

3. **Where a development proposal will lead to less than substantial harm to the significance of a Conservation Area, this harm will be weighed against the public benefits of the proposal.**
4. **Wherever possible the sympathetic restoration and re-use of structures which make a positive contribution to the special interest, character or appearance of the Conservation Area will be encouraged to prevent harm through the cumulative loss of features which are an asset to the Conservation Area.**

This policy contributes towards achieving objectives 5 & 7.

- 7.36 Conservation Areas are described in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Inevitably, these areas will vary greatly. Pleasant groups of buildings, open spaces, trees, an historic settlement pattern, a village green, or features of archaeological interest, may all contribute to the special character of an area, and it is that character, rather than individual buildings, which Conservation Area legislation seeks to preserve and enhance.
- 7.37 A feature of many towns are ‘burgage plots’. Surviving patterns of burgage plots have considerable historic and archaeological significance and contribute much to the character of Henley-on-Thames, Thame and Wallingford. They are among the principal historic assets of these towns and should be conserved.
- 7.38 When undertaking Conservation Area Appraisals the opportunity will be taken to produce and update lists of locally important non-designated heritage assets and identification of any heritage assets ‘at risk’ in order to encourage better understanding.

Archaeology

Policy ENV9: Archaeology and Scheduled Monuments

1. **Development must protect the site and setting of Scheduled Monuments or nationally important designated or undesignated archaeological remains.**
2. **Applicants will be expected to undertake an assessment of appropriate detail to determine whether the development site is**

known to, or is likely to, contain archaeological remains. Proposals must show the development proposals have had regard to any such remains.

3. Where the assessment indicates archaeological remains on site, and development could disturb or adversely affect archaeological remains and/or their setting, applicants will be expected to:
 - i) submit an appropriate archaeological desk-based assessment; or
 - ii) undertake a field evaluation (conducted by a suitably qualified archaeological organisation), where necessary.
4. Nationally important archaeological remains (whether scheduled or demonstrably of equivalent significance) should be preserved in situ. Non-designated archaeological sites or deposits of significance equal to that of a nationally important monument will be assessed as though those sites or deposits are designated.
5. Where a proposed development will lead to substantial harm to or total loss of significance of such remains consent will only be permitted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
6. Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposal.
7. For other archaeological remains, the effect of a development proposal on the significance of the remains, either directly or indirectly, will be taken into account in determining the application.
8. In exceptional cases, where harm to or loss of significance to the asset is considered to be justified, the harm should be minimised, and mitigated by a programme of archaeological investigation, including excavation, recording and analysis. Planning permission will not be granted until this programme has been submitted to, and approved by, the Council and development should not commence until these works have been satisfactorily undertaken by an appropriately qualified organisation. The results and analysis of findings subsequent to the investigation should be published and made available to the relevant local and county authorities.

This policy contributes towards achieving objectives 5 & 7.

- 7.39 Our archaeological resource has great social, economic, cultural and educational value for the community and this potential can be developed through suitable management and interpretation. Some archaeological sites and monuments are designated as Scheduled Monuments and are legally protected under the terms of the Ancient Monuments and Archaeological Areas Act.
- 7.40 A network of historic routes also exist as archaeological features in the district, ranging from pre-historic tracks, Roman roads, medieval coffin ways, salt roads, and droveways, to later turnpike roads. These routes are integrated into the district's landscape and serve an important function in linking settlements and forming a unique setting for the district's distinctive landscape features and will therefore be protected.

Historic Battlefields, Registered Parks and Gardens and Historic Landscapes

Policy ENV10: Historic Battlefields, Registered Parks and Gardens and Historic Landscapes

- 1. Proposals should conserve or enhance the special historic interest, character or setting of a battlefield, or park or garden on the Historic England Registers of Historic Battlefields or Register of Historic Parks and Gardens of Special Historic Interest in England.**
- 2. Any harm to or loss of significance of any heritage asset requires clear and convincing justification. Substantial harm to or loss of these assets should be wholly exceptional in the case of Registered Historic Battlefields and Grade I and Grade II* Registered Historic Parks and Gardens and exceptional in the case of Grade II Registered Historic Parks and Gardens.**
- 3. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, consent will only be granted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. All other options for their conservation or use must have been explored.**
- 4. A balanced judgment, having regard to the scale of any harm or loss and the significance of the heritage asset, will be required in assessing proposals affecting non-designated historic battlefields, parks and historic landscapes including historic routes.**