

Cherwell District Council

Report to Assistant Director – Planning and Development

17 November 2021

Horley 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 Horley 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 Horley Conservation Area boundary and the Horley 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 Horley Conservation Area was designated in January 1987 and last reviewed in March 1996. 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 6 September 2018 and 8 October 2018, with a further round of consultation in May and June 2021 with Wroxton Parish Council and a property on the boundary between Horley and Wroxton parishes. This report sets out the comments received on the draft appraisal and on the proposed changes to the boundary. The report requests that both the proposed changes to the conservation 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 Nine boundary changes were proposed for amendment in the draft document. One of these has been omitted, one has been reduced, one has been extended and one has been added following the consultation, resulting in nine recommended changes to the proposed boundary following the consultation. These amendments include 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. Changes to reflect 2020 OS mapping and land ownership, boundaries and development since the last appraisal.
 - ii. Boundary changes to only include the street boundary of the properties north of Horley Lodge (Gracombe House and Sor Brook House Farm).
 - iii. Changes to reflect land ownership, boundaries and development since the last appraisal.
 - iv. Changes to reflect land ownership, boundaries and development since the last appraisal and to include the front garden to Park House and the shared driveway to Park House, Orchard House and the Vicarage.
 - v. Changes to include the well-defined ridge and furrow field with strip lynchets north of the cricket field.
 - vi. Changes to the boundary to follow the field boundary of the Old Town Gore.
 - vii. Changes to the boundary to include 'Long Meadow', Horley Brook, the public right of way, and to align with the parish boundary with Wroxton.
 - viii. Changes to the boundary to include the stone barn 'The Old Forge' that lies on the boundary between Horley and Wroxton at the south of the village. Whilst it lies in Wroxton Parish, it has a Horley address and lies within the Horley village sign. The building is an important gateway marker between the parishes, at the entry to the village of Horley.
 - ix. Changes to the south west boundary in 'Mill Meadow' to follow a watercourse between the mill race and the brook.
- 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. (**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 2021 Horley Conservation Area Re-Appraisal reflects guidance in Historic England Advice Note 1: Conservation Area Appraisal, Designation and

Management 2019. The nine proposed alterations to the Conservation Area boundary are shown in **Appendix 2** of this report.

- 3.2 The public consultation, which took place between 6 September 2018 and 8 October 2018, was supported by an exhibition and public meeting in the village hall which took place on 6 September 2018. The document was available to download from the Council's website and to view in hard copy at Bodicote House, the Banbury Library and the Woodgreen Library. Copies of the document were handed out at the public meeting and additional copies were available by request. A later round of consultation took place in May-June 2021, Wroxton Parish Council and the owner of the Old Forge, which lies in Wroxton Parish but has a Horley address, were both consulted on the proposed boundary change to include The Old Forge. A summary of consultation responses is provided at **Appendix 3**.
- 3.3 The exhibition was attended by approximately 20 local residents. The evening meeting was also attended by local residents. The summary of comments received on the day are included in **Appendix 3** and the relevant issues are addressed below.
- 3.4 A total of 16 written responses were received comprising 10 completed questionnaires, 4 email responses, a Parish Council response from Horley and another from Wroxton. A summary of responses is provided in **Appendix 3** and the relevant issues are addressed below.
- 3.5 Horley Parish Council was very supportive of the draft appraisal and confirmed its support for the changes proposed and did not suggest any amendments. Wroxton Parish Council also supported the appraisal. The other responses received described the document as interesting, thorough and would be of significant benefit to the long-term future of the village.
- 3.6 There was support at the meeting and in the subsequent consultation responses received for the cricket pitch to be included within the boundary as it positively contributes to the ambience of the village. A Conservation Area is '*an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.*' It is vital that only areas which are demonstrably of special architectural or historic interest be included in the designated area. Although the cricket field has strong amenity value for the community it has no specific heritage value other than providing a green setting to the village. This suggestion was considered but the view of officers is that it is not appropriate for the cricket field to be included when assessed against the National Planning Policy Framework (NPPF).
- 3.7 It was also suggested that the area of Gulliver's Close should be included as there is an old track shown on the draft inclosure map and some historic surfacing remains in-situ. The review considered whether the boundary should be extended to the east to include this track and the tract of land at the entrance to the village with an intact hedgerow. This suggestion was considered but as Gulliver's Close is a modern development, the view of officers is that it is not appropriate for the area 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.

- 3.8 The revision of the boundary to the north (**Appendix 2 Area i.**) to follow the ownership boundary of Clump House was discussed at the meeting in relation to bringing an area of trees into the Conservation Area and works to trees.
- 3.9 The revision of the boundary to the north (**Appendix 2 Area ii.**) to only include the west boundaries of Gracombe House and Sor Brook House Farm was discussed at the public meeting, in relation to the omission of a slither of garden. It was thought that the boundary was important as it marked the northern entrance to the village and the boundaries should be retained within the Conservation Area. The inclusion of a small area north of Horley Lodge was also proposed for inclusion but omitted following the consultation based on Land Registry mapping information.
- 3.10 The inclusion of the well-defined ridge and furrow field north of the cricket field was generally supported (**Appendix 2 Area v.**). A further field north of this was identified during the exhibition and meeting, as also having good remains which may be under threat from the flattening of the land. It was considered that this had less of an impact on the Conservation Area but could be assessed as a stand-alone local heritage asset.
- 3.11 One member of the public expressed the view that modern materials and application techniques should be allowed in Listed Buildings to allow for energy conservation and to preserve the environment.
- 3.12 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 (**Appendix 2 Area Areas i., iii., and iv.**).
- 3.13 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 Office Scheme of Delegation (Part 3 of the Constitution), endorses the proposed appraisal presented at **Appendix 1** and the nine 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.

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 is 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 Horley 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:
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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 an Executive report

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

Cropredy, Sibfords and Wroxton 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 – Horley Conservation Area Appraisal, 2021 (for approval)
- Appendix 2 – Horley Conservation Area Boundary Changes Map
- Appendix 3 – Summary table of consultation responses

Supporting information

- Horley Conservation Area Appraisal Draft (March 2018)
<https://www.cherwell.gov.uk/directory-record/1806/horley>

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