

# **Cherwell District Council**

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

**17 December 2021**

### **Duns Tew 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 Duns Tew 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 Duns Tew Conservation Area boundary and Duns Tew 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 and 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 Duns Tew Conservation Area was designated in 2005. 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 9<sup>th</sup> September and 21<sup>st</sup> 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 Six minor alterations to the boundary, to reflect alterations in land ownership, were proposed. There is one reversal of the proposed change to the boundary recommended following the consultation.
- 2.5 In brief the changes involve (see **Appendix 2**).
- i) The removal of the area of garden that was associated with 64 Hill Farm Lane and now belongs to The Willows. The owner of The Willows has asked for it to remain within the Conservation Area and there are several mature trees which make a positive contribution to the area. The area is now proposed to be retained following consultation.
  - ii) The inclusion of the small section of Hill Farm Lane that was not previously within the Conservation Area.
  - iii) The inclusion of Angora Croft and Chariot Lodge, former barns now converted to residential.
  - iv) The minor alteration of the boundary to the rear of Priory Court to reflect changes in field boundaries.
  - v) The minor alteration of the boundary in the north west corner of the Conservation Area to reflect changes in field boundaries.
  - vi) The minor alteration of the field boundary to the rear of Duns Tew Manor to reflect changes in field boundaries and to prevent the boundary cutting through a building.
- 2.6 The Conservation Area Appraisal identifies and analyses the distinctive character of an 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 will provide a robust framework for the future management of the historic environment of that settlement against which applications can be considered.

### **3.0 Report Details**

- 3.2 The Duns Tew Conservation Area Re-appraisal reflects guidance in Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management 2019. The six proposed alterations to the conservation area boundary are shown in **Appendix 2** of this report.
- 3.3 The public consultation took place between 9<sup>th</sup> September and 21<sup>st</sup> October 2019 and was supported by an exhibition which took place on 16<sup>th</sup> September. The document was available to download from the Council's website and to view in hard copy at Bodicote House and at Banbury and Woodgreen libraries. Copies of the document were handed out at the public meeting and additional copies were available by request. A summary of consultation responses is provided at **Appendix 3**.
- 3.4 The exhibition was attended by approximately 20 local residents and 2 written responses (questionnaire) were received on the night.
- 3.5 One response was from the owner of an area of garden that had been proposed for removal from the Conservation Area boundary (on the basis that the land had changed hands and it now belonged to a property not in the Conservation Area). The owner stated that there were a number of mature trees in the garden which contribute to the area and he would like it to remain in the Conservation Area. That recommendation has been accepted.
- 3.6 The other response did not recommend any changes. There were no further representations.
- 3.7 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 five boundary changes (including those amended as a result of the consultation).

### **5.0 Consultation**

- 5.1 A summary of the 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 recommended amendments – 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:

Janet Du Prez, Principal Accountant - Finance

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### **Legal Implications**

- 7.2 If approved, the Duns Tew 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 of appearance of Conservation Areas. Specific classes of 'permitted development' are restricted within Conservation Areas.

Comments checked by:

Matthew Barrett Solicitor (Planning & Litigation)

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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:

Emily Schofield, Acting Head of Strategy

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## **8.0 Decision Information**

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

**Financial Threshold Met:** N/A

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

### **Wards Affected**

Deddington Ward

### **Links to Corporate Plan and Policy Framework**

This report directly links to all three themes from the Cherwell District Business Plan 2020-2021

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

## **Background Papers**

None.

## **Report Author and Contact Details**

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