

Cherwell District Council

Report to Assistant Director - Planning and Development

29 November 2021

Somerton 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 Somerton Conservation Area Appraisal 2021, following its re-appraisal.

1.0 Recommendations

The Assistant Director – Planning and Development is recommended:

- 1.1 To approve the proposed revisions to the Somerton Conservation Area boundary and Somerton 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 Somerton Conservation Area was designated in 1992 and the boundary reviewed in 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 26th February 2019 and 9th April 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 Five alterations to the boundary were proposed in the draft appraisal. There is one alteration of the proposed change to the boundary recommended following the consultation.
- 2.5 In brief the changes involve
- i) An area of railway boundary track was removed as it does not make a positive contribution to the area.
 - ii) The boundary was altered to remove the canal (which now forms part of the Oxford Canal Conservation Area), but the associated wharf area remains within Somerton Conservation Area.
 - iii) The boundary to the north of the area was proposed to be altered to include two barn conversions and a meadow at the edge of the village. During the consultation it was established that one of the barns was modern and this has been removed from the boundary.
 - iv) The boundary to the south-east was amended to ensure the whole field (which include earthwork remains) was included in the area.
 - v) The boundary to the south has been amended to include the whole access to Jersey Manor Farm and associated land.
- 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

- 3.1 The Somerton Conservation Area Re-appraisal provides a more detailed document reflecting guidance in Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management 2019, an up-to-date management plan and recommended 5 minor alterations to the conservation area boundary). These are shown in **Appendix 2**.
- 3.2 The required public consultation was supported by an exhibition which took place on 26th February 2019. The document was available to download from the Council's website and to view in hard copy at Bodicote House and at Banbury 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 25 local residents and the evening meeting by 18 local residents (many of whom attended both events). Two written responses were received including one from the Parish Council.
- 3.4 The response from the Parish Council highlighted some minor anomalies in the report and stated that they were concerned about why the whole of the village was not included in the conservation area appraisal boundary. The issue of a particular development around the Paddocks area, which fell outside the boundary, was referred to. This is an issue that is frequently referred to in conservation area appraisal consultations. It is not appropriate for entire settlements to be included within conservation areas unless the specific areas merit it. Any development outside a conservation area, but within close proximity is likely to be considered to impact on the setting. No proposed alterations to the proposed boundary following this consultation response.
- 3.5 The other written response was from the residents of one of the properties proposed for inclusion in the boundary. The response was made following the advertisement of the area, but prior to the consultation itself and therefore the respondent had not seen the appraisal or attended the exhibition. The response objected to the alteration of the boundary on the basis that the building was not of historic interest and that there was an inconsistent approach to the inclusion of buildings and areas within the village. The reason for the exclusion of other areas within the village are explained within the appraisal itself and largely relate to the removal of the area of canal which now falls within the Oxford Canal Conservation Area. The principal building is a barn conversion and is shown on historic OS maps and is worthy of inclusion within the boundary. The adjacent barn, however, is a modern structure and is now proposed to be removed from the boundary.
- 3.6 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 one amended boundary change following consultation).

5.0 Consultation

- 5.1 A summary of the public consultation is presented at **Appendix 3** for 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: To oppose the proposed changes – would result in the AD Planning and Development reconsidering those changes.

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

Legal Implications

- 7.2 If approved, the Somerton 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)
Tel: 01295221690
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

Deddington Ward

Links to Corporate Plan and Policy Framework

This report directly links to 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 – Somerton Conservation Area Appraisal
- Appendix 2 – Somerton Draft Conservation Area boundary showing proposed changes
- Appendix 3 – Summary table of consultation responses

Supporting information

- Somerton Conservation Area Appraisal and Management Plan 2019.

Report Author and Contact Details

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

Jenny Ballinger, Senior Conservation Officer, 01295 221885
Jenny.ballinger@cherwell-dc.gov.uk