

## **7.0 ARCHAEOLOGY AND CULTURAL HERITAGE**

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## 7.1 INTRODUCTION

- 7.1.1 This chapter has been prepared by BSA Heritage Limited. It provides an assessment of the potential impacts of the Proposed Development on archaeology and cultural heritage in light of past research and investigations.
- 7.1.2 The chapter sets out the methodology used to secure baseline information and to assess impact. Having summarised the baseline conditions, the likely impacts during both the construction and post-construction phases are assessed. Suitable mitigation is suggested where appropriate and residual impacts, assuming implementation of mitigation, are confirmed.
- 7.1.3 The duty to have special regard to the preservation or enhance the setting of listed buildings and conservation areas contained within Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a statutory consideration for the local planning authority. A 2014 Court of Appeal ruling in *Barnwell Manor Wind Energy Ltd v East Northants District Council*, English Heritage and the National Trust made clear that to discharge this responsibility, decision makers must give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise of judging harm against other planning considerations as required under the National Planning Policy Framework.
- 7.1.4 Current national and local policy is contained in the 2019 National Planning Policy Framework (NPPF), Cherwell Local Plan 2011 - 2031 and saved policies of the 1996 Cherwell Local Plan. The NPPF requires that the impact of development on significant heritage remains, including designated heritage assets and their setting, be considered and this is echoed by policies in the 2015 Local Plan.

- 7.1.5 In terms of Local Plan, Policy ESD 15 - The Character of the Built and Historic Environment is key. This notes that site features such as historic boundaries and conservation areas and their setting should be respected by proposals. New development should ensure conservation and enhancement of both designated and non-designated heritage assets and their settings.
- 7.1.6 Policy ESD 16 - Oxford Canal confirms that the entire length of the canal across the District is designated a Conservation Area and that the Council will protect and enhance the canal corridor for its value as industrial heritage as well as a tourism, leisure and green transport route.
- 7.1.7 Further guidance is provided by Historic England in the form of *Historic Environment Good Practice Advice in Planning Guidance Note 2 – Managing Significance in Decision-Taking in the Historic Environment*. In relation to ‘setting’, Historic England’s *Historic Environment Good Practice Advice in Planning Guidance Note 3 – The Setting of Heritage Assets* sets out an approach to considering how proposals affect the significance or appreciation of significance of both designated and non-designated heritage assets through change to setting.
- 7.1.8 That every proposal will have a different effect and that every asset or group of assets will differ in how their setting enhances their significance is explicit in the Guidance. That assessment of effects is a qualitative and ‘expert’ judgement is also stated. Nonetheless, the Guidance sets out a staged approach for the careful consideration of assets, their setting, how the latter affects the assets’ significance and how proposed change would alter this in order to make assessment more systematic.
- 7.1.9 Four pre-development steps are recommended by the Historic England guidance on setting:
- Identify which heritage assets and their settings are affected;
  - Assess whether, how and to what degree the assets’ setting makes a contribution to their significance;

- Assess the effects of the proposal, whether harmful or beneficial (or neutral);  
and
- Explore ways to maximise enhancement and avoid or minimise harm.

## 7.2 METHODOLOGY

7.2.1 This chapter considers the site area itself and also a minimum area surrounding it of a one kilometre radius. The assessment has been informed by a number of reports relating to the archaeology and heritage of the site, including an Archaeology and Heritage Assessment drafted in September 2014 and since updated (**Appendix 7.01**). This assessment was informed by a site visit, consultation with the Oxfordshire Historic Environment Record, Oxfordshire History Centre and Historic England sources. A further source of information was archaeological reports on past investigations completed ahead of development to the north of the site and evaluation west of the site.

7.2.2 As archaeological potential was identified for the site, a programme of further archaeological fieldwork was agreed with the archaeological advisor to Cherwell District Council at Oxfordshire County Council. Geophysical survey was completed by GSB Propection across the site area and land to its south in October 2014 (**Appendix 7.02**). A programme of trial trenching to test anomalies identified by the geophysical survey and the wider site was completed by Foundations Archaeology in early 2015 (**Appendix 7.03**).

7.2.3 Having established the baseline conditions through consideration of existing sources and the results of fieldwork, assessment of impact, consequent mitigation and residual impact have been assessed with reference to the latest legislation, policy and guidance.

7.2.4 Significance criteria have been formulated which reflect changes to terminology, policy and guidance in recent years. These are set out in the table below and confirm the basis for the subsequent impact assessment, with evaluation of ‘importance’ informed by formal designation and professional judgement. Impacts assessed can be moderated by current condition of assets and ‘magnitude of impact’ which considers the scale and duration of any impact.

**Table 7.01: Significance Criteria**

<b>Importance of Receptor</b>	<b>Magnitude of Impact:</b> High adverse	Medium adverse	Low adverse	Negligible	Low benefit	Med. benefit	High benefit
National/highest significance Designated Heritage Assets <sup>1</sup>	Substantial	Major	Mod.	Insignif.	Moderate	Major	Substantial
Regional/other Designated Heritage Assets <sup>2</sup>	Major	Moderate	Minor	Insignif.	Minor	Mod.	Major
District/undesignated heritage assets	Moderate	Minor	Minor	Insignif.	Minor	Minor	Moderate

<sup>1</sup> Includes Scheduled Monuments and other archaeological remains of equal importance, Grade I and II\* listed buildings or registered parks and gardens, and World Heritage Sites.

<sup>2</sup> Includes certain undesignated archaeological remains, Grade II listed buildings or registered parks and gardens and conservation areas.

Local/common archaeological features and historic hedgerows	Minor	Minor	Insignifi cant	Insignif.	Insignif.	Minor	Minor
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### 7.3 BASELINE CONDITIONS

7.3.1 Two records were held by the Oxfordshire Historic Environment Record (HER) for the main site itself. A Roman road course is recorded as running from north west to south east in the centre of the site. In the south, a possible cursus, a Neolithic monument type, was noted as a sub-surface feature showing as a cropmark (Figure 7.1, HERs 11617 & 5700).

7.3.2 No designated heritage assets lie within the main site itself and there are no nearby scheduled monuments or registered landscapes. The historic core of Bodicote is designated a Conservation Area and contains a number of Grade II listed buildings and the Grade II\* listed Church of St John the Baptist (**Figure 7.01 & Appendix 7.01**). All of these buildings are of national significance and the relationship of the Site to these designated heritage assets was therefore considered further in relation to whether the Site area makes a contribution to the significance or appreciation of significance of the listed buildings or Conservation Area.

7.3.3 The significance of all listed buildings and the conservation area in which they lie is principally derived from their fabric and the structures themselves. Spaces close to the assets are also important as are adjacent structures within the historic core of Bodicote. However, the Site area does not now contribute to the significance of any of these assets as modern development

surrounds Bodicote's historic core. The Site area is neutral as part of Bodicote's wider setting and the Proposed Development would have no effect on the significance of these heritage assets or an appreciation of that significance.

7.3.4 A number of structures associated with the Oxford Canal are Grade II listed, although the closest of these lies at least 500m east of the site (**Figure 7.01**). The listed locks and bridges all date to the late 18th century or later. The entire length of the canal and associated structures and towpath is also designated as a Conservation Area.

7.3.5 Much of the significance and special character and appearance of the Oxford Canal assets is derived from their structure. However, the rural landscape in which the canal lies remains much as when the canal was built and the topographic location at the base of a valley is also beneficial to appreciation of the canal. Unfortunately the communications advantage of the valley also facilitated the subsequent mainline railway and M40 which compromise the original tranquillity of the setting.

7.3.6 Existing development on the edges of Banbury has also changed distant views, although the Conservation Area Appraisal acknowledges that, in most cases, development is not visible from the canal as it lies on higher ground. The Appraisal confirms important views from the canal section east of the site, but none of these would take in the site given their orientation and all are actually focussed on landscape elements within the valley.

7.3.7 No other listed buildings lie in such close proximity to the Site that the Proposed Development would adversely impact their significance or appreciation of that significance through change to their setting.

- 7.3.8 Consideration of historical maps confirms that the trackway within the site was a road to Buckingham in the post-medieval period, later supplanted by a turnpike road in the 18<sup>th</sup> century (HER 11617). Whether the route had earlier origins could not be proven from documentary sources. The site itself is likely to have been part of Bodicote's open field system in the medieval period, with vestiges of ridge and furrow cultivation apparent nearby on aerial photographs. The subsequent post-medieval system of field boundaries has been much altered in recent centuries such that few significant hedged boundaries survive (**Figure 7.01**).
- 7.3.9 No other features of note survive above ground within the site. Immediately to the west, at what would have been a crossroads, the site of Weeping Cross is recorded by the HER and on historical maps (HER 1748). The evocative title of this structure is thought to be a corruption of 'waymarker' and no related features are likely to survive within the site.
- 7.3.10 Recent investigation and past finds close to the site provided an indication of the site's archaeological potential for hitherto unidentified sub-surface remains. Nonetheless, geophysical survey to the north of the site and in advance of residential development did not indicate any notable remains (HER 26494). Indeed, a subsequent programme of trial trenching found almost no sub-surface remains other than vestiges of ridge and furrow and old field boundaries. A Mesolithic flint arrowhead was recovered from the ground surface during these investigations, close to the site's northern border (**Figure 7.01**, '1').
- 7.3.11 Limited further investigation was completed in 2012 to clarify the nature of ephemeral sub-surface features north east of the site, with one ditch dated as Roman ('2'). Such limited finds were made that no further work was required. However, more recent work west of Twyford Road and the site has located evidence of both Iron Age and Neolithic settlement (HER 29492).



Roman sites have previously been identified west of the site too, but at too great a distance to indicate potential within the site itself.

7.3.12 Given some archaeological potential, overall extent of the site and absence of past fieldwork, detailed magnetometry survey was completed across the site and land to its south in October 2014. This work indicated an extensive range of sub-surface features, some of which could be tentatively dated and their purpose inferred given their morphology (**Figure 7.01 & Appendix 7.02**).

7.3.13 In the south of the site area, 'A' appeared to reflect the northern end of a possible cursus as seen on aerial photographs to the south. This important monument type is known to show great variation in length and width and often holds little archaeological material within each ditch.

7.3.14 Few likely other significant sub-surface features were indicated across much of the site, with vestiges of ridge and furrow the dominant anomaly. 'B' is a circular feature which was interpreted as possibly a small ploughed out barrow or hut circle. In the north east, responses were typical of the remains of late prehistoric or Roman activity (C). To their west, responses could have reflected a field system linked to the more concentrated activity.

7.3.15 In the north west of the site, 'D' & 'E' appeared to suggest further field systems, activity and a large enclosure split by a modern trackway. Again, these were most likely to reflect typical late prehistoric or Roman features.

7.3.16 In the south of the site, the likely northern part of the cursus recorded as HER 5700 was indicated on a broadly north west to south east alignment (F). Close to the north eastern end of

the likely Neolithic cursus, a sub-divided small rectangular anomaly containing a faint circular anomaly was interpreted as a possibly Roman temple structure (G).

7.3.17 Trackways and enclosures typical of later prehistoric or Roman remains were also suggested in this southern field as was vestiges of medieval ridge and furrow (H). Indeed, a trackway running from the south western corner of the site and east through the cursus and passing by the potential temple was evident (I), with a Roman date inferable.

7.3.18 Trial trenching subsequently clarified that many geophysical anomalies did not relate to surviving features and that the interpretation of anomalies indicated a greater level of archaeological potential than is the case. Numerous undated features were sampled, including some which were not picked up by the geophysics. In the north of the site the evaluation indicated that enclosure (D) is archaeological and prehistoric. Features (B) and (C) also appear to be actual vestiges of archaeological activity. Importantly, only one linear feature was revealed at (A) suggesting that a second cursus does not extend into the centre of the site.

7.3.19 Linear features were found on the alignment suggested at cursus (F), with both two ditches and two parallel gullies. As might be expected of such a monument, no dating evidence was found in association with the features. The possible temple was also proven by trenching, although only single fragments of Roman pot were found in these (G). Enclosure (J) was validated by both ditches and prehistoric pottery.

7.3.20 The low level of finds across the site overall, including small numbers of likely redeposited prehistoric worked flint suggested that most features, including enclosures, relate to a field system rather than to settlement or other activity on site. Such remains would rate as of local significance only.

7.3.21 Given the shape and supporting evidence of aerial photographs, cursus (F) does seem credible and would rate as of national significance. Although the low level of finds associated with putative Roman temple (G) was surprising and the trackway to its immediate south (I) was not proven by trenching, the clear morphology of the geophysical survey anomaly indicates that this feature should also be considered as of national significance.

7.3.22 The investigations strengthened the earlier assessment that the site formed part of Bodicote's medieval open field system, with no indication of any significant remains of medieval or post-medieval date.

## **7.4 IMPACTS**

7.4.1 No adverse effects on the setting of nearby heritage assets have been identified given that the site area does not enhance their significance nor an appreciation of that significance. Most potential impacts would arise during the construction phase.

7.4.2 The proposals allow for the retention of the trackway running through the centre of the site which may reflect a Roman route. A potential minor to moderate adverse impact might be caused by accidental removal of this track during construction.

7.4.3 Significant hedgerows which reflect earlier field boundaries are to be retained in the main within the scheme design. Gaps will be made to allow access within the development. This represents an insignificant impact. Potential for a minor adverse impact due to accidental loss of hedgerows during construction remains.

- 7.4.4 The remains of a likely Neolithic cursus monument and Roman temple of potential national significance have been identified in the south of the site. Loss of either of these non-designated heritage assets would represent a major adverse impact.
- 7.4.5 Limited sub-surface archaeological remains of local significance have been confirmed across the site, including likely Roman and late prehistoric field systems. Unmitigated loss of these remains during construction would represent a minor adverse impact.

## **7.5 MITIGATION**

- 7.5.1 The nationally significant sub-surface remains of a Neolithic cursus and Roman temple in the south of the site will be preserved in situ. It is anticipated that this will be through the construction of sports facilities, including associated car parking which are elevated above the existing ground surface.
- 7.5.2 During the construction process, features to be retained within the completed development will be defined on site and within the construction management plan. These measures will minimise the chance of accidental damage or loss.
- 7.5.3 In advance of construction activity, sub-surface archaeological remains which do not require preservation in situ will be subject to further archaeological investigation, agreed with the Council's archaeological advisor. The results of this work will be analysed, reported and made publically available.

## **7.6 CUMULATIVE IMPACT**

7.6.1 In the absence of any nearby designated heritage assets and hence any adverse impacts on their setting, there will be no cumulative heritage impacts. Archaeological impacts are limited to the footprint of the Proposed Development and are not considered cumulatively with nearby construction activity.

## **7.7 RESIDUAL IMPACTS/CONCLUSION**

7.7.1 Assuming implementation of protective measures for retained features and remains and implementation of archaeological investigation and reporting for less significant sub-surface remains, a negligible residual impact is assessed.