client report

¹⁹ Thames Valley Archaeological Services 2013. Land at South Lodge Stables, Caversfield, Bicester, Oxfordshire: Geophysical Survey (Magnetic). Unpublished Client Report ref SL13/49

- Three watching briefs at Skimmingdish Lane, Bicester (EOX1310, EOX7442 EOX37)
- A further two watching briefs and two evaluations within Bicester Town (EOX7388, EOX42, EOX7388, EOX7442).

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

Topography and Geology

6.8. The site slopes from 87m above Ordnance Datum (aOD)south-east to 90m aOD in the north-west.

6.9. The bedrock geology is mapped as Cornbrash Formation – Limestone, formed between 168.3 and 163.5 million years ago during the Jurassic period. The soil is recorded as freely draining lime-rich loamy soils.²⁰

Archaeological Baseline

Prehistoric (pre-43 AD)

6.10. There are no prehistoric remains recorded within the site.

6.11. At Slade Farm, 900m to the south of the site a series of investigations identified pits, palisade gullies, and ring ditches of Middle Iron Age date. Some of the pits had special deposits and one contained a Hallstatt Razor (MOX5634). A boundary ditch, possibly related to a

droveway and containing Iron Age material, was cut by one of the Middle Iron Age Gullies.

6.12. Geophysical surveys at Dymock's Farm and Land near Woodcote Road, 350m north-east of the site, identified a number of linear anomalies that indicate a possible enclosed Iron Age settlement (MOX23387).

6.13. A review of ariel photographs identified a cropmark thought to indicate a later prehistoric rectilinear enclosure, 950m west of the site (MOX5633).

Romano-British (AD 43 – 410)

6.14. There are no Romano-British remains recorded within the site. However, there are a number of records for the wider study area.

6.15. A section of the Alchester to Towcester Roman Road (MOX4783) passes 650m to the south-east of the site, following the route of the modern A4421.

6.16. In 1813 a number of inhumations were found to the east the route of the Roman Road which were thought to be Romano-British (MOX5590).

6.17. Also alongside the route of the Roman Road, at the Bicester Hotel, an evaluation revealed a ditch, dated by a single sherd of Romano-British pottery. This was too far from the route to be a roadside ditch and was thus considered to be a field boundary (MOX27791).

²⁰ British Geological Survey, *Geology of Britain Viewer*, <https://www.bgs.ac.uk/map-viewers/geology-of-britain-viewer/>.

²¹ Cranfield University, *Soilscapes*, <http://www.landis.org.uk/soilscapes/>.

6.18. During an evaluation and a subsequent watching brief at Skimmingdish Lane (MOX6348), 980m south-east of the site pottery, two well defined ditches, a gully, two pits and possible stake holes were dated to the 1st century AD. There were also a number of undated ditches and gullies which may have been of Romano-British date.

6.19. The HER records the discovery of a paved path together with fifty 1st-century Valens coins and a small lion head pin, brooches and rings (MOX5612). The site is 1 km south of the site at Willow Drive.

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

6.20. No medieval remains have been recorded within the site. However, 160 m north-west of the site, the Church of St Lawrence (NHLE 1046533, MOX27199) has surviving elements of 10th-century architecture as well as later medieval features.

6.21. Caversfield, also 160m to the north-west, is shown in the Domesday Book as part of the Hundred of Kirtlington and is recorded on the HER as a Deserted Medieval Village, with earthworks reassessed in 2000 (MOX27213).

6.22. An aerial photograph of 1961 shows a rectangular depression, just above the ornamental lake in grounds of Caversfield House, that has been interpreted as a medieval fishpond recorded in the Domesday Book (MOX27204).

Post-medieval (1540 – 1750), Early Modern (1750 – 1901), Modern (1901 – present) [

6.23. RAF Bicester World War I & II Airfield (MOX27200) is 170m to the south-east of the site, and 26 of the monument records for this period relate to features of the airfield. There is evidence that the airfield extended to the opposite side of the Fringford Road to the site at its peak but no evidence that it extended into the site.

6.24. Home Farm (NHLE 1200170, MOX14450), 200m to the west of the site, is recorded as having 17th-century origins and Braishfield House (NHLE 1369746, MOX14019), 700m to the north-east, is a 19th-century country house.

6.25. A World War pillbox (MOX27666) is recorded 350m to the north-east of the site on the perimeter of RAF Bicester.

Undated

6.26. A number of linear features were recorded during a geophysical survey of the site in 2013 (MOX27666, EOX3465, TVAS 2013).

6.27. A circular cropmark was recorded by the North Oxfordshire cropmark survey and confirmed by ariel photography (MOX23344), 204m to the east of the site.

6.28. A number of undated linear features (MOX27255) were recorded during evaluation 500m south-west of the site. It was unclear whether these were ditches or a part of the natural geology.

Statement of Archaeological Potential and Significance

- 6.29. There has been a significant amount of archaeological investigation within and around the site, including geophysical survey of the site in 2013.
- 6.30. A number of undated linear features were recorded during the geophysical survey within the site (MOX24734, EOX3465, TVAS 2013). The morphology of the anomalies suggests they most likely relate to medieval or later field system boundaries. The below ground remains of such features would not be considered to be a heritage asset.
- 6.31. No other archaeological resources are recorded within the site.
- 6.32. There are prehistoric resources within the study area but all at some distance from the site and no anomalies suggestive of significant prehistoric archaeology were recorded during the geophysical survey. Therefore the potential for significant prehistoric remains within the site is considered to be low.
- 6.33. Romano-British resources are mainly clustered around the Roman Road, 65m to the south-east and no anomalies suggestive of significant archaeological remains were recorded during the geophysical survey. The potential for Romano-British remains within the site is also considered to be low.
- 6.34. Caversfield and its church have early medieval origins and it is considered likely that the geophysical survey anomalies recorded within the site relate to a medieval field system associated with the settlement of Caversfield.

- 6.35. There are no records relating to the post-medieval or modern period near the site which are suggestive of significant remains of these dates within it and therefore the potential for archaeological remains from these periods is low.

Designated Heritage Assets

- 6.36. There are no designated heritage assets within the site.
- 6.37. Designated heritage assets in the vicinity of the site are considered in further detail in the Setting Assessment Section below.

7. Setting Assessment

- 7.1. Step 1 of the methodology recommended by the Historic England guidance *GPA:3* (see 'Methodology') is to identify which heritage assets might be affected by a proposed development.²²
- 7.2. 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.
- 7.3. 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.
- 7.4. Assets in the vicinity identified for further assessment on the basis of previous Inspector's Decisions and the Pre-Application Advised, as well as the site visit, comprise:
- The Grade II* Listed Church of St Lawrence
 - The Grade II Listed Home Farmhouse
 - The non-designated Caversfield House

7.5. Assets excluded on the basis of Pre-Application Advice and Inspector's Decisions include the RAF Bicester Conservation Area.

7.6. With regards to the Conservation Area, the Inspector's Decision for the previously proposed residential development within the site concluded that the development would make little or no impact on the features of the Conservation Area which contribute to its significance, or its character and appearance, which would therefore be preserved. This was on the basis that the nearest houses, in the eastern area of the site, opposite the Conservation Area, would be set back from the road, ensuring the isolated character of the Conservation Area would largely be preserved. This set back is still proposed in the emerging proposals, and hence it is anticipated that no harm to the asset will occur. No harm to this asset was identified in the pre-application response.

St Laurence Church and Caversfield House

7.7. The Church of St Laurence which lies approximately 170m to the north-west of the site was Grade II* Listed on 7th December 1966. The Church is of Early Medieval origin, with 10th- or 11th-century fabric, and 12th- and 13th-century additions. It was repaired and partly rebuilt in 1874 (Plate 3).

²² Historic England, *GPA:3*, p. 4.



Plate 3 Looking north-east to the Grade II* Listed Church of St Laurence from the B4100

- 7.8. The church lies within a graveyard which is largely screened from the wider area by vegetation within the graveyard and on its boundaries. The church can be glimpsed from the B4100 to the south-west (Plate 3).
- 7.9. Caversfield House which lies 170m north-west of the site, just to the north-east of the church, replaced an earlier building which was destroyed by fire, or represents the remnants of a larger structure. The Inspector's Decision of 2014 notes 'While Caversfield House is not listed, in my assessment the layout and extent of survival of historic structures within its grounds represent a significant heritage asset.' It also notes 'Evidence at the Inquiry added the fact that Caversfield House was used as military accommodation during WWII, tying it even more closely to the church.' With regards to this, it should be

noted that historic mapping shows that the house was greatly altered in terms of footprint following the war.

- 7.10. Historically, as shown on the Caversfield Tithe Map of 1854, the church lay close to Caversfield House, surrounded on three sides by the grounds of the house which were held in hand (Plate 4). Home Farm lay to the south, and whilst part of the estate was a separate tenancy, which also included the north-western part of the site. This is discussed further below.



Plate 4 Extract from the Caversfield Tithe Map (church shown in blue, Caversfield House in orange)

- 7.11. A similar arrangement is shown on later Ordnance Survey mapping (Plate 5).
- 7.12. Both these earlier sources show Caversfield House surrounded by parkland with, most notably, a large lake to the southeast. Historically the house may have had filtered views to the land beyond, including the site, albeit there was clearly mature planting between the two areas (Plate 5).

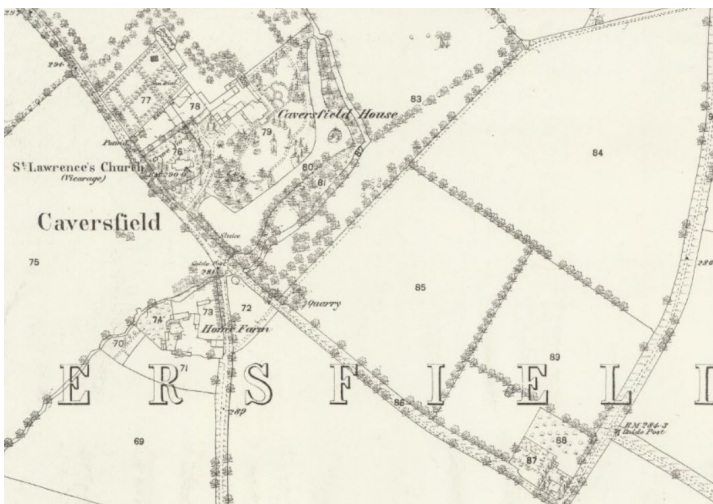


Plate 5 Extract from the 1881 Ordnance Survey map

- 7.13. By 1922, the area to the area to the north-east and south-east had a wider parkland character, with a drive created starting from the south-east where a lodge was constructed on Fringford Road (Plate 6), looping round the complex to approach the house from the north-west (Plate 7). The area that this passed through was given a parkland character through the establishment of scattered trees. This wider area has largely lost its

parkland character, although more consolidated clumps of trees remain.



Plate 6 The lodge on Fringford Road

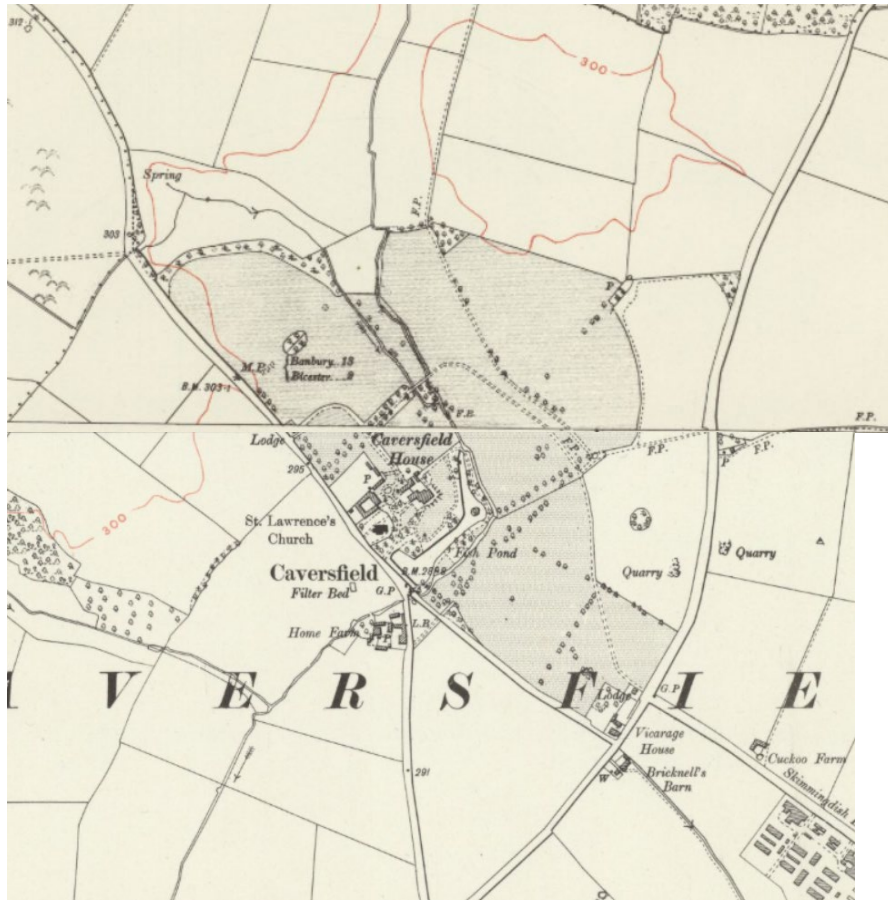


Plate 7 Extract from the Ordnance Survey map of 1922

- 7.14. Caversfield House is said to have been used as military accommodation during the Second World War (according to 3rd party evidence given at the 2014 Inquiry).
- 7.15. Caversfield House appears to have been greatly reduced in footprint (post 1955, Plate 8), but one wing of the house, the walled garden and outbuildings of the earlier residence remain.



Plate 8 Extract from the 1955 Ordnance Survey map

Today, Caversfield House appears to retain wider grounds to the north-west, but the wider parkland areas appear to be separate from the house. The wider areas, including the site are now very well screened from the house (Plate 9).



Plate 9 Extract from a recent aerial photograph © Google

7.16. With regards to the Church, as a Grade II* Listed building, it is a designated heritage asset of the highest level of significance, as defined by the NPPF. Its significance is primarily embodied in its physical remains, but setting also contributes to the significance of the asset. The elements of its setting which make the greatest contribution to its significance are:

- Its functionally associated churchyard, which has historic illustrative value, and from which the architectural and artistic interests of the asset can be appreciated.
- The settlement it served and serves.
- The Caversfield House complex, and current curtilage and grounds, including secluding vegetation.
- The Home Farm complex.

7.17. The site lies beyond these areas. It was once part of the wider landholding of Caversfield House, with which the church had an association. The site retains some minor legibility as part of the former wider lands, through the presence of the lodge and trackway through it reflecting the earlier drive.

7.18. The site is screened from the church and house by vegetation, and has no co-visibility with either (Plate 10).



Plate 10 Looking north-west towards the church and Caversfield House from within the site

7.19. Overall, the site is considered to make a minor contribution, at most, to the heritage significance of the church through setting.

7.20. The built form of the proposed development will be set back from the complex of the church and Caversfield House, with proposed open space intervening.

7.21. The lodge, which lies outside of the site, will be retained, as will the legibility of the former trackway through the site. Indeed, the trackway will be opened up to public access, and it will be possible to experience this in conjunction with the lodge.

7.22. Taking this into account, and taking into account how the asset derives its significance as a whole and how the elements of the setting of the asset which make the

greatest contribution to setting will remain intact, the impact upon the heritage significance of the church would be less than substantial and at the low end of the spectrum.

7.23. With regards to the non-designated heritage asset of Caversfield House and its outbuildings, their significance is primarily embodied in their physical form, although setting does contribute to their significance. Those elements of the significance of the asset which contribute to significance the assets through setting comprise:

- The extant designed grounds in which the house and outbuildings are located, including secluding vegetation.
- The church and graveyard.
- The Home Farm complex.

7.24. The site lies beyond these areas. It lies within part of the wider grounds of the house, which once had a parkland treatment, had a lodge adjacent and was cross by a driveway. However, the parkland character is now very largely eroded, the grounds of the house having contracted, and the site now lying in separate ownership.

7.25. As shown by Plate 10, above, the site no longer has intervisibility with the house.

7.26. Overall, the site is considered to make a minor contribution to the heritage significance of Caversfield House and outbuildings through setting.

7.27. The built form of the proposed development will be set back from the complex of the church, Caversfield House and outbuildings, with proposed open space intervening.

7.28. The lodge, which lies outside of the site, will be retained, as will the legibility of the former trackway through the site and the trackway will be opened up allowing its public experience in conjunction with the lodge.

7.29. Taking this into account, and taking into account how the asset derives its significance as a whole and how the elements of the setting of the asset which make the greatest contribution to setting will remain intact, the impact upon the heritage significance of Caversfield House and outbuildings would be minor.

Home Farmhouse

7.30. Home Farmhouse is a Grade II Listed farmhouse which lies 115m west of the site. It was Listed on the 1st May 1987. The building has early to mid 17th-century origins, and 18th- or 19th-century extensions.

7.31. The farmhouse faces south onto modern farm buildings, which are part of the extensive complex of farm buildings it is situated within (Plate 11).

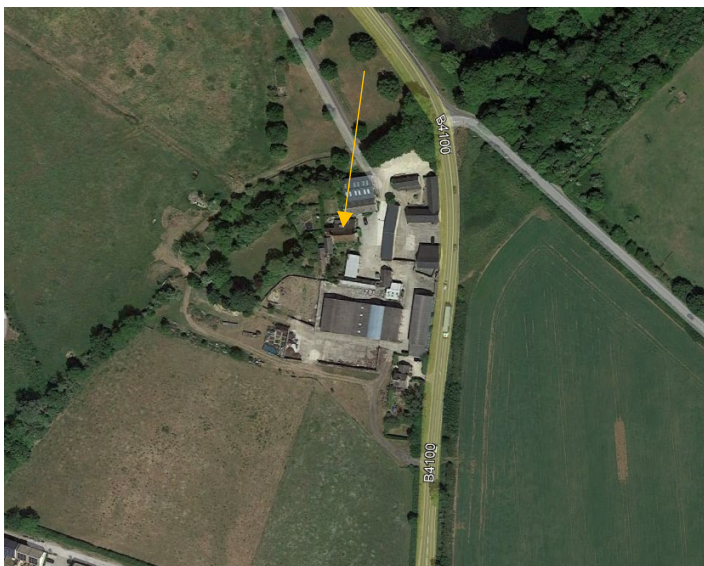


Plate 11 The Home Farm complex (Farmhouse orange arrow)

- 7.32. Historic maps show that the landholding associated with the farm surrounded the farm and was extensive, extending in all directions around the farm. The farmyard was also historically large, and flanked by trees on its eastern side (Plate 12).
- 7.33. The complex appears to have developed as part of the estate of Caversfield House, with common ownership shown on the Tithe Map. Whilst the name Home Farm indicates a close relationship, it was not held in hand by the estate by the 1840s, but rather it had a tenant.

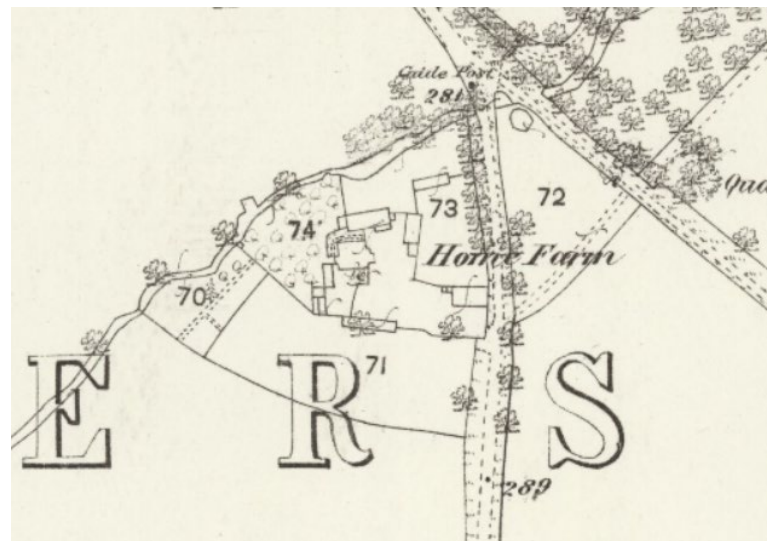


Plate 12 Extract from the Ordnance Survey Map of 1881

- 7.34. As a Grade II* Listed building, the farmhouse is a designated heritage asset of the highest level of significance, as defined by the NPPF. Its significance is primarily embodied in its physical remains, but setting also contributes to the significance of the asset. The elements of its setting which make the greatest contribution to its significance are:
- Its immediate gardens.
 - Its functionally associated farmyard, including the farm buildings which give legitimacy to its agricultural origins.
 - The Caversfield House complex, which it was once the home farm of.

- Its historic agricultural landholding, including those areas which it retains intervisibility with.

7.35. The site lies beyond these areas. It was once part of the historically associated tenancy of the farm, but this connection has ceased. It has no intervisibility with the asset, which has a blank façade facing east, and is divided from the site by vegetation flanking Skimmingdish Lane. As proximate but screened historically associated land, the site makes a minor contribution to the heritage significance of the asset through setting.

7.36. The built form of the proposed development will be set back from the corner of the site closest to the farm complex, providing a significant buffer of undeveloped land.

7.37. Taking this into account, and taking into account how the asset derives its significance as a whole and how the elements of the setting of the asset which make the greatest contribution to setting will remain intact, the impact upon the heritage significance of Home Farmhouse House would be less than substantial and at the low end of the spectrum.

Previous Inspector’s Decisions

7.38. With regards to Inspector’s Decisions, as discussed above, there is a Decision for a previously proposed residential scheme which was dismissed at appeal in 2014²³. This identified the land of the site as contributing to the heritage significance of a group of three heritage assets comprising the church, Caversfield House and

Home Farm, indeed making a substantial contribution to their significance, through the eastern farmland being part and parcel of the assets’ function. The impact of the development was assessed as being less than substantial, but the point on the spectrum was not articulated. The extension of the development up to the north-western edge of the site resulted in particular criticism of the scheme by the Inspector.

7.39. It should be noted that the scheme has been greatly revised from that dismissed at appeal. Specifically, development no longer extends to the north-western edge of the site closest to the assets, but is set back behind an ecological corridor and a significant area of natural open space. This retains a significant buffer of open character closest to the assets.

7.40. Whilst we agree that the site makes some contribution to the significance of the heritage assets, it should be noted that the Decision predates the first iteration of Historic England’s Guidance on The Setting of Heritage Assets (first issued in 2015 and updated in 2017). Following this guidance, an assessment has been made of the heritage significance of the individual assets, and the staged assessment approach advocated by the Historic England Guidance, as given the results presented above.

7.41. An Inspector’s Decision²⁴ of 2023 for residential development at Land at Charlotte Avenue, North West Bicester gave a summary of the Church’s significance in line with the above assessment:

²³ Appeal Reference APP/C3105/A/13/2208385

²⁴ Appeal Reference APP/C3105/W/23/3315849

“In respect of the Church of St Laurence, its significance is principally derived from its historic fabric. However, its setting also contributes its significance. The Church’s immediate setting, including its church yard, trees and planting, make a positive contribution to that significance. Its wider setting, in which the appeal site lies, includes the rural agricultural land around. That makes a lesser contribution to its significance.”

- 7.42. The proposed development for that site was found to cause less than substantial harm at the low end of the spectrum, with this site having some intervisibility with the church.
- 7.43. The same Decision also considered Home Farm, on which it concluded as follows:

“Home Farm includes a later altered and added to early 17th century farmhouse, which is grade II listed. Its significance is principally derived from its preserved architectural fabric and historic form. However, its setting also contributes to a lesser extent to that significance. That includes its immediate setting comprising its enclosed gardens and historic farm buildings, but also its wider setting which includes the surrounding agricultural land and the historic buildings within it, including the appeal site. Evidence of historic tenancies and ownerships linked to Home Farm indicate a historic functional relationship with the surrounding agricultural land. For this reason, the wider setting, in which the

appeal site sits, contributes to the significance of the listed building.”

- 7.44. The development was concluded to cause less than substantial harm at the lower end of the spectrum, again with some intervisibility with the asset.
- 7.45. With regards to Caversfield House, the 2023 Appeal decision concluded:

“Caversfield House and the earlier structures associated with it, are non-designated heritage assets. They are surrounded by dense vegetation that contributes to their significance as a self-contained complex. Their wider rural and agricultural setting makes a positive contribution to that significance, within which the appeal site sits. Views of the structures at Caversfield House are limited from within the appeal site. Due to the lack of visual relationship, I have no reason to take an alternative view to that of the two main parties, that the appeal site makes a limited contribution to the significance of Caversfield House and the impact of the appeal development would be limited.”

- 7.46. Taking into account the above appeal decisions, our assessments of significance and harm are considered to be robust.

8. Conclusions

- 8.1. With regards to the archaeological potential of the site, the geophysical survey did not record anomalies suggestive of significant archaeological remains, and the remains recorded in the vicinity did not suggest specific archaeological potential. A few linear anomalies were recorded, which are considered most likely to relate to field systems of medieval or later date. The potential for significant archaeological remains to be present within the site is considered to be low.
- 8.2. With regards to built heritage assets in the vicinity, the site is considered to make a minor contribution to the heritage significance of the St Laurence Church Grade II* Listed building, Home Farm Grade II Listed building, and Caversfield House and outbuildings non-designated heritage asset.
- 8.3. The proposed scheme has been designed to respect the heritage significance of the built heritage assets, specifically, through the retention of the driveway through the site, and the placement of development away from the north-western areas of the site, closest to the heritage assets.
- 8.4. Taking this into account, the harm to the Listed buildings is anticipated to be less than substantial and at the low end of the spectrum, and there would be a low level of harm to the non-designated heritage asset.

Sources

Legislation
UK Public General Acts, Ancient Monuments and Archaeological Areas Act 1979.
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Policy and Guidance
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Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019).

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Court and Appeal Decisions

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

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

Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697.

Jones v Mordue [2015] EWCA Civ 1243.

Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor [2020] EWHC 2292 (Admin).

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

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

Aerial Photography References	
12 DEC 1946	RAF/CPE/UK/1897
12 DEC 1946	RAF/CPE/UK/1897
12 DEC 1946	RAF/CPE/UK/1897
12 DEC 1946	RAF/CPE/UK/1897
13 JUN 1947	RAF/CPE/UK/2159
1961	FSL/6125
1961	FSL/6125
16 AUG 1961	RAF/58/4627
16 AUG 1961	RAF/58/4627
16 AUG 1961	RAF/58/4627
06 JUN 1973	OS/73252
06 JUN 1973	OS/73252
23 MAR 1970	OS/70023



29 APR 1966	OS/66042
29 APR 1966	OS/66042
29 APR 1966	OS/66042
05 JUL 1968	OS/68252
05 JUL 1975	OS/75312
05 JUL 1975	OS/75312
05 JUL 1975	OS/75312
26 NOV 1984	OS/84243
26 NOV 1984	OS/84243
26 NOV 1984	OS/84243
26 NOV 1984	OS/84243
23 SEP 1989	OS/89440
23 SEP 1989	OS/89440
28 JUN 1994	OS/94214



28 JUN 1994	OS/94214
28 JUN 1994	OS/94214
28 JUN 1994	OS/94214
15 JUN 1996	OS/96633
15 JUN 1996	OS/96633
15 JUN 1996	OS/96633
15 JUN 1996	OS/96634
15 JUN 1996	OS/96634
15 JUN 1996	OS/96634
12 FEB 1952	RAF/540/673
12 FEB 1952	RAF/540/673
03 SEP 1999	OS/99329
03 SEP 1999	OS/99329
03 SEP 1999	OS/99329



03 SEP 1999	OS/99329
14 JUN 2004	OS/04982
14 JUN 2004	OS/04982
24 APR 2009	OS/09015
24 APR 2009	OS/09015
19 AUG 2009	OS/09061
19 AUG 2009	OS/09061
19 AUG 2009	OS/09061

Appendix 1: Gazetteer

Heritage Data

HER Event Data

Ev UID	Name	Event Type
EOX35	Evaluation at Slade Farm	Evaluation
EOX37	Land adjacent to Skimmingdish Lane	Evaluation
EOX41	Slade Farm	Excavation
EOX42	Southwold County Primary School	Evaluation
EOX55	Slade Farm II	Evaluation
EOX953	RAF Bicester, Oxon 2002	Watching Brief
EOX1310	Skimmingdish Lane, Bicester: archaeological watching brief	Watching Brief
EOX2035	Dymock's Farm	Geophysical Survey
EOX2524	Slade Farm	Post Excavation Assessment
EOX3147	Bicester Eco Town	Air Photo Survey

EOX3465	Land at South Lodge Stables	Geophysical Survey
EOX5589	Bucknell Road	Geophysical Survey
EOX6336	Bicester Eco Town, Exemplar Site	Evaluation
EOX6742	Bicester Heritage Hotel	Evaluation
EOX6789	Land near Woodcote Road	Geophysical Survey
EOX7388	Watching Brief at Banbury Road Roundabout	Watching Brief
EOX7442	Watching Brief on Land to the north of Coopers	Watching Brief
EOX7504	Evaluation at Bicester Aerodrome	Evaluation

HER Monument Data

Mon UID	Pref Ref	Name	Mon Type	Period
MOX6348	16217	Possible Roman Settlement (land adj to Skimmingdish Lane)	DITCH; POST HOLE; SETTLEMENT; FIELD SYSTEM	Roman

MOX5634	16025	Iron Age Settlement, Slade Farm	SETTLEMENT; BOUNDARY DITCH; PIT; RING DITCH; OVEN	Iron Age
MOX5633	15958	Later Prehistoric Rectilinear Enclosures	RECTILINEAR ENCLOSURE	Later Prehistoric
MOX5612	9984	Roman Enclosures and finds (SW of South Farm between A41 and A421)	FINDSPOT; RECTANGULAR ENCLOSURE	Roman
MOX5590	1611	Roman Inhumations	INHUMATION	Roman
MOX4917	13743	Medieval Fishpond (NE of Caversfield House)	FISHPOND	Medieval
MOX4899	5107	Post Medieval Fishpond	FISHPOND	Post Medieval
MOX4898	5106	Church of St Lawrence, A41	CHURCH	Early Medieval to Post Medieval
MOX4882	1016	Caversfield Deserted Medieval Village	DESERTED SETTLEMENT; FISHPOND; HOLLOW WAY; QUARRY?	Medieval to Post Medieval
MOX4783	8922	Roman Road	ROAD	Roman
MOX28520	30133	Post-Medieval features	WELL; FIELD BOUNDARY; PIT	Post Medieval to Late 20th Century
MOX27791	29404	Roman boundary ditch	BOUNDARY DITCH	Roman

MOX27666	29279	WWII pillbox	PILLBOX	Second World War
MOX27255	28875	Possible ditches	DITCH?	Unknown
MOX27222	28844	Building No 135, RAF Bicester	AEROPLANE REPAIR SECTION SHED	Mid 20th Century
MOX27221	28843	Building Nos 129, 130 and 131 (Motor Transport Sheds), RAF Bicester	MOTOR TRANSPORT SHED	Early 20th Century to Mid 20th Century
MOX27220	28842	Building No 123 (Lecture Rooms and Armoury), RAF Bicester	LECTURE THEATRE; ARMOURY	Early 20th Century
MOX27218	28840	Building No 99 (Main Workshops), RAF Bicester	WORKSHOP	Early 20th Century
MOX27217	28839	Building No 96 (Lubricant Store), RAF Bicester	STORAGE BUILDING	Early 20th Century
MOX27216	28838	Building No 92 (Parachute Store), RAF Bicester	PARACHUTE STORE	Early 20th Century
MOX27215	28837	Building No 90 (Main Stores), RAF Bicester	STOREHOUSE	Early 20th Century
MOX27214	28836	Building No 89 (Guard and Fire Party House), RAF Bicester	GUARDHOUSE	Early 20th Century
MOX27213	28835	Building No 87 (Fire Party House), RAF Bicester	FIRE TENDER HOUSE	Mid 20th Century
MOX27204	28826	Buildings Nos 79 and 137 (Type 'A' Hangars)	AIRCRAFT HANGAR (TYPE A)	Early 20th Century

MOX27203	28825	Building Nos 146 and 147 (Station offices and Operation Block)	MILITARY OFFICE; OPERATIONS BLOCK	Early 20th Century
MOX27202	28824	Building Nos 43 and 46 (Station Sick Quarters and Decontamination Centre)	SICK QUARTERS; DECONTAMINATION BUILDING	Early 20th Century to Second World War
MOX27201	28823	Buildings Nos 29, 42, 35 and 36 (Type 'E' Barracks Blocks)	BARRACK BLOCK	Early 20th Century to Mid 20th Century
MOX27200	28822	Building No 23 and 25 (Type H Barracks Block)	BARRACK BLOCK	Second World War
MOX27199	28821	Building No 48 (Dining Room and Cookhouse), RAF Bicester	REFECTORY; COOKHOUSE; REFECTORY; CINEMA	Early 20th Century to Second World War
MOX27198	28820	Building No 47 (Ration and Adjutant Stores), RAF Bicester	STOREHOUSE	Early 20th Century
MOX27184	28806	RAF Bicester Buildings 108 and 113 (Type C hangars)	AIRCRAFT HANGAR (TYPE C)	Mid 20th Century
MOX27183	28805	RAF Bicester Building 103 (Link Trainer)	LINK TRAINER	Mid 20th Century
MOX27182	28804	RAF Bicester: Domestic Site Building 50 (Decontamination Centre)	DECONTAMINATION BUILDING	Second World War
MOX27181	28803	RAF Bicester Building 33 (Barrack Block)	BARRACK BLOCK	Mid 20th Century

MOX27171	28793	Building No 32 (Airmen's Institute), RAF Bicester: Domestic Site	AIRMENS INSTITUTE	Early 20th Century to Mid 20th Century
MOX27170	28792	Building No 22 (Central Heating Plant), RAF Bicester: Domestic Site	HEATING PLANT; FUEL STORE; GARAGE	Second World War
MOX27169	28791	Building No 20 (Dining Room and Institute), RAF Bicester: Domestic Site	SERVICES CLUB	Second World War
MOX27162	28785	Building No. 16 (Officers' Mess and Quarters), RAF Bicester	OFFICERS MESS; OFFICERS QUARTERS	Early 20th Century to Mid 20th Century
MOX27161	28784	Building No. 31 (Sergeants Mess), RAF Bicester	SERGEANTS MESS	Early 20th Century to Mid 20th Century
MOX24734	28204	Linear features at South Lodge Stables	LINEAR FEATURE	Undated
MOX23387	17498	Possible multi-phase, enclosed Iron Age settlement	RING DITCH?; SETTLEMENT; DITCH?; PIT?	Later Prehistoric
MOX23344	17461	Possible ring ditch E of Caversfield	RING DITCH?	Unknown
MOX14450	17289	HOME FARMHOUSE, A41	FARMHOUSE; SITE	Post Medieval
MOX14019	17288	BRASHFIELD HOUSE AND BRASHFIELD LODGE, A421	COUNTRY HOUSE; PLAQUE; HOUSE; SITE	Post Medieval to Late 20th Century

MOX12827	17006	RAF Bicester: World War I & II Airfield	AIR RAID SHELTER; MILITARY AIRFIELD; BOMB STORE; SEAGULL TRENCH; BLAST SHELTER; LIGHT ANTI AIRCRAFT BATTERY; STANTON SHELTER; BATTLE HEADQUARTERS; PILLBOX (CANTILEVERED); PILLBOX (TYPE FW3/27); PILLBOX (VARIANT)	First World War to 21st Century
MOX6348	16217	Possible Roman Settlement (land adj to Skimmingdish Lane)	DITCH; POST HOLE; SETTLEMENT; FIELD SYSTEM	Roman
MOX5634	16025	Iron Age Settlement, Slade Farm	SETTLEMENT; BOUNDARY DITCH; PIT; RING DITCH; OVEN	Iron Age
MOX5633	15958	Later Prehistoric Rectilinear Enclosures	RECTILINEAR ENCLOSURE	Later Prehistoric
MOX5612	9984	Roman Enclosures and finds (SW of South Farm between A41 and A421)	FINDSPOT; RECTANGULAR ENCLOSURE	Roman
MOX5590	1611	Roman Inhumations	INHUMATION	Roman



Historic England Data

Historic England Listed Buildings

List Entry	Name	Grade
1200170	Home Farm	II
1369746	Braishfield House	II
1046533	Church of St Lawrence	II*



Appendix 2: Figures

Figure 1: Site Location Plan

Figure 2: HER Events

Figure 3: HER Monuments

Figure 4: Designated Heritage Assets

Figure 5: 1m DTM LiDAR - 0°

Figure 6: 1m DTM LiDAR - 45°

Figure 7: 1m DTM LiDAR - 90°

Figure 8: 1m DTM LiDAR -135°

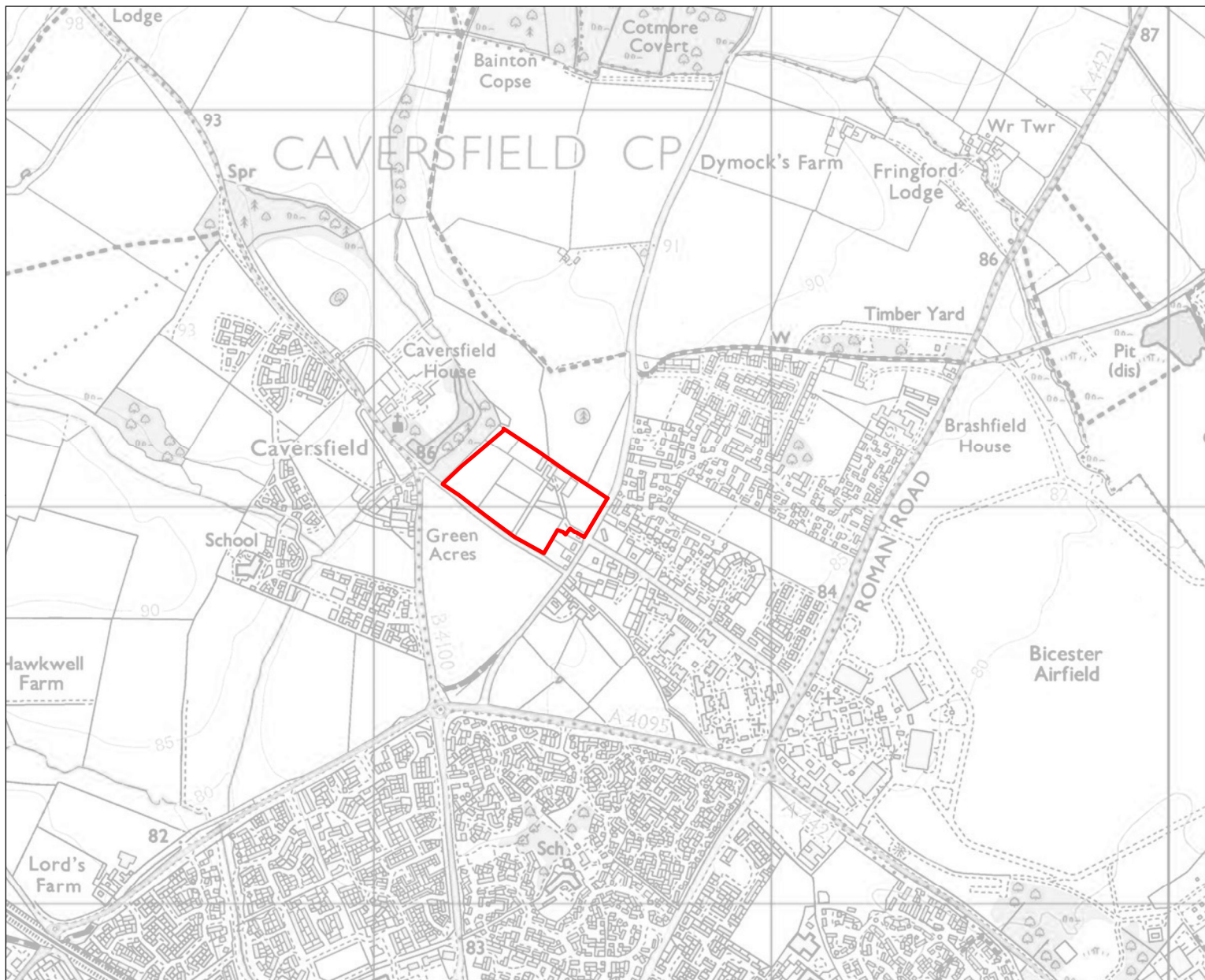
Figure 9: 1m DTM LiDAR - 180°

Figure 10: 1m DTM LiDAR - 225°

Figure 11: 1m DTM LiDAR - 270°

Figure 12: 1m DTM LiDAR - 315°

Figure 13: 1m DTM LiDAR - 360°



KEY
 Site

Courtesy of Emapsite

Figure 1: Site Location Plan

Land at Caversfield, Bicester

Client: Richborough Estates Limited

DRWG No: O21-2641

Drawn by: JK

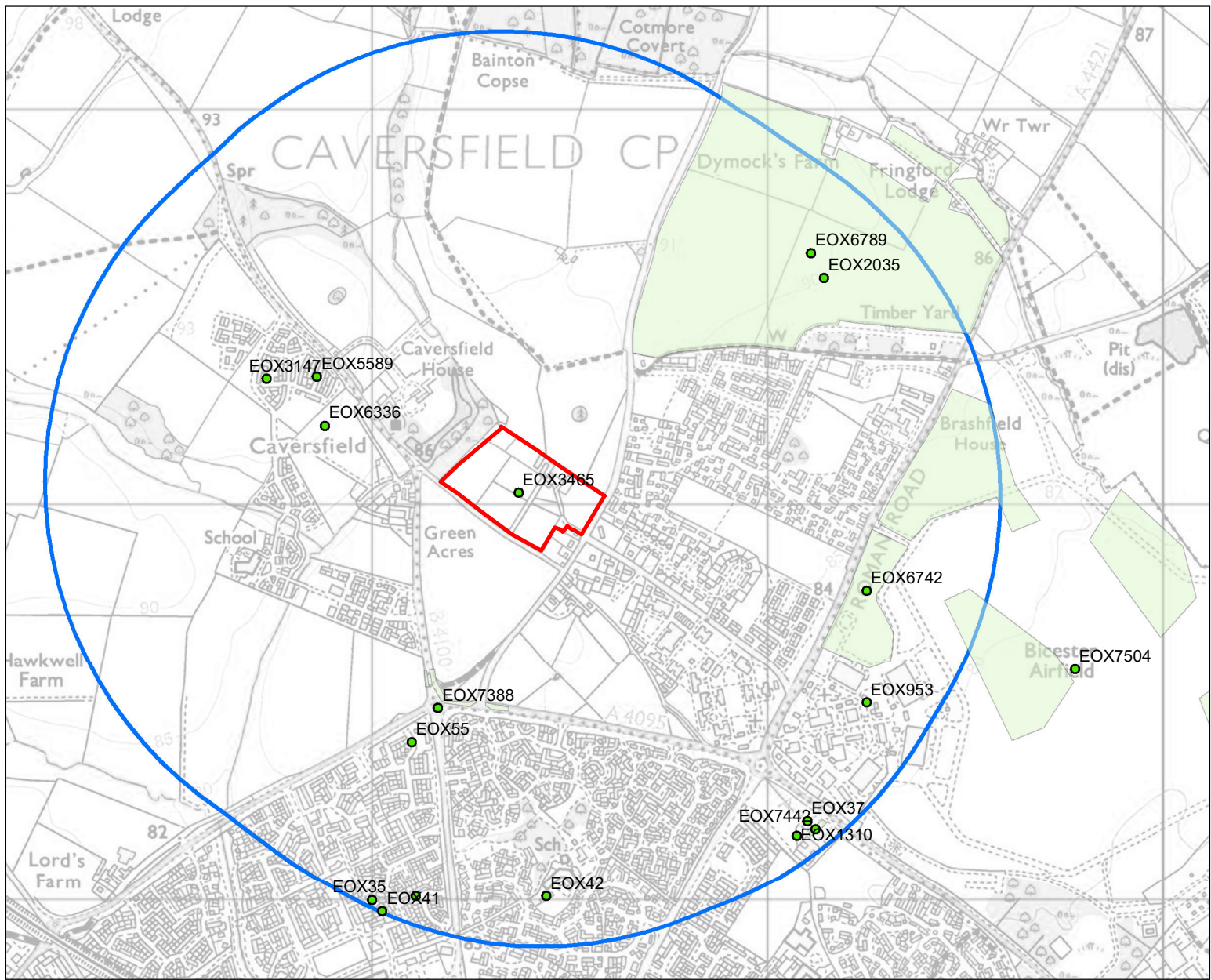
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Scale: 1:15,000 @ A4

Approved by: GS

0 0.5 km





KEY

- Site
- HER Events
- HER Events
- 1 km

Contains Oxfordshire HER data. Records labelled by their EvUID: please cross reference to Appendix 1 of the Heritage Desk-Based Assessment

Figure 2: HER Events

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS





KEY

- Site
- HER Monuments
- HER Monuments
- 1 km

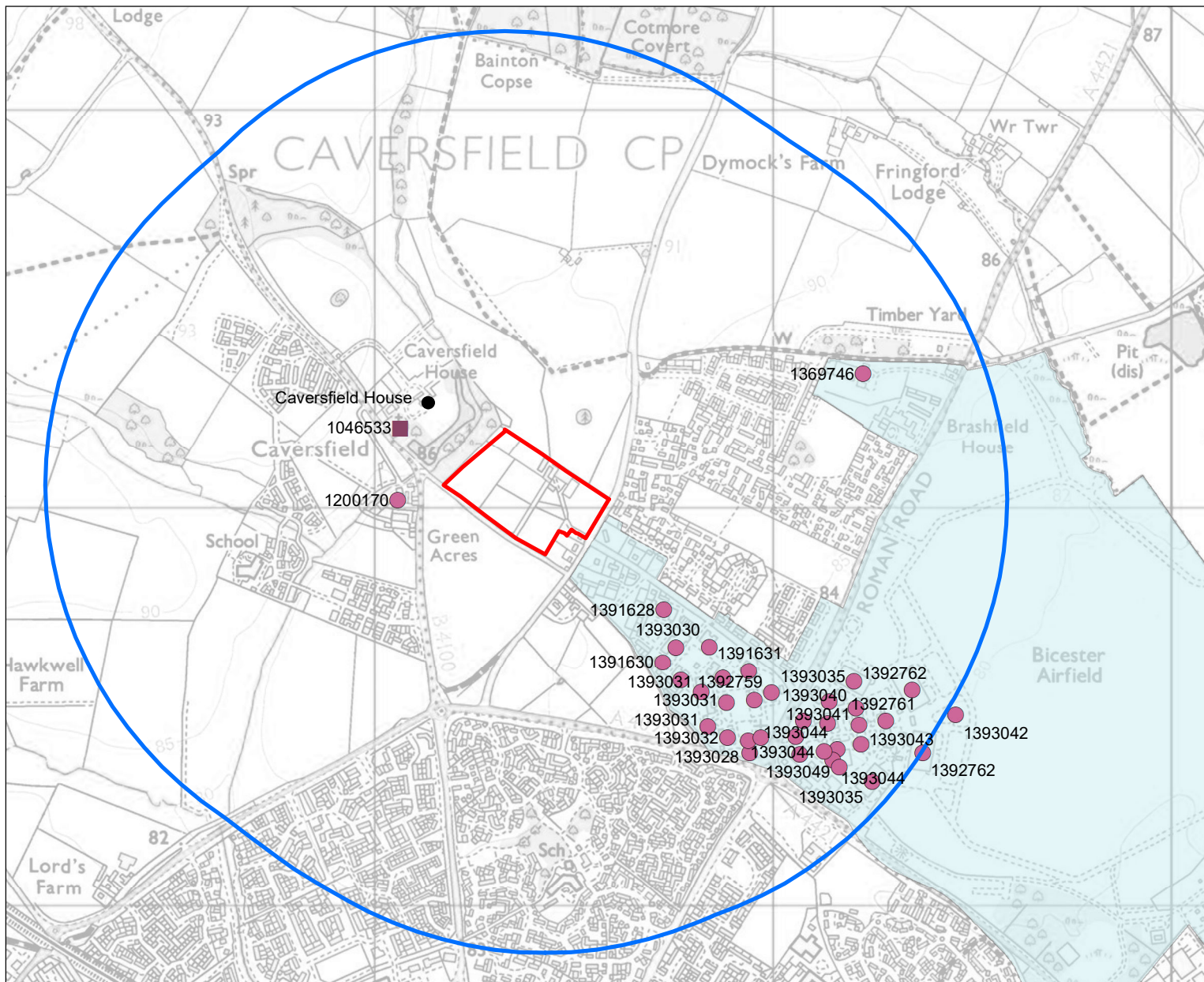
Contains Oxfordshire HER data. Records labelled by their MonUID: please cross reference to Appendix 1 of the Heritage Desk-Based Assessment

Figure 3: HER Monuments

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS





KEY

- Site
- 1 km
- Conservation_Areas

Listed Buildings

o

Grade

- ▲ I
- II
- II*

Courtesy of Historic England

Figure 4: Heritage Assets

Land at Caversfield, Bicester

Client: Richborough Estates Limited

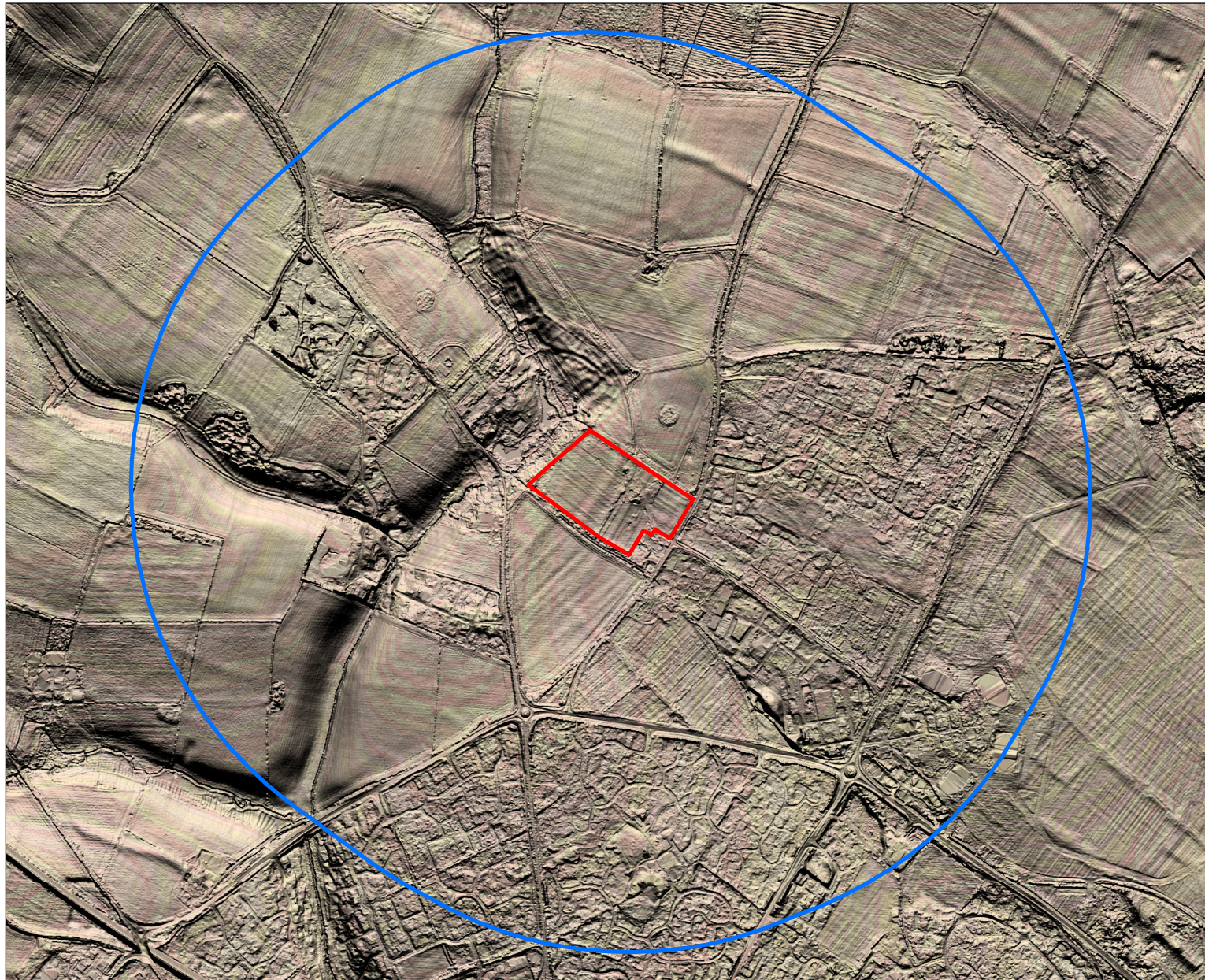
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Drawn by: JK

Date: 15/01/2024

Scale: 1:15,000 @ A4

Approved by: GS



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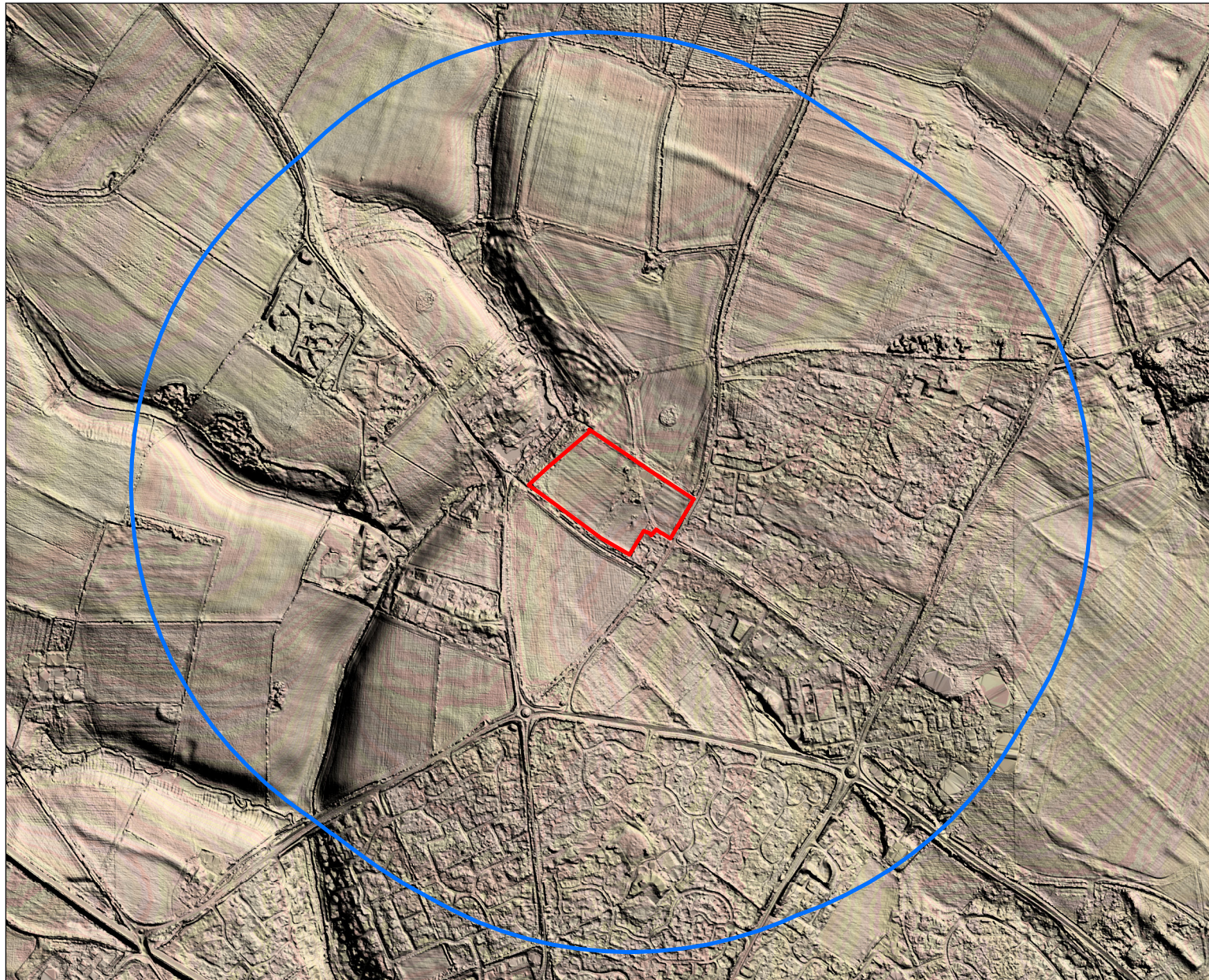
Figure 5: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

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KEY

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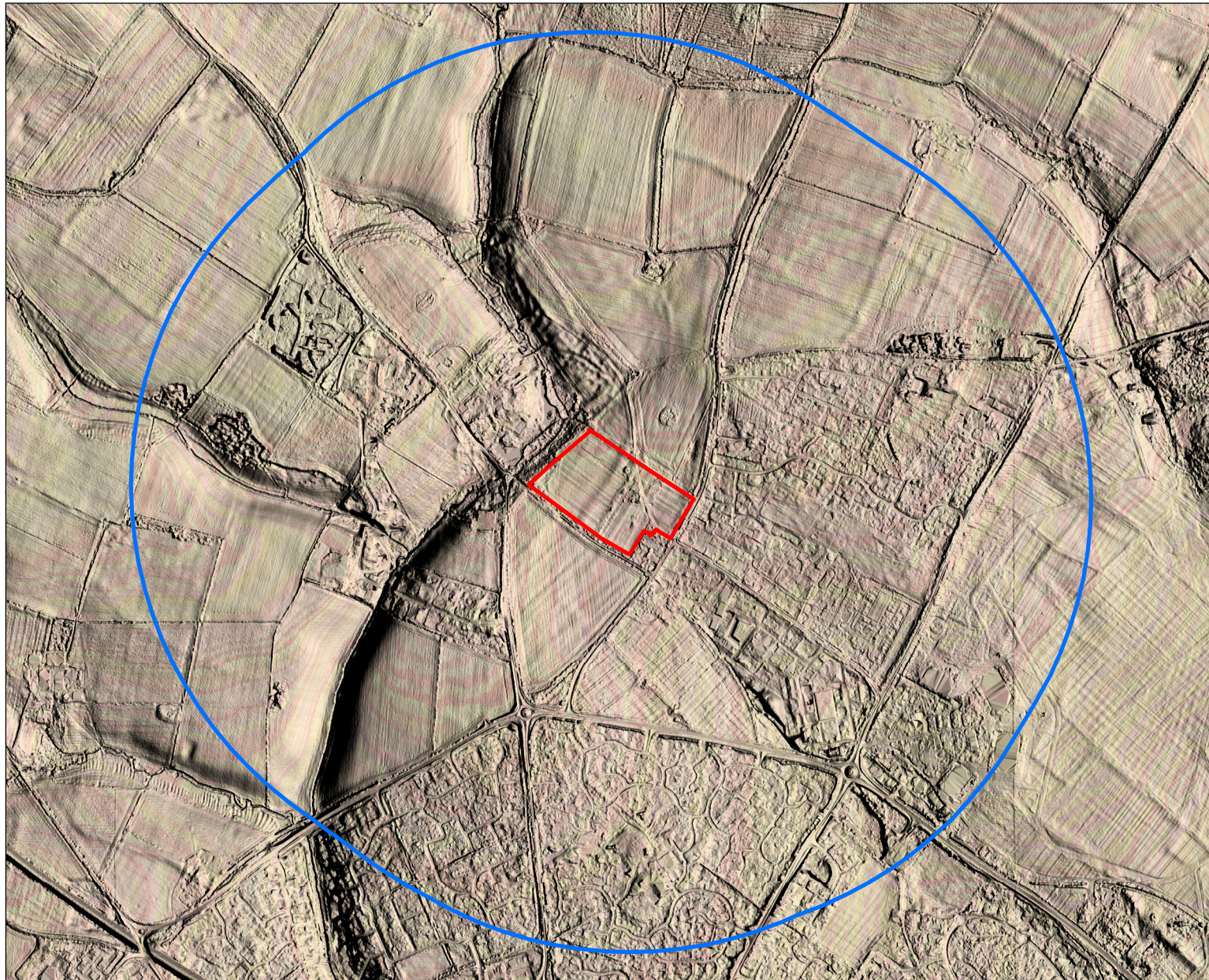
Figure 6: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 0.5 km





KEY

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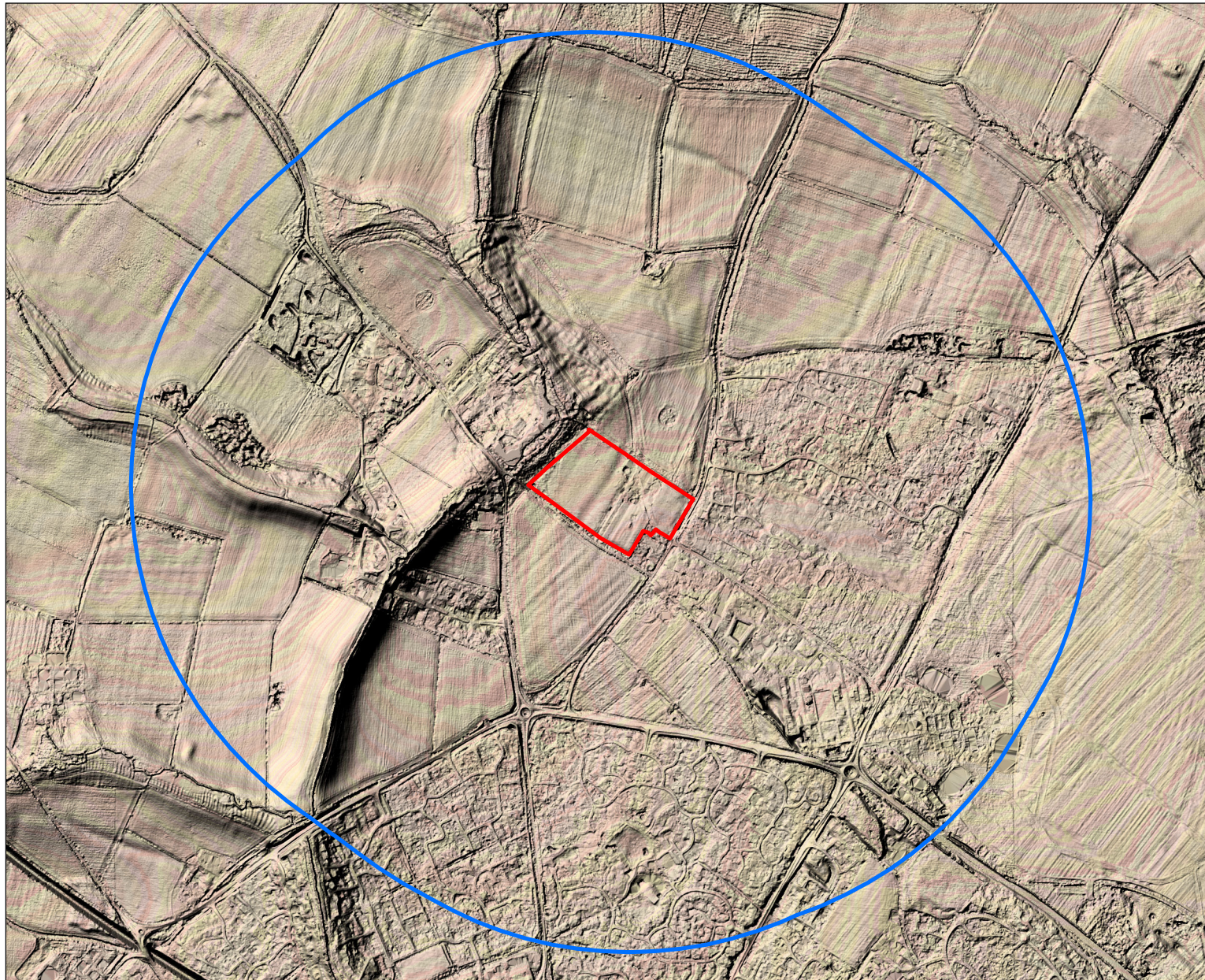
Figure 7: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres





KEY

- Site
- 1 km

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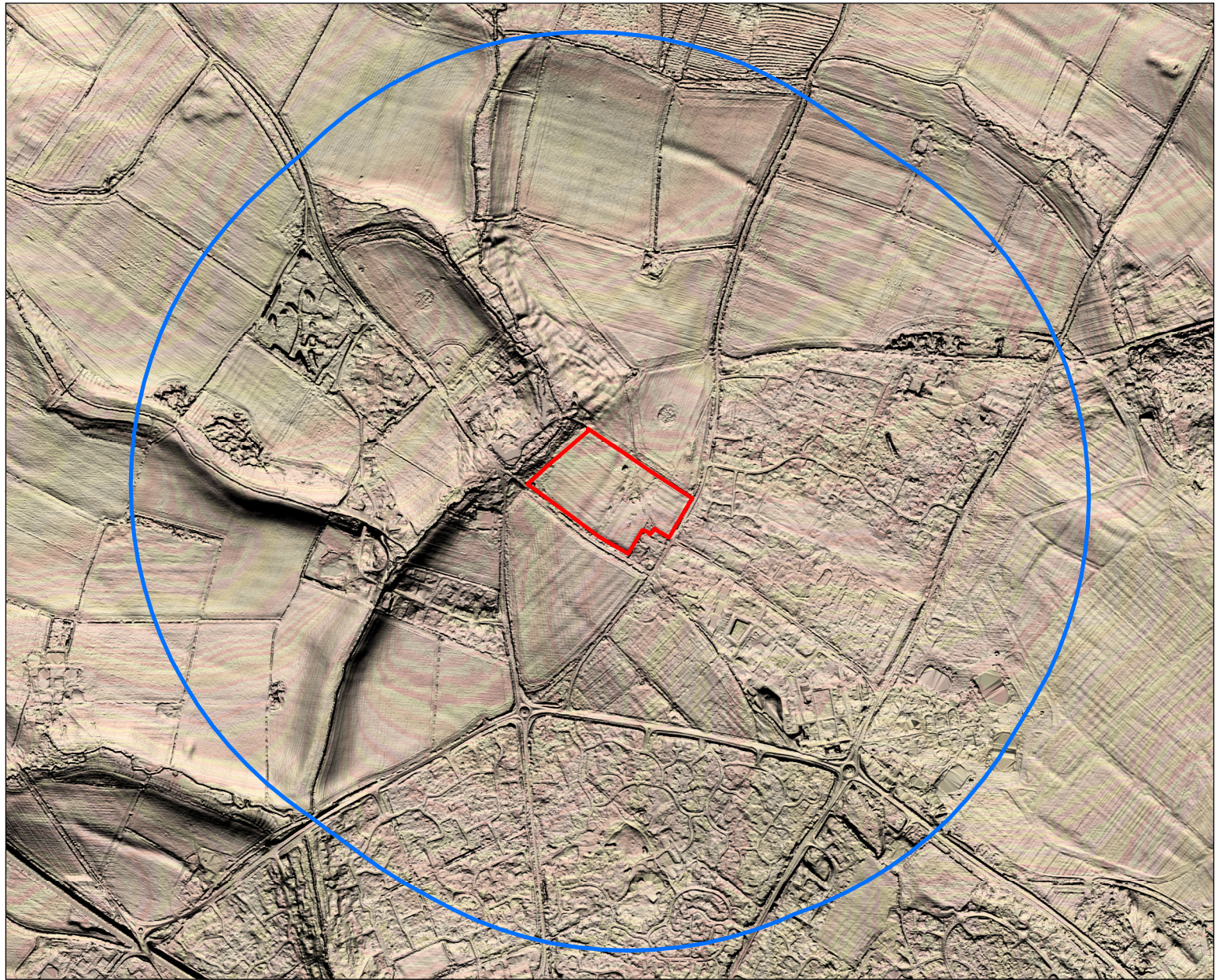
Figure 8: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres





KEY

- Site
- 1 km

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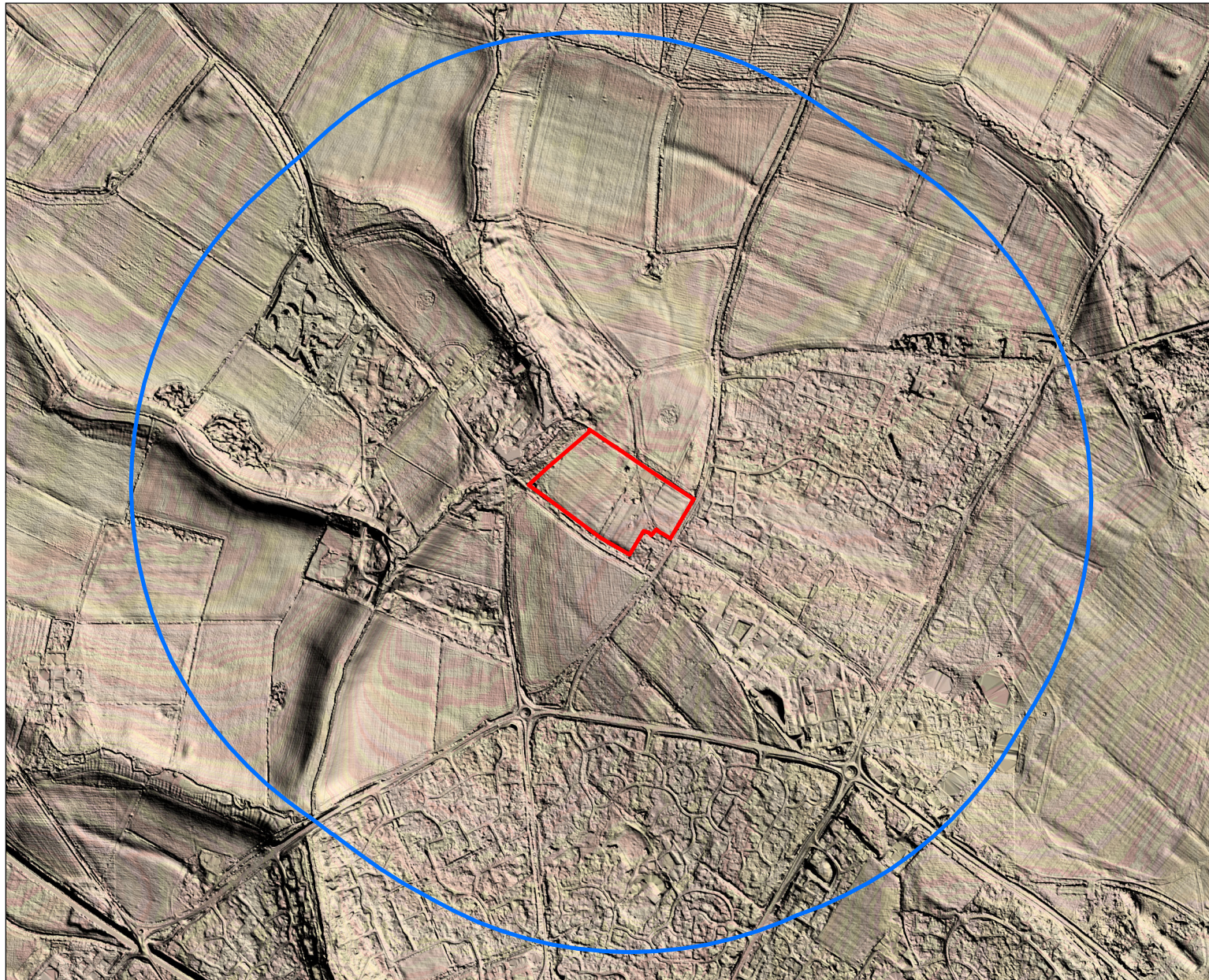
Figure 9: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres





KEY

- Site
- 1 km

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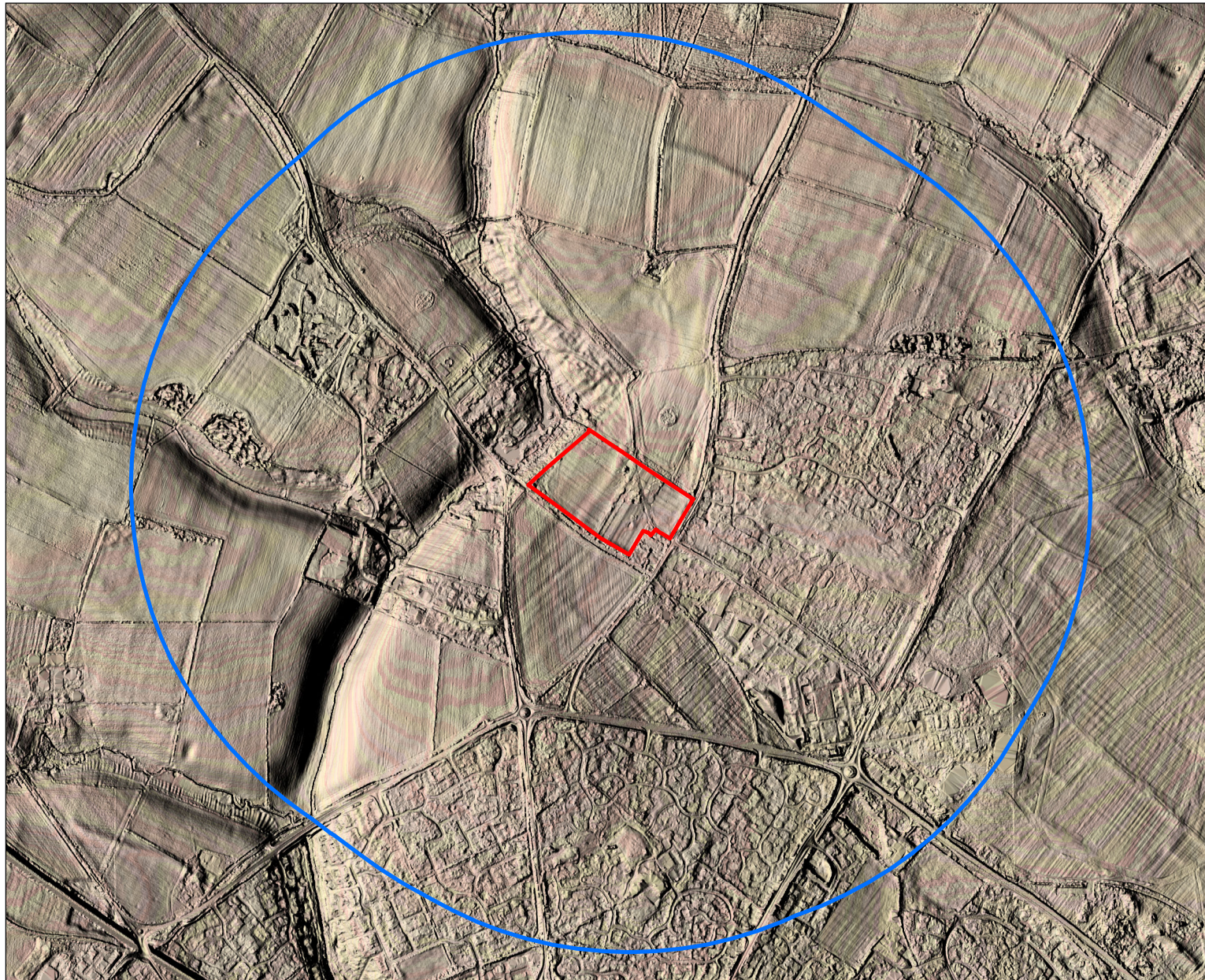
Figure 10: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres





KEY

- Site
- 1 km

Downloaded from the Environment Agency and processed in ArcMap:
 Azimuth: 270°
 Altitude: 45
 Z Factor: 20

Figure 11: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres





KEY

- Site
- 1 km

Downloaded from the Environment Agency and processed in ArcMap:
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 Z Factor: 20

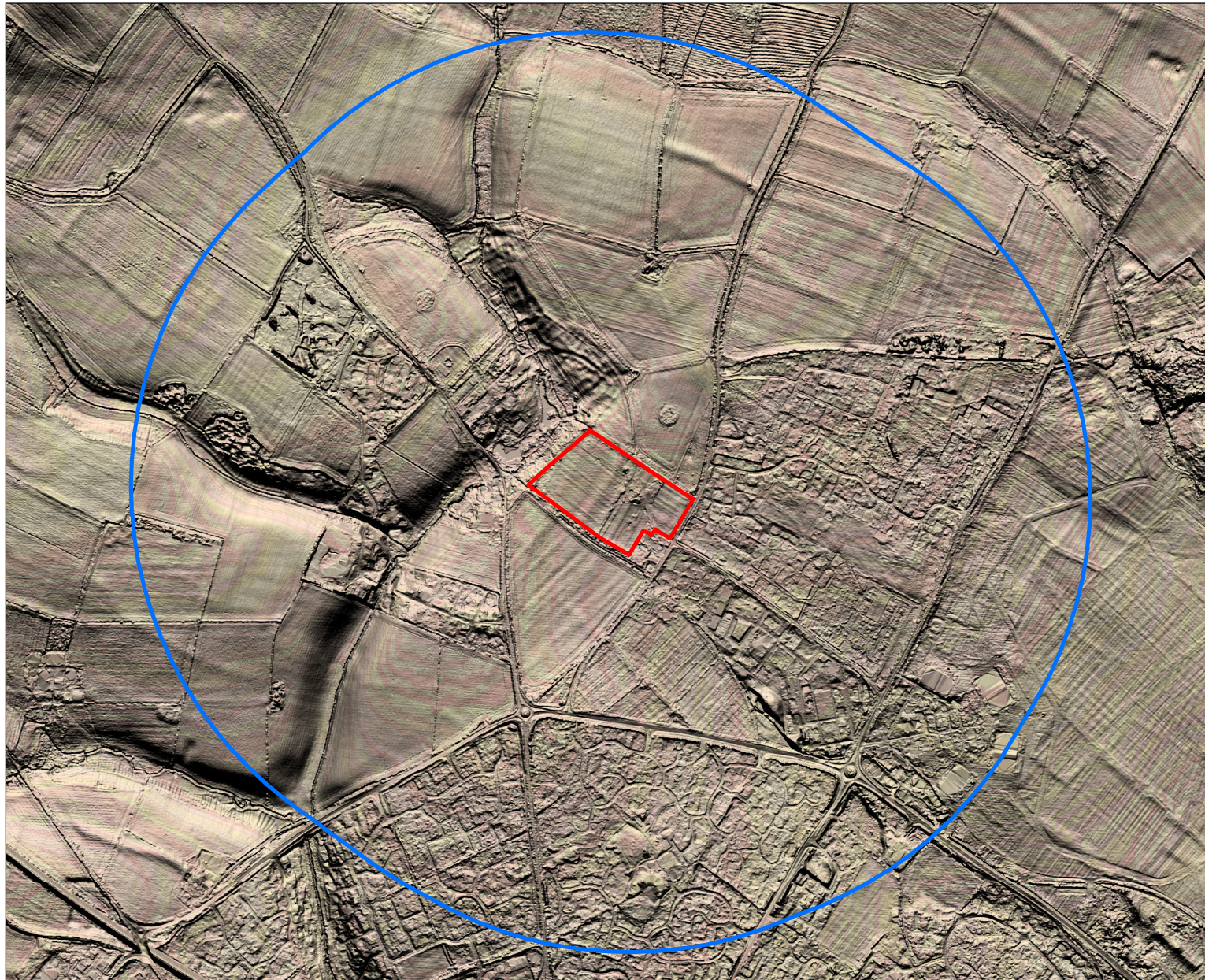
Figure 12: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres





KEY

- Site
- 1 km

Downloaded from the Environment Agency and processed in ArcMap:
 Azimuth: 360°
 Altitude: 45
 Z Factor: 20

Figure 13: 1m DTM LiDAR (2022)

Land at Caversfield, Bicester

Client: Richborough Estates Limited
 DRWG No: O21-2641
 Drawn by: JK
 Date: 20/09/2023
 Scale: 1:15,000 @ A4
 Approved by: GS

0 500 Metres



Appendix 3: Assessment Methodology

Assessment of significance

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.”²⁵

Historic England's *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.²⁶

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*.²⁷ These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.²⁸

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.²⁹

²⁵ DLUHC, *NPPF*, pp. 71–72.

²⁶ Historic England, *GPA:2*.

²⁷ Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values

are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

²⁸ DLUHC, *NPPF*, p. 71; DLUHC, *PPG, Annex 2*.

²⁹ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

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

The most-recently issued Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.³⁰

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

As defined in the *NPPF*:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”³¹

Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”³²

³⁰ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

³¹ DLUHC, *NPPF*, p. 72.

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

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of *“what matters and why”*.³³

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.

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.

³² DLUHC, *NPPF*, p. 71.

³³ Historic England, *GPA:3*, pp. 8, 11.

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 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):

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

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social

and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”³⁴

Levels of significance

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.

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 206 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*;³⁵

³⁴ Catesby Estates Ltd. V. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

³⁵ DLUHC, *NPPF*, para. 200 and fn. 68.

- **Designated heritage assets of less than the highest significance**, as identified in paragraph 206 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);³⁶ 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”*.³⁷

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

Assessment of harm

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.

In accordance with key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would *“have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”*;³⁸ and
- **Less than substantial harm.** Harm of a lesser level than that defined above.

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.”³⁹

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, and upper end of the less than substantial harm spectrum/scale.

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 whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm to their overall significance, using descriptors such as minor, moderate and major harm.

³⁶ DLUHC, NPPF, para. 200.

³⁷ DLUHC, PPG, paragraph 039, reference ID: 18a-039-20190723.

³⁸ Bedford Borough Council v Secretary of State for Communities and Local Government [2013] EWHC 2847 (Admin), para. 25.

³⁹ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. 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".⁴⁰

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".⁴¹ 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.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in *GPA:3*, described above. Fundamental to this methodology is a consideration of "what matters and why".⁴² Of particular relevance is the checklist given on page 13 of *GPA:3*.⁴³

It should be noted that this key document also states:

"Setting is not itself a heritage asset, nor a heritage designation..."⁴⁴

⁴⁰ R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

⁴¹ Historic England, *GPA:2*, p. 9.

⁴² Historic England, *GPA:3*, p. 8.

⁴³ Historic England, *GPA:3*, p. 13.

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

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".⁴⁵

Additionally, 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. This point has been clarified in the Court of Appeal.⁴⁶

Benefits

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

As detailed further in **Appendix 5**, the *NPPF* (at Paragraphs 207 and 208) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.⁴⁷

⁴⁴ Historic England, *GPA:3*, p. 4.

⁴⁵ Historic England, *GPA 3*, p. 8.

⁴⁶ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.

⁴⁷ DLUHC, *NPPF*, paras. 207 and 208.

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 207 to 209.⁴⁸

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

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

Examples of heritage benefits may include:

- ***sustaining or enhancing the significance of a heritage asset and the contribution of its setting***

- ***reducing or removing risks to a heritage asset***
- ***securing the optimum viable use of a heritage asset in support of its long term conservation."***⁴⁹

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.

⁴⁸ Including – Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor [2020] EWHC 2292 (Admin); DLUHC, *NPPF*, paras. 207 and 209.

⁴⁹ MHCLG, *PPG*, paragraph 020, reference ID: 18a-020-20190723.

Appendix 4: Legislative Framework

Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*, which provides statutory protection for Listed Buildings and Conservation Areas.⁵⁰ It does not provide statutory protection for non-designated or Locally Listed heritage assets.

Section 66(1) of the Act 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.”⁵¹

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”

⁵⁰ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990.

⁵¹ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66(1).

when the decision-maker carries out the balancing exercise.”⁵²

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 version of the NPPF, the requirements of which are now given in paragraph 208 of the current, revised NPPF, see **Appendix 5**), this is in keeping with the requirements of the 1990 Act.⁵³

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

“In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”⁵⁴

Unlike Section 66(1), Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain

⁵² Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire DC & Others [2014] EWCA Civ 137. para. 24.

⁵³ Jones v Mordue [2015] EWCA Civ 1243.

⁵⁴ UK Public General Acts, Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72(1).

that it is the character and appearance of the designated Conservation Area that is the focus of special attention.

In addition to the statutory obligations set out within the *Planning (Listed Buildings and Conservations Area) Act 1990*, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.⁵⁵

⁵⁵ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

Appendix 5: National Policy Guidance

The National Planning Policy Framework (July 2021)

National policy and guidance is set out in the Government’s *National Planning Policy Framework (NPPF)* published in December 2023. The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

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.

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.

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

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

For plan-making this means that:

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

provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.***

For decision-taking this means:

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

against the policies in this Framework taken as a whole.⁵⁶

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.”⁵⁷ (our emphasis)

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

Heritage Assets are defined in the NPPF as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage

⁵⁶ DLUHC, NPPF, para. 11.

⁵⁷ DLUHC, NPPF, para. 11, fn. 7.

assets and assets identified by the local planning authority (including local listing).⁵⁸

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.”⁵⁹

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.”⁶⁰

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 201 that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into

account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”⁶¹

Paragraph 203 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.”⁶²**

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 205 and 206 are relevant and read as follows:

“When considering the impact of a proposed development on the significance of a designated

⁵⁸ DLUHC, NPPF, p. 69.

⁵⁹ DLUHC, NPPF, p. 75.

⁶⁰ DLUHC, NPPF, pp. 75.

⁶¹ DLUHC, NPPF, para. 201.

⁶² DLUHC, NPPF, para. 203.

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.”⁶³

“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.”⁶⁴***

Section b) of paragraph 206, which describes assets of the highest significance, also includes footnote 72 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.

⁶³ DLUHC, NPPF, para. 205.

⁶⁴ DLUHC, NPPF, para. 206.

In the context of the above, it should be noted that paragraph 207 reads as follows:

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

- 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.”⁶⁵***

Paragraph 208 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

⁶⁵ DLUHC, NPPF, para. 207.

the public benefits of the proposal including, where appropriate, securing its optimum viable use.”⁶⁶

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 212 that:

“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”⁶⁷

Paragraph 213 goes on to recognise that *“not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance”* 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.”⁶⁸ (our emphasis)

With regards to non-designated heritage assets, paragraph 209 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”⁶⁹

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

The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement

⁶⁶ DLUHC, NPPF, para. 208.

⁶⁷ DLUHC, NPPF, para 212.

⁶⁸ DLUHC, NPPF, para. 213.

⁶⁹ DLUHC, NPPF, para. 209.

which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

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.”⁷⁰

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

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special

architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”⁷¹ (our emphasis)

National Design Guide:

Section C2 relates to valuing heritage, local history and culture and states:

“When determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape.”⁷²

⁷⁰ DLUHC, PPG, paragraph 007, reference ID: 18a-007-20190723.

⁷¹ DLUHC, PPG, paragraph 018, reference ID: 18a-018-20190723.

⁷² DLUHC, NDG, para. 46.

***"Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way."*⁷³**

It goes on to state that:

"Well-designed places and buildings are influenced positively by:

- ***the history and heritage of the site, its surroundings and the wider area, including cultural influences;***

- ***the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;***
- ***the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details – see Identity.***

***Today's new developments extend the history of the context. The best of them will become valued as tomorrow's heritage, representing the architecture and placemaking of the early 21st century."*⁷⁴**

⁷³ DLUHC, NDG, para. 47.

⁷⁴ DLUHC, NDG, paras. 48-49.

Appendix 6: Relevant Development Plan Policies

Applications for Planning Permission within Cherwell District are currently considered against the policy and guidance set out within the Adopted Cherwell Local Plan 2011-2031, of which Policy ESD15 relates to heritage.

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

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

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used 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
Cherwell Local Plan 2011–2031 Part 1 117 Section B – Policies for Development in Cherwell

- 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.

Appendix 7: List Entries

Church of St Laurence

Official list entry

Heritage Category: Listed Building

Grade: II*

List Entry Number: 1046533

Date first listed: 7-Dec-1966

List Entry Name: CHURCH OF ST LAURENCE

Statutory Address 1: CHURCH OF ST LAURENCE, B4100, Banbury Road

Location

Statutory Address: CHURCH OF ST LAURENCE, B4100, Banbury Road

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

County: Oxfordshire

District: Cherwell (District Authority)

Parish: Caversfield

National Grid Reference: SP 58063 25202

Details

SP52NE CAVERSFIELD A41 (East side)

January 2024 | JK | P21-2641

2/32 Church of St. Laurence 07/12/66

-II*

Church. C10/C11, late C12 and C13, restored and partly rebuilt 1874 by Henry Woodyer. Coursed and random limestone rubble with ashlar dressings; Stonesfield-slate and concrete plain-tile roofs. Chancel, aisled nave and west tower. C13 chancel has a pair of lancets in the east wall and, to south, a further lancet plus a 2-light Decorated window and a square-headed C15 window; vestry to north is C19 and includes a 3-light Decorated-style window below a gable. Rebuilt aisles, in coursed rubble, have small lancets but, to north, a short gabled projection contains a re-used C12 doorway of 2 orders with engaged shafts, an inner roll, and an outer band of undercut chevrons. The pre-Conquest base of the 3-stage tower has small windows to north and south with external splays, other windows and all quoins have been renewed and the roof has rebuilt gables facing east and west. Interior: chancel has deep splays to the lancets, a small aumbry, a trefoiled piscina, and a restored archway to the north; chancel arch has C19 responds; 2-bay, nave arcades have Transitional round piers with corner spurs and knob-volute capitals (partly restored), above which are elaborate C13 arches with multiple-roll moulding and dog-tooth ornament; C19 tower arch; all roofs C19 with arch-braced collar trusses and curved windbraces. Monuments include several brasses and fragments, mostly removed from their casements, the elaborately-panelled C15 tomb chest of John Langston (died 1487), some C17 ledgers, and a group of C18 and C19 wall tablets below the tower. C12 font has arcaded sides. The early-C13 bell below the tower is the oldest inscribed bell in England (Buildings of England: Oxfordshire, pp.523/4).

Listing NGR: SP5806325202

This List Entry was subject to a Minor Amendment on 6 June 2017

Legacy

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

Legacy System number: 243417

Legacy System: LBS

Sources

Books and journals

Pevsner, N, Sherwood, J, The Buildings of England: Oxfordshire, (1974), 523-4

Legal

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



End of official list entry

Home Farmhouse

Official list entry

Heritage Category: Listed Building

Grade: II

List Entry Number: 1200170

Date first listed: 1–May–1987

List Entry Name: Home Farmhouse

Statutory Address 1: Home Farmhouse A41

Location

Statutory Address: Home Farmhouse A41

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

County: Oxfordshire

District: Cherwell (District Authority)

Parish: Bicester

National Grid Reference: SP5805725020

Details

SP52NE 2/33 01/05/87

CAVERSFIELD A41 (West side) Home Farmhouse

GV II

Farmhouse. Early/mid C17, extended C18/C19. Coursed squared limestone with ashlar dressings; old plain-tile roof with rebuilt brick gable stacks. 3-unit plan with added rear outshuts. 2 storeys. 3-window front has, at first floor, 2-light ovolo-moulded stone-mullioned windows; at ground floor, outer bays have similar windows with label moulds, formerly of 3 lights but converted to 2-light casements, and centre bay has 2 later door openings, one now containing a casement window. Gable ends have massive chimney projections. Interior not inspected.

Listing NGR: SP5805725020

Legacy

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

Legacy System number: 243418

Legacy System: LBS

Sources

Books and journals

Pevsner, N, Sherwood, J, The Buildings of England: Oxfordshire, (1974), 523–4

Legal

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



End of official list entry

Planning (Listed Buildings and Conservation Areas) Act 1990
Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Cirencester

33 Sheep Street, Cirencester, GL51RQ

Cirencester@pegasusgroup.co.uk
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