

## **Appendix 12**

### **Heritage Impact Assessment**

#### **Part 4**

**Historic England Consultation Response dated 19 May 2016 submitted in response to West Oxfordshire District  
Council Planning Application Reference 16/01364/OUT**



Historic England

SOUTH EAST OFFICE

Ms Catherine Tetlow  
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Direct Dial: 01483 252026

Our ref: P00509353

19 May 2016

Dear Ms Tetlow

**Arrangements for Handling Heritage Applications Direction 2015 & T&CP (Development Management Procedure) (England) Order 2015**

**LAND EAST OF WOODSTOCK OXFORD ROAD WOODSTOCK OXFORDSHIRE  
Application No 16/01364/OUT**

Thank you for your letter of 29 April 2016 notifying Historic England of the above application.

**Summary**

This application is a much reduced version of a previous application turned down in part due to the impact on nearby heritage assets. The key issues we raised when consulted on this have been addressed but there remains a degree of harm, which is clearly less than substantial and best described as moderate. This harm needs to be both justified and outweighed by public benefits and it is for the Local Planning Authority to make this balancing exercise. One of these public benefits is the fact that the proposals are intended to be 'supporting development' for the World Heritage Site. If this benefit is to be considered a key element of the planning balance more needs to be known about the size of the contribution. It is a present unquantified and therefore difficult to weigh against harm.

**Historic England Advice**

*Background: the planning history of the site*

This application follows an unsuccessful application for up to 1500 dwellings on both this site and land to the east (Cherwell Council 14/02004/OUT). This land included a Scheduled Monument, Blenheim Villa, was adjacent to the Blenheim World Heritage Site (which is also a grade I registered park) and was close to the Woodstock Conservation Area. In our view the proposal would have harmed the significance of the monument through the impact upon its setting. We did not take a *prima facie* view



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that there would be a substantial, or in most cases even a perceptible effect on the World Heritage Site's outstanding universal value. However, in order to ensure that the impact of the proposals was properly understood we took the position that some of the views out of the park should be illustrated. This issue was never satisfactorily resolved. With regards to the Conservation Area we noted that there was a degree of separation between the two and that a direct impact on the area could be avoided by careful landscaping and tree screening. We deferred to the Council for a view on the impact of indirect effects, such as traffic and noise. Our substantive letters on this previous case (our ref P00443984, dated 10 September and 27 February 2015) are attached for information.

*The current application*

The current application is for a much smaller scheme of up to 300 dwellings and is situated entirely in the West Oxfordshire district. A major difference is that the site does not include the scheduled area. Nevertheless, it is still a major development and we need to consider the impact on the setting of the monument, the World Heritage Site, the grade I Registered Park and the Woodstock Conservation Area.

*The impact on the Scheduled Monument*

Blenheim Villa has not been fully investigated and is now completely buried, but in common with most other Roman villas we know that it had a formal ground plan which appears to have been designed to face roughly south and east (ESE in this case). A villa was the centre of an agricultural estate and usually sited to take advantage of extensive views. The survival even if only below ground of any example of this vital building type from Roman Britain is important, and usually (as here) recognised by scheduling.

The current proposals would be separated from the scheduled site by Sansom's Lane, which is probably the Anglo-Saxon route identified as 'Heh Straet' in a charter dated 1005AD and the parish boundary between Woodstock and Shipton-on-Cherwell. It is likely that that this route follows the line of a pre-existing late Iron Age/early Romano-British track or minor road north leading to Akeman Street.. No archaeologically significant remains were found during investigatory works carried out in 2014. This suggests that there is unlikely to be an impact on buried archaeology. However, it is not possible to be certain that there is no nationally important archaeology close to the Scheduled Monument. Therefore as a precautionary measure we recommend that a 20m buffer zone around the Monument is instituted. While this falls outside the proposed development area disturbance or damage in this area during the construction process needs to be avoided.

The proposals would undoubtedly have some impact on the setting of the Monument, as the edge of the town of Woodstock would be brought much closer, and there would



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be some harm through the loss of a sense of 'rurality' which is key to understanding the significance of the Villa . However, the key vista that the villa once enjoyed, looking ESE, would be preserved. We agree with the conclusion set out in the Environmental Statement that the effect on setting would be moderate adverse and could be partially mitigated the better management of the site. The immediate rural setting of the site would be protected by keeping new development at least 30m from the monument and partially screened by landscaping.

*The impact on the World Heritage Site and Registered Park*

The application site sits adjacent to Blenheim Park, part of the Blenheim World Heritage Site. Blenheim is considered to be of outstanding universal value as the site which illustrates the beginnings of the English Romantic movement in both architecture and Landscape gardening, as a national monument to the 1<sup>st</sup> Duke of Marlborough and as an archetype of a European Princely residence. It is also a grade I registered park. The boundaries of both are both very similar but not quite identical. However, these differences have no bearing on assessing the impact of this particular application. There is no buffer zone around the World Heritage Site (WHS).

The question in relation to the WHS and to the Registered Park (or the Palace) is one of development affecting the setting. Setting is not fixed, but is 'all of the surroundings from which the heritage asset can be experienced or that can be experienced from the asset' (*The Setting of Heritage Assets*, 2011). Although the park at Blenheim is effectively self-contained there clearly could be effects on its setting, since the site lies adjacent to both the WHS and the Registered Park though the boundaries are slightly different.

We do not consider that the proposed development would have an impact on the reasons for inscription of the WHS. The Outstanding Universal Value of the site resides to a great extent on the integrity and extent of preservation of Vanbrugh, Hawksmoor and Brown's work. As the Parkland Management Plan makes clear, the landscape is of such a heroic scale that it does not need to 'borrow' views from the wider landscape and instead is largely an inward looking self-contained park which is well screened from the outside by perimeter tree planting. The visual relationship between the park and its wider landscape setting is confined to very narrow views out or specific views in. In response to our comments regarding the previous scheme views from the Column of Victory have been considered and it has been concluded that the proposed development would not be visible from this location.

However, there will be an impact on the setting of the registered park. The approach along the Oxford Road (A44) to the Hensington Gate from the south east is an important one, most visitors would have come this way from or through Oxford, and there is a clear sense of anticipation, with glimpsed views through trees into the park. This sense of anticipation is heightened by passing through countryside and would be degraded if replaced by housing, harming the setting of the park.



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The current proposals for the land adjacent to the A44, for which a full rather than an outline application has been made, involve strengthening the existing hedge with tree planting, limiting houses adjacent to the road to two storeys in height and setting them back behind the landscaped buffer and placing a landscaped detention basin at the south east corner of the site. This would partially screen, though not completely hide the development. Once mature the impact is likely to be similar to the suburban housing currently lining the east side of the A44, which we consider to have a limited impact on the setting of the park. Therefore, while there would be some harm to the setting of the park we consider it to be at a low level.

*The impact on the Woodstock Conservation Area*

The application site lies some way from the boundary of Woodstock Conservation Area, which begins at the Hensington Gate to the park. The designated area encompasses the older, western, part of the town, which had developed by the mid-19<sup>th</sup> century. The eastern part of the town, which is larger than the conservation area, has largely been developed following the Second World War and has subsumed the village of Hensington. There is no conservation area appraisal.

When entering Woodstock from the south it is not immediately apparent quite how much the town has enlarged from its historic core, as the Oxford Road is bounded by the park to the southwest and a thick band of trees to the north east. Although houses can be glimpsed the illusion that the town proper begins at the Hensington gate is maintained and it is important that this continues to be so.

As Woodstock has already been greatly expanded from its historic core we do not consider further expansion of housing onto the application site to necessarily be harmful to the setting of the conservation area. The proviso to this is that similar screening to that already around the newer part of the town is employed to maintain the green approach to the south. As discussed above in respect to the impact on Blenheim Park we consider that the proposals set out in the full application should be adequate to ensure that the impact on the setting of the conservation area is low. There could of course be indirect effects on the conservation area from 300 additional houses, such as from parking pressure, but we defer to your authority on these counts.

*Planning Policy Considerations*

The site is not allocated for housing in the current West Oxfordshire Local Plan but there is an assumption that a proportion of the housing in the life of the local plan would be found from as then (2006) unidentified sites. Proposals for new dwellings on unallocated sites will only be permitted where there are specific local needs or other genuine special circumstances (paragraph 5.15 of the Local Plan). The land is identified as a potential site for 150-180 houses in WODC's Strategic Housing Land



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Availability Assessment of 2014.

Paragraph 132 of the National Planning Policy Framework requires great weight to be given to the conservation of heritage assets, the more important the asset, the greater the weight should be. As a World Heritage site and a grade I registered park Blenheim Park is clearly of the highest importance a very high degree of weight will need to be given to conserving its significance. Likewise the Scheduling of the Villa is recognition of national importance. As discussed above the proposals would entail some harm to designated heritage assets which would need to be both justified, in accordance with paragraph 132 of the NPPF, and outweighed by the public benefits, in accordance with paragraph 134 of the Framework.

One of the benefits claimed for the development is that it would act as 'supporting development' for conservation obligations within the World Heritage Site. It is proposed in the draft heads of terms of the section 106 agreement accompanying this application that this would include a legal agreement for profits to contribute to the funding of the World Heritage Site. No indication has been given of how great these profits are envisaged as being.

#### *Historic England's position*

A large proposal such as this will have a wide range of environmental impacts, both negative and positive, and it is for the Local Planning Authority to weigh these. We can only comment in heritage aspects of the proposal. As we have set out above the proposals would involve a degree of harm to the historic environment. We have assessed the level of harm as moderate but nevertheless this should only be considered justified if outweighed by public benefits. The use of profits from this development to fund conservation of the World Heritage site could in our view legitimately be seen as a public benefit if secured by a carefully drafted section 106 agreement. However, it is not possible at this stage to quantify this benefit as the level of support that would be provided to the World Heritage Site is unknown. Therefore it is unclear whether it would be large enough to amount to meaningful support that would finance major and urgently needed conservation works. The World Heritage Site Conservation Management Plan has a schedule of conservation works need. If a named sum were pledged to perform named tasks on this schedule this could be considered a measurable public benefit which we could comment on.

#### **Recommendation**

As the proposals would entail some harm to historic assets of the highest importance the Council should only grant planning permission if they are convinced that the public benefits outweigh this harm. If the 'supporting development' forms a crucial element in this planning balance then they should seek more details of this to quantify the scale of this benefit. At present it is not clear how meaningful this claimed benefit is







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as the size of the support is unknown.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Yours sincerely

**Richard Peats**

Inspector of Historic Buildings and Areas

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