



Historic England

**WEST OXFORDSHIRE
LOCAL PLAN 2031**

EXAMINATION IN PUBLIC

**MATTER 14 –
EYNHAM - WOODSTOCK SUB-AREA**

QUESTION 14.3

1. Introduction

- 1.1 Historic England is the public body that looks after England's historic environment and champions historic places, helping people understand, value and care for them.
- 1.2 Paragraph 2 of the National Planning Policy Framework states that the Framework "*must be taken into account in the preparation of local plans*". Paragraph 151 requires Local Plans to be "*consistent with the principles and policies set out in this Framework*". One of the four "tests" of soundness is that the plan should be consistent with national policy (paragraph 182).
- 1.3 Paragraph 151 also explains that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development and paragraph 9 explains that: "*Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment...*".

2. Historic England objections resolved by Modifications

- 2.1 Historic England submitted a total of 63 individual representations at the Regulation 19 stage of the Local Plan. The majority of these related to the statements in paragraphs 126 and 157 of the National Planning Policy Framework that "*Local Planning Authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment*" and "*contain a clear strategy for enhancing the.....historic environment*".
- 2.2 Historic England confirms that the great majority of its objections have been addressed by the Council's Minor Modifications and Main Modifications to the Plan. Our one outstanding objection at the Regulation 19 stage – to Policy EH7 – has been the subject of discussions with the Council and the Council has agreed to further modifications which would address our objection to Policy EH7 as set out in our Statement of Common Ground on this matter.

3. Historic England Objection to Main Modifications 63 and 158

- 3.1 However, although the Minor and Main Modifications overcame many of Historic England's concerns, Main Modifications 63 and 158 gave rise to a new concern. (By implication of our objections to Main Modifications 63 and 158, Historic England also objects to Main Modifications 64, 156 and 157, although we have not submitted formal representations on these).

- 3.2 Proposed Main Modification 63 introduces a new sub-section in Section 7 of the Local Plan on Eynsham. This section includes reference to strategic growth to west of Eynsham.
- 3.3 New paragraph 7.4.3c states “*Whilst the proposals are at a relatively early stage and will be worked up in more detail through an ‘Area Action Plan’ (AAP) it is anticipated that land to the west of Eynsham, in being brought forward as a comprehensive, strategic urban extension to the village has the potential to deliver a new western link road connecting the A40 to the B4449 to the south of Eynsham*”.
- 3.4 Main Modification 158 introduces new Policy EW1b – West Eynsham Strategic Development Area. Clause c) reads “*provision of a new western link road funded by and provided as an integral part of the development and taking the opportunity to link effectively with the existing road network on the western edge of the village.*”
- 3.5 In addition, Main Modifications 64 and 156 add references to a new link road, and Main Modification 157 introduces Figure 9.15b, which shows the boundaries of the West Eynsham Strategic Development Area and the indicative alignment of the link road (reproduced as Appendix 1 to this statement).
- 3.6 The southern end of this proposed new western link road for Eynsham is shown as cutting through the scheduled monument of sites discovered by aerial photographs at Foxley Farm (see Appendix 2 to this Statement). Historic England considers that a new major route could cause substantial harm to the significance of the monument.
- 3.7 This possibility is confirmed by the determination of a planning application (16/02369/FUL; 17/01114/FUL) on an adjoining site which led to archaeological evaluation¹ (trial trenching) which included part of the scheduled monument.
- 3.8 The evaluation work confirmed that within the area close to the eastern edge of the monument there are archaeological remains of national significance. The discovery of a pit dating to the early Neolithic period, with preserved palaeo-environmental evidence (animal bone, hazel nut shell and grain fragments) is particularly notable, as such features are rare and can occur in groups. Roman and post-medieval remains were also found.

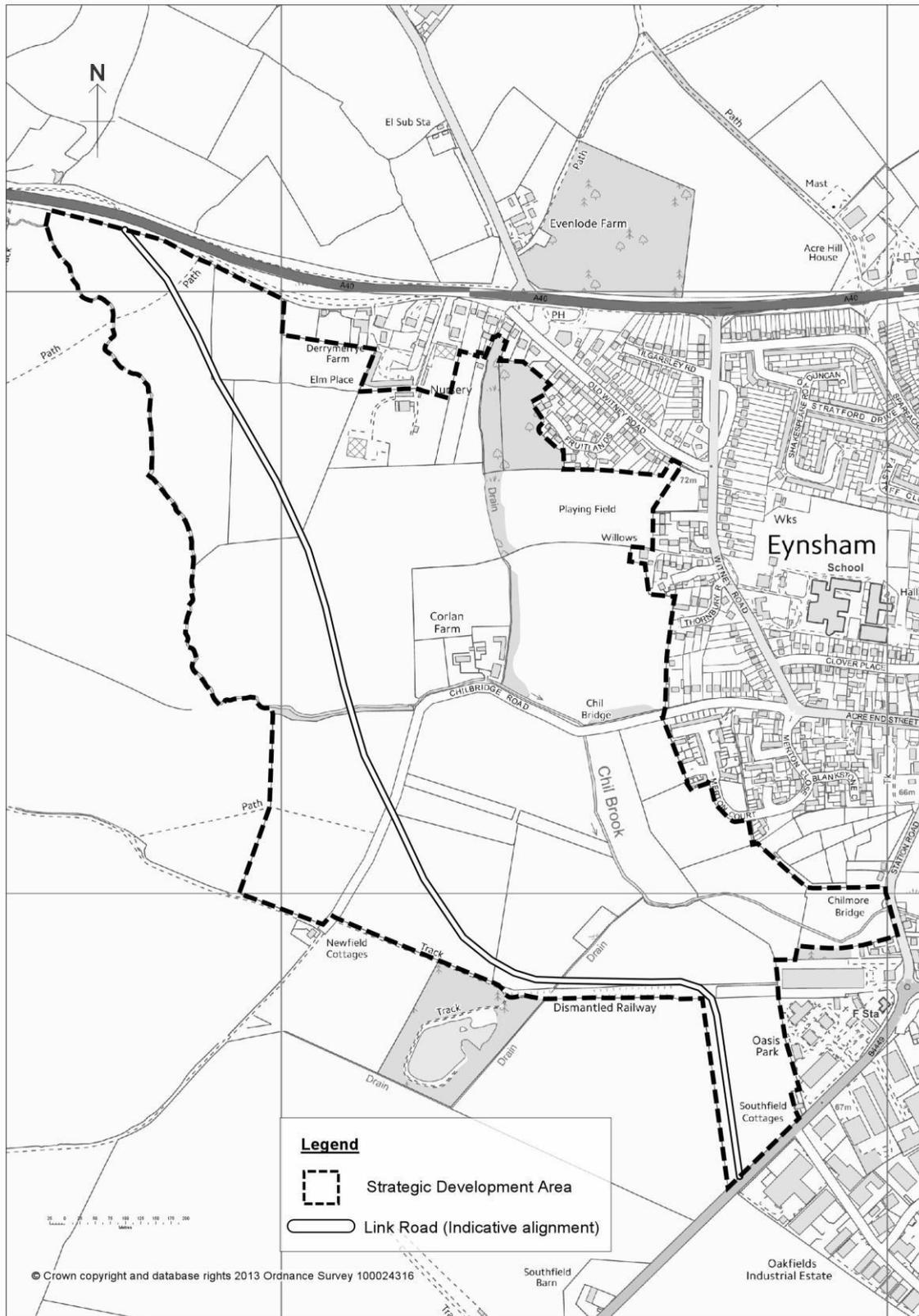
¹ *Polar Technology, Eynsham, Oxfordshire. Archaeological Evaluation Report. Oxford Archaeology. April 2016, for Polar Technology Management Group Ltd*

- 3.9 The evaluation results make it more likely that substantial harm could occur from the construction of a road across this part of the scheduled monument.
- 3.10 (A copy of the evaluation can be found at https://publicaccess.westoxon.gov.uk/online-applications/files/ACDA2C3B96538EEFA5C3B3CC8C6A0CC2/pdf/17_01114_FUL-ARCHAEOLOGICAL_EVALUATION_REPORT-508590.pdf).
- 3.11 Policy EW1b includes the following requirement “*j) the investigation, recording and safeguarding of the known and potential archaeological significance of the Area prior to any development taking place. The results of the investigation and recording should inform the final layout of the development and be deposited in a public archive. Particular consideration will need to be given to the scheduled monument adjacent to the B4449*”.
- 3.12 However, this is inconsistent with an indicative alignment of a major road through that scheduled monument, and does not provide us with sufficient reassurance that there would not be harm to the scheduled monument.
- 3.13 Paragraph 132 of the National Planning Policy Framework explains that scheduled monuments are designated heritage assets of the highest significance. Paragraph 133 of the Framework explains that substantial harm to such assets should be wholly exceptional and only allowed if it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or all of four particular circumstances apply.
- 3.14 We are not convinced that harm to the scheduled monument cannot be avoided, which should be the objective, or that, if the harm is unavoidable, the public benefits of the proposed road outweigh the harm. The four specific circumstances in paragraph 133 of the Framework do not apply. We therefore object to the proposed indicative routing of this road.

4. Addressing Historic England’s concerns

- 4.1 For Historic England’s objection to be overcome, an alternative route should be found for the proposed western link road for Eynsham that avoids harm to the scheduled monument or, if that is not possible, it should be demonstrated that the public benefits of the proposed road outweigh that harm.

Appendix 1: Figure 9.15b of the West Oxfordshire Local Plan 2031



Appendix 2: National Heritage List for England record for Sites discovered by aerial photography, near Foxley Farm Scheduled Monument

