

Cherwell District Council

Report to Assistant Director – Planning and Development

29 November 2021

Hethe 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 Hethe 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 Hethe Conservation Area boundary and the Hethe 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 Hethe Conservation Area was designated in March 1988 and last reviewed in July 1993. 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 27 March 2018 and 27 April 2018. This report sets out the comments received on the draft Conservation Area Appraisal and on the proposed changes to the boundary. The report requests that both the proposed changes to the Conservation Area boundary and the amended Conservation Area Appraisal, are approved under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") with immediate effect.

- 2.4 Seven alterations to the boundary were proposed in the draft appraisal. There are twelve recommended changes to the proposed boundary following the consultation, including some minor changes which reflect Land Registry mapping and the updated 2020 OS base mapping.
- 2.5 In brief, the changes involve (see **Appendix 2**):
- i. Inclusion of area of shrunken medieval village earthworks following support for inclusion of this area during the consultation.
 - ii. Changes to reflect land ownership, boundaries and development since last appraisal.
 - iii. Changes to reflect land ownership, boundaries and development since last appraisal.
 - iv. Changes to reflect 2020 OS mapping
 - v. Inclusion of strips of land leading back from properties along The Green and Main Street to Hethe Brook.
 - vi. Changes to reflect 2020 OS mapping
 - vii. Boundary change to remove modern agricultural sheds from the boundary.
 - viii. Boundary change to include former village school, rural paddock, stone boundary walls which all make a positive contribution to the Conservation Area.
 - ix. Changes to reflect 2020 OS mapping
 - x. Changes to reflect 2020 OS mapping
 - xi. Changes to reflect 2020 OS mapping
 - xii. Changes to reflect 2020 OS mapping.
- 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 Conservation Area 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 (**Appendix 1**, Chapter 10).
- 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 Hethe Conservation Area re-appraisal reflects guidance in Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management 2019. The twelve proposed alterations to the conservation area boundary are shown in **Appendix 2** of this report.
- 3.2 The required public consultation took place between 27th March 2018 and 27 April 2018 with an exhibition and public meeting in the village hall on 27th March 2018.

The document was available to download from the Council's website and to view in hard copy at Bodicote House and at Bicester Library. 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**.

- 3.3 The exhibition was attended by approximately 15 people, and a local ward member. The evening meeting was attended by 16 people (many of whom attended both events). The summary of comments received on the day are included in **Appendix 3** and the relevant issues are addressed below.
- 3.4 The verbal feedback from the exhibition included support for the protection of boundary treatment, support for enforcing against unauthorised work, and support for Local Heritage Assets. The proposed draft boundary was supported but there was a strong feeling that the deserted medieval village should be included, and some felt the agricultural sheds should not be removed. The importance of maintaining the character of the conservation was supported and Article 4 directions were debated with some support. No further Local Heritage Assets were suggested. A recent planning permission for repairs and alterations should address the issue of the unsightly tarpaulins in the conservation area.
- 3.5 A total of 7 written responses were received, two of which were from a couple who owned a property in the village, four were from people living within the conservation area (one requested a site meeting with a Conservation Officer and a summary of the discussion on site is included below) and another lived just outside the conservation area boundary. No response was received from Hethe Parish Council. A summary of responses is provided in **Appendix 3** and the relevant issues are addressed below.

There was general support for the revised Conservation Area Appraisal. Other comments include:

- A welcome pack on the village website could be useful to raise awareness of what it means to live in a Conservation Area.
- The village is not a museum. The Conservation Area Appraisal and Management Plan is written and updated to help manage change, to ensure any changes enhance or preserve the special character of the Conservation Area. Both Planning Officers and Hethe Parish Council should refer to the Hethe Conservation Area Appraisal in their planning responses.

- 3.6 There were comments on four of the proposed boundary changes as part of the consultation.
 - i. The owner of one property had concerns about the land behind the houses on the east of Main Street and The Green being included in the boundary (see **Appendix 2** - boundary revision area v.) The revised boundary has been drawn along the route of Hethe Brook as this forms a stronger boundary than the existing which followed some field boundaries but cut through others. The line of the brook is fixed and should afford some protection against the demolition of outbuildings and walls and avoid reviewing the boundary to account for changes in domestic curtilage. The boundary change remains as proposed.

- ii. There were objections to the removal of agricultural sheds from the conservation area (see **Appendix 2** - boundary revision area vii) on the basis that the area impacts on the setting of the conservation area, but this was considered insufficient justification and the boundary change remains as proposed. Any development outside a conservation area, but within close proximity is likely to be considered to impact on the setting.
- iii. There was strong support at the exhibition, meeting and in consultations received for the inclusion of the shrunken medieval village site to be included within the boundary. The revised boundary has been drawn along an historic footpath between Manor Farm and the quarry which has some fence boundaries shown on 2020 Ordnance Survey map (see **Appendix 2** - boundary revision area 'i').
- iv. There were comments at the public meeting about the inclusion of an additional area of land to the proposed western boundary change (see **Appendix 2** - boundary revision area viii). The boundary change has been amended to include the whole field as the land to the south gives important views of the conservation area, setting of listed building and glimpsed views of the bell turret of the church.

3.7 A number of additional minor boundary changes have been included following the consultation to reflect ownership boundaries and changes to the updated 2020 OS mapping (see **Appendix 2** - boundary revision areas ii, iii, iv, vi, ix, x, xi and xii).

3.8 There has been a delay in adopting the document due to a reprioritisation of management 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 twelve boundary changes (including those amended as a result of the consultation).

5.0 Consultation

5.1 A summary of the public consultation is presented in Sections 2, 3, and **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 Hethe Conservation Area Appraisal and the proposed changes to the Conservation Area boundary is in the best interests of preserving the district's-built heritage.

Option 2: To oppose the proposed changes – would result in the AD Planning and Development reconsidering those changes.

Officers consider that an updated Hethe Conservation Area 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 Hethe Conservation Area Appraisal has been met from existing budgets.

Comments checked by:

Janet Du Preez, Service Accountant - Finance
Tel. 01295 221570
janet.du-preez@cherwell-dc.gov.uk

Legal Implications

- 7.2 If approved, the Hethe 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, Planning Solicitor - Planning and Litigation
Tel: 01295 753798
Matthew.Barrett@Cherwell.gov.uk

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:

Louise Tustian, Head of Insight and Corporate Programmes
01295 221786
louise.tustian@cherwell-dc.gov.uk

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
07881 311707
Emily.Schofield@oxfordshire.gov.uk

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

Fringford and Heyfords Ward

Links to Corporate Plan and Policy Framework

This report directly links to 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 – Hethe Conservation Area Appraisal, 2021 (for approval)
- Appendix 2 – Hethe Conservation Area Boundary Changes Map
- Appendix 3 – Summary table of consultation responses

Supporting information

- Hethe Conservation Area Appraisal Draft (March 2018)
<https://www.cherwell.gov.uk/directory-record/1804/hethe>

Report Author and Contact Details

Andrew Maxted, Planning Policy and Conservation Manager, 01295 221642,
andrew.maxted@cherwell-dc.gov.uk

Joyce Christie, Conservation Officer, 01295 221608
Joyce.christie@cherwell-dc.gov.uk