

# **Cherwell District Council**

## **Report to Assistant Director – Planning and Development**

**17 December 2021**

### **Balscote Conservation Area Re-Appraisal – Delegated Matter**

#### **Report of Planning Policy and Conservation Manager**

This report is public

#### **Purpose of report**

To consider and approve the revisions to the Balscote Conservation Area Appraisal, following its re-appraisal

#### **1.0 Recommendations**

The Assistant Director – Planning and Development is recommended:

- 1.1 To approve the proposed revisions to the Balscote Conservation Area boundary and the Balscote Conservation Area Appraisal.

#### **2.0 Introduction**

- 2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 comprises legislation for the protection of the nation's heritage of buildings and places of architectural and historic interest, 'the character or appearance of which it is desirable to preserve or enhance.' Local planning authorities have a duty under the Act to consider boundary revisions to their conservation areas 'from time to time'.
- 2.2 The Balscote Conservation Area was first designated in 1980 and the boundary reviewed in 1998. An updated appraisal has been produced as part of a rolling programme to keep Conservation Areas within Cherwell up-to-date. A final document is presented for approval at **Appendix 1**.
- 2.3 A consultation on the draft document took place between 16 September 2019 and 28 October 2019. This report sets out the comments received on the draft appraisal and on the proposed changes to the boundaries. The report requests that both the proposed changes to the conservation boundaries and the amended appraisals are approved under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") with immediate effect.
- 2.4 Seven boundary changes were proposed for amendment in the draft document. Two of these have been further amended following the consultation.

2.5 In brief, the changes involve (see **Appendix 2**):

- i. Re-drawn boundary to include the garden of Chapel Barn to follow the property boundary.
- ii. Re-drawn boundary to follow the tree line to the north east on Chapel Lane. To follow natural features to include the trees that contribute to the character of the Conservation Area in this location.
- iii. Re-drawn boundary to the east to follow the tree line between the village and New Manor Farm (Roundhill House).
- iv. Inclusion of land south and east of The Manor (Manor Farmhouse complex) to include Hill barn, 8 The Hedges and the small parcel of land to the south of these properties adjacent to Shutford Road.
- v. Inclusion of the boundary walls of Third Acre and the garden to the rear of Ash Barn. To follow property boundaries and give some protection to the historic boundary walls.
- vi. Removal of land within the curtilage of Ashfield House to follow property boundaries.
- vii. Inclusion of the gardens of Norland and Honeysuckle House to the west, to follow the boundary of these properties.

2.6 The Conservation Area Appraisal identifies and analyses the distinctive character of the area derived from its unique topography, historic development and features such as buildings, streets, layout and form.

2.7 The appraisal includes a Management Plan which outlines opportunities to enhance the area and identifies threats to its character and appearance. A series of action points are outlined to address these issues.

2.8 The appraisal of the character of a Conservation Area provides a sound basis for development management, for developing initiatives for improving the area and for assisting with plan-making. A clear definition of those elements which contribute to the special architectural or historic interest of a settlement provides a robust framework for the future management of the historic environment of that settlement, against which applications can be considered.

### **3.0 Report Details**

3.1 The 2019 Balscote Conservation Area Re-Appraisal reflects guidance in Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management 2019. The seven proposed alterations to the Conservation Area boundary are shown in **Appendix 2** of this report.

3.2 The public consultation (September-October 2019) was supported by an exhibition in the village on 23 September 2019. The document was available on-line and in hard copy at Bodicote House and Banbury Library. Copies of the document were handed out at the public exhibition and additional copies were available by request. A summary of consultation responses is provided at **Appendix 3**.

3.3 The exhibition was attended by approximately 24 local residents. Two written responses were received on the night. Following the exhibition two subsequent written responses were received, which included one from the Parish Council and one from a local resident.

- 3.4 The response from the Parish Council expressed gratitude for having the opportunity to make comment and highlighted that in general the Parish Council applauds the proposal to alter the boundary to fit better with the village boundaries. It was suggested that the area on the south west edge of the village was considered for inclusion, this suggestion was accepted by officers and the boundary amended.
- 3.5 The two written responses at the exhibition were in the form of completed questionnaires. The first suggested that the bungalow of Third Acre should be included within the boundary and argued that it is illogical to exclude it. This suggestion was considered but the view of officers is that it is not appropriate for Third Acre to be included, the National Planning Policy Framework (NPPF) asserts that when designating Conservation Areas, local planning authorities should ensure that an area has sufficient special architectural or historic interest not to devalue the concept of conservation and this was not considered to be the case here. The boundary was however amended to include the boundary wall adjacent to Shutford Road and between Third Acre and Ash Farm House.
- 3.6 The second response received at the exhibition again suggested an extension of the boundary to the southern end of the village. The response also expressed the importance of masonry/wall maintenance and concerns about white conservatories. The comments were accepted by officers and the boundary amended.
- 3.7 The subsequent written response from the member of the public received after the exhibition also suggested consideration should be given to the inclusion of the plot of land to the south of the village, due south of the Hedges on Shutford Road, this suggestion was accepted, and the boundary amended.
- 3.8 There has been a delay in adopting the document due to a reprioritisation of resources during the Covid 19 Pandemic. The appraisal was finalised in March 2020, but polices and references have been updated where necessary. There have been no major planning applications submitted since March 2020.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The Conservation Area Appraisal has been reviewed and consulted upon. It is recommended that the Assistant Director – Planning and Development, using delegation within the Officer Scheme of Delegation (Part 3 of the Constitution), endorses the proposed appraisal presented at **Appendix 1** and the seven boundary changes (including those amended as a result of the consultation).

## **5.0 Consultation**

- 5.1 A summary of public consultation is presented at **Appendix 3** of this report.

Councillor Colin Clarke, Lead Member for Planning  
Supports the approval of the appraisal

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

*Option 1: To seek further amendments to the conservation area appraisal.*

Officers consider that the reviewed conservation area appraisal and the proposed changes to the conservation area boundary are in the best interests of preserving the district's built heritage.

*Option 2: Not to agree the recommendations – would result in the conservation area not being updated.*

Officers consider that an updated appraisal and conservation area boundary are in the best interests of preserving the district's-built heritage.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 The review of the conservation area appraisal has been met from existing budgets.

Comments checked by:  
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### **Legal Implications**

- 7.2 If approved, the Balscote Conservation Area Appraisal will become a material consideration in development management decision making and in policy formation.
- 7.3 Proposed development is required to preserve or enhance the character or appearance of Conservation Areas. Specific classes of 'permitted development' are restricted within Conservation Areas.

Comments checked by:  
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### **Risk Implications**

- 7.4 There are no risks associated with adopted CAA's. They are a recognised planning tool and are prepared following best practice including Historic England guidance.

Comments checked by:  
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### **Equalities and Inclusion Implications**

- 7.5 The Conservation Area Re-Appraisal has been prepared with regard to the Council's Equalities and Climate Impact Assessment. Conserving and enhancing the historic environment is a key strand within the National Planning Policy Framework and is supported by a comprehensive legislative framework. Conservation Area Appraisals are a valuable tool to assist in conserving the historic environment and are a material consideration in decision making, but do not set

policy in themselves. The Conservation Area Appraisal has been prepared in accordance with best practice including the Historic England Advice Note.

Comments checked by:  
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## 8.0 Decision Information

**Key Decision** N/A as not Executive report

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

### Wards Affected

Cropredy, Sibfords and Wroxton

### Links to Corporate Plan

This report directly links to all three themes from the Cherwell District Business Plan 2021-22

- An Enterprising Economy with Strong Vibrant Local Centres
- Healthy, Resilient and Engaged Communities
- Leading on Environmental Sustainability

### Lead Councillor

Councillor Colin Clarke  
Lead Member for Planning and Heritage Champion

### Document Information

#### Appendix number and title

- Appendix 1 – Balscote Conservation Area Appraisal, 2021 (for approval)
- Appendix 2 – Balscote Conservation Area Boundary Changes Map
- Appendix 3 – Summary table of consultation responses

### Supporting information

- Balscote Conservation Area Appraisal Draft (March 2018)  
<https://www.cherwell.gov.uk/directory-record/1780/balscote>

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