

Land at 5-7 Jack Straws Lane, Oxford, Oxfordshire

Heritage Desk-Based Assessment



Report prepared for:
Carter Jonas LLP

CA Project: 661070

CA Report: 18113

August 2018



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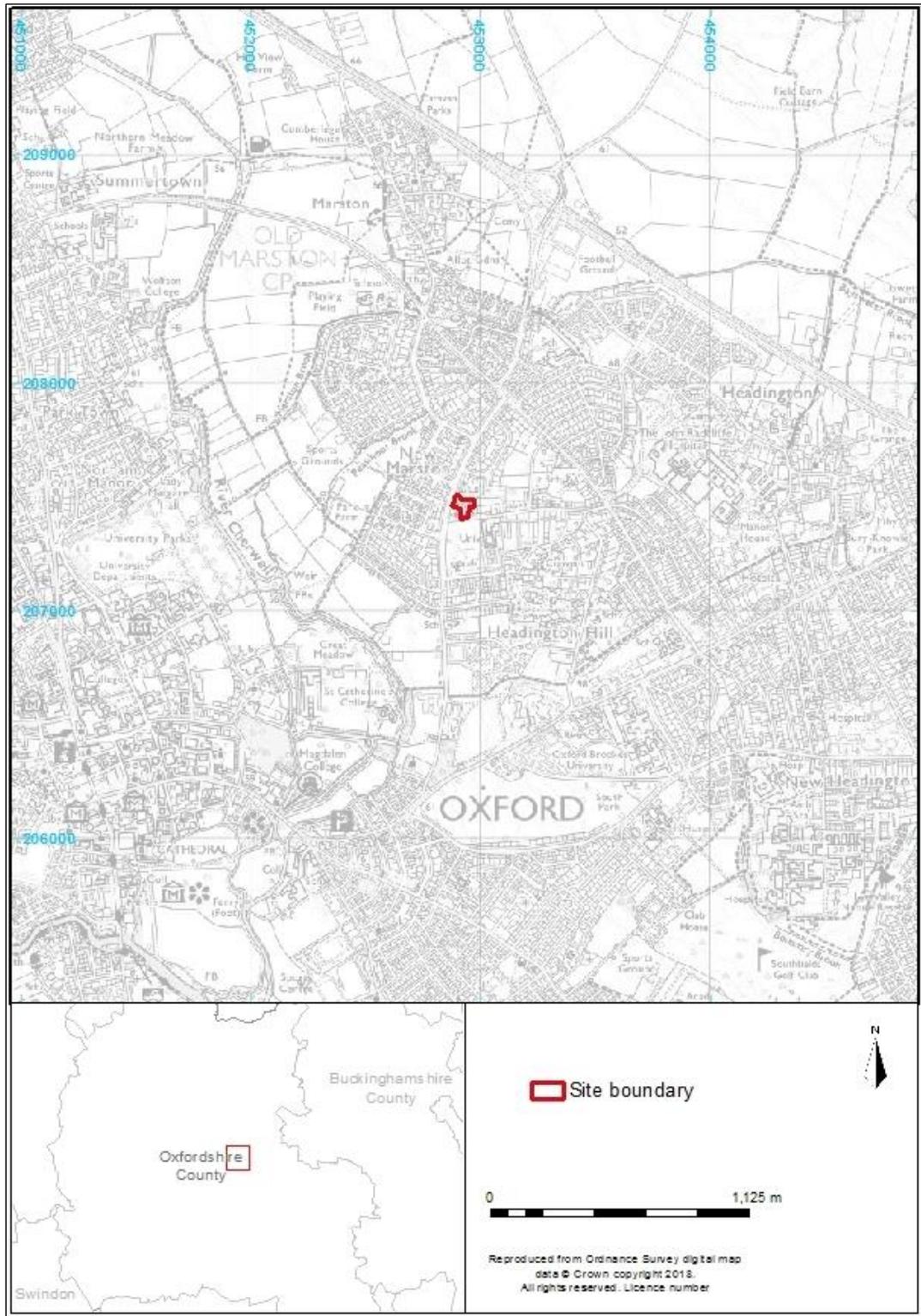


Fig. 1 Site location plan

1. INTRODUCTION

1.1. In August 2018, Cotswold Archaeology was commissioned by Carter Jonas LLP to undertake a Heritage Desk-Based Assessment in respect of land at 5-7 Jack Straws Lane, Oxford (hereafter referred to as ‘the Site’). Presently in use as a carpenters yard situated behind a number of domestic properties, the Site is located within the New Marston suburb of Oxford City (NGR: 452940, 207475; Fig. 1)

1.2. The proposed development will comprise the demolition of the existing structures, including five residential dwellings followed by the construction of student accommodation blocks, providing student rooms and private dwellings.

Objectives and professional standards

1.3. Cotswold Archaeology is a Registered Organisation with the Chartered Institute for Archaeologists (CIfA). This report has been prepared in accordance with the ‘Standard and Guidance for Historic Environment Desk-Based Assessment’ published by the Chartered Institute (2014).

1.4. The composition and development of the historic environment within the Site and wider landscape are discussed. A determination of the significance of any heritage assets located within the Site, and any heritage assets beyond the Site boundary that may potentially be affected by the development proposals, is presented. Any potential development effects upon the significance of these heritage assets (both adverse and/or beneficial) are then described.

1.5. This approach is consistent with the Chartered Institute’s ‘Standard and Guidance for Heritage Desk-Based Assessment’, which provides that, insofar as they relate to the determination of planning applications, heritage desk-based assessments should:

‘...enable reasoned proposals and decisions to be made [as to] whether to mitigate, offset or accept without further intervention [any identified heritage] impact’ (CIfA 2015, 4).

1.6. The ‘Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment’ (Historic England 2015), further clarifies that a desk-based assessment should:

‘...determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation’ (Historic England 2014, 3).

Statute, policy and guidance context

- 1.7. This assessment has been undertaken within the key statute, policy and guidance context presented within the table overleaf (Table 1.1). The applicable provisions contained within these statute, policy and guidance documents are referred to, and discussed, as relevant, throughout the text. Fuller detail is provided in Appendix 1.

Consultation

- 1.8. In 2017 and 2018 meetings regarding the proposed development were held with the Planning and Regulatory Services of Oxford City Council as part of pre-application advice. Initial formal advice was provided by Oxford City Council in February 2017 (Application: 16/01680/PAC), which recommended ‘any application includes a desk-based archaeological assessment to identify whether or not any evaluation is required’. Email correspondence with David Radford, Archaeologist to Oxford City Council dated the 22nd of February 2018 confirmed a Written Scheme of Investigation (WSI) outlining the scope of the Heritage Desk-Based Assessment would not be required prior to a Desk-Based Assessment being undertaken.

Statute	Description
Ancient Monuments and Archaeological Areas Act (1979)	Act of Parliament providing for the maintenance of a schedule of archaeological remains of the highest significance, affording them statutory protection.
Planning (Listed Buildings and Conservation Areas) Act (1990)	Act of Parliament placing a duty upon the Local Planning Authority (or, as the case may be, the Secretary of State) to afford due consideration to the preservation of Listed buildings and their settings (under Section 66(1)), and Conservation Areas (under Section 72(2)), in determining planning applications.
National Heritage Act 1983 (amended 2002)	One of four Acts of Parliament providing for the protection and management of the historic environment, including the establishment of the Historic Monuments & Buildings Commission, now Historic England.
Conservation Principles (Historic England 2008)	Guidance for assessing heritage significance, with reference to contributing heritage values, in particular: <i>evidential</i> (archaeological), <i>historical</i> (illustrative and associative), <i>aesthetic</i> , and <i>communal</i> .
National Planning Policy Framework (2018)	Provides the English government's national planning policies and describes how these are expected to be applied within the planning system. Heritage is subject of Chapter 16 (page 54).
Good Practice Advice in Planning: Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015)	Provides useful information on assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness.
Good Practice Advice in Planning: Note 3 (GPA3): The Setting of Heritage Assets, Second Edition (Historic England, 2017)	Provides guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes.
Oxford Local Plan (2001-2016)	Comprises the local development plan (local plan), as required to be compiled, published and maintained by the local authority, consistent with the requirements of the NPPF (2012). Intended to be the primary planning policy document against which planning proposals within that local authority jurisdiction are assessed. Where the development plan is found to be inadequate, primacy reverts to the NPPF (2012).

Table 1.1 Key statute, policy and guidance

2. METHODOLOGY

Data collection, analysis and presentation

- 2.1. This assessment has been informed by a proportionate level of information sufficient to understand the archaeological potential of the Site, the significance of identified heritage assets, and any potential development effects. This approach is in accordance with the provisions of the NPPF (2018) and the guidance issued by ClfA (2014). The data has been collected from a wide variety of sources, summarised in the table overleaf (Table 2.1).
- 2.2. Prior to obtaining data from these sources, an initial analysis was undertaken in order to identify a relevant and proportionate study area. This analysis utilised industry-standard GIS software, and primarily entailed the generation of a digital terrain model (DTM) incorporating available topographic, elevation and historic landscape data.
- 2.3. On this basis a 1km study area, centred on the Site, was considered sufficient to capture the relevant HER data, and provide the necessary context for understanding archaeological potential and heritage significance in respect of the Site. All of the spatial data held by the HER – the primary historic data repository – for the land within the study area, was requested. The records were analysed and further refined in order to narrow the research focus onto those of relevance to the present assessment. *Not all HER records are therefore referred to, discussed or illustrated further within the body of this report, only those that are relevant.*
- 2.4. A Site visit was also undertaken as part of this assessment on the 8th of March 2018. The primary objectives of the Site visit were to assess the Site's historic landscape context, including its association with any known or potential heritage assets, and to identify any evidence for previous truncation of the on-site stratigraphy. The site visit also allowed for the identification of any previously unknown heritage assets within the Site, and assessment of their nature, condition, significance and potential susceptibility to impact. The wider landscape was examined, as relevant, from accessible public rights of way.

Source	Data
National Heritage List (NHLE)	Current information relating to designated heritage assets, and heritage assets considered to be 'at risk'.
Oxford City Historic Environment Record (OCHER)	Heritage sites and events records, Historic Landscape Characterisation (HLC) data, and other spatial data supplied in digital format (shapefiles) and hardcopy.
Historic England Archives (HEA)	Additional sites and events records, supplied in digital and hardcopy formats.
Oxfordshire Local History and Archives	Historic mapping, historic documentation, and relevant published and grey literature. Including other materials specific to the locality
Historic England's Aerial Photograph Research Unit	Vertical and oblique aerial photography ranging in date from the 1940s to present.
Old-Maps, Promap, National Library of Scotland & other cartographic websites	Historic (Ordnance Survey and Tithe) mapping in digital format.
British Geological Survey (BGS) website	UK geological mapping (bedrock & superficial deposits) & borehole data.

Table 2.1 Key data sources

Assessment of heritage significance

- 2.5. The significance of known and potential heritage assets within the Site, and any beyond the Site which may be affected by the proposed development, has been assessed and described, in accordance with paragraph 189 of the NPPF (2018), the guidance issued by ClfA (2014) and ‘Historic Environment Good Practice Advice in Planning Note 2’ (Historic England 2014). Determination of significance has been undertaken according to the industry-standard guidance on assessing heritage value provided within ‘Conservation Principles’ (Historic England 2008). This approach considers heritage significance to derive from a combination of discrete heritage values, principal amongst which are: **i)** evidential (archaeological) value, **ii)** historic (illustrative and associative) value, **iii)** aesthetic value, **iv)** communal value, amongst others. Further detail of this approach, including the detailed definition of those aforementioned values, as set out, and advocated, by Historic England, is provided in Appendix 1 of this report.

Assessment of potential development effects (benefit and harm)

- 2.6. The present report sets out, in detail, the ways in which identified susceptible heritage assets might be affected by the proposals, as well as the anticipated extent of any such effects. Both physical effects, i.e. resulting from the direct truncation of archaeological remains, and non-physical effects, i.e. resulting from changes to the setting of heritage assets, have been assessed. In regards to non-physical effects or ‘settings assessment’, the five-step assessment methodology advocated by Historic England, and set out in the Second Edition of GPA3 (Historic England, 2017), has been adhered to (presented in greater detail in Appendix 1).
- 2.7. Identified effects upon **designated** heritage assets have been defined within broad ‘level of effect’ categories (Table 2.2 below). These are consistent with key national heritage policy and guidance terminology, particularly that of the NPPF (2018). This has been done in order to improve the intelligibility of the assessment results for purposes of quick reference and ready comprehension. These broad determinations of level of effect should be viewed within the context of the qualifying discussions of significance and impact presented in this report.

Level of effect	Description	Applicable statute & policy
Heritage benefit	The proposals would better enhance or reveal the heritage significance of the designated heritage asset.	Enhancing or better revealing the significance of a heritage asset is a desirable development outcome in respect of heritage. It is consistent with key policy and guidance, including the NPPF (2018) paragraphs 185 and 200.
No harm	The proposals would preserve the significance of the designated heritage asset.	Preserving a Listed building and its setting is consistent with s66 of the Planning (Listed Buildings and Conservation Areas) Act (1990). Preserving or enhancing the character or appearance of a Conservation Area is consistent with s72 of the Act. Sustaining the significance of a heritage asset is consistent with paragraph 185 of the NPPF, and should be at the core of any material local planning policies in respect of heritage.
Less than substantial harm (lower end)	The proposals would be anticipated to result in a restricted level of harm to the significance of the designated heritage asset, such that the asset's contributing heritage values would be largely preserved.	In determining an application, this level of harm should be weighed against the public benefits of the proposals, as per paragraph 196 of the NPPF (2018).
Less than substantial harm (upper end)	The proposals would lead to a notable level of harm to the significance of the designated heritage asset. A reduced, but appreciable, degree of its heritage significance would remain.	Proposals involving change to a Listed building or its setting, or any features of special architectural or historic interest which it possesses, or change to the character or appearance of Conservation Areas, must also be considered within the context of Sections 7, 66(1) and 72(2) of the 1990 Act. <i>The provisions of the Act do not apply to the setting of Conservation Areas.</i> Proposals with the potential to physically affect a Scheduled Monument (including the ground beneath that monument) will be subject to the provisions of the Ancient Monuments and Archaeological Areas Act (1979); <i>these provisions do not apply to proposals involving changes to the setting of Scheduled Monuments.</i>
Substantial harm	The proposals would very much reduce the designated heritage asset's significance or vitiate that significance altogether.	Paragraphs 193-195 of the NPPF (2018) would apply. Sections 7, 66(1) and 72(2) of the Planning Act (1990), and the Ancient Monuments and Archaeological Areas Act (1979), may also apply.

Table 2.2 Summary of level of effect categories (benefit and harm) referred to in this report in relation to designated heritage assets, and the applicable statute and policy.

2.8. It should be noted that the overall effect of development proposals upon the designated heritage asset are judged, bearing in mind both any specific harms or benefits (an approach consistent with the Court of Appeal judgement *Palmer v. Herefordshire Council & ANR* Neutral Citation Number [2016] EWCA Civ 1061).

2.9. In relation to non-designated heritage assets, the key applicable policy is paragraph 197 of the NPPF (2018), which states that:

*'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the **scale of any harm or loss and the significance of the heritage asset** [our emphasis].'*

2.10. Thus with regard to non-designated heritage assets, this report seeks to identify the significance of the heritage asset(s) which may be affected, and the scale of any harm or loss to that significance.

Limitations of the assessment

2.11. This assessment is principally a desk-based study and has utilised secondary information derived from a variety of source, only some of which have been directly examined for the purpose of this assessment. The assumption is made that this data, as well as that derived from other secondary source, is reasonably accurate. The records held by OCHER are not a record of all surviving heritage assets, but a record of the discovery of a wider range of archaeological and historical components of the historic environment. The information held within this database is not complete and does not preclude the subsequent discovery of further elements of the historic environment that are, at present unknown.

2.12. Cartographic depictions of the Site and wider study area held by Oxfordshire Local History Centre, and obtained online have been georeferenced in order to locate any historical features or impacts within the Site. Whilst historic maps are an invaluable source for identifying historic development, the accuracy of geo-referencing cannot be guaranteed where map are not produced in a standard way or scale.

2.13. Secondary source of information relating to archaeological events or monument occurring within the study area have been accessed where available; however due

to the limited accessibility of some documentary sources have not been reviewed in greater detail.

- 2.14. The Site walkover was undertaken in favourable weather conditions to carry out the assessment on the Site and nearby assets of local interest

3. ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

Landscape context

- 3.1. The Site comprises a regular shaped parcel of land with several internal divisions, with a southern boundary defined by Jacks Straws Lane, and the western boundary by Marston Road. At present the Site functions as a carpenter's yard, which is situated behind the rear gardens of domestic dwellings situated on Jack Straws Lane and Marston Road. Located within the extent of the Site are five domestic dwellings which front Jack Straws Lane, Marston Road and Lynnn Close (Fig. 1; Photo 1; 2).



Photo 1 Looking south-east into the Site from the western boundary of the carpenters yard



Photo 2 Looking north-east on Marston Road at the western boundary of the Site

- 3.2. The Site is located within a wider area of suburban expansion situated in the northern peripheral extent of Oxford city centre. The wider surrounding region is predominantly characterised by 20th century housing, however open public space is situated to the north-east and south of the Site.
- 3.3. At its highest, the site is located at approximately 64m above Ordnance Datum (aOD) in the central/northern extent, gently decreasing to 61m to its southern and western boundaries.
- 3.4. The British Geological Society (BGS) records the bedrock within the extent of the Site is formed from the Oxford Clay and West Walton Formations. These mudstones are sedimentary rocks formed approximately 157-166 million years ago.. No superficial deposits are recorded within the Site by the BGS.

Previous archaeological investigations

- 3.5. No previous archaeological investigations have been undertaken within the Site, however a number of investigations have occurred within the study area:

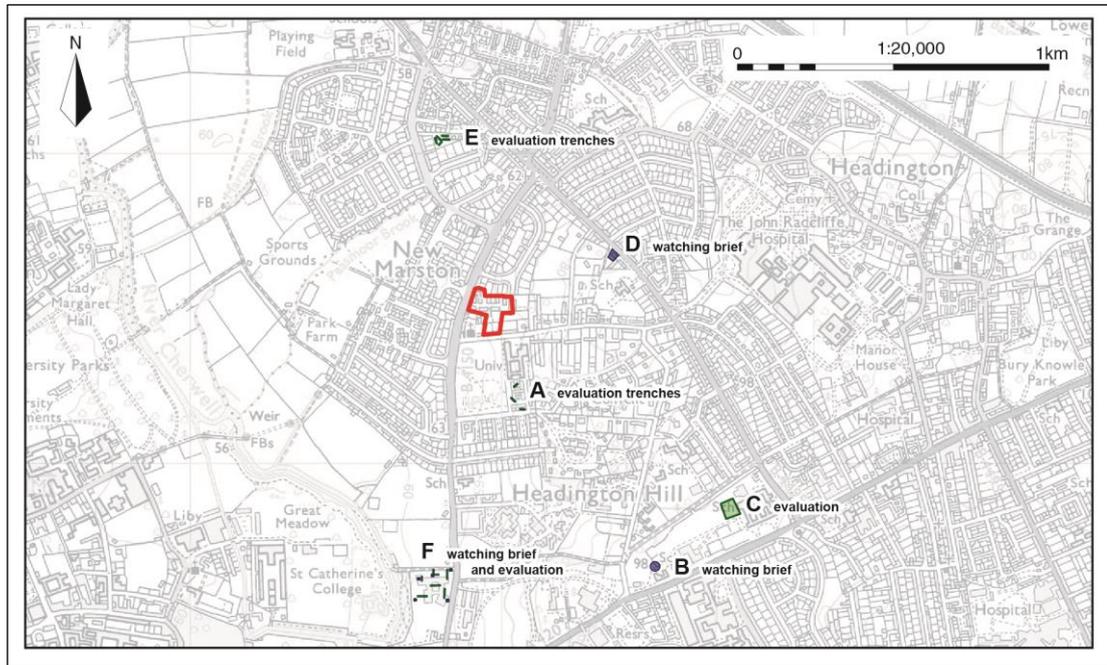


Fig. 2 Previous archaeological investigations

- 3.6. Approximately 190m to the south-east of the Site, an archaeological evaluation was undertaken within the grounds of Milham Ford School. The evaluation comprised a total of three trenches which identified colluvial and alluvial deposits, in addition to evidence of built structures associated with a 19th century farmstead (Fig. 2, A; TVAS 2006).
- 3.7. A watching brief within the grounds of Headington School 935m to the south-east of the Site identified evidence of Iron Age activity in addition to later 17th-18th century construction features (Fig. 2, B; Oxford Archaeology 2014).
- 3.8. Archaeological evaluation and excavation was also undertaken at the school prior to the construction of a music building 970m to the south-east of Site also identified Iron Age evidence along with an early Roman field system (Fig. 2, C; TVAS 2008).
- 3.9. A watching brief undertaken in 1996 approximately 420m to the north-east of the Site during extension works on a domestic property recorded 19th century ceramic material only and did not appear to be associated with any structures identified (Fig. 2, D; OAAS 1996).
- 3.10. An archaeological evaluation c. 580m north of the Site was undertaken prior to the construction of a domestic building and car parking spaces. The evaluation comprising a total of five trenches was undertaken, however no archaeological

features or activity were recorded. The recorded geological sequence within the trenches noted a lack of gravel deposits, suggesting the area did not form part of a gravel island which was less prone to flooding (Fig. 2, E; TVAS 2005).

- 3.11. An archaeological evaluation and watching brief carried out between 2002 and 2004 approximately 800m to the south of the Site was undertaken. The investigations identified ditches and trackways which could potentially relate to Civil War defences in addition to possible medieval soil horizons and post-medieval features (Fig. 2, F; OAU 1998, 2000).

Prehistoric and Roman

- 3.12. Located upon the gravel terraces between the Rivers Cherwell and Thames a number of monumental earthworks have been recorded. Predominantly in the University Parks and university science area of Oxford (See Fig. 3). Historic aerial photographs also show cropmarks of the monuments comprise alignments of enclosures, mounds and ring-ditches. The features dating from between the late Neolithic and early Iron Age and are considered to form part of an extensive monumental ritual landscape at the confluence of valleys, as limited evidence of domestic activity has been identified.
- 3.13. A conjectured ring ditch is recorded approximately 700m to the south west of the Site (Fig. 3, 1). The precise location of the ring ditch is unclear as it is not recorded by the RCHME Gravels overlay.
- 3.14. No further monumental evidence is recorded within the study area, however a Bronze age spearhead was recorded to 400m to the west of the Site (Fig.3, 2), whilst approximately 960m to the south-east of the Site archaeological investigations undertaken within the grounds of Headington School identified evidence suggestive of Iron Age occupation (Fig. 3, 3), which appears to have continued into the Roman period (Fig. 3, 4).
- 3.15. The location of the monumental features appears to be limited to the river gravels at the confluence of rivers would suggest the monumental features are unlikely to extend higher up the valley slopes. This interpretation is supported by the presence of occupational evidence located on the higher valley slopes. The location of the occupational evidence upon the southern slopes of the



- Site boundary
- Study area
- Late Neolithic/Early Bronze Age
- Bronze Age
- Iron Age
- Romano-British
- Post-medieval
- ★ Undated findspot



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PROJECT TITLE
 5-7 Jack Straw's Lane, Marston, Oxford, Oxfordshire

FIGURE TITLE
 Recorded heritage assets

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Cherwell Valley would suggest the higher ground would permit wide ranging views across the valley, and provide some protection from seasonal flooding whilst fertile, freely draining soils, would be ideal for cultivation.

- 3.16. Archaeological investigations undertaken at Headington School also recorded the presence of Romano-British linear features, considered to represent cultivation practices and may be a continuation of settlement and land use from the Iron Age period as identified nearby (Fig. 3, 4; Oxford Archaeology 2014).
- 3.17. Approximately 650m to the north of the Site, large quantities of kiln debris and pottery dating from the 3rd and 4th century was recorded during roadworks. Although a kiln structure was not identified, it is likely a Romano British kiln structure is located within the vicinity (Fig. 3, 5), likely associated with the recognised local pottery industry of the period.
- 3.18. The nearest routeway is the road between Alchester and Dorchester –on-Thames, which is located 2.8km to the east of the Site (Margery 1973). Evidence of rural road-side settlement is typically located within 300m from historic routeways.
- 3.19. The limited amount of Roman evidence within the vicinity of the Site, and the location of known settlement evidence from this period may indicate the Site would have functioned as waste or agricultural land situated between rural nucleated settlements where small scale production sites were located, however the absence of archaeological evidence confirming this assumption may be due to a lack of archaeological investigations.

Early medieval and medieval

- 3.20. It is known Anglo-Saxon settlements were established along the course of the Thames, strategically located at points where the river would have been suitable for crossing. It is possible that Oxford may have become established during this period as a trading centre for settlements located further along the Thames, however it is also possible Oxford became established as a minster during the 7th century with its focus upon the site of St Frideswide Priory (formerly located at Christ Church). The town of 'Oxnaforda' is recorded in the 10th century Anglo-Saxon chronical and is likely to have further developed as a defensive settlement, known as a burgh. The burgh is likely to have been set out in a grid system focused upon the crossroads at Carfax (Fig. 4).

- 3.21. There is some discrepancy regarding the overlord of Oxford after the conquest in 1066. Palmer (nd) identified the Lord as the Canons of Frideswide, however suggestion has been put forward that Robert d'Oilly, was the overlord and was responsible for the construction of the Motte and Bailey located in the western extent of the City.
- 3.22. From the 11th century, the city began its development of higher education, which continued throughout the 12th century, followed by development of the civic and religious houses of Oxford, to become a well-established commercial centre with a developing university. The city and its associated university and wealth was protected by the town defences (Fig. 4).

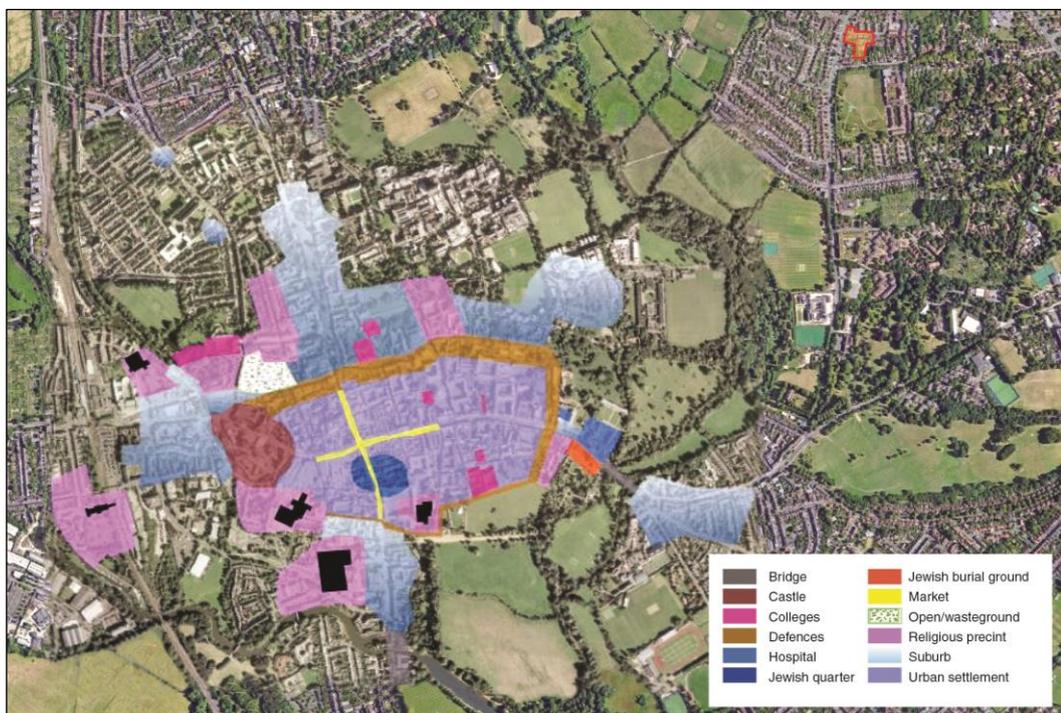


Fig. 4 Extract from Oxford City Council (2013) showing the extent of the medieval city overlain on satellite imagery (Google Earth 2017) The Site is located in the top right hand of the image. (not to scale)

- 3.23. Suburbs during this period are noted, however these are located in the river floodplains. There is no clear evidence of medieval activity or features within higher ground of the study area, which may indicate during this period the Site lay within the agricultural hinterland of the City focussed to this side on the historic cores of the hamlets of Marston and Headington.

Post-medieval and modern

- 3.24. The prosperity of Oxford continued to increase into the 16th century, when it was granted city status in 1542. The expansion of the city was undertaken in the 16th century, especially to the north of the medieval core where it was not limited by the surrounding topographical form.
- 3.25. The location of the city proved to be beneficial during the civil war, providing natural defences to the west, south and east, however improvements to the medieval defences were required, to ensure greater protection to the surrounding suburbs.
- 3.26. A programme of defensive lines was developed during the Civil War to protect the King's capital and mint at Oxford and are recorded by De Gommès on a map dating to 1646. Although the defences are no longer present, the approximate line of the Parliamentary siegeworks is located 750m to the south-west of the Site (Fig. 3, 6) These have not been subject to the archaeological investigation, however they are considered to also include a guard-post on the line of Marston Road as depicted on De Gomme's Map (MacCanell 2016).
- 3.27. Within the study area archaeological investigation recorded evidence of cultivation and processing with the Kings Mill located 800m to the south of the Site (Fig. 3, 7) and farm complexes located c.700m to the south-east and 800m to the south-west of the Site (Fig. 3, 8; 9). Despite being recorded some distance from the Site, these features suggest the land surrounding Oxford City, was agricultural in nature.
- 3.28. The Site is located within the historic parish of Headington, with the western boundary of the Site, defining the extent of Headington Parish and the eastern boundary of the adjacent Marston Parish. The Site is depicted on the 1802 Enclosure Map of Headington as being located within a large parcel of land owned by Henry Mayne Whorwood, however the function of this is unknown (Fig. 5).

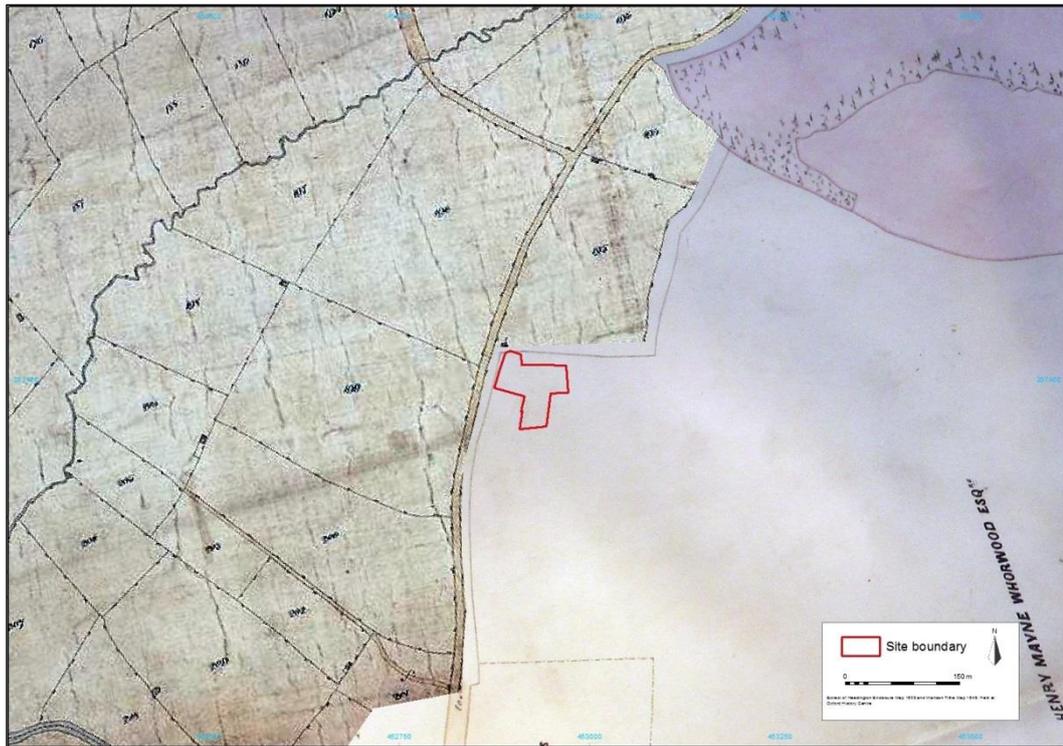


Fig. 5 Extract of Headington Enclosure Map (1802) and Marston Tithe Map (1845)

3.29. The First Edition Ordnance Survey (OS) map dating to 1876 records the large parcel of land being subject to division, with the Site depicted as forming in part a row of cottages set back from Marston Road, and partly a tile production facility where a parallel range of buildings is located (Fig. 6). An area of land to the east of the kilns is depicted as a brick field, the contours indicating the land has been subject to extraction in keeping with clay extraction for brick production. Beyond the brickworks, the Site is formed from a parcel of open land, whilst to the south of the brickworks, a trackway is depicted, which later forms Jack Straw's Lane.

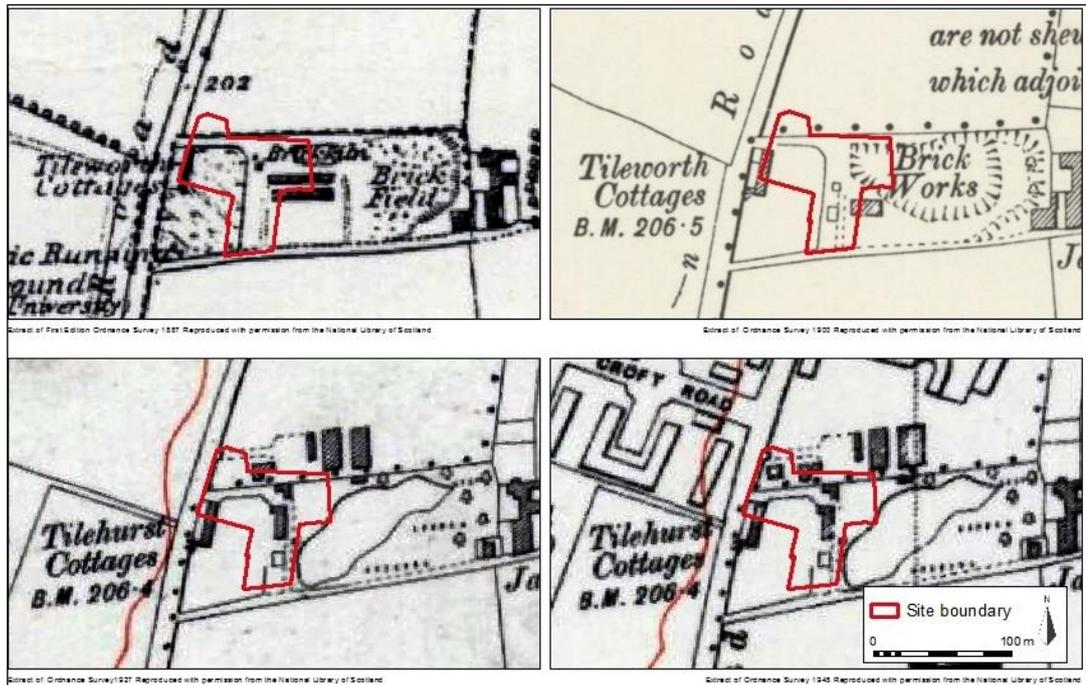


Fig. 6 Collection of historic Ordnance Survey Mapping

- 3.30. By the 1900 edition of the OS map the extent of extraction associated with the brickworks has increased and the buildings relocated. It is on this map that Jack Straw's Farm is depicted, adjacent to the east of the brickworks, whilst the terrace of cottages to the west of the brickworks remain. These are identified as 'Tileworth Cottages' a name which could be derived from the adjacent brickworks (Fig. 6).

- 3.31. Cartographic depictions of the Site during the interwar period show the cottages have been renamed to 'Tilehurst Cottages' and an access point to the buildings within the former brick works which have again been relocated. An additional group of buildings are located to the north of the terraced cottages which are considered unlikely to be associated with existing structures due to their location within Marston Parish (Fig. 6).

- 3.32. After the Second World War, OS maps depict no further change within the Site, however residential development is noted to the north of the Site, whilst a school building is located to the south of Jack Straw's Lane, which becomes identified by 1956.

- 3.33. By the mid-20th century, all buildings located within the Site have been removed, and replaced with a mixture of residential semi-detached properties which front Jack Straw's Lane and Marston Road. To the rear of the properties and within the

former brick kiln site is a builders' yard. The yard comprises a number of buildings located within the western extent and an area of open ground to the east. The northern region of the Site a detached building (depicting 312 Marston Road) is located within the grounds of a nursery with large glasshouses set within large grounds. The glass buildings are demolished by the 1970s and residential development occurs with the formation of Lynn Close. The residential development of Lynn Close forms part of the wider suburban expansion occurring within eastern Oxford as a result of successful car industry located within Oxford.

4. ARCHAEOLOGICAL SIGNIFICANCE & POTENTIAL EFFECTS

Previous Impacts

- 4.1. It is considered the Site during the medieval period may have functioned as scrub land or an area for cultivation until the 19th century. Any cultivation practices carried out upon the Site up to this point is unlikely to have significantly upon any potential archaeological remains.
- 4.2. However it is considered highly likely greater impacts upon any potential archaeological remains would have occurred by the post-medieval function of the site including extraction of materials for the brick kiln facility. It is likely any archaeological features located within the extent of extraction would have been subject to total loss or extensive truncation at the very least.
- 4.3. Associated with the brick kiln facility are a number of buildings whose foundations are likely to have impacted on any potential remains. Relocation of buildings within the Site is likely to have included a level of demolition which will have resulted In further truncation or loss of any archaeological remains.

The significance of known and potential archaeological remains within the Site

- 4.4. This assessment has identified that no designated archaeological remains are located within the Site; no *designated* archaeological remains will therefore be adversely physically affected by development within the Site. Known and potential *non-designated* archaeological remains identified within the Site comprise:

- Potential Isolated find spots of multiple periods
- Potential evidence of prehistoric settlement
- Potential features associated with Roman pottery production
- Post-medieval building foundations

The significance of these assets is discussed further below, however due to the extent of impact (including extraction) known to have occurred within the Site, it is considered any such evidence is only likely to occur within the western region of the Site, where impacts are less great and where made ground may preserve any potential archaeological evidence.

Isolated find spots

- 4.5. A number of individual findspots are recorded within the study area. Many of these are historic discoveries where little information, including the type and period of the

finds are recorded. However a Bronze Age spearhead was recovered to the west of the Site from the banks of Peasmore Brook and as such it is possible that further single find spots could be present within the extent of the Site.

- 4.6. Evidence of prehistoric occupation and activity within the region appears to be focused on the gravel terraces; however the presence of material evidence on the higher ground may represent a shift in settlement pattern although further investigation into this would be required.
- 4.7. The significance of any potential finds from this period within the Site would be derived from the evidential value of its physical form and the potential historical illustrative value that such finds would have to contribute to establishing a shift in settlement pattern. However as such evidence would likely be isolated, this would be of limited heritage significance.

Evidence of prehistoric settlement

- 4.8. Archaeological investigations undertaken at Headington School have recorded evidence consistent with Iron Age settlement which appears to have remained in use and expanded into the Roman period. These features recorded are located on raised ground above the gravel terraces which is comparable to the Site.
- 4.9. Any potential features of a similar nature within the site would derive significance from the evidential value of their physical remains and would therefore be of heritage significance.

Features associated with Roman pottery production

- 4.10. To the north of the Site, large quantities of kiln debris and pottery dating from the 3rd and 4th century was identified during road construction. Given the scale of evidence it is possible further material could be present within the Site, and that it may also be related to a nearby kiln site.
- 4.11. Any potential pottery will derive significance from the evidential value of its physical fabric in addition to illustrative value in enhancing the understanding of pottery production within the region, however, it is likely to be of only limited heritage significance if the evidence only extends to pottery sherds.

Post-medieval building foundations

- 4.12. Historic cartographic sources depict a number of buildings within the site dating from at least the 19th century. Development within the Site, and in particular in

relation to the brick works resulted in demolition and relocation of some structures. It is possible potential built foundations may still be present within the Site, however it is considered these would be of limited heritage significance.

Potential development effects

- 4.13. No significant known archaeological remains have been identified within the Site, and there is considered to be a low potential for any significant unknown archaeological remains to survive buried within the Site. It is anticipated that no significant archaeological remains will therefore be truncated by the proposed development.
- 4.14. Any truncation (physical development effects) upon those less significant non-designated archaeological remains identified within the Site would primarily result from groundworks associated with construction. Such groundworks might include:
- pre-construction impacts associated with demolition and ground investigation works;
 - ground reduction;
 - construction ground works, including building and road foundation trench excavations and the excavation of service trenches;
 - excavation of new site drainage channels (including soakaways); and
 - landscaping and planting.

5. THE SETTING OF HERITAGE ASSETS

- 5.1. This section considers potential non-physical effects upon the significance of susceptible heritage assets within the Site environs. Non-physical effects are those that derive from changes to the setting of heritage assets as a result of new development. A review of designated assets (limited to Conservation Areas) concluded the proposed development had the potential to impact upon the Headington Hill Conservation Area located 160m to the east of the Site and thus subject to more detailed assessment in the remainder of this section

Step 1: Identification of heritage assets potentially affected

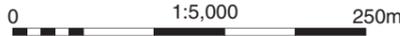
- 5.2. Step 1 of the Second Edition of Historic England's 2017 'Good Practice Advice in Planning: Note 3' (GPA3) is to 'identify which heritage assets and their settings are affected' (see Appendix 1). GPA3 notes that Step 1 should identify the heritage assets which are likely to be affected as a result of any change to their experience, as a result of the development proposal (GPA3, page 9).

Headington Hill Conservation Area

- 5.3. At its closest the Site is located 120m to the west of the western boundary of Headington Hill Conservation Area (Fig. 7). The Conservation Area was first designated in 1977 for highlighting the green and rural backdrop which surrounds the city of Oxford. The special historic interest of the Conservation Area as defined in the 2012 appraisal document, includes a number of viewpoints over to the city of Oxford, which are referred to as 'view cones' and are subject to designation in their own right. These views points have influenced the development of suburban villas in the 19th and 20th century, to take advantage of the views towards the city.
- 5.4. The Site is situated within the range of a view cone which extends south-west from Doris Field Memorial park (an area of green open space within the Conservation Area). As the view cone is identified within the Conservation Area Appraisal, the potential impact caused by the proposed development will be discussed as an element of the appraisal assessment (see 5.27).
- 5.5. The Conservation Area Appraisal can be broadly split into two character areas – 'Headington Hill north of Cuckoo Lane' and 'Headington Hill south of Cuckoo Lane'. It is considered the proposed development will have no impact upon the latter character area due to intervening built form and its distance from the Site, therefore only character area north of Cuckoo Lane will be discussed.



- Site boundary
- Headington Hill Conservation Area
- Jack Straw's Lane Character Area
- View cone
- Ph. 3 Photograph location



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PROJECT TITLE
5-7 Jack Straw's Lane, Marston, Oxford, Oxfordshire

FIGURE TITLE
The setting of Headington Hill Conservation Area

DRAWN BY CHECKED BY APPROVED BY	EE DJB AF	PROJECT NO. 661070 DATE 12/03/2018 SCALE @A3 1:5,000 / 1:1,500	FIGURE NO. 7
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5.6. Further sub-divisions are observed within the character area, with the land associated with Jack Straw's Lane specifically discussed. Given the urban landscape of the Conservation Area and the intervening built form to the south and east of the Site, the only potential to impact will be on the Jack Straw's Lane character sub-division.

5.7. The Conservation Area as a whole is known to have remained a predominantly rural area surrounding the city and development occurring to the north of Cuckoo Lane reflects the spatial layout of land and open spaces for recreational use by residence and designed landscape features such as significant tree planting to residential suburbs, for which the Jack Straw's Lane is known for (Photo 3).



Photo 3 Looking east on Jack Straw's Lane

Spatial Layout

5.8. Jack Straws Lane is aligned east to west linking Marston Road in the west with Staunton Road in the East. It's long, straight alignment has been considered to reflect arbitrary lines of land division brought about by land enclosure, or by the sale of Headington Manor Estate.

5.9. The routeway holds an element of its historic character in its narrow width and the absence of a pavement to one side, whilst the presence of road channels on either

sides of the road act to emphasise the course of the lane across the hillside with green hedgerows providing definition to the lane (Photo 4).



Photo 4 Looking west along Jack Straw's Lane

- 5.10. The course of Jack Straw's lane follows the alignment and layout of earlier field boundaries, and at its northern extent takes a more sinuous course creating enclosed areas. A narrow lane extending north from Jack Straw's Lane, leads to Doris Field's Memorial Park and is noted to have qualities of a traditional field lane, further emphasising the rural character of the area.

It is possible to identify the older buildings and plots within the character by their size alone. Those plots which are older in date generally have a combination of straight boundaries reflecting late enclosure set at irregular angles which would have been caused by pre-existing roads. However on the main section (northern section) of Jack Straw's Lane, properties are set within longer narrower strips, in accordance with a phase of more intensive development, which is emphasised by the avenue of trees lining the road (Photo 3).

Architectural interest

- 5.11. Within the Jack Straw's Lane sub-division a number of different building styles are recorded including buildings representing the historic farming landscape, Victorian

suburban villas of significance size and status designed in a variety of styles including Gothic and Tudor Revival, Old English style and Jacobean and Queen Anne Revival styles. In addition to the above mentioned styles, early 20th century Arts and Crafts style properties are prominent within the sub-character of the Conservation Area, with notable examples including Field House and St Mary's both situated on Jack straw's Lane. It is considered this style in particular is considered to compliment the rural character of the area.

- 5.12. Despite there being a considerable level of variety in the architectural styles within this sub-character, it is noted that scale of buildings is generally adhered to with the traditional forms dominating.

Open spaces and views

- 5.13. In the northern extent of the Jack Straw's Lane character sub-division is Doris Field Memorial Park. This is one of a few open spaces within the Conservation Area and highlights the division of land for residential development that has occurred overall.

- 5.14. The Doris Field Memorial Park holds a strong rural character and the extensive supply of trees surrounding the south, west and northern boundaries of the park contribute to the 'green rural backdrop' in views north-east from the city. It is also from this location the view south-west across the city skyline is considered to be of some importance and protected under the view cones designation. Its contribution to the Conservation Area and its significance is discussed separately below.

Doris Field Memorial Park View Cone

- 5.15. Doris Field Memorial Park is the location of one of two view cones from the eastern hills across to the city of Oxford. The view and its importance in observing the historic city was recognised in the 1970s and the local activism in the 20th century led to further preservation of the view by protecting remnant open space retaining the former rural character which once dominated the area.

Historical interest of the view cone

- 5.16. The hillsides surrounding the historic city afford many different vantage points from which the architectural quality, variation and status can be appreciated, however views west across the city of this region are less well known than those further south, or where the views are more easily recognisable.

-
- 5.17. Despite this, it is known Headington Hill has been accessed and the view towards the city appreciable since the mid-18th century when artists including JMW Turner have painted the landscape scene. During the 19th century access across the hill was improved and construction of residential properties began. The appreciable view led to further development of larger properties taking advantage of the view for the middle-class.
- 5.18. The landscape view depicted by artists in the 18th century shows the meadows situated along the Cherwell Valley as pasture land extended between the river and the woodland and fields on the hill and the tree-lined course of the River Cherwell. The historic high buildings can be observed in the middle ground with the green hills of Boars Hill, Harcourt Hill and Hinksey Hill in the distance (Fig. 8).



Fig. 8 A View of Oxford from the South Side of Headington Hill 1803-1804 (Jenkins *nd*)

- 5.19. This view is considered to have influenced the orientation of large homes in the northern region of Jack Straw's Lane so the principle elevation facing south-west permitting a historical connection with the city and the appreciation of the view (Photo 5).



Photo 5 Looking north-east from Doris Field Memorial Park at large residential villas

Present interest of the view cone

- 5.20. The modern view west across the city has been defined by the expansion of the city. From Doris Field Memorial Park green open space defined by the ‘pyramid - roofed’ residential buildings of New Marston. The relatively shallow pitch of the roofs allows for ‘the eye to pass over them without interruption’ towards the foliage defining the course of the River Cherwell and the high historic buildings. The red clay material used for the roofing of the residential buildings stands in contrast to the limestone and lead of the historic buildings in the middle ground allowing those buildings to stand out within the view cone, however modern architectural features including the metalized flat roofs of large modern buildings located in the middle distance of the view cone are considered to detract from the prominence of the historic high buildings through light reflection of those surfaces (Photo 6).



Photo 6 Looking south-west from Doris Field Memorial Park observing the Oxford view cone

- 5.21. Beyond the rooftops of the housing, the course of the River Cherwell is defined by foliage which significantly screens the lower general cityscape, allowing for the higher historic buildings to be observed in isolation for the surrounding city centre. The historic buildings are set to a backdrop of the western surrounding hills, which draw the eye inwards towards the high rise buildings.

Significance of the Conservation Area

- 5.22. The significance of the Conservation Area is principally derived from the evidential and aesthetic value of the variety of architectural styles, in addition to the communal value provided by the range of functions included within its extent.
- 5.23. More specifically the Jack Straw's Lane character area of the Conservation Area derives significance from the historical illustrative value it provides in illustrating the development of the region from rural/agricultural to residential by retaining historical routeways and boundaries of 19th century enclosed land. The character area also provides important green public open space providing communal and historical value to the significance of the Conservation Area where it is possible to appreciate the historical status of the city.

Contribution of the Site to the significance of Headington Hill Conservation Area

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- 5.24. The Site lies approximately 120m to the west of Headington Hill Conservation Area. The Site is not located within the Conservation Area, nor is it within close proximity to the tree lined avenue that illustrate the historic rural historic of the Conservation Area. Rather, the Site forms part of the wider 20th century residential band which outlies the Conservation Area.
- 5.25. The Site is not identified by the Conservation Area Appraisal as a key location or vantage point for the experience of the Conservation Area and more specifically the character area of Jack Straw's Lane. Indeed from within the Site intervening built form to the north and east, extending south-east do not allow for an appreciation of the key elements of the Conservation Area and internal character area. From within the Conservation Area it is not possible to clearly identify the Site due to its location within the area of 20th century suburban development of New Marston which has led to the erosion and almost total loss of the former rural wider landscape.
- 5.26. However green open space located within the Jack Straw's Lane character area is identified as a key location within the Conservation Area from which the historic landscape and the iconic skyline of the buildings within the city can be appreciated, and the Site is located within the extent of this designated view cone, although it is located at a lower level within the valley and is not visible from within the view cone due to intervening 20th century development rising up the hill.
- 5.27. The significance of the historic landscape view is the ability to appreciate the historic buildings which are central to the view, but also the surrounding green wider landscape and the limited and remnant rural landscape which would have dominated the eastern wider landscape of the city. It is recognised that the green rural land in the foreground has been reduced by the 20th century development within New Marston, in which the Site is located, yet the low profile of buildings does not detract from the prominence of the historic high buildings in the middle ground. The current plans for the proposed development of the Site as detailed the suite of draft architectural drawings show a total of nine buildings arranged across the Site to create an open area centrally. The buildings will serve as student accommodation and private residential quarters set over no greater than three floors, including ground level.
- 5.28. It is noted within the View Cones policy that proposed development within the foreground of the Doris Field Memorial Park view cone has the potential to impact

upon the significance of the historic landscape by competing for dominance in the view in addition to creating screening.

- 5.29. The vantage point from which the view cone is appreciable is located at approximately 79m aOD, whilst the present ground level within the Site is approximately 64m aOD. The limit of elevation expected as part of the proposed development is not greater than 12.56m above ground level indicating the proposed development would be likely to be visible through the roof line of buildings within the foreground of the view cone. However draft architects plans indicate landscaping will be carried out to reduce ground level within the Site, thereby reducing the elevation in terms of aOD. Nevertheless whilst this measure may decrease the extent to which the proposed development will be visible within the view cone, there is potential for the upper elements of the roofline to remain visible within the foreground of the view cone, having the potential to affect views along the view-cone.
- 5.30. The current plans for the proposed development indicate roofing will be formed using zinc sheeting which has been identified within the view cone as detracting from the high historic limestone buildings which are the focus of the historic landscape (Oxford City Council 2015). The proposal to employ zinc roofing has the potential, in combination with the overall height of the buildings, to draw focus away from the high historic buildings of the skyline forwards to the foreground by contrasting with the present colour pallet identified on residential buildings and creating a break in the otherwise regular roofscape.
- 5.31. It is considered on this basis, despite the Site location outside of the Conservation Area, its position inside the designated view cone has the potential to impact upon those elements of a view that has been captured by historic artists and therefore has the potential to harm the overall significance of the Conservation Area. However, whilst potential harm has been identified, it is considered this is would be less than substantial as the core element of the view cone would remain appreciable, whilst the proposed development will have no impact on the second view cone identified from within the Conservation Area at Milford School. It is possible that design solutions (particularly roofing material) could be implemented that would reduce the low level of harm further.

6. CONCLUSIONS

- 6.1. This assessment has considered the potential for significant buried archaeological remains to be present within the Site, and to present an understanding of the character, date, location, extent and condition of any such archaeological remains. This assessment has also sought to identify any potential impact to the significance of nearby designated heritage assets through changes to their setting by the implementation of the proposed development.
- 6.2. There is limited recorded archaeological evidence within the immediate vicinity of the Site that can provide an indication to the potential remains to be present within the Site, however in the wider landscape evidence associated with Roman pottery production, and settlement evidence dating from the late prehistoric and Roman period is recorded which may be also present within the vicinity of the Site, and yet to be identified due to a lack of archaeological investigation undertaken within the vicinity.
- 6.3. 19th century mineral extraction and brick production within the site is likely to have impacted upon any potential buried archaeological remains, as is the construction of domestic buildings located along Marston Road. It is considered the potential buried archaeological remains within the footprint of former buildings, associated services trenches and former landscaping will have been impacted.
- 6.4. A proportionate settings assessment has been undertaken for the Headington Hill Conservation Area situated to the east of the Site. Whilst it will not physically impact upon those elements of the Conservation Area which contribute to its significance, a key view from a prominent open green space has the potential to be impacted upon.
- 6.5. The assessment has concluded the proposed development has the potential to introduce an element of built form which does not conform with existing residential forms. This change would translate to the lower end of **less than substantial harm**, requiring the level of harm to be weight against the potential public benefit. Design solutions, particularly with regard to proposed roofing materials, could reduce this low perception of harm even further.

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APPENDIX 1: HERITAGE STATUTE POLICY & GUIDANCE

Heritage Statute: Listed buildings

Listed buildings are buildings of ‘special architectural or historic interest’ and are subject to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 (‘the Act’). Under Section 7 of the Act ‘no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.’ Such works are authorised under Listed Building Consent. Under Section 66 of the Act ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses’.

Note on the extent of a Listed building

Under Section 1(5) of the Act, a structure may be deemed part of a Listed building if it is:

- (a) fixed to the building, or
- (b) within the curtilage of the building, which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948

The inclusion of a structure deemed to be within the ‘curtilage’ of a building thus means that it is subject to the same statutory controls as the principal Listed building. Inclusion within this duty is not, however, an automatic indicator of ‘heritage significance’ both as defined within the NPPF (2018) and within Conservation Principles (see Section 2 above). In such cases, the establishment of the significance of the structure needs to be assessed both in its own right and in the contribution it makes to the significance and character of the principal Listed building. The practical effect of the inclusion in the listing of ancillary structures is limited by the requirement that Listed Building Consent is only needed for works to the ‘Listed building’ (to include the building in the list and all the ancillary items) where they affect the special character of the Listed building as a whole.

Guidance is provided by Historic England on ‘Listed Buildings and Curtilage: A Historic England Advice Note’ (Historic England 2016).

Heritage Statute: Scheduled Monuments

Scheduled Monuments are subject to the provisions of the Ancient Monuments and Archaeological Areas Act 1979. The Act sets out the controls of works affecting Scheduled Monuments and other related matters. Contrary to the requirements of the Planning Act 1990 regarding Listed buildings, the 1979 Act does not include provision for the ‘setting’ of Scheduled Monuments.

National heritage policy: the National Planning Policy Framework

Heritage assets and heritage significance

Heritage assets comprise ‘a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest’ (the NPPF (2018), Annex 2). Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields and Conservation Areas (designated under the relevant legislation; NPPF (2018), Annex 2). The NPPF (2018), Annex 2, states that the significance of a heritage asset may be archaeological, architectural, artistic or historic. Historic England’s ‘Conservation Principles’ looks at significance as a series of ‘values’ which include ‘evidential’, ‘historical’, ‘aesthetic’ and ‘communal’.

The setting of heritage assets

The ‘setting’ of a heritage asset comprises ‘the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’ (NPPF (2018), Annex 2). Thus it is important to note that ‘setting’ is not a heritage asset: it may contribute to the value of a heritage asset.

Guidance on assessing the effects of change upon the setting and significance of heritage assets is provided in ‘Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets’, which has been utilised for the present assessment (see below).

Levels of information to support planning applications

Paragraph 189 of the National Planning Policy Framework (‘the NPPF (2018)’) identifies that ‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no

more than is sufficient to understand the potential impact of the proposal on their significance.’

Designated heritage assets

Paragraph 184 of the NPPF (2018) explains that heritage assets ‘are an irreplaceable resource and should be conserved in a manner appropriate to their significance’. Paragraph 193 notes that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 goes on to note that ‘substantial harm to or loss of a grade II listed building...should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance (notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites) ‘should be wholly exceptional’.

Paragraph 196 clarifies that ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.’

Oxford Local Plan 2001-2016

Local Legislation regarding the historic environment is held within Chapter 5 – Heritage of Oxford Local Plan 2001-2016 which was adopted in November 2005. This has in part been superseded by Oxford Core Strategy 226; however the Local Plan policy on Heritage has been saved. The relevant legislation to this assessment comprises Policy HE.2- Archaeology, Policy HE.7 – Conservation Areas and Policy HE.10 – View Cones of Oxford. Each policy is summarised below.

Policy HE.2- Archaeology states that any archaeological deposits are known or suspected that have the potential be significance to the historic environment of Oxford will be sufficiently identified within a planning application so that the character and extent of the deposits, - as far as reasonably practicable will be defined. This will be carried out (where appropriate) through evaluative field work, and an assessment on the effect of the proposals on the deposits or their setting.

Should the presence or significance of any deposits become confirmed, planning permission will only be granted where provision to preserve the remains *in situ* through sensitive layout or design; or where a provision of investigation or recorded any remain that cannot be preserved including publication of results, is included.

Policy HE.7 – Conservation Areas states planning permission will only be granted where development will preserve or enhance the special character and appearance of a Conservation Area or its setting.

Policy HE.10 – View Cones of Oxford states that the retention of significance view both within Oxford or from outside is of importance, as is the protection of the wider ‘green’ landscape surrounding the city from adverse impact.

Planning permission will not be granted where development is located close to or in a viewcone, that will detract from the special importance of the views of Oxford.

Good Practice Advice 1-3

Historic England has issued three Good Practice Advice notes (‘GPA1-3’) which support the NPPF. The GPAs note that they do not constitute a statement of Government policy, nor do they seek to prescribe a single methodology: their purpose is to assist local authorities, planners, heritage consultants, and other stakeholders in the implementation of policy set out in the NPPF. This report has been produced in the context of this advice, particularly ‘GPA2 – Managing Significance in Decision-Taking in the Historic Environment’ and ‘GPA3 – The Setting of Heritage Assets’.

GPA2 - Managing Significance in Decision-Taking in the Historic Environment

GPA2 sets out the requirement for assessing ‘heritage significance’ as part of the application process. Paragraph 8 notes ‘understanding the nature of the significance is important to understanding the need for and best means of conservation.’ This includes assessing the extent and level of significance, including the contribution made by its ‘setting’ (see GPA3 below). GPA2 notes that ‘a desk-based assessment will determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation to do so’ (Page 3).

GPA3 – The Setting of Heritage Assets

The NPPF (Annex 2: Glossary) defines the setting of a heritage asset as ‘the surroundings in which a heritage asset is experienced’. Step 1 of the settings assessment requires heritage assets which may be affected by development to be identified. Historic England notes that for the purposes of Step 1 this process will comprise heritage assets ‘where that experience is capable of being affected by a proposed development (in any way)...’.

Step 2 of the settings process ‘assess[es] the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated’, with regard to its physical surrounds; relationship with its surroundings and patterns of use; experiential effects such as noises or smells; and the way views allow the significance of the asset to be appreciated. Step 3 requires ‘assessing the effect of the proposed development on the significance of the asset(s)’ – specifically to ‘assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it’, with regard to the location and siting of the development, its form and appearance, its permanence, and wider effects.

Step 4 of GPA3 provides commentary on ‘ways to maximise enhancement and avoid or minimise harm’. It notes (Paragraph 37) that ‘Maximum advantage can be secured if any effects on the significance of a heritage asset arising from development liable to affect its setting are considered from the project’s inception.’ It goes on to note (Paragraph 39) that ‘good design may reduce or remove the harm, or provide enhancement’.

Heritage significance

Discussion of heritage significance within this assessment report makes reference to several key documents. With regard to Listed buildings and Conservation Areas it primarily discusses ‘architectural and historic interest’, which comprises the special interest for which they are designated.

The NPPF provides a definition of ‘significance’ for heritage policy (Annex 2). This states that heritage significance comprises ‘The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic’. This also clarifies that for World Heritage Sites ‘the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance’.

Regarding ‘levels’ of significance the NPPF (2018) provides a distinction between: designated heritage assets of the highest significance; designated heritage assets not of the highest significance; and non-designated heritage assets.

Historic England's 'Conservation Principles' expresses 'heritage significance' as comprising a combination of one or more of: evidential value; historical value; aesthetic value; and communal value.

Effects upon heritage assets

Heritage benefit

The NPPF clarifies that change in the setting of heritage assets may lead to heritage benefit. Paragraph 200 of the NPPF (2018) notes that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'.

GPA3 notes that 'good design may reduce or remove the harm, or provide enhancement' (Paragraph 28). Historic England's 'Conservation Principles' states that 'Change to a significant place is inevitable, if only as a result of the passage of time, but can be neutral or beneficial in its effects on heritage values. It is only harmful if (and to the extent that) significance is reduced' (Paragraph 84).

Specific heritage benefits may be presented through activities such as repair or restoration, as set out in Conservation Principles.

Heritage harm to designated heritage assets

The NPPF (2018) does not define what constitutes 'substantial harm'. The High Court of Justice does provide a definition of this level of harm, as set out by Mr Justice Jay in *Bedford Borough Council v SoS for CLG and Nuon UK Ltd*. Paragraph 25 clarifies that, with regard to 'substantial harm': 'Plainly in the context of physical harm, this would apply in the case of demolition or destruction, being a case of total loss. It would also apply to a case of serious damage to the structure of the building. In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'.

Effects upon non-designated heritage assets

The NPPF (2018) paragraph 197 guides that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage

assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

APPENDIX 2: GAZETTEER OF HERITAGE ASSETS

Ref. No.	OCHER Ref NLHE Ref Amie Ref	Description	Period	NGR
1	MOX8504	A Bronze Age spearhead was recovered from the banks of Peasmore Brook. It was located by a bridge which links new and old Marston at the junction with the Cherwell.	Bronze Age	452470 207510
2	MOX8512	A conjectured Bronze Age ring-ditch identified by cropmarks is reported to be present within this vicinity; however the exact location is unclear.	Bronze Age	452230 207760
3	MOX26764	During archaeological investigations at Headington School a cluster of Iron Age pits. Material artefacts including pottery, flint and unburnt bone was also identified	Iron Age	453554 206695
4	MOX23561	Further archaeological investigation undertaken at Headington School recorded further evidence of late Iron Age to Roman activity, with evidence recorded indicative of earlier occupation	Iron Age – Roman	453740 206850
5	MOX8501 338433	During construction works on the Headley Way, a large quantity of kiln debris and pottery was noted. The pottery was dated to the 3rd and 4th century	Roman	452900 208200
6	MOX24935 MOX25966	Civil War defensive lines were recorded by De Gommès. The approximate line of the defences created under the command of Fairfax are depicted across Headington Park to Kings Mill.	Post-medieval	452829 206646
7	MOX15187	The location of Kings Mill where the town defences extended. The Mill race is drawn from the River Cherwell	Post-medieval	452664 206674

Ref. No.	OCHER Ref NLHE Ref Amie Ref	Description	Period	NGR
8	MOX8200	Evidence of a farm complex and trackways were identified during archaeological investigation ahead of construction work.	Post medieval	452750 206500
9	MOX11787	A small 17th century farmhouse, is known to have been incorporated into a later Victorian house. The farmhouse previously stood within a Saxon field system from which the farm was named.	Post-medieval	453390 206800
10	MOX11792	A Brick works are recorded on historic cartographic sources. Evidence of clay extraction within the vicinity is also recorded with hollows observed on the first edition ordnance survey mapping.	Post-medieval;	453000 207450

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