

**Comments on Polesworth Neighbourhood Plan Regulation 16 by North Warwickshire  
Borough Council**

Please find our comments below. We appreciate the considerable amount of work which has gone into the preparation of this plan. The Council are seeking to assist in achieving a document that will assist the planners when they are making decisions on planning applications.

If you require anything further, please do not hesitate to contact us.

<b>PAGE</b>	<b>Paragraph</b>	<b>NWBC RESPONSE</b>
	General 1	When adopted the Plan becomes part of the Development Plan for North Warwickshire so the boundaries need to be shown clearly for everything on the Policies Map – services and facilities need numbering (is Baptist Church Hall within the church or a separate location?), all greenspace, “other space” <b>(if not deleted)</b> Sport, Recreation and Leisure Facilities (not all shown) and non designated heritage assets (currently Number 16 missing and some do not have numbers on them – see comment on Appendix 2 for more details)
	General 2	There are some references that will be out of date when the plan moves forward which will need to be removed or amended accordingly (1.4, 1.5, 2.1 – 2.7)
	General 3	There is a lot of text taken out of the NPPF, NWLP and other documents. As this is already contained in other documents, it could just be referenced. If it is felt that the text is relevant then it could all be put into a suite of Appendices (NWLP, NPPF, LCA etc). The focus should be on the Polesworth Neighbourhood Plan and not other documents
12	3.4	The planning application has been determined the appeal has been dismissed so this needs to be deleted or reworded so will need rewording to reflect this. We suggest that the last sentence should be amended to read “Any development would potentially detract from this village/hamlet environment”
18	4.5	This is the NWBC Local Plan vision and is not needed. If the PC feel it is relevant, then it should be put in an Appendix alongside any other repetitions of plans and Policies from the Adopted Local Plan 2021. The text should be altered to say that they support the vision of the Local Plan (see General 3 Comment)
19	4.6	Again the Objectives of the Local Plan are not needed and can be deleted or put in an Appendix as suggested above in the general comment (see General 3 Comment)
21	4.7	It is sufficient just to reference para 7.2 of the Local Plan (see General 3 Comment)
21	4.8	The NWLP Settlement Hierarchy should be an Appendix if felt it is needed or it could be reworded to simply show Polesworth’s standing in the Settlement Hierarchy (see General 3 Comment)
22	4.9	This is just a repeat of NWBC Local Plan and is not needed. If the PC feel it is relevant, then it should be put in an Appendix alongside any other repetitions of plans and Policies (see General 3 Comment)

29	PNP2	<p>Not sure what this Policy is trying to achieve as the majority of sites are just typical estate/grass verges etc and you have stated that the sites do not accord with NPPF – it is a very restrictive policy on grass verges etc. What justification is there for this Policy?</p> <p>We suggest this Policy be <b>deleted</b> and all sites looked at in detail to see if any can be allocated as greenspaces in accordance with the NPPF.</p> <p>A reference could be made specifically to the other green spaces that do not the fit the NPPF criteria in Policy PNP3</p>
30	PNP3	Criteria K – unless Permitted Development Rights have been removed this could be an issue as you can do this under PD. Recommend the second sentence is deleted, if not the word generally needs to be kept
31	5.13	Reference to Para 126 of the NPPF is sufficient and there is no need to write out the whole para (see General 3 Comment)
33-35	5.19 - 5.21	Reference to the NCA is fine and the actual text is not needed – hyperlink can always be given to the actual document or as suggested previously an Appendix can contain all Policies, Plans and Documents that text is taken from (see General 3 Comment)
35-38	5.23 – 5.26	It is just a repeat of the LCA and does not bring any meaningful value and could be shortened and the quotes taken from the LCA put in the suggested Appendix (see General 3 Comment)
38	Policy PNP5	The policy should specify the location of the of the list explicitly (para 5.28 and Appendix 2). Clarity should be given that this is the latest list
41	Policy PNP6	<p>All services and facilities need to be plotted accurately on the Policies Map and numbered. The full site address needs to be given</p> <ul style="list-style-type: none"> <li>Is the Baptist Church Hall located in the same building as the Baptist Church at the Gullet?</li> </ul>
42	5.32	Again the whole Policy (LP21) from the NWLP is not needed and reference is enough (see General 3 Comment)
43	5.34	LP22 can again just be referenced, and a hyperlink added or the Policy added to an Appendix (see General 3 Comment)
44	PNP8	<p>The wording needs changing as you cannot guarantee S106 money for those improvements to take place <b>According to consultation statement this has been done – but it has NOT been done</b>)</p> <p>Suggest rewording to “As a result of development in the Parish, contributions should be sought for the following infrastructure projects”</p>
51	6.0	Following Examination – this chapter will need updating or deleting
	Appendix 1 Table 1	Where is the justification for PNP1/12

65	Appendix 1 Table 2	We have suggested that Policy PNP/2 be deleted which this Appendix is relevant to. If this is to be kept then it needs numbering and so does the Policies Map as in its current form it is impossible to distinguish which site is which in a lot of cases
	Appendix 2	<p>A lot of these cannot be found on the Policies Map</p> <p>23 – Commemorative Marker for site of Little Jims Cottage - can you confirm where this is please?</p> <p>24 – Milestone East B5000 – could not find this milestone</p> <p>31 &amp; 32 – hard to distinguish between the 2 sites</p> <p>Will need to be renumbered as the Heritage and Conservation Officer has suggested deletion of some of these (comments are submitted separately)</p>

Where is the justification and criteria for what the sites in this table does meet?  
 It would be a lot clearer if you numbered both the Policies Map and the Table below as it isn't clear all the time which green verges etc you are referring to – suggest inserting a column before the site name to put a number in with that number shown on the Policies Map if there is evidence to keep these spaces as we have suggested deletion

NWBC has added comments to all of the proposed sites

	<b>Site Name</b>	<b>Proximity to The community it serves</b>	<b>Demonstrably Special?</b>	<b>Local in character</b>	<b>NWBC COMMENTS</b>
<b>Suggest 1</b>	Town Fields	Large area by River Anker at rear of residential estate.	Open views to river and canal.		<b>Is this shown on the Policies Map?</b>
<b>2</b>	Green area in front of Gamecock Inn Birchmoor	At entrance to the village.	Has planters on with flower displays.		<b>Typical grass verge</b>
<b>3</b>	Green area in Orchard Close Polesworth	In <i>cul de sac</i> of houses.	Green area by railway line.		<b>Typical estate grass verge with a couple of trees on it</b>
	Green area in Nethersole Street, Polesworth	In centre of houses.	Green aspect and area for children to play.		<b>Very large estate verge</b>
	Green area in Coronation Avenue Polesworth	In centre of houses.	Green aspect and area for children to play.		<b>Large estate verge, surrounded by roads so not sure that's it's a safe place for children to play on</b>
	Green area in Princes Road Polesworth	In centre of houses.	Green aspect and area for children to play.		<b>3 areas are shown on Policies Map – all of which are typical grass verges. The 2 at the front are not safe for children to play and the one at the back has a few trees</b>



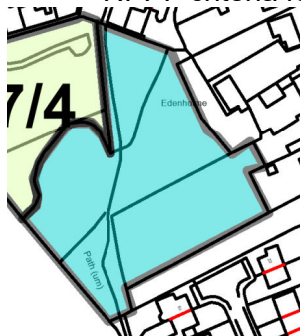
	Site Name	Proximity to The community it serves	Demonstrably Special?	Local in character	NWBC COMMENTS
					on and 2 lamp posts so a lot of obstacles if children are to play on it
	Green area in Sycamore Avenue, Polesworth	By houses.	Green aspect and area for children to play.		Typical estate grass verge
	Two green area in Ridding Gardens, Polesworth	In centre of <i>cul de sac</i> Near to Chetwynd Avenue.	Green aspects and areas for children to play.		Would not consider this safe for children to play on
	Green area off Kiln Way, Polesworth	By houses.	Green aspect.		Estate verge with a couple of bushes on it
	Green area in Saxon Close, Polesworth	In centre of Close .	Green aspect and area for children to play.		Estate verge with few trees
	Green area in Paddocks Close, Polesworth	In middle of bungalow complex.	Green aspect for older residents.		Estate verge with mature trees
	Green area in Chaytor Road, Polesworth	In centre of close.	Green aspect and area for children to play.		Estate verge with mature trees. Dangerous place for children playing
	County Council land by Nethersole School	Green area by School.	Green aspect in front of School.		Grass verge
	Green area in St. Leonards View, Polesworth	In centre of close.	Green aspect and area for children to play.		Very small island grass verge – consider it very dangerous for children to play on
	Wooded area from Church	In centre of village.	Wooded area with		Looking at the Policies Map –

	Site Name	Proximity to The community it serves	Demonstrably Special?	Local in character	NWBC COMMENTS
	road to Allotments Warton		pedestrian path.		this is the church gardens. If this is the case then would it fit NPPF criteria for a greenspace?
	Green area in Windmill Close, Warton	In centre of <i>cul de sac</i> .	Green aspect and area for children to play.		Large island grass verge – would class as unsafe for children to play on. Have known cars parked on this grass verge
	Green area junction Austrey Road/Waverton Avenue, Warton	In centre of village.	Green aspect.		Typical estate green verge
	Green area rear of Hatters development	At rear of new housing development.	Green aspect for residents.		Just guessing which this one is on Policies Map. Not everyone will know the address of where you are talking about so it needs to be renamed
	Green area in Barn End Road, Warton	By houses.	Green aspect for residents.		Site name says Green Area – 2 are shown on Policies Map. Areas with mature trees. Would this fit the NPPF criteria for a green space?
	Two green areas in	By houses.	Green aspects for residents.		Typical estate grass verge

	Site Name	Proximity to The community it serves	Demonstrably Special?	Local in character	NWBC COMMENTS
	Austrey Road Warton				
	Two green areas in Orton Road, Warton	By houses.	Green aspects for residents.		<b>Not sure which these are as Policies Map shows more than 2 areas in Orton Road. All are typical grass verges – cars park on some of them</b>
	Three green areas in Waverton Avenue, Warton	By houses.	Green aspects for residents.		<b>Not 100% sure which these are but all in Waverton Avenue are normal estate verges</b>

We have difficulty in identifying the following spaces on the Policies map against the Table 2 above. Currently there are more spaces shown than we can relate to the table

1. The site below has a footpath running through it and we consider it would fit with the NPPF criteria for designating greenspace



2. The site below is just a grass verge and not even good quality, with cars parking on it and the other one shown is the same



3. We are presuming this is the site referred to as Green area rear of Hatters development



## Heritage and Conservation Officer Observations

Many thanks for sending me the Polesworth Parish Neighbourhood Plan 2022-2033 Regulation 16 Submission Draft (February 2024).

I have reviewed the new draft and my findings are set out below.

It is good to see a thorough assessment of the historic built and landscape environment and that they have been identified during consultations as key issues in the area. The inclusion of Non-Designated Heritage Assets within a NP is seen as a practical way of identifying local heritage assets and providing appropriate protection as laid out in national policy. However, as locally prepared documents are often created without the resources available to the Local Planning Authority some nominated assets do not have the benefit of the evidence base required by PPG (paragraph 040) and HE guidance on Local Listing.

This requirement for evidence of historic, architectural/artistic and/or archaeological interest means that a review of the nominations should to be made by the Council and our observations made at this stage in the consultation process. The nominated assets have been individually considered and documentary evidence sought from County records and archives and expert research undertaken on behalf of the Council (primarily for Local Plan evidence) to support the information submitted in the Draft NP.

I have found that some of the nominations do not currently provide sufficient evidence to support their inclusion in the NP at this time. This does not mean that further evidence, should it come forward, could not contribute to local listing applications in future. Agreement with the nomination should also not be seen as precluding the asset from future development, but that any proposals should be considered with their significance in mind.

I should like to add that the site of Hoo Chapel and [possible] Iron Age hillfort, although their location is not exactly identified at this moment in time, is considered on balance to have reasonable cross referenced evidence to support their nomination and be considered a 'landscape' rather than a specific location. I would like to see archaeological works undertaken to rule them out should their inclusion be refuted by others. I believe that there is sufficient significance in the sites to merit NDHA status until proved otherwise. I take this conservation based stance because these areas are highly susceptible to physical change and within a housing allocation, therefore potential for harm to heritage is high.

The NDHAs that I am able to support are as follows (using reference numbers in the NP):

1. Old Police House, 6 Station Road
2. War Memorial, Church Drive
3. Baptist Church, The Gullet
6. Lilac Cottage, 21 Tamworth Road (Dame School)
7. 24 Tamworth Road
9. Royal Oak Public House and attached cottage and stables, Grendon Road

12. Spread Eagle PH, High Street
15. Nurses Home, 32 Station Road
17. Methodist chapel, Bridge Street (Original chapel only)
19. Stiper's Hill Enclosure
22. Site of the Hoo Chapel, off Grendon Road
23. Commemorative marker for site of Little Jim's Cottage, St. Helena Road
24. Mile Stone East on B5000
25. St John's Church, New Street
27. Primitive Methodist Chapel, Austrey Road
28. Parish room, Maypole Road
29. War Memorial on the wall of the Parish Rooms
31. Warton Old Nethersole School, Maypole Road
32. School House, Maypole Road.

The actual text of the Policy PNP5 is satisfactory as are paragraphs 5.27 and 5.28.

I would have liked to see the assessments set out in Appendix 2 better reflect the terminology utilised in current guidance and in the NPPF as it would have provided a clearer method of assessment and probably more detailed descriptions of significance.

Furthermore I believe some of the content of nominations may depart from evidence based data or ignore some important contributory evidence (such as architectural features). But I believe that these records could be added to in due course and where information is provided that appears to be hypothetical interpretation then this can be highlighted within the Council's listing.



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Our Ref: MV/ 15B901605

30 August 2024

North Warwickshire Borough Council  
[lanningpolicy@northwarks.gov.uk](mailto:lanningpolicy@northwarks.gov.uk)  
**via email only**



Dear Sir / Madam

**Polesworth Neighbourhood Plan - Regulation 16 Consultation  
July - September 2024  
Representations on behalf of National Gas Transmission**

National Gas Transmission has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Gas Transmission**

National Gas Transmission owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

**Proposed sites crossed or in close proximity to National Gas Transmission assets:**

An assessment has been carried out with respect to National Gas Transmission's assets which include high-pressure gas pipelines and other infrastructure.

National Gas Transmission has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

National Gas Transmission provides information in relation to its assets at the website below.

- <https://www.nationalgas.com/land-and-assets/network-route-maps>

Please also see attached information outlining guidance on development close to National Gas Transmission infrastructure.

**Distribution Networks**

Information regarding the gas distribution network is available by contacting:  
[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

**Further Advice**

Please remember to consult National Gas Transmission on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:



**Matt Verlander, Director**

[nationalgas.uk@avisonyoung.com](mailto:nationalgas.uk@avisonyoung.com)

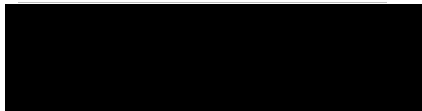
Avison Young  
Central Square  
Forth Street  
Newcastle upon Tyne  
NE1 3PJ

**Kam Liddar, Asset Protection Lead**

National Gas Transmission  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,



**Matt Verlander MRTPI  
Director**



**For and on behalf of Avison Young**



National Gas Transmission is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

#### Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Gas Transmission's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Gas Transmission have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Gas Transmission's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Gas Transmission's '*Guidelines when working near National Gas Transmission assets*' can be downloaded here: <https://www.nationalgas.com/document/82951/download>

#### How to contact National Gas Transmission

If you require any further information in relation to the above and/or if you would like to check if National Gas Transmission's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgas.uk@avisonyoung.com](mailto:nationalgas.uk@avisonyoung.com)



5<sup>th</sup> September 2024

Forward Planning Team  
North Warwickshire Borough Council  
Email: [planningpolicy@northwarks.gov.uk](mailto:planningpolicy@northwarks.gov.uk)

Dear Sirs

**Consultation on Polesworth Neighbourhood Plan (Regulation 16)**

Thank you for writing to my husband and me to make us aware of this consultation.

My comments are on two facets of the Polesworth Parish NP – the process and content relating to the village of Warton.

NP Process

I was one of the residents in the NP working group until I developed a long term illness which meant that I was not able to attend meetings. I did attempt to remain engaged with the group by email but I was dropped from the email mailing list and, despite my asking about NP progress, I was not invited to further meetings nor reinstated on the mailing list. As Polesworth Parish Council is a public body it is disappointing that its members were unable to make adaptations in line with the Disability Discrimination Act.

My husband and I did respond to the Regulation 14 consultation in 2023 via the form on the PC website. Unfortunately, these responses were not supplied by the PC to the consultant writing the NP. The only reason our (and seemingly other people's) responses were eventually recovered was because another member of the NP group sent me the list of responses and I realised that ours weren't included. Even after raising this problem with the chair of the NP group I was initially told that everything had been sent, and it was only after I persisted that the error by the PC was admitted and responses forwarded to the consultant.

Is NWBC confident that all processes have been followed correctly by Polesworth Parish Council in drafting this Neighbourhood Plan?

Plan content relating to Warton

Much work has gone into preparing this draft of the Neighbourhood Plan. Section 3 on the Polesworth Neighbourhood Area in particular is extensive and well researched. However, the

current draft NP is somewhat 'bland' and seems focussed on protecting what is already here more than shaping what is to come in the future. Partly, this might be due to the difficulties in attempting to address 3 distinct settlements in 1 plan straddling a NWLP Category 1 settlement and Category 4 settlement.

In Section 4 on Planning Policy Context at para 4.11 there is reference to proposed housing developments in Warton but the draft does not list all the developments which have been/ are in the process of being built since work was started on this NP. Unfortunately, this means that the draft NP fails to convey the scale of the growth of Warton in very recent years, how this is much larger than anticipated in the North Warwickshire Local Plan (300+ new houses compared to c40 in small windfall developments envisaged in the NWLP) and also that the Local Plan Inspector cited Warton as a village which has been over-developed. There needs to be a table listing the previous number of houses along with the number of houses in each of the following recent developments: The Briars, The Hills, Hatters Close, Bellway estate (Red Marl Way etc), The Elms Courtyard, Woodwinds estate, Warton Mill (ex Fox & Dogs), Brookmill Meadows.

PNP 1 seeks only to protect and enhance current green space. There is a need to provide more usable public green space in Warton due to the new housing developments that have been built during the 7 years that this NP has been in creation. The demand for this came across strongly in the consultation events I attended.

Policy PNP2a. Does not set out that loss of space in a settlement should be re-provisioned elsewhere within that settlement, merely within the overall area. Therefore, we object to this.

PNP3 clauses (d) and (e) are somewhat in conflict. While new public open spaces are badly needed in Warton due to the almost doubling of population since 2018, the requirement in (e) that proposals for new development "includes sufficient amenity space to serve the needs of the development and its users" effectively means that small, piecemeal areas of space are being created but which have no real leisure or recreational use. We can see this already with the spaces in Hatters Close and on the Bellway/Red Marl Way developments. Meanwhile further pressure is put on the existing Recreation Ground on Church Rd which is the village's only outdoor recreation space. This is the only off road public space for children to play, dog walking and large public events such as the carnival. The draft NP refers to the football pitch but really this is a very minor use of the space restricted to an hour or two on some Sunday mornings when it is used by teams from across the Tamworth league. Its main use for residents is for walking and for children/teenagers to play.

It is unfortunate that the NP group has chosen not to follow suggestions made in the Locality toolkit for Neighbourhood Planning for Local Green Spaces. In section 9 the toolkit suggests that neighbourhood plans may include site allocations for development. This is an approach taken by other Parish Councils/NP. For instance there is no reference made in this draft to the creation of new recreational areas managed for wildlife, community orchards, or sites of potential for Biodiversity Net Gain.

PNP 3 at clause (v) states:

*(v) It ensures there is no loss of, or damage to, existing trees or woodland. Where trees or woodland cannot be retained, they should be replaced preferably on site, where this cannot be achieved suitable offsetting measures to provide replacement should be provided off-site;*

This clause should be amended to clarify a strong preference that replacement should be provided within the settlement and as close to the site as possible.

I hope that you will take these comments into consideration.

Kind regards

*Angela Baines*



**Canal &  
River Trust**

Making life better by water

Forward Planning Team  
North Warwickshire Borough Council  
The Council House  
South Street  
Atherstone  
CV9 1DE

Your Ref

Our Ref CRTR-POL-2024-42247

Tuesday 20 August 2024

Dear North Warwickshire Borough Council,  
Draft Polesworth Neighbourhood Plan Regulation 16 Consultation

Thank you for your consultation on the above document.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Canal & River Trust (the Trust) is a statutory consultee in the Development Management process, and as such we welcome the opportunity to input into planning policy related matters to ensure that our waterways are protected, safeguarded and enhanced within an appropriate policy framework.

The Trust has reviewed the draft Plan and the policies contained within it and based on the information available we have no comment to make.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Ian Dickinson MRTPI  
Area Planner

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

#### Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW  
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Patron: H.R.H. The Prince of Wales. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire CH65 4FW



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**For the attention of: Ms S Wilson – Planning Policy Assistant**

North Warwickshire Borough Council

[By email: [planningpolicy@northwarks.gov.uk](mailto:planningpolicy@northwarks.gov.uk)]

16<sup>th</sup> August 2024

Dear Ms Wilson

**Re: Polesworth Neighbourhood Plan (Regulation 16)**

Thank you for your notification of the 10th July 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that within the identified Neighbourhood Plan area there are recorded coal mining features present at surface and shallow depth including: mine entries, shallow coal workings and surface coal extraction. These recorded features pose a potential risk to surface stability and public safety.

It is noted that the Neighbourhood Plan does not propose to allocate any new sites for future development. On this basis the Planning team at the Coal Authority have no specific comments to make on this document.

Yours sincerely

**Melanie Lindsley** BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI  
**Principal Planning & Development Manager**



# POLESWORTH PARISH NEIGHBOURHOOD PLAN

## Pre-submission Questionnaire – August 2024

Please read the consultation document at <https://polesworth-pc.gov.uk/plan> before completing this form.  
You can respond to this consultation electronically and more easily at the above web address.

Please complete your contact details using BLOCK CAPITALS.

Person(s) or Organisation Submitting Comments		Agent (if applicable)	
Name	Simon Doble	Name	
Organisation (if applicable)	COVENTRY AND WARWICKSHIRE ICB	Organisation	
Address	NHS COVENTRY AND WARWICKSHIRE INTEGRATED CARE BOARD (ICB) (HQ WESTGATE HOUSE, WARWICK) C/O PARKSIDE HOUSE QUINTON ROAD COVENTRY CV1 2NJ	Address	
Tel No.		Tel No.	
Email		Email	

We are collecting the below data to help inform whether we have reached a broad spectrum of the Polesworth population.  
Provision of the below is optional and you can remove consent at any time by contacting us at [clerk@polesworth-pc.gov.uk](mailto:clerk@polesworth-pc.gov.uk)

Where do you live?

- ☐ Dordon  
☐ Freasley  
☐ Polesworth  
☐ Birchmoor  
☐ Grendon  
☒ Other? (Non-applicable – organisational response)

Age (Please tick as appropriate) 0-18 ☐ 19-34 ☐ 35-49 ☐ 50-64 ☐ 65+ ☐

Type of respondent (*Please select one*)

- ☐ I'm a Dordon parish resident
- ☐ I'm a UK business
- ☒ I represent an organisation

Please tick this box if you wish to be kept informed on future progress with the Polesworth Neighbourhood Plan.

Please note that by submitting your details you are agreeing to Polesworth Parish Council using your information as appropriate throughout the Polesworth Neighbourhood Plan process. You can ask for your name to be removed from our records by emailing [clerk@polesworth-pc.gov.uk](mailto:clerk@polesworth-pc.gov.uk). By submitting this form, you are also agreeing to your response being shared with both Councils so that your views can be considered by both parties.

Please note that your response will be published on the Polesworth Local Plan website. However, this will exclude the postal address, telephone number and email address of individual respondents. For details on how we will use your information and personal data please see the Polesworth Parish Council (<https://polesworth-pc.gov.uk/privacy-policy>)

## Your Comments

Please use a separate form for each question. Please note that your comments cannot be treated as confidential. If you are using an Agent, future correspondence will be sent to them unless informed otherwise.

Which question are you responding to?	All	Date	05/09/2024
<p>Coventry and Warwickshire Integrated Care Board (ICB) is working closely with North Warwickshire Borough Council (NWBC) planning team in relation to local housing and population growth. The ICB has a duty to ensure that primary medical care (General Practice) infrastructure is adequately provided for within the Section 106/Community Infrastructure Levy framework and that funding of future primary medical care provision and access is not compromised through housing development and population growth.</p> <p>The ICB welcomes the opportunity to comment on the draft Polesworth Parish Neighbourhood Plan. Noting that through local engagement in the development of the plan most people ranked the quality of the Environment &amp; Green Spaces, and Health and Wellbeing as their highest priority.</p> <p>The NHS Long Term Plan has set a clear future direction of travel for the NHS in England and building on the national strategic aims outlined within Five Year Forward View and General Practice Forward View places strong emphasis on the need to expand and strengthen primary and wider out-of-hospital care. Development (including community and health infrastructure) that supports innovations in patient care, increased use of technology and integration of health, wellbeing and wider community services to develop community wellbeing and cohesion is key to delivering the vision and strategic objectives detailed in the neighbourhood plan.</p> <p>Within the ICS, the geographical footprint is co-ordinated around four 'place' areas: North Warwickshire is one of the four, and this aligns with the proposed Polesworth Neighbourhood Plan which will sit alongside the local authority area's North Warwickshire Local Plan (NWLP)</p> <p>Strong partnerships between community services, general practice, social care, secondary care, and the voluntary sector with co-designed services are key foundations for our model of integrated care. A focus on community cohesion is key to addressing wider determinants of health and addressing health inequalities.</p> <p>The ICB, with all health and care partners recognises that population health approaches and community wellbeing is key to addressing our health inequalities. The implementation of any of the projects requires a whole system approach to implementation beyond the physical implementation of the infrastructure (physical or digital) to support our population to access health and care and manage their health and wellbeing. Adequate allowances for this need to be made in Section 106 and Community Infrastructure Levy approaches being implemented.</p> <p>The ICB will ask the Borough Council to share as much information as possible with it at the earliest stage as regards the likely profile of the population arising from any planned housing development. This will assist the ICB's wider planning process by enabling it to understand the likely health needs of the population, as well as the preferred channels of communication of sub-groups within the population, which in turn, allows for more effective service development, delivery, and population engagement.</p>			



The ICB notes the following key trends and wider growth which sets the context for the plan.

- The ICB is aware that healthcare delivery is in some areas increasingly provided from converted retail and industrial units and where need and funding is identified would support this use, following the standard NHS England health delivery site planning processes.
- The ICB would strongly endorse the direction of net zero carbon and associated sustainability plans.
- ICB is working closely with NWBC planning team in relation to local housing and population growth. The ICB has a duty to ensure that primary medical care (General Practice) Infrastructure is adequately provided for within the Section 106/Community Infrastructure Levy framework and that funding of future primary medical care provision and access is not compromised through housing development and population growth

The ICB welcomes the key objectives which will have a positive impact on local population health, notably:

- To protect and enhance green spaces
- To support vibrant village centres and protect and enhance local services and facilities.
- To ensure new development integrates as seamlessly as possible within its surroundings and minimises impact on existing communities.

## Susan Wilson

---

**From:** Andrew Horne  
**Sent:** 05 September 2024 10:26  
**To:** Susan Wilson  
**Subject:** FW: Polesworth Neighbourhood Plan - Regulation 16 Consultation  
**Attachments:** Polesworth NDP Policies Map 21.11.23.pdf; Polesworth NP Consultation Statement 19.02.pdf; Polesworth Draft Plan 13.03.23.pdf; Polesworth SEAHRA Screening 19.02.pdf; Polesworth Basic Conditions Statement 19.02.pdf

**Importance:** High

Hi Sue,

I think the NP could do with a list of policies within the first few pages, like we've got in the local plan. Just makes it easier for officers.

PNP1 – they shouldn't be imposing green belt type development restrictions on green space. The locality guidance makes that clear.

### Local Green Space implications:

Green belts are applied to the fringe of urban areas. They do not preclude all development (appropriate kinds of development are set out in the National Planning Policy Framework).

Therefore, Local Green Space designation could be useful in the green belt, where the land meets the NPPF criteria.

Green belts do not recognise the landscape quality or community value of land. So there are instances where Local Green Space designation could be useful. For example, it could recognise and protect the community value of a sports pitch on the edge of the green belt, adjacent to a housing estate.

Where there is no green belt, it would not be appropriate to try to use Local Green Space designation to attempt to impose green belt type protection of land around an urban area. This would be a misuse of the designation and would be likely to result in the

14

neighbourhood plan running into difficulties in meeting the basic conditions at the independent examination stage.

"Policies for managing development within a Local Green Space should be consistent with those for Green Belts".

This does not mean that policies should simply repeat green belt policies.

They could look at section 9 of the locality guidance for policy themes.

Appendix 1 – the assessment could do with a more supportive data - distances to demonstrate that the space is in close proximity to the community it serves. Demonstrably special - can't just be a 'green aspect in front of a school' need to demonstrate why that space is special.

PNP2 – not sure how this policy can be justified. The policy also states that they don't meet the Green Space tests but the table at Appendix 1 infers that they do.

Para 5.4 – nppf paragraph references are incorrect, 102 is now 106. They'll need to check all references within the NP presumably if they are working off an old version of the NPPF.

PNP3 – c, should probably reference mandatory BNG.

Regards



**Andrew Horne**

Planning Project Officer (HS2)

North Warwickshire Borough Council

**Phone:**

**Web:** [www.northwarks.gov.uk](http://www.northwarks.gov.uk)

**Social:**



Any opinions expressed in the email are those of the individual and not necessarily those of North Warwickshire Borough Council.

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Forward Planning Team  
North Warwickshire Borough Council  
The Council House  
South Street  
Atherstone  
Warwickshire  
CV9 1DE

**Our ref:** SV/2024/112294/OT-  
01/IS1-L01  
**Your ref:**  
  
**Date:** 20 August 2024

Dear Sir/Madam,

Thank you for your email consulting us on the Polesworth Neighbourhood Plan (Reg 16) on the 10<sup>th</sup> July 2024.

We have reviewed the submitted documents and would offer the following comments.

In the absence of specific site allocations, we would not offer bespoke comment at this time.

We do not offer detailed bespoke advice on policy. We would advise you ensure conformity with the Local Plan and utilise the attached Environment Agency Guidance and Pro-forma which should assist you moving forward with your plan.

Matters relating to surface water (pluvial) flooding should be directed to Warwickshire County Council as the Lead Local Flood Authority (LLFA).

Yours sincerely

**Miss. Fiona Flower**  
**Planning Officer**

Direct e-mail westmidsplanning@environment-agency.gov.uk

## Tabulated Warwickshire County Council Flood Risk Management Comments on the Polesworth Neighbourhood Development Plan to 2033

WCC FRM has the following content related comments:

Page	Paragraph No.	Commencing:	Comment
23	4.10 4.11		<p>If a site is over 1ha or for 10 or more dwellings, it is classed as a major planning application, therefore in line with the National Planning Policy Framework, a site specific Flood Risk Assessment and Surface Water Drainage Strategy must be submitted to the Lead Local Flood Authority for review. All developments will also be expected to include sustainable drainage systems.</p> <p>You could add to your objective a specific point about new developments needing to consider their flood risk and sustainable drainage systems when building on Greenfield and brownfield sites.</p>
27  29  34	5.2	<i>PNP Objective 1</i>  <i>Policy PNP2</i>  <i>Policy PNP4</i>	<p>We support the protection of open spaces and river corridors – this could be developed to mention the benefits of open space as flood risk management to retain water. Above ground SuDS could be utilised in open spaces.</p>
30		<i>Policy PNP3</i>	<p>You could add to your objective a specific point about new developments needing to consider their flood risk and sustainable drainage systems when building on Greenfield and brownfield sites.</p> <p>Point O states that new developments should use sustainable drainage systems. This could be strengthened to say that all developments will be expected to include sustainable drainage systems.</p> <p>Point O states that existing ditches and watercourses should be used. You could develop this point to include the SuDS hierarchy. The hierarchy is a list of preferred drainage options that the LLFA refer to when reviewing planning applications. The preferred options are (in order of preference): infiltration (water into the ground), discharging into an existing water body and discharging into a surface water sewer. Connecting to a combined sewer system is not suitable and not favourable.</p>

Page	Paragraph	Comment
		<p>Point O states all paving used on development should be semi permeable. We would recommend this is changed to 'all paving should be permeable to allow run-off to drain away'</p> <p>Point O states that sustainable drainage systems such as swales should be used. We would recommend this wording is amended to say 'above ground sustainable drainage systems' due to the multifunctional benefits above ground features off.</p>
		<p>It has been noted that large parts of Polesworth fall within Flood Zone 2 and 3 with several Main Rivers/Ordinary Watercourses running through the town. It has been stated in the NDP that between 2011-2033, 9598 homes, 100 hectares of employment development and 19 permanent gypsy and traveller pitches will be constructed. As a result, the LLFA would welcome a section on how development will be managed in the areas at most risk of pluvial and fluvial flooding and how general flood risk will be managed in the town. The LLFA also has several historic reports of flooding in the area.</p>
		<p>You could include a copy of the Flood Zone maps, showing the levels of risk from all types of flooding (fluvial and pluvial) to provide supporting evidence that flood risk is a problem in parts of Polesworth and encourage development to reduce the impacts from flooding.</p> <p><a href="https://www.gov.uk/check-long-term-flood-risk">https://www.gov.uk/check-long-term-flood-risk</a></p> <p><a href="https://flood-map-for-planning.service.gov.uk/">https://flood-map-for-planning.service.gov.uk/</a></p>



Historic England

Ms Dorothy Barratt  
North Warwickshire Borough Council  
Forward Planning & Economic Strategy  
The Council House, South Street  
Atherstone  
Warwickshire  
CV9 1DE

Direct Dial: 0121 625 6887

Our ref: PL00083444

21 August 2024

Dear Ms Barratt

## **POLESWORTH NEIGHBOURHOOD PLAN- REGULATION 16 CONSULTATION**

Thank you for the invitation to comment on the Submission Neighbourhood Plan.

Historic England is supportive of both the content of the document and the vision and objectives set out in it.

We particularly commend the emphasis on the conservation of local distinctiveness and the importance of good design that responds to and reinforces the settlement pattern and landscape character of the locality, including the maintenance of suitable separation (gaps) between settlements. No doubt the Polesworth Design Code will be invaluable in helping to achieve that. We are also supportive of the protection afforded to nationally and locally designated heritage assets and local green spaces, along with the countryside more generally.

Overall the plan reads as a well-considered document which we feel takes an effective and proportionate approach to the historic environment of the Parish.

Beyond those observations we have no further substantive comments to make on what Historic England considers to be a very good example of community led planning.

I hope you find this advice helpful.

Yours sincerely,

P. Boland.

Peter Boland  
Historic Places Advisor



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)

*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



Historic England

CC:



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*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



**Susan Wilson**

---

**From:** [REDACTED]  
**Sent:** 13 July 2024 21:32  
**To:** planningpolicy  
**Cc:** clerk@polesworth-pc.gov.uk  
**Subject:** Polesworth Neighbourhood Plan

**Caution:** Warning external email

For attention of Susan Wilson,  
Planning Policy Assistant,  
North Warwickshire BC

Dear Susan,

Thank you for consulting the Inland Waterways Association on the Regulation 16 version of the Polesworth Neighbourhood Plan.

IWA commented on the Regulation 14 Draft Plan in May 2023, as below.  
However, in the absence of any indication in Table 2 of the Consultation Statement that our comments were considered, or any changes to the plan on the matters we raised, we are concerned that they may not have been passed through to the relevant persons at the time.

Therefore, we would like to resubmit the comments below for consideration at this stage.

Regards,

Philip G. Sharpe

Inland Waterways Association,  
Lichfield Branch Secretary & Planning Officer  
15 2EZ

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The Inland Waterways Association is a non-profit Distributing Company Limited by Guarantee No 612245.  
Registered Charity No 212342. Registered Office: Unit 16B, First Floor, Chiltern Court, Asheridge Road, Chesham,  
Bucks. HP5 2PX  
Website: [www.waterways.org.uk](http://www.waterways.org.uk)

---

**From:** [REDACTED]  
**Sent:** Sunday, May 7, 2023 9:22 PM  
**To:** [REDACTED]  
**Subject:** Polesworth Draft Neighbourhood Plan

Dear Joan Daniel,

Thank you for consulting us on the Draft Polesworth Parish Neighbourhood Plan, for which the Neighbourhood Area includes a significant length of the Coventry Canal.

The Inland Waterways Association (IWA) is the only independent, national charity dedicated to supporting and regenerating Britain's navigable rivers and canals as places for leisure, living and business.

IWA has a network of volunteers and branches who deploy their expertise and knowledge to work constructively with navigation authorities, national and local government, and a wide range of voluntary, private, and public sector organisations for the benefit of the waterways and their users.

The Lichfield Branch of IWA covers the Coventry Canal in North Warwickshire.

The Coventry Canal is a historic waterway and a valuable amenity and recreational corridor providing leisure boating, walking, angling, cycling and nature conservation benefits to the area.

IWA is pleased to see that the Polesworth Plan references the history and related heritage assets of the Coventry Canal, including a blacksmith's building, stables, the former wharf, and the site of a former boatbuilding yard. Policy PNP9 supports retention of the canal corridor as open land, and retaining existing canalside open spaces will help protect the heritage and recreational value of the canal corridor. The situations of both Pooley Country Park and Abbey Green Park adjacent to the canal are also referenced, and footpath links to the canal towpath.

However, IWA suggests there should be more reference to the nature conservation value and the recreational benefits of the canal.

The canal provides an accessible wildlife corridor through the town and the parish, with a distinctive still water ecology which is home to plants and animals not widely found elsewhere.

As a recreational amenity corridor, the canal towpath provides access for anglers and a pleasant walking and cycling route. The canal itself provides leisure boating, canoeing, and paddleboarding opportunities for both local people and visitors.

The Coventry Canal is part of the national waterway system which attracts millions of visits each year from local people and holidaymakers from both home and abroad, and is a major component of the nation's tourism industry. Passing boaters provide economic benefits to Polesworth through their custom in local shops and pubs, and more could be attracted to the shops on Bridge Street with some informative signage.

All these benefits should be referenced in the plan, and consideration given to how they may be enhanced.

There are three main access points for boaters to facilities in Polesworth, from Grendon Road (Bassett Bridge 52), Market Street (Mill Bridge 53) and Tamworth Road (Bridge 54). Each of these has a pub close to the canal bridge and easy access into the town centre. The most popular sections for mooring are east of Grendon Road and also north of Tamworth Road which is provided with mooring rings.

The towpath has been surfaced in the past between Grendon Road and Market Street although both ends of this section have muddy patches which could be improved. Between Market Street and Tamworth Road the path is frequently muddy throughout and would greatly benefit from resurfacing.

At Market Street bridge the towpath access is by steps which are uneven and an improved ramped access here would be beneficial for less able users.

The Plan should include an aspiration to source funding to improve the surfacing of and access to this section of the canal towpath to provide an enhanced walking facility for local people and all canal users.

IWA hope that these constructive suggestions will assist in improving the Neighbourhood Plan.

Regards,

Philip G. Sharpe

Secretary & Planning Officer  
Inland Waterways Association, Lichfield Branch  
34 Old Eaton Road, Rugeley, Staffs. WS15 2EZ

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The Inland Waterways Association is a non-profit Distributing Company Limited by Guarantee No 612245.  
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Our Ref: MV/ 15B901605

30 August 2024

North Warwickshire Borough Council  
[lanningpolicy@northwarks.gov.uk](mailto:lanningpolicy@northwarks.gov.uk)  
**via email only**



Dear Sir / Madam

**Polesworth Neighbourhood Plan - Regulation 16 Consultation  
July - September 2024  
Representations on behalf of National Grid Electricity Transmission**

National Grid Electricity Transmission has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid Electricity Transmission**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently.

National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET.

**Proposed development sites crossed or in close proximity to NGET assets:**

An assessment has been carried out with respect to NGET assets which include high voltage electricity assets and other electricity infrastructure.

NGET has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

NGET provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please also see attached information outlining guidance on development close to NGET infrastructure.



### **Distribution Networks**

Information regarding the electricity distribution network is available at the website below:

[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

### **Further Advice**

Please remember to consult NGET on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**Matt Verlander, Director**

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

**Tiffany Bate, Development Liaison Officer**

National Grid Electricity Transmission  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

A large black rectangular box redacting the signature of Matt Verlander.

**Matt Verlander MRTPI  
Director**

A small black rectangular box redacting a line of text.

A black rectangular box redacting a line of text.

**For and on behalf of Avison Young**

NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

NGET's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

NGET's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here: [www.nationalgridet.com/network-and-assets/working-near-our-assets](http://www.nationalgridet.com/network-and-assets/working-near-our-assets)

#### How to contact NGET

If you require any further information in relation to the above and/or if you would like to check if NGET's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Your ref: Polesworth NDP

Adrian Chadha  
Spatial Planning Team  
Operations Directorate  
The Cube  
199 Wharfside Street  
Birmingham  
B1 1RN

5<sup>th</sup> September 2024

Dear Sir or Madam

### **Polesworth Neighbourhood Development Plan**

Thank you for consulting National Highways on the Polesworth Neighbourhood Plan.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.

In responding to Local Plan consultations, we have regard to DfT Circular 01/2022: The Strategic Road Network and the Delivery of Sustainable Development ('the Circular'). This sets out how interactions with the Strategic Road Network should be considered in the making of local plans. In addition to the Circular, the response set out below is also in accordance with the National Planning Policy Framework (NPPF) and other relevant policies.

We note that the SRN in closest proximity to the plan area is the A5 and M42 J10.

The North Warwickshire Local Plan (NWLP) sets the amount of development over the plan period 2011-2033. Across the Borough this totals approximately 9,598 new homes, 100 hectares of employment development and 19 permanent residential gypsy and traveller pitches between 2019 and 2033.

National Highways considers that Polesworth Parish Council should recommend that Transport Statements and/or Transport Assessments should be undertaken for any proposed housing and employment developments within the NDP area where the development is relatively large scale to calculate the likely traffic impacts on the SRN at A5 and M42 J10

The majority of the development impacting on the Polesworth area will be on sites H4 (minimum 2,000 new homes) and H5 (approximately 1,270 new homes). The NWLP includes more detailed planning policies for these two sites in question. National

Highways are a statutory consultee within the planning process and will review proposals to these sites.

National Highways welcome policies in the NDP to improve public transport services / facilities and sustainable travel improvements to walking and cycling routes and facilities. Considering the level of housing and employment growth proposed across the NDP area, National Highways expect that there may potentially be impacts on the operation of the SRN particularly on the A5.

If I can be of any further assistance on this matter, please do not hesitate in contacting me.

Yours sincerely,

[Redacted signature]

Adrian Chadha  
Spatial Planning Team

[Redacted contact information]





# Polesworth Neighbourhood Plan Reg 14

Review of candidate non-designated heritage assets

May 2023



Site | **Polesworth Parish, North Warwickshire**  
Client | Cathedral Agricultural Partnership  
Document title | **Review of candidate non-designated heritage assets**  
Document reference | CAT0825 NDHA ASSESSMENT.indd

## Node

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Revision	Status	Created by	Checked by	Date of issue	Comment
A	Final	JH	KK	04.05.2023	Final
-	Draft	JH	KK	27.04.2023	Draft to client



# Contents

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3	St Helena Road	12
4	Further observations	16

# 1 Introduction

## Context

This report provides professional assessment of the nomination of three candidate non-designated heritage assets (henceforth 'NDHAs') within the Polesworth Neighbourhood Plan Regulation 14 draft (henceforth 'the Neighbourhood Plan'). These are :

- Candidate 20 - 'St Helena Road medieval sunken road'
- Candidate 22 - 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site'
- Candidate 23 - 'Site of Little Jim's Cottage, St Helena Road'

The assessment has been undertaken by Node on behalf of Cathedral Agricultural Partnership (CAP). Node is an accredited practice with the Landscape Institute, the IHBC, and the Urban Design Group.

## Approach & structure

Reporting on the candidates is divided into two sections. This is on account of similarities of typologies and, in turn, corresponding considerations as to the justifications for non-designated heritage asset status.

Candidate 22 and 23 are grouped, and considered first (page 4). Candidate 20 follows (page 12). For each, assessment has been made regarding the justification for non-designated heritage asset status relative to the prevailing legislative, policy, and guidance frameworks. We then provide relevant recommendations for appropriate and proportionate amendments to the Polesworth Neighbourhood Plan.

Finally, we provide some further, general observations on the Polesworth Neighbourhood Plan's approach to non-designated heritage assets (page 16) to inform the consultation process.

## Limitations

This report considers and comments **only** on the three NDHA nominations identified previously. Absence of comment on other candidates should not be taken as implicit acceptance of the merits of their nomination, nor the associated assessments of heritage significance included within the Neighbourhood Plan.

## Abbreviations

'The Neighbourhood Plan' : Polesworth Neighbourhood Plan Regulation 14 Draft (March 2023)

NDHA : Non-designated heritage asset

NPPF : National Planning Policy Framework

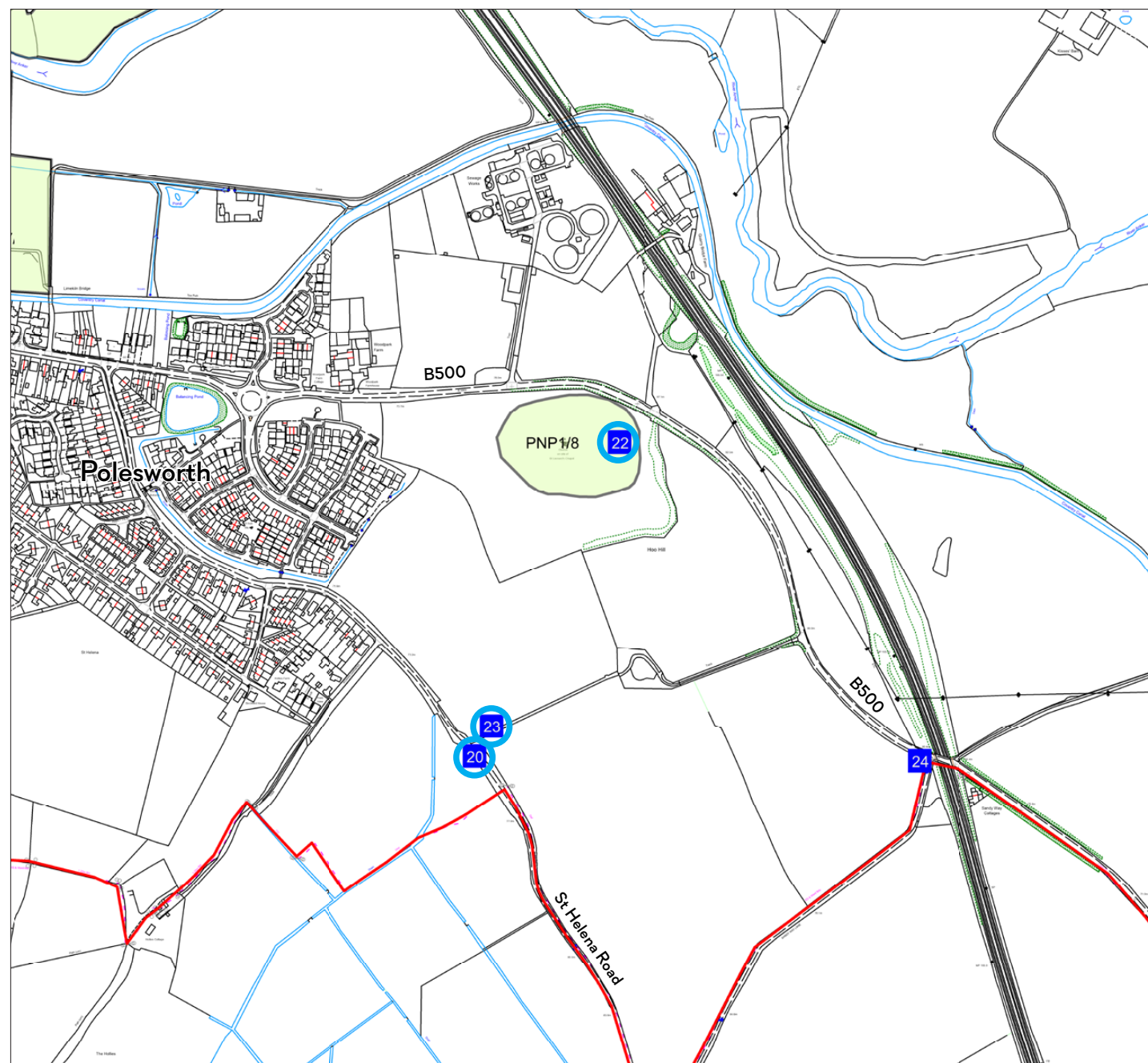
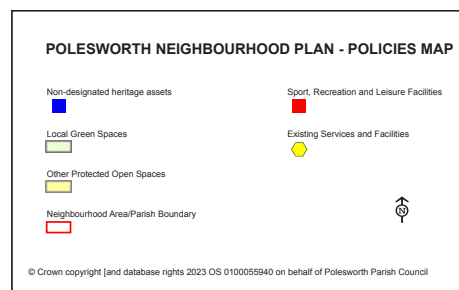
PPG : Planning Practice Guidance

HER : Historic Environment Record

Figure 1 | Annotated extract of the Polesworth Neighbourhood Plan Regulation 14 policy map

 Candidate NDHAs considered within this report:

- 20 - 'St Helena Road - medieval sunken road'
- 22 - 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site'
- 23 - 'Site of Little Jim's Cottage, St Helena Road'



## 2 Sites of Hoo Hill & Little Jim's Cottage

This section addresses the nominations for:

- 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site' (Candidate 22)
- 'Site of Little Jim's Cottage, St Helena Road' (Candidate 23)

These are henceforth referred to as 'Hoo Hill' and 'Little Jim's Cottage', respectively.

In summary, neither site should be included within the Neighbourhood Plan's list of non-designated heritage assets. The principal reasons are:

- There is insufficient evidence as to the nature, level, and extent of their significance to justify NDHA status.
- Their selection would conflict with the National Planning Policy Framework's (NPPF) established provisions for areas of archaeological potential.

We examine these matters in turn before providing recommendations for appropriate means to address them.

### Insufficient evidence

The nomination of NDHAs anchors on there being sound and sufficient evidence to justify their selection.

Without sound and sufficient evidence, it is not possible to determine:

- If and why something is of heritage interest (the "nature" of significance);
- How significant something is relative to the local, regional and national context (the "level" of significance);
- Define the physical and geographical limits of features of heritage interest (the "extent" of significance).

Without determining the nature, level, and extent of heritage significance, it is not possible to:

- Conclude that something has a degree of heritage significance sufficient to merit its consideration in planning decisions as a NDHA (in line with PPG paragraph 18a-039);
- Understand the impact of potential development upon that significance;
- Weigh such impacts within the planning balance in a manner proportionate to the level of significance, and the degree of impact upon it (as required by NPPF paragraph 203 and local plan policy LP15).

This is recognised in relevant guidance (emphasis added):

- PPG stresses that "... Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets **are based on sound evidence**" (paragraph 18a-040).
- Historic England's guidance for local heritage listing (2nd ed., 2021) states:
  - "... Inclusion on a local heritage list **based on sound evidence and criteria** delivers a consistent and accountable way of recognising non-designated heritage assets." (paragraph 3).
  - "Regardless of the means by which candidate assets are identified, **as a minimum, nominations need to be backed by information of sufficient detail and accuracy to**

**demonstrate that they meet the requirements** set by the selection criteria and by national planning policy” (paragraph 43).

In short, determination of NDHA status can only be justified where heritage significance can be accurately qualified. It follows that NDHA status cannot be justified where further investigation is required, in order to meet that evidential threshold.

The latter scenario has emerged in the Neighbourhood Plan for the proposed selection of ‘Hoo Hill’ and ‘Little Jim’s Cottage’ as NDHAs. In both scenarios the **potential** for buried archaeology pertaining to past human occupation or activity is a core justification for their nomination. Yet, for both there is no certainty as to the **actual** existence or survival of such features, nor the nature, level, and extent of their significance.

### *Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site*

There are sufficient indicators of past human activity on and around Hoo Hill for it to be considered a place of archaeological potential. The actual survival, nature, and importance of buried archaeology is, however, unknown:

- Hoo Hill is recorded within the HER\* as the potential site of a medieval chapel and ancillary buildings (HER reference MWA225). The grade II listed monument atop the hill commemorates the site of the chapel.

The precise location of the chapel is unknown. The monument was likely relocated to its present position in the mid-19th century following construction of the railway (beyond the hill). Remains of the chapel and/

\* Nb. Historic England’s guidance for local listing is explicit that : “The inclusion of a site or structure in an HER does not itself identify it as a non-designated heritage asset: inclusion merely records valuable information about it, and does not reflect the planning judgement needed to determine whether it does in fact have a degree of heritage significance which merits its consideration in planning decisions.... ”

or associated buildings is recorded to have been discovered during those works, suggesting the medieval archaeology could be located further north, beyond Hoo Hill.

- Hoo Hill is recorded within the HER\* as a potential Iron Age settlement. That interpretation draws from the local topography, the identification of cropmarks (HER references MWA4212 & MWA 5316), and a single surface-located Roman pottery shard (HER reference MWA225).

No further investigation has occurred to confirm the presence of, accurately locate, or assess the importance of archaeological features. While the cropmarks are strong indicators of archaeology, there is not yet definitive evidence that these are not product of other geomorphological processes.

- Documentary sources indicate other past human activity in the Hoo Hill area, including a possible windmill, but the precise location and provenance of such features is hypothetical and, again, no further investigation has been undertaken.
- Areas of Hoo Hill and its surroundings were exploited for open-cast mining in the post-medieval period, with potentially significant impacts for the preservation of sub-surface archaeology.

This absence of evidence has not, however, informed the selection of Hoo Hill as an NDHA within the Neighbourhood Plan (page 96-97). We note the selection assessment:

- Assumes the site holds archaeological interest pertaining to an Iron Age hill fort and the site of a medieval chapel,

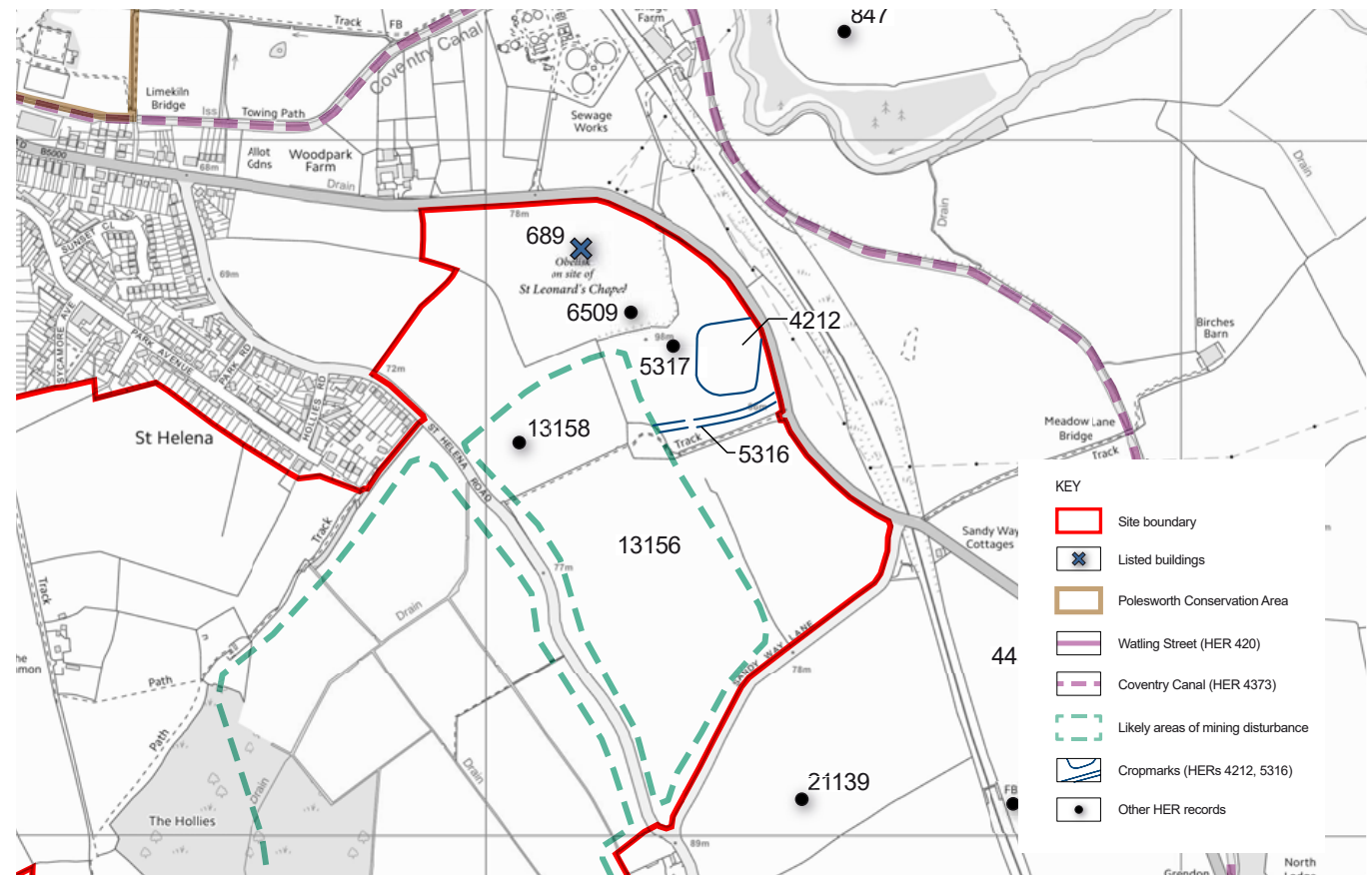
despite recognising that further investigation is required to determine the actual presence and importance of buried archaeology.

- Determines this (hypothesised) buried archaeology indicates the site is of “... immense importance to both the Iron Age and medieval monastic history of the area...”, despite the lack of evidence to substantiate that position.
- Allocates a seemingly “blanket” NDHA status across the hill on account of that unsubstantiated level and extent of significance.

Accordingly, the NDHA nomination is reliant on conjectural evidence, and, in turn, is not founded on an accurate assessment of heritage significance.

As such, it is considered that NDHA status is not justified.

Extracts from a January 2018 BSA Heritage archaeology and heritage assessment





Earthworks likely pertaining to post-medieval mining disturbance atop Hoo Hill





### Site of Little Jim's Cottage, St. Helena Road

Little Jim's Cottage was once a building of both architectural and historic interest. As per the Neighbourhood Plan (page 23) it was "... a typical example of a late 14 century/early 15th century building with exposed cruck construction", and "made famous by a poem by Edward Farmer and is an important cultural site".

Little Jim's Cottage was lost to fire in the 1970s. There is no trace of the building on the surface and the original plot has been amalgamated with the adjacent field. Only a commemorative stone marker on St Helena Road illustrates the cottage's location and alludes to its local communal value.

The Neighbourhood Plan does not clarify whether the site's candidacy refers to just the commemorative stone, or the full extent of the former cottage's position and plot.

If the former, the NDHA status may be justified, on account of the historical associations and cultural memories the marker embodies. The nature and extent of that significance requires clarification within future drafts of the Neighbourhood Plan.

If the latter, we note the presence and importance buried archaeology pertaining to the cottage and associated past activities is unknown. Further investigation is required, and, accordingly, it is considered that the status of NDHA is not justified.



c.1950

Little Jim's Cottage, Ordnance Survey 1885



Commemorative marker stone, St Helena Road

Site of Little Jim's Cottage and remnants of its former plot (now amalgamated with the adjacent field)



## Planning for archaeological potential

Both the NPPF and relevant guidance make provisions for planning in areas of potential, but as yet unqualified, archaeological interest.

For the plan-making process:

- PPG paragraph 18a-040 encourages plan-making bodies to “...note areas with potential for the discovery of non-designated heritage assets with archaeological interest.”
- Historic England’s guidance for local listing (page 8) states “Clarity as to where there is potential for the discovery of [...] archaeological assets is helped if plans, both local and neighbourhood, indicate areas where such potential exists...”

For the decision-making process:

- Paragraph 194 of the NPPF requires that “Where a site on which development is proposed includes, or has potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”
- PPG paragraphs 18a-040 and 18a-041 states non-designated heritage assets of archaeological interest may be identified through the decision-making process following archaeological investigation; and a proportionate programme of assessment and evaluation should be undertaken where a site on which a development is proposed includes, or has potential to include, heritage assets of archaeological interest.

Such provisions ensure sufficient evidence is obtained on the existence and significance of buried archaeology to inform the planning, design, and determination of development proposals. That evidence allows the impact of a development to be accurately understood, necessary mitigation to be implemented, and appropriate weight to be applied within the planning balance.

Based on the available evidence, it would be appropriate for the Neighbourhood Plan to have identified ‘Hoo Hill’ and ‘Little Jim’s Cottage’ as “areas of archaeological potential”, and justified for it to state that these areas warrant further investigation should they be subject to a planning proposal. Should those investigations identify non-designated heritage assets of archaeological interest, these would then be engaged with in accordance with the NPPF, local plan, and the (emerging) neighbourhood plan.

The Neighbourhood Plan does not adopt this approach. It breaks from the framework in determining the sites’ conjectural, but unproven, archaeological potential warrants NDHA status. That position is thus taken **prior to** any of the required investigations to accurately qualify the existence and importance of such features. This is to “put the cart before the horse”: inverting the NPPF’s longstanding, proportionate, and well-tested provisions.

That approach may place the Neighbourhood Plan in contravention of the basic conditions of schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. Namely item (e) that [A draft order meets the basic conditions if-] “... the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)”. The Neighbourhood Plan risks being found unsound, accordingly.



### Position & recommendations

Polesworth Parish Council should reconsider the inclusion of the identified areas within the list of non-designated heritage assets.

We recommend:

- Amend and retitle 'Site of Little Jim's Cottage, St Helena Road' to 'Commemorative marker for Little Jim's Cottage, St Helena Road'.
  - Remove 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site', from the list of non-designated heritage assets.
  - Establish a new list/appendix of 'Areas of archaeological potential'
  - Include 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site' and 'Site of Little Jim's Cottage, St Helena (and similar candidate) within the 'Areas of archaeological potential'.
- Amend the title of Policy PNP5 to "Non-designated heritage assets **and areas of archaeological potential**".
  - Amend Policy PNP5 with the additional paragraph: **"Where development is proposed within the areas of archaeological potential identified in this plan, a proportionate programme of assessment and evaluation will be undertaken to determine the presence of buried archaeology, and the nature, level, and extent of its archaeological interest. Impacts to identified non-designated heritage assets of archaeological interests will be considered in line with the relevant policies of the national, local and neighbourhood planning frameworks."**

# 3 St Helena Road

This section addresses the nominations for:

- 'Saint Helena Road – medieval sunken road' (Candidate 20)

We do not agree, with the Neighbourhood Plan's assessment of the nature of the road's significance, nor its level of importance.

The principal reasons are:

- The Neighbourhood Plan mischaracterises the form and character of the road in a manner that erroneously elevates the level of heritage significance.
- There is insufficient evidence to justify the NDHA nomination in its present form.

We examine these matters in turn before providing recommendations for appropriate means to address them.

## Mischaracterisation

St Helena Road is not a medieval road. It is a road of medieval **origin**.

Only the location and alignment of the road reflects its medieval heritage. The character of the road is entirely derived from the 19th and 20th century. Of note:

- The road is enclosed but it is not a "sunken lane". It is not significantly lower than land to either side by product of centuries of erosion. The topography is created by embankments formed with materials extracted when the adjacent rural drainage ditches were cut. The sense of enclosure is formed entirely by the adjacent hedgerows. Both the ditches and hedgerows are likely post-medieval.
- The road does not pass through "a visible medieval landscape" as

suggested by the Neighbourhood Plan (page 94). The landscape is predominantly the product of post-medieval and modern farming practices. Notably, the fields' form and function is distinctive of the 19th and 20th century, being semi-regular arrangements of mid-to-large sized enclosures, with large degrees of field amalgamation and boundary removal undertaken to facilitate modern mechanised agriculture.

This distinction between a road of medieval "origin" and "character" is a subtle but substantive matter for the NDHA candidacy. The former generates historic or archaeological interest. The latter is a source of architectural/aesthetic interest.

By presenting St Helena Road as of **both** medieval origin **and** character, the Neighbourhood Plan thus erroneously multiplies its significance. To allocate NDHA status on that basis is unjustified.

To illustrate, we draw an analogy from 'Little Jim's Cottage', the 14th/15th century cruck-framed dwelling on St Helena Road, lost to fire in the 1970s. Should a new dwelling have been built on the site with a matching footprint and nomenclature to the lost cottage, but of a modern construction and aesthetic, this would not be a 14th/15th century cottage. It would be a domestic plot of 14th/15th century **origin**, but of a **character** derived entirely from the 20th century. The site would retain some heritage significance (as the location of a lost feature of communal value, and with potential archaeological interest), but its architecture and aesthetic would make little contribution to that significance.

In our judgement, a similar dynamic applies for St Helena Road. The **location** and **alignment** of the road are of some historic interest. Its character is not of any substantive architectural/aesthetic interest.



St Helena Road illustrating its post-medieval drainage ditch and embankment morphology and modern road surfacing



St Helena Road's (annotated with a white dashed line) landscape context from Hoo Hill, illustrating the predominant influence of 19th and 20th century agricultural practices on its setting



### Insufficient evidence

The importance of sound and sufficient evidence in the selection of NDHAs has been outlined in the previous section.

In our judgement, the selection of St Helena Road as a NDHA is, in part, over-reliant on conjecture. Specifically, the Neighbourhood Plan has overstated the **known** importance of the road within the medieval landscape.

The Neighbourhood Plan states, in respect of the 'Identity' selection criteria (emphasis added): "This is a sunken lane and as such is important in the landscape. Polesworth Abbey in the ecclesiastical parish of Polesworth, which covered a much larger area than now, held the right of burial and therefore **it most likely was used as a coffin way for the inhabitants of the deserted medieval village along its route and other farmsteads on that side of the parish.**"

It is common ground that the road has ancient origins; however the presence and location of the referenced deserted medieval village is, at present, entirely hypothetical. It draws from a HER record (reference MWA8374) that notes discovery of pottery scatters that "**suggest**" (but do not confirm) the presence of a shrunken village. No archaeological investigation has occurred to confirm or discount the presence, form, and importance of such a settlement. The significance of St Helena Road as a link between Polesworth Abbey and that settlement thus remains theoretical, not factual. The Neighbourhood Plan has erred herein.

### Position and recommendations

In its present form, the NDHA nomination for St Helena Road is unsound. Its mischaracterisation as a medieval sunken lane, and the reliance on conjectural evidence creates an unwarranted elevation of its level of heritage interest. The determination, by the Neighbourhood Plan, that it is of sufficient significance to warrant NDHA status is unjustified, accordingly.

We do recognise that the road has some rural amenity value. The NDHA framework is not, however, the appropriate means to engage with this within the planning process. There is ample provisions for such matters within the NPPF, the local plan, and policy PNP4 ('Conservation and Enhancing the Landscape').

We recommend:

- The Neighbourhood Plan's assessment for NDHA status should be reviewed with consideration of its **existing** character, to provide an accurate record of the nature, level, and extent of its heritage significance.
- Should the Polesworth Parish Council still wish to pursue NDHA status, it should be clarified that the **location and alignment** of St Helena Road are the matters of heritage interest which should be preserved. In our judgement these are the only elements that would justify an NDHA status.



## 4 Further observations

### NDHA selection criteria

#### 'Landscapes' vs. 'Landscape features'

The NPPF and PPG define non-designated heritage assets as (emphasis added): "... buildings, monuments, sites, places, areas **or landscapes** identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets."

It is generally understood that "landscapes" refers to identifiable areas of a unified design and/or composition. For instance, an historic estate or a public park. Historic England's guidance for local listing guidance is more explicit, using "designed landscapes" as the standard.

This is a matter of proportionality. England is an ancient country. The large majority of its landscapes are historic, being a tapestry of features inherited from centuries of human activity. This includes most rural landscapes, where boundaries (hedgerows, walls etc.), land uses (fields, woodlands etc.), infrastructure (roads, railways etc.), and architecture combine to create areas of distinct historic landscape character. To designate all of these areas, or all of their component parts, as non-designated heritage assets would blanket the country. That would dilute the principle of identifying specific features and places of elevated heritage interest which merit greater consideration in planning decisions. Policies, guidance, and evidence for "landscape character" are, therefore, generally considered a more appropriate and proportionate mechanism to engage with such matters.

The North Warwickshire Borough Council local listing criteria\* diverges from the NPPF and prevailing guidance herein, however. The criteria allow for consideration of "Landscape features", "Features within a townscape or landscape", and "A landscape (an area defined by a visual feature, village, suburb, field system, sunken lane)".

The Neighbourhood Plan's nomination of landscape features for NDHA status (such as St Helena Road) thus conforms with the local framework for local listing, but may also implicitly conflict with national-level guidance. We advise caution as to the selection of such features accordingly. **We recommend Polesworth Parish Council consider how alternative, and more proportionate, provisions can support their objectives to preserve and enhance the local landscape characteristics they deem of sufficient value to warrant consideration in planning decisions.**

### Rarity

We note the Neighbourhood Plan's selection criteria for NDHA does not include consideration of "Rarity". This is an important matter for understanding the level of a feature's heritage significance. For instance, whether a feature is unusual or common/typical in the local, regional, and national context. That, in turn, supports understanding as to whether such a feature warrants elevated consideration within the planning process as a NDHA, and informs the degree of weight allocated to it within decision-making. "Rarity" is a recommended criteria within both national guidance and the North Warwickshire Borough Council local listing system. It is unclear as to why this element was been omitted from the selection criteria within the Neighbourhood Plan. **We recommend reappraisal of all NDHA candidates accordingly, to provide clarity and, if necessary, allow stakeholders a right of response.**

### Sources and citation of evidence

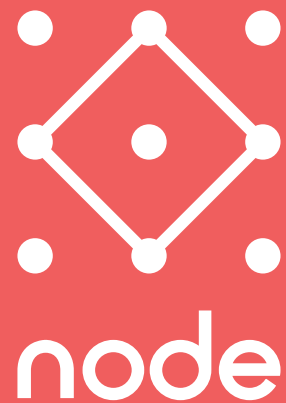
The Neighbourhood Plan does not provide sources of evidence within its NDHA selection assessments, nor citation of those sources. These are required to justify positions as to the nature, level, and extent of features' heritage significance.

As such, it is not presently possible to ascertain whether the selection of any of the Neighbourhood Plan's NDHAs is based on sound and sufficient evidence, and, in turn, whether they are justified.

**We recommend the Polesworth Parish Council review each of the nominations and cite the relevant evidence where necessary.**

Where positions are based on hypothesis, this should be clearly stated to allow proper and proportionate consideration of candidates' **known** heritage significance.

When undertaking this reassessment, **we recommend Polesworth Parish Council take heed of Historic England's guidance** that "... inclusion of a site or structure in an HER does not itself identify it as a non-designated heritage asset: inclusion merely records valuable information about it, and does not reflect the planning judgement needed to determine whether it does in fact have a degree of heritage significance which merits its consideration in planning decisions.... " .



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# Polesworth Neighbourhood Plan Reg 16

Review of candidate non-designated heritage assets

September 2024

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# 1 Introduction

## Context

This report provides professional assessment of the nomination of two candidate non-designated heritage assets (henceforth 'NDHAs') within the Polesworth Neighbourhood Plan Regulation 16 draft (henceforth 'the Neighbourhood Plan'). These are :

- Candidate 20 - 'St Helena Road medieval sunken road'
- Candidate 22 - 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site'

The assessment has been undertaken by Node on behalf of Cathedral Agricultural Partnership (CAP). Node is an accredited practice with the Landscape Institute, the IHBC, and the Urban Design Group.

## Approach & structure

We consider the selection and justification of each of the candidate NDHAs, with discussion relative to the prevailing legislative, policy, and guidance frameworks.

Where we have found the candidacy to not be not justified, we have provided recommendations for amendments to the Neighbourhood Plan that may enable it to meet its stated objectives for historic environment and landscape through other, more appropriate mechanisms.

## Limitations

This report **only** considers and comments on the two identified NDHA nominations identified. Absence of comment on other candidates should not be taken as implicit acceptance off the merits of that nomination, nor the associated assessments of heritage significance included within the Neighbourhood Plan.

## Abbreviations

'The Neighbourhood Plan' : Polesworth Neighbourhood Plan Regulation 16 Draft (March 2024)

NDHA : Non-designated heritage asset


NPPF : National Planning Policy Framework

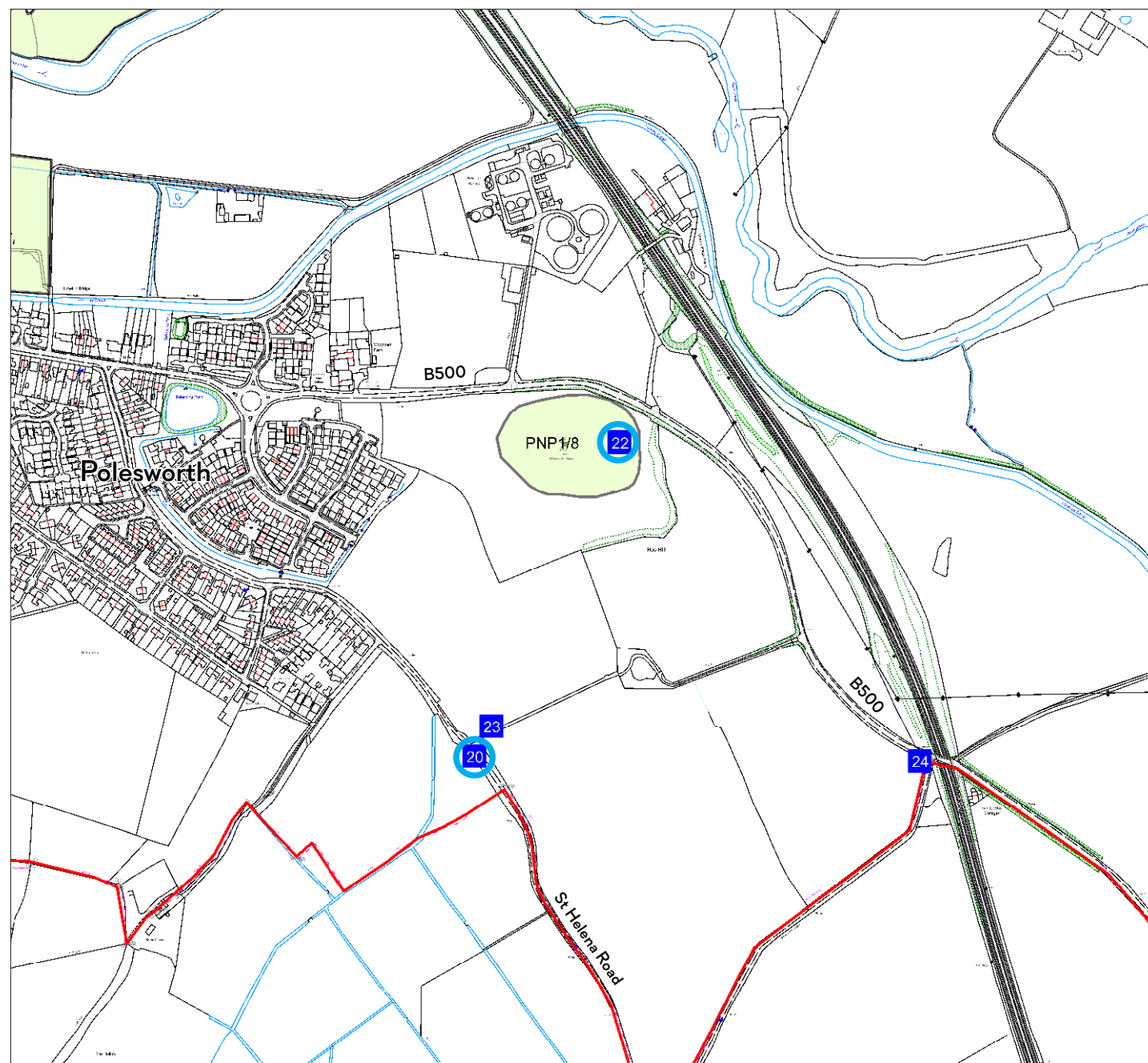
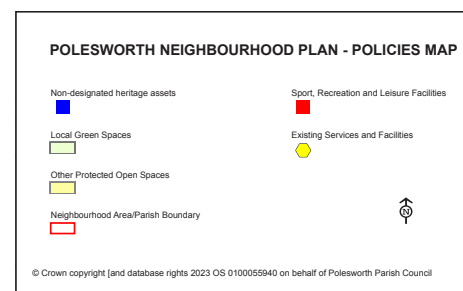
PPG : Planning Practice Guidance

HER : Historic Environment Record



Figure 1 | Annotated extract of the Polesworth Neighbourhood Plan Regulation 16 policy map

-  Candidate NDHAs considered within this report:
- 20 - 'St Helena Road - medieval sunken road'
  - 22 - 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site'





## 2 St Helena Road (Candidate 20)

This section addresses the nomination of:

- 'Saint Helena Road – medieval sunken road' (Candidate 20)

We do not agree with the Neighbourhood Plan that the road warrants NDHA status, and query the principle of its candidacy

The principal reasons are:

- There is insufficient evidence to justify the Neighbourhood Plan's positions as to the road's heritage significance.
- The Neighbourhood Plan defines the form and character of the road in a manner that may erroneously elevate its heritage significance, and, in turn, misidentify it as a "heritage asset"
- The allocation of individual landscape features, such as a rural lane, to the NDHA list may conflict with national policy and guidance.

### Insufficient evidence

#### Policy context

The nomination of NDHAs anchors on there being sound and sufficient evidence to justify their selection. This is robustly and repeatedly stated in relevant guidance, as follows (emphasis added):

- PPG stresses that "... Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets **are based on sound evidence**" (paragraph 18a-040).
- Historic England's guidance for local heritage listing\* (2nd ed., 2021) states:
  - "... Inclusion on a local heritage list **based on sound evidence and criteria** delivers a consistent and accountable way of recognising non-designated heritage assets." (paragraph 3).

- "Regardless of the means by which candidate assets are identified, **as a minimum, nominations need to be backed by information of sufficient detail and accuracy to demonstrate that they meet the requirements** set by the selection criteria and by national planning policy" (paragraph 43).

Without sound and sufficient evidence, it is not possible to determine:

- If and why something is of heritage interest (the "nature" of significance);
- How significant something is relative to the local, regional and national context (the "level" of significance);
- Define the physical and geographical limits of features of heritage interest (the "extent" of significance).

Without determining the nature, level, and extent of heritage significance, it is not possible to:

- Conclude that something has a degree of heritage significance sufficient to merit its consideration in planning decisions as a NDHA (in line with PPG paragraph 18a-039);
- Understand the impact of potential development upon that significance;
- Weigh such impacts within the planning balance in a manner proportionate to the level of significance, and the degree of impact upon it (as required by NPPF section 16 and local plan policy LP15).

In short, an NDHA candidacy is only sound when the evidential threshold is met to both prove and accurately qualify heritage significance. Otherwise NDHA status cannot be justified.

### St Helena Road

In our judgement the candidacy of St Helena Road has not met the required evidential threshold to justify NDHA status. The Neighbourhood Plan relies on a hypothesis of heritage significance, rather than sound and citable evidence.

The Neighbourhood Plan primarily justifies the candidacy of St Helena Road as :

*"This is a sunken lane and as such is important in the landscape. Polesworth Abbey in the ecclesiastical parish of Polesworth, which covered a much larger area than now, held the right of burial and therefore it most likely was used as a coffin way for the inhabitants of the deserted medieval village along its route and other farmsteads on that side of the parish."*

We accept that the road may be of ancient origin, but must highlight a lack of substantiation for both the existence of the referenced deserted medieval village, and the claim that the road was once used as a culturally significant coffin way. The Neighbourhood Plan states these matters as fact, but provides no evidence, nor cites any sources.

To our understanding the primary source may be the HER record (reference MWA8374) that denotes a discovery of pottery scatters in fields proximate to Manor House Farm. Such surface-level archaeological finds can be indicators for past human habitation, but these are far from definitive evidence. It is impossible to discern whether that settlement actually exists without further archaeological investigation, nor determine its importance or possible relationships it may have had with other, nearby places.

Here we emphasise Historic England's guidance for local listing, that states (paragraph 61):

*"... The inclusion of a site or structure in an HER does not itself identify it as a non-designated heritage asset: inclusion merely records valuable information about it, and does not reflect the planning judgement needed to determine whether it does in fact have a degree of heritage significance which merits its consideration in planning decisions However, this information within the HER will help to identify candidates for inclusion in a local heritage list.... "*

Importantly, a HER record can indicate the **potential** presence of something which **might** warrant NDHA status, but should never act as more than a 'flag' for such considerations. It is never in itself sufficient evidence that something is of adequate heritage interest to be given such an elevated consideration in planning

decisions. Those decisions must only emerge from review of other sources, and a careful consideration of evidence against an appropriate assessment framework (such as local list nomination criteria).

With these matters in mind, we note that:

- No further archaeological investigation has occurred to confirm the existence of a medieval settlement, nor the hypothesised link between and Polesworth Abbey along St Helena Road.
- Without such investigation, or provision of other sources, the Neighbourhood Plan cannot demonstrate that its allocation of high levels of historic interest to St Helena Road is justified.
- In turn, we do not consider the "sound and sufficient" evidential threshold for NDHA status to have been met.

### Characterisation

We agree with the Neighbourhood Plan that the road is an historic landscape feature, and makes some contribution to local landscape character. We also agree that the road is likely of medieval **origin**. However, we present that only its location and alignment reflects its medieval heritage, and that it is now primarily experienced as a post-medieval rural lane characterised by features created by landscape change occurring since the 18th century.

The road is enclosed but it is not a “sunken lane”, as suggested by the Neighbourhood Plan. It is not significantly lower than land to either side, with its topography created by low embankments formed with materials extracted when the adjacent drainage ditches were cut. The sense of enclosure is formed predominantly by the adjacent hedgerows. Both these ditches and

hedgerows are likely the product of farming practices of recent centuries.

We also contest that the road passes through “a visible medieval landscape”, as suggested by the Neighbourhood Plan. Again the landscape is predominantly the product of post-medieval farming practices, with adjacent fields typical of many 19th and 20th century enclosures: being of semi-regular shape and mid-to-large size; and having undergone significant amalgamation and boundary removal to facilitate modern mechanised agriculture.

In our judgement, the Neighbourhood Plan has therefore somewhat mis-characterised the road and its setting and, in doing so, has erroneously elevated its heritage significance.

St Helena Road illustrating its post-medieval drainage ditch and embankment morphology and modern road surfacing





St Helena Road's (annotated with a white dashed line) landscape context from Hoo Hill, illustrating the predominant influence of 19th and 20th century agricultural practices on its setting



### NDHA landscape selection criteria

The PPG defines non-designated heritage assets as (paragraph 18a-039; emphasis added):

*"... buildings, monuments, sites, places, areas or **landscapes** identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets."*

It is generally understood that "landscapes" refers to large, identifiable areas of a unified design and/or composition. For instance, an historic estate or a public park. Historic England's guidance for local listing guidance is more explicit, using "**designed landscapes**" as the standard throughout, and within their recommended 'Asset Type' criteria for selection (page 11):

*"Although local heritage lists have long been developed successfully for buildings, all heritage asset types, including monuments, sites, places, areas, parks, gardens and **designed landscapes** may be considered for inclusion."*

The emphasis on "designed" landscapes is a matter of proportionality. England is an ancient country, formed of a rich tapestry of heritage- and landscape features. This is the case for all rural landscapes, where a compendium of architecture (e.g. farmhouses, cottages), land uses (e.g. fields, woodlands etc.) boundaries (e.g. hedgerows, walls etc.), and infrastructure (e.g. roads, railways etc.) combine to create places of distinctive character. To declare all such features as NDHAs would blanket the country, and devalue the local listing frameworks: a process intended to ensure only those features of truly elevated heritage interest are given elevated weight in planning.

The North Warwickshire Borough Council local listing criteria\* differs from the NPPF and Historic England guidance, by allowing for consideration of: "**Landscape features**", "**Features within a townscape or landscape**", and "**A landscape (an area defined by a visual feature, village, suburb, field system, sunken lane)**".

On the surface, this somewhat conflicts with the national guidance, but we acknowledge that the criterion are the prerogative of the LPA and, in this instance, allows for nomination of a sunken lane for NDHA status.

However, we note that such a decision will require careful consideration by the local planning authority. In our judgement, selection of sunken lanes should be an exceptional circumstance, is only warranted for those which exemplify the typology, and where their heritage significance is both clearly understood and evidenced.

Adoption of lanes (or any other landscape features) that do not meet those thresholds risks the legitimacy of the local list: undermining the perception of it as being a fair, proportionate, and truly selective framework, that only elevates features' planning status where clearly justified.

### Recommendations

- The Neighbourhood Plan should be amended to cite sound and sufficient evidence as to the stated heritage significance of St Helena Road, and its claimed historical connections between a deserted medieval settlement and Polesworth Abbey.
- Should this not be possible, St Helena Road should be removed from the list of candidate NDHAs, and consideration be given to how alternative policies and provisions for landscape character can support the parish's objectives.

\* Nb. Historic England's guidance for local listing is explicit that : "The inclusion of a site or structure in an HER does not itself identify it as a non-designated heritage asset...". See section 2 for further discussion

### 3 Site of the Hoo Chapel & Iron Age Hillfort (Candidate 22)

This section addresses the nominations for:

- 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site' (Candidate 22)

It is henceforth referred to as 'Hoo Hill' for brevity.

In our judgement, this area holds potential archaeological interest but should not be included within the Neighbourhood Plan's list of non-designated heritage assets. The principal reasons are:

- There is currently insufficient evidence as to the presence, survival or significance of archaeological remains to justify NDHA status.
- The selection may conflict with the National Planning Policy Framework's (NPPF) established provisions for areas of archaeological potential.

#### Insufficient evidence

The importance of sound and sufficient evidence in the selection of NDHAs has been outlined in the previous section. In our judgement, the candidacy of Hoo Hill also does not meet the required evidential threshold, and is again too reliant on hypothesis to justify NDHA status.

There are several indicators of past human activity on and around Hoo Hill that suggest a **potential** for past occupation, and buried archaeology associated to it. That potential is used as a core justification for the nomination for NDHA status; however, and importantly, there is no certainty as to the **actual** presence and importance of such archaeology:

- Hoo Hill is recorded within the HER as the potential site of a medieval chapel and ancillary buildings (HER reference MWA225). The grade

II listed monument atop the hill commemorates the site of the chapel.

However, the precise location of that chapel is unknown. The monument is recorded to have been relocated to its hilltop position in the mid-19th century during construction of the nearby railway (beyond the hill). Remains of a possible chapel is recorded to have been discovered during those railway works, suggesting the medieval activity may have been located further north, beyond Hoo Hill.

- Hoo Hill is recorded within the HER as a potential Iron Age settlement. That interpretation draws from the local topography, the identification of cropmarks (HER references MWA4212 & MWA 5316), and a single surface-located Roman pottery shard (HER reference MWA225).

While cropmarks can provide indicators of archaeology, they do not provide confirmation, and can be product of natural geomorphological processes.

No further investigation has occurred to explore the Iron Age settlement hypothesis, nor confirm (or disprove) the actual presence and importance of subsurface features through archaeological evaluation (e.g. excavation, geophysics).

- Documentary sources indicate other past human activity in the Hoo Hill area, including a possible windmill, but the precise location and provenance of such features is again hypothetical and, again, no further investigation has been undertaken.

- Areas of Hoo Hill and its surroundings were exploited for open-cast mining in the post-medieval period. This may have had significant impacts for the preservation of sub-surface archaeology. The extent of such loss is again unknown.

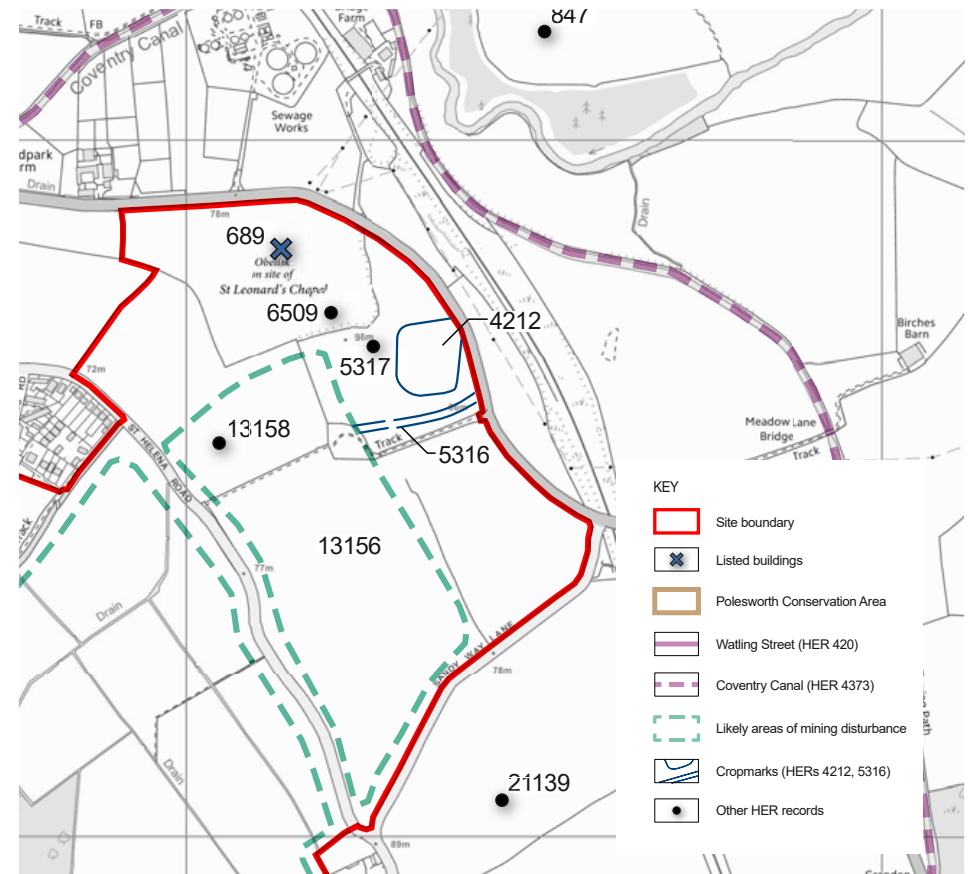
This distinction between hypothesis and evidence has not informed the candidacy of Hoo Hill as an NDHA. We note the Neighbourhood Plan:

- States that the site holds archaeological interest pertaining to an Iron Age hill fort and the site of a medieval chapel, despite recognition that further investigation is required to determine the actual presence and importance of buried archaeology, including "... thorough survey including Lidar and geophysics before a full archaeological excavation to identify the precise location...".

- Determines the hypothesised buried archaeology indicates the site is of "... immense importance to both the Iron Age and medieval monastic history of the area...", despite the lack of evidence to substantiate such a position, and the high level of planning weight that would be applied to a site of "immense" archaeological significance.
- Allocates a "blanket" NDHA status across the hill on account of the unknown and unsubstantiated extent of archaeological deposits.

In conclusion, the NDHA nomination is currently too reliant on conjecture and, in turn, is not supported by sufficient, sound evidence as to the presence, survival, and significance of archaeological materials.

Extracts from a January 2018 BSA Heritage archaeology and heritage assessment





Earthworks likely pertaining to post-medieval mining disturbance atop Hoo Hill



### Proportionate planning for archaeological potential

Both the NPPF and relevant guidance make provisions for planning in areas of potential (but unconfirmed) archaeological interest. In our judgement, these provide an appropriate framework for addressing the potential heritage interest of Hoo Hill, and the NDHA candidacy conflicts with those provisions.

For the plan-making process (emphasis added):

- PPG paragraph 18a-040 encourages plan-making bodies to “...note areas with potential for **the discovery of** non-designated heritage assets with archaeological interest.”
- Historic England’s guidance for local listing (page 8) states “Clarity as to where there is **potential for the discovery** of [...] archaeological assets

is helped if plans, both local and neighbourhood, indicate areas where such potential exists...”

For the decision-making process:

- Paragraph 200 of the NPPF requires that “Where a site on which development is proposed includes, or has potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”
- PPG paragraphs 18a-040 and 18a-041 states **non-designated heritage assets of archaeological interest may be identified through the decision-making process following archaeological investigation**; and a proportionate programme of



assessment and evaluation should be undertaken where a site on which a development is proposed includes, or has potential to include, heritage assets of archaeological interest.

These provisions are in place to ensure sufficient evidence is **first** obtained on the existence and significance of buried archaeology, before it is determined whether such features warrant elevated weight in planning decisions as heritage assets.

This evidence-led process is critical to appropriate and proportionate planning. It ensures both applicants and applications are not unduly prejudiced by the hypothetical presence of archaeological remains, that are later found not to exist.

We do not, therefore, consider it appropriate for Hoo Hill to be allocated NDHA status based on the current, hypothetical presence of archaeological remains. We caution that doing so places risk on the Neighbourhood Plan being found unsound, through contravention of the basic conditions of schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. Namely item (e) that [A draft order meets the basic conditions if-] "... the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)".

We suggest that it would be more appropriate for the Neighbourhood Plan to identify 'Hoo Hill' as an "Area of archaeological potential", and that it would be justified for the plan to state that these areas warrant further investigation

should they be subject to a planning proposal. Should those investigations then identify heritage assets of archaeological interest, these could be managed in accordance with the existing policies of the NPPF, local plan, and the (emerging) neighbourhood plan, and appropriate and proportionate programmes of archaeological evaluation be deployed.

### Recommendations

- Remove 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site', from the list of non-designated heritage assets.
- Establish a new list/appendix of 'Areas of archaeological potential'
- Include 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site' and any other comparable candidates within the 'Areas of archaeological potential' category.
- Amend the title of Policy PNP5 to "Non-designated heritage assets **and areas of archaeological potential**".
- Amend Policy PNP5 with the additional paragraph: "**Where development is proposed within the areas of archaeological potential identified in this plan, a proportionate programme of assessment and evaluation will be undertaken to determine the presence of buried archaeology, and the nature, level, and extent of its archaeological interest. Impacts to identified non-designated heritage assets of archaeological interests will be considered in line with the relevant policies of the national, local and neighbourhood planning frameworks.**"

## 4 Further observations

Two additional observations are provided, being deemed of potential benefit to ensuring the Neighbourhood Plan is found sound on matters of heritage.

### *Rarity*

We note the Neighbourhood Plan's NDHA selection criteria does not include consideration of "Rarity".

This is an important matter for understanding a feature's heritage significance. For instance, whether something is either unusual within the local historic environment, or, conversely, exemplifies it. This supports understanding as to whether such a feature warrants elevated consideration within the planning process as a NDHA, and informs the degree of weight allocated to it within decision-making.

"Rarity" is a recommended criteria within both Historic England's national guidance and the North Warwickshire Borough Council local listing system, but has been omitted from the selection criteria within the Neighbourhood Plan. **We recommend reappraisal of all NDHA candidates accordingly may provide additional clarity.**

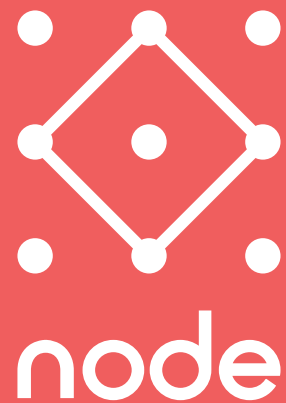
### *Sources and citation of evidence*

As noted in reference to both Hoo Hill and St Helena Road, the Neighbourhood Plan does not generally cite sources to evidence its nominations of NDHAs.

Such citations are not necessary in all circumstances (e.g. for a candidate nominated for its visible architecture), but are imperative to sound plan-making where a NDHA nomination anchors heavily on historic interest or archaeological potential. Only through review of evidence

and proper citing of sources can such candidacies be considered to be based on sound and sufficient evidence, not conjecture.

**We recommend the Polesworth Parish Council review each of the nominations and cite the relevant evidence where necessary.** Where positions are currently based on hypothesis, and require further investigation, this should be clearly stated to allow the proper processes to be enacted as and when required (e.g. archaeological evaluation), and to avoid undue constraint being placed on applicants and applications.



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5 September 2024  
Regulation 16 Representations ISSUED



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## **Representations to Polesworth Neighbourhood Plan – Regulation 16 Consultation**

### **Allocation H4 – Land East of Dordon and Polesworth**

On behalf of Cathedral Agricultural Partnership (CAP), a landowner of approximately a third of the land that makes up the H4 allocation in the adopted North Warwickshire Local Plan (2021), we have prepared the following submission in response to the Regulation 16 version of the emerging Polesworth Neighbourhood Plan.

The representations are set out within the remainder of this letter and are made in relation to the following emerging Neighbourhood Plan policies:

- Policy PNP1: Protecting Local Green Space
- Policy PNP3: Sustainable Design and Construction;
- Policy PNP4: Conserving and Enhancing the landscape;
- Policy PNP5: Non-designated Heritage Assets and;
- Policy PNP8: Transport

These representations build upon representations made to the Regulation 14 consultation and take into account changes made to the consultation document since then.

In responding to the Regulation 16 document, CAP welcome the opportunity to engage with Polesworth Parish Council in the production of their Neighbourhood Plan.

### **Policy PNP1: Protecting Local Open Green Space**

PNP1/8 – Hoo Monument, is wholly within CAP's ownership and is proposed to be designated as Local Green Space (LGS). In identifying the site as LGS, the Parish Council should be mindful of Planning Practice Guidance (PPG)<sup>1</sup> which is clear that designating LGS must not undermine the aim of plan making to identify sufficient land in suitable locations to meet identified development needs. Adequate evidence and justification are therefore required for the designation of LGS on a site already allocated for development in the adopted Local Plan.

We do not consider that such evidence has been provided, as required by NPPF paragraph 105 & 106. Appendix 1 of the NP provides justification, but this is weakened by the fact it states that: "the monument appears as one of the heritage assets protected by this plan's Policy PNP5." This should not be used as justification, as the NP is not made, so therefore the designation is not confirmed.

<sup>1</sup> Planning Practice Guidance - Paragraph: 007, Reference ID: 37-007-20140306



The table in appendix 1 states that: “1.83 hectares of land surrounding the Monument is identified for Local Green Space designation” but at Para 5.7 of the NP it states that: “The Parish Council suggest that this green buffer should be a significant area of around 10 hectares to protect the monument...” we consider this to be overly prescriptive and inconsistent.

There is therefore a conflict between the size of the area proposed to be a buffer to the monument as a: “buffer” and that proposed to be LGS. Although an area of LGS is shown on the proposed policies map, the provision of two different measurements suggests that the Parish Council is not clear what the size of the buffer is, and therefore brings into question justification for the LGS.

### **Policy PNP3 – Sustainable Design and Construction**

**a) It promotes or reinforces local distinctiveness of Polesworth, Warton and Birchmoor by demonstrating that appropriate account has been taken of existing good quality examples of street layouts, blocks and plots, building forms and styles, materials and detailing and the vernacular of the settlement;**

Clarification is still sought on what local distinctiveness should be measured. The requirement for applications to address local distinctiveness is not justified and does not meet the basic conditions clause (e).

**(b) It is designed in such a way so as to make a positive use of local landform, trees, hedgerows and other vegetation and for larger proposals has had suitable regard to landscape setting and settlement pattern;**

CAP maintain their previous comment that the requirement for development to have suitable regard to the existing settlement pattern may not be totally desirable or sustainable. Polesworth is a ribbon development that has built up to house workers in local industries such as mining around Polesworth’s original settlement. This is not a sustainable pattern of development, and is the reason why replicating or having regard to it is problematic in design terms.

**(e) It includes sufficient amenity space to serve the needs of the development and its users;**

CAP previously sought clarity on the elements of ‘sufficient amenity space’. North Warwickshire have no nationally described space standards in the Local Plan. Basic conditions e is that the Neighbourhood Plan should be in general conformity with strategic policies contained within the adopted local plan. The Neighbourhood Plan as drafted does not meet this condition.

The policy should be updated to include wording of ‘wherever possible’ before “sufficient amenity space” to ensure it is clear the Neighbourhood Plan is not making a requirement contrary to the adopted Local Plan.

**(f) It includes appropriate boundary treatments that reflect local context and landscaping using predominantly native species to support a net-gain for wildlife. It provides highways for hedgehogs by allowing access through boundary walls and fences;**

We continue to request clarification from the Parish Council on what is ‘appropriate boundary treatments that reflect local context’. As previously stated, the local context of Polesworth is not uniform and there are no examples or specific requirements.

In addition, we previously sought clarity on whether net gain for biodiversity and net gain for wildlife are the same or different. A definition is required to make it clear what is being asked for in both instances and if this is linked to the supporting text requirement to ‘allow hedges to grow by reducing cut rotation intervals to 3 yearly intervals for wildlife benefits;’ (pg.38 of the Regulation 16 consultation document).

**(i) It includes measures that seek to improve pedestrian facilities and linkages in the Parish and beyond to encourage walking and cycling, wherever possible;**

A draft Neighbourhood Plan must meet the basic conditions, if it is to proceed to referendum. One of the basic conditions is that the Neighbourhood Plan is to have regard to national policies. Consequently, if the requirements for developer contributions to be justified against the tests in Regulation 122(2) of the CIL Regulations (2010) is not made clear, then the Polesworth Neighbourhood Plan will not meet all the basic conditions.

We consider that the wording 'pedestrian linkages in the Parish and beyond' is not reasonable in scale and kind of development and therefore, the requirements of Clause i does not meet the tests of Regulation 122(2) of the CIL Regulations (2010).

**(j) It makes a contribution to local identity, and sense of place. Proposals should not feature generic designs and should set out how they take account of the locally distinctive character of the area in which they are to be located within any submitted Design and Access Statement;**

As previously commented in response to the Regulation 14 draft plan, there is no definition provided for what generic design entails and this is similarly not addressed or defined in the reference to local identity.

Paragraph 132 of the NPPF states that plans should, at the most appropriate level, set out a clear design vision and expectations. This then ensures applicants have as much certainty as possible on what is likely to be acceptable.

**(k) It respects the height of the buildings in the immediate surrounding area. Future housing development will generally be expected to be no more than two storeys;**

We support the changes to the clause wording that reflects 'generally' allowing a degree of flexibility for more than 2 storeys, however the wording: 'some circumstances' remains restrictive and this clause should comply with NPPF Paragraph 133 that degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.

As previously commented above in clause j, there is no definition on what constitutes the local identity and this should be clearly defined to give clarity on other matters in respect of height and generic design.

**(l) It uses, and where appropriate re-uses, local and traditional materials appropriate to the context of the site, or suitable high quality alternatives that authentically reinforce or positively contribute towards local distinctiveness;**

We request clarity on what local and traditional materials are, as these vary across the Parish. A consideration of costings and availability of local materials is also necessary and we suggest that the wording: 'case-by-case analysis of what is suitable will be considered' should be added to the end of this requirement.

**(m) It contributes to reducing carbon emissions by incorporating measures to reduce energy consumption (e.g., building orientation, siting, areas for outdoor drying) and, where possible, sources of renewable energy. Where such features are included, they should be appropriate in scale to the building of good design and well sited. Such features should also be sympathetic to the surrounding area;**

We acknowledge that following the Regulation 14 consultation, the Parish has added the wording 'wherever possible', which is less restrictive.

However, we still wish to raise that from our experience of working with national housebuilders, the optimum orientation and siting of all dwellings on a development is often not possible due to the viability of providing optimal conditions. A site-specific assessment should be required of the relative merits of providing measures to reduce energy consumption on a new development.

**(r) It has appropriate car parking in accordance with locally adopted standards. Car parking should be sited in such a way that it is unobtrusive, does not dominate the street scene, and minimises the visual impact of car parking;**

As previously commented in response to the Regulation 14 consultation, whilst we agree that car parking for new developments should be in accordance with locally adopted standards, it should be noted that housebuilders cannot be reasonably expected to control the level of parking on public highways. Although a developer can design parking that does not dominate the street scene, once housing is occupied, this is outside of the developer's control. Furthermore, where pressure is placed on making the best use of land, then the consequence can be reduced provision for on plot parking.

**(s) It links to existing rights of way and does not restrict the use and enjoyment of such routes;**

It should be considered that for development to come forward in the Parish, there will likely be requirements for Public Rights of Way to be stopped up, diverted or re-provided elsewhere. This is a normal function of development coming forward. Therefore, it is not realistic for development that has a Public Right of Way running through it, to not have an impact in the short term.

**(t) All new residential development should provide external wall-mounted charging points for plug-in and other ultra-low emission vehicles for each dwelling that is to have a private drive or garage. Where communal car parking is provided this should also contain charging points. Larger homes, such as those with 3 bedrooms or more, should consider providing facilities to charge more than one vehicle at once;**

CAP supports the changes to the clause to include 'should' which we agree provides greater flexibility. We further acknowledge comments made by the Parish that they are: 'aware of the Building Regulations but would seek developers to go further than the expected minimum'. We do not consider this position is justified with appropriate evidence. The evidence base and policy as written does not evidence why Building Regulation requirements<sup>2</sup> should be exceeded.

**(w) Where relevant, applicants will be required to produce a green infrastructure plan. This should demonstrate how the development links to the exiting green infrastructure network and how any open spaces and garden areas will be permeable to wildlife.**

The requirement for applicants to produce a Green Infrastructure Plan is not specified in North Warwickshire Borough Council's Planning Application Validation Requirement document, which was published in 2017.

The parish responded that this is not a blanket requirement following the Regulation 14 draft plan and that they will provide some flexibility 'where relevant', however, if extra requirements for planning applications are needed, North Warwickshire should update their validation criteria to reflect this or remove it from the clause.

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<sup>2</sup> See Infrastructure for charging electric vehicles: Approved Document S



## Policy PNP5: Non-designated Heritage Assets

We wish to comment on the proposed designation of three Non-Designated Heritage Assets (NDHA) within the emerging Polesworth Neighbourhood Plan.

A report in respect of these NDHAs was produced by Node and is referenced in representations made by Savills, on behalf of CAP to the Regulation 14 consultation.

Node have produced a supplementary report to inform the representation made to this consultation. Both reports are submitted with this representation.

We wish to comment in respect of the following proposed NDHAs:

### **‘Saint Helena Road – medieval sunken road’ (Candidate 20)**

We do not agree with the Neighbourhood Plan that the road warrants NDHA status, and query the principle of its candidacy.

The principal reasons are:

- There is insufficient evidence to justify the Neighbourhood Plan's positions as to the road's heritage significance.
- The Neighbourhood Plan defines the form and character of the road in a manner that may erroneously elevate its heritage significance, and, in turn, misidentify it as a "heritage asset"
- The allocation of individual landscape features, such as a rural lane, to the NDHA list may conflict with national policy and guidance.

The nomination of NDHAs anchors on there being sound and sufficient evidence to justify their selection. This is robustly and repeatedly stated in relevant guidance, as follows (emphasis added):

- PPG stresses that "... Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets **are based on sound evidence**" (paragraph 18a-040).
- Historic England's guidance for local heritage listing\* (2nd ed., 2021) states:
  - "... Inclusion on a local heritage list **based on sound evidence and criteria** delivers a consistent and accountable way of recognising non-designated heritage assets." (paragraph 3).
  - "Regardless of the means by which candidate assets are identified, **as a minimum, nominations need to be backed by information of sufficient detail and accuracy to demonstrate that they meet the requirements** set by the selection criteria and by national planning policy" (paragraph 43).

Without sound and sufficient evidence, it is not possible to determine:

- If and why something is of heritage interest (the "nature" of significance);
- How significant something is relative to the local, regional and national context (the "level" of significance);
- Define the physical and geographical limits of features of heritage interest (the "extent" of significance).

Without determining the nature, level, and extent of heritage significance, it is not possible to:

- Conclude that something has a degree of heritage significance sufficient to merit its consideration in planning decisions as a NDHA (in line with PPG paragraph 18a-039);

- Understand the impact of potential development upon that significance;
- Weigh such impacts within the planning balance in a manner proportionate to the level of significance, and the degree of impact upon it (as required by NPPF section 16 and local plan policy LP15).

In short, an NDHA candidacy is only sound when the evidential threshold is met to both prove and accurately qualify heritage significance. This is to ensure compliance with PPG paragraph 18a-040 and Historic England's guidance for local heritage listing\* (2nd ed., 2021). Without doing so, basic condition a is not met.

## Recommendations

- The Neighbourhood Plan should be amended to cite sound and sufficient evidence (as required by Historic England's guidance for local heritage listing (2nd ed., 2021), as to the stated heritage significance of St Helena Road, and its claimed historical connections between a deserted medieval settlement and Polesworth Abbey.
- Should this not be possible, St Helena Road should be removed from the list of candidate NDHAs, and consideration be given to how alternative policies and provisions for landscape character can support the parish's objectives.

### **'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site' (Candidate 22).**

There are several indicators of past human activity on and around Hoo Hill that suggest a potential for past occupation, and remnant buried archaeology associated to it. That potential is used as a core justification for the nomination for NDHA status; however, and importantly, there is no certainty as to the actual presence and importance of such archaeology.

The distinction between hypothesis and evidence has not seemingly informed the candidacy of Hoo Hill as an NDHA. We note the Neighbourhood Plan:

- Attests that the site holds archaeological interest pertaining to an Iron Age hill fort and the site of a medieval chapel, despite recognition that further investigation is required to determine the actual presence and importance of buried archaeology, including "... thorough survey including Lidar and geophysics before a full archaeological excavation to identify the precise location..."
- Determines the hypothesised buried archaeology indicates the site is of "... immense importance to both the Iron Age and medieval monastic history of the area...", despite the lack of evidence to substantiate such a position, and the high level of planning weight that would be applied to a site of "immense" significance.
- Allocates a seemingly "blanket" NDHA status across the hill on account of an unknown and unsubstantiated extent of archaeological deposits.

In conclusion, the NDHA nomination is currently too reliant on conjecture and, in turn, is not supported by sufficient, sound evidence as to the presence, survival, and significance of archaeological materials. This is to ensure compliance with PPG paragraph 18a-040 and Historic England's guidance for local heritage listing\* (2nd ed., 2021), and therefore basic condition a is not met.

## Recommendations

- Remove 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site', from the list of non-designated heritage assets.
- Establish a new list/appendix of 'Areas of archaeological potential'

- Include 'Site of the Hoo Chapel, off Grendon Road and possible Iron Age hill fort site' and any other comparable candidates within the 'Areas of archaeological potential' category.
- Amend the title of Policy PNP5 to ***"Non-designated heritage assets and areas of archaeological potential"***.
- Amend Policy PNP5 with the additional paragraph: ***"Where development is proposed within the areas of archaeological potential identified in this plan, a proportionate programme of assessment and evaluation will be undertaken to determine the presence of buried archaeology, and the nature, level, and extent of its archaeological interest. Impacts to identified non-designated heritage assets of archaeological interests will be considered in line with the relevant policies of the national, local and neighbourhood planning frameworks."***

We request that the NP is amended to take on board the points and recommendations raised by Node.

A copy of both assessments are submitted with these representations.

### **Policy PNP8: Transport**

The policy sets out infrastructure projects that will be brought forward during the plan period. In particular reference is made to Bridge Street improvements, Polesworth. It should be made clear that development is only required to deal with adverse impacts created as a result and not rectify general existing problems. This is clearly set out under Regulation 122(2) of the 2010 CIL Regulations. Paragraph 57 of the NPPF sets out that planning obligations should meet all of the following:

- Necessary to make the development acceptable in planning terms;
- Directly related to development and;
- Fairly and reasonably related in scale and kind to the development.

The improvements set out in Policy PNP8 should not be a blanket requirement for development across the Parish in order to be compliant with paragraph 57 of the NPPF and meet the basic conditions set out in the PPG<sup>3</sup>.

We trust that the above and overleaf is helpful. Please do get in contact should you wish to discuss the submission in further detail.

Yours sincerely



Joseph Cramphorn  
Associate

Encs.

Polesworth Neighbourhood Plan Reg 14 – Review of candidate non-designated heritage assets (Node, May 2023)  
Polesworth Neighbourhood Plan Reg 16– Review of candidate non-designated heritage assets (Node, August 2024)

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<sup>3</sup> Planning Policy Guidance Paragraph: 065 Reference ID: 41-065-20140306



## Land East of Polesworth and Dordon

Response to Polesworth Neighbourhood Plan Regulation 16 Consultation

September 2024

On behalf of **Bloor Homes, St Philips and IM Land**

Project Ref: 33313462900 | Rev: A | Date: September 2024

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## Document Control Sheet

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**Project Ref:** 33313462900

**Report Title:** Response to Polesworth Neighbourhood Plan Regulation 16 Consultation

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**Date:** 4<sup>th</sup> September 2024

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Revision	Date	Description	Prepared	Reviewed	Approved

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# 1 INTRODUCTION

- 1.1.1 Stantec are instructed by Bloor Homes, St Philips and IM Land to submit representations to the Polesworth Neighbourhood Plan Regulation 16 consultation in respect of their land interests at Land East of Polesworth and Dordon.
- 1.1.2 This representation has specific regard to the policies relating to the adopted North Warwickshire Local Plan (the 'NWLP') Site H4, Land East of Polesworth and Dordon which combined our clients control the majority of the allocation.
- 1.1.3 We have previously met with Polesworth Parish Council and would like to continue to engage with them both through the preparation of the Polesworth Neighbourhood Plan (PNP) and as the preparation of planning applications for the site progress.

## Basic Conditions

- 1.1.4 The Regulation 16 version of the PNP will need to demonstrate it has met the 'Basic Conditions' as set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (alongside procedural compliance matters). In order to meet the Basic Conditions the Neighbourhood Plan must:
  - a) have regard to national policies and advice contained in guidance issued by the Secretary of State (i.e. the National Planning Policy Framework ('NPPF') and the Planning Practice Guidance ('PPG'), especially Chapter 41 on Neighbourhood Planning);
  - d) contribute to the achievement of sustainable development;
  - e) be in general conformity with the strategic policies contained in the development plan for the area (in this case, the North Warwickshire Local Plan (2021) and the Warwickshire Minerals Local Plan (2022));
  - f) be compatible with and not breach retained EU obligations; and
  - g) meet prescribed conditions and comply with prescribed matters (namely the plan not breaching the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017).
- 1.1.5 Our representations are submitted with these Basic Conditions in mind and identify a number of parts of the Regulation 16 version of the PNP which do not meet the Basic Conditions, as presently drafted. We would ask Polesworth Parish Council to consider these and amend the Neighbourhood Plan.
- 1.1.6 Stantec submitted representations on behalf of Bloor Homes, IM Land and the Church Commissioners for England in May 2023 to the draft PNP Regulation 14 draft in respect of their land interests at Land East of Polesworth and Dordon. These previously submitted representations concluded that the draft PNP breached the basic conditions and would require amendments before it could proceed to submission under paragraph 6 of Schedule 4B and Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. See below.

\*Please note, Bloor Homes and St Philips have recently acquired the Church Commissioners for England's freehold interest at Polesworth and Dordon.
- 1.1.7 In summary, we consider that the Regulation 16 version of the PNP has not addressed the requested changes required to the Neighbourhood Plan, and therefore requires amendments in order to meet the basic conditions and other matters that the independent examiner is required to consider under paragraph 8 of Schedule 4B to the Town and Country Planning Act

1990 (as amended). We would request our responses, if not included in the next version of the Neighbourhood Plan, are considered at examination.

### **The Development Plan, Policy LP37 – Site H4**

- 1.1.8 The North Warwickshire Local Plan was adopted in September 2021. Policy LP37: Housing Allocations allocates Site H4 (Land to the East of Polesworth and Dordon) for a minimum of 1,675 homes during the plan period and a minimum of 2,000 homes for the site as a whole. The allocation also includes the provision of:
- two form entry primary school;
  - retail and health facilities;
  - network of footpaths and cycle ways;
  - multi-functional Green Infrastructure network; and
  - formal playing pitches.
- 1.1.9 Figure 1 of Policy H4 provides an indication of how the site allocation is to come forward. The detail will be in the Framework Masterplan and Design Guide, which is to be developed for the whole site by the landowners, alongside and approved by NWBC. The PNP is pre-empting this exercise which has yet to be carried out and therefore not in general conformity with the adopted Local Plan.
- 1.1.10 Policy H4 sets out that a Masterplan Framework and Design Guide should be developed for the whole site by the landowners prior to planning permission being granted for the site, in conjunction with and approved by the Borough Council. Such that development will take place in accordance with the Framework and Design guide to ensure that development for the whole site is delivered in a comprehensive and co-ordinated manner including addressing the setting, significance and enhancement of the designated and non-designated heritage assets within and close to the site.

## 2 NEIGHBOURHOOD PLAN POLICY REVIEW

- 2.1.1 This Section addresses the policies and supporting text in the order they appear in the Regulation 16 version of the PNP. All references to remove or amend the text are shown as requested modifications which should be made prior to the Plan proceeding to examination.

### 2.2 Policy PNP1 – Protecting Local Green Space

- 2.2.1 Policy PNP1 seeks to protect a number of Local Green Spaces, which are shown on the Policies Map, and states that “Development, including enhancements, and expansion, where practicable and feasible, of the designated Local Green Spaces will be supported when consistent with national planning policy for Green Belt”.
- 2.2.2 PNP 1/8 (Hoo Monument) lies within the Site H4 Allocation, and an area of Local Green Space is proposed by the Neighbourhood Plan around the monument. Paragraph 5.7 of PNP1 states that Hoo Hill and the monument should be protected by a significant green buffer around it. It sets out that “Hoo Hill and monument identified as a Local Green Space of 1.83 hectares should also be protected within a wider green buffer. This will help to conserve in situ heritage assets of archaeological value. The Parish Council suggest that this green buffer should be a significant area of around 10 hectares to protect the monument, enable it to be maintained properly and also enable people to be aware of its significance to the history of Polesworth and surrounding area. This green buffer would be a focal point within the development.”. See our response below.
- 2.2.3 Stantec note in the Regulation 16 version of the PNP there are some minor wording changes to Policy PNP1 in comparison to the draft PNP and at paragraph 5.7 the Hoo Hill and monument is now identified as a Local Green Space of 1.83 hectares alongside the green buffer which the PNP describes as a “significant area of around 10 hectares” which was identified previously in the draft PNP and remains in the Regulation 16 version of the PNP. Stantec are disappointed to note that the changes requested to draft Policy PNP1 from the previous representations have not been addressed in the Regulation 16 version of the PNP and the identification of the green buffer around Hoo Hill of around 10 hectares remains in the Plan.
- 2.2.4 In addition to the above, the following text has been added into the Regulation 16 version of the PNP at ‘Appendix 1. Local Green Space Assessment’ for the ‘Hoo Monument/PNP1/8’ as follows: *“1.83 hectares of land surrounding the Monument is identified for Local Green Space designation. The Parish Council also suggest that a wider green buffer is identified to help protect this site – see paragraph 5.7 of the PNP.”*.
- 2.2.5 Stantec agree with the Polesworth Neighbourhood Plan Working Group (‘PNPWG’) that the Hoo Monument is an important local heritage asset and recognise that the development of the H4 site should be delivered in a coordinated manner in respect of the Hoo Monument and its setting however the precise nature of the green buffer around the monument as specified in Policy PNP1 is and conflicts with Framework Masterplan and Design Guide exercise required by Policy H4 of the adopted North Warwickshire Local Plan.
- 2.2.6 The North Warwickshire Local Plan is clear through Policy H4 that a Framework Masterplan and Design Guide should be developed for the whole site by the landowners, alongside and approved by NWBC, which addresses heritage assets.

*“Before planning permission is granted for development on the site, a Masterplan Framework and Design Guide for the whole site will be prepared by the landowners, in conjunction with and approved by the Borough Council. Development will take place in accordance with the Framework and Design guide to ensure that development for the whole site is delivered in a comprehensive and co-ordinated manner including addressing the setting, significance and*

*enhancement of the designated and non-designated heritage assets within and close to the site, through the siting and design of new development will ensure a high quality of place is created respecting the separate identities of Polesworth and Dordon.”*

- 2.2.7 Policy PNP1 therefore pre-empts this Framework Masterplan exercise and assessment of significance, so is in conflict with the Local Plan as it seeks to introduce Hoo Hill and the monument as an area of Local Green Space of 1.83 hectares and a green buffer of around 10 hectares. It is not in the remit of the Polesworth Neighbourhood Plan Working Group ('PNPWG') to seek to predetermine or restrict the masterplan through Local Green Space Designations and this therefore breaches Basic Condition (e).
- 2.2.8 Part c) of Paragraph 102 of the NPPF is clear that Local Green Space designations should be “local in character and is not an extensive tract of land”. A designation of “*significant area of around 10 hectares*” is a significant amount of land which is inappropriate for a Local Green Space designation and one which fails to comply with the NPPF, thus breaching Basic Condition (a).
- 2.2.9 Furthermore the PPG states at Paragraph 41 that “*a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.*”<sup>1</sup>. The Parish Council’s justification for this ‘significant area’ is in regard to its “*significance to the history of Polesworth and surrounding area*”. However, no evidence or assessment has been supplied to demonstrate its significance to either the history of Polesworth or the surrounding area and therefore allocating a local green space designation of ‘around’ 10 hectares is wholly without justification and outside the remit of the Neighbourhood Plan to prescribe such a designation of this size without sufficient reasoning.
- 2.2.10 The North Warwickshire Local Plan is clear that the assessment of significance of the relevant heritage assets to the H4 site should be undertaken by the landowners through the Framework Masterplan and Design Guide:
- “Development will take place in accordance with the Framework and Design guide to ensure that development for the whole site is delivered in a comprehensive and co-ordinated manner including addressing the setting, significance and enhancement of the designated and non-designated heritage assets within and close to the site”*
- 2.2.11 This is further justification that Policy PNP1 conflicts with the North Warwickshire Local Plan and breaches Basic Condition (e).

#### **Requested Modification 1 -**

- 2.2.12 The proposed designation of Local Green Space at Hoo Monument (PNP1/8) should be removed from Policy PNP1. The supporting text at Paragraph 5.7 and the additional text for the ‘Hoo Monument/PNP1/8’ site in Appendix 1 should also be deleted.
- 2.2.13 In this instance ‘PNP1/8 – Hoo Monument’ should be removed from the list of designated Local Green Spaces in Policy PNP1 and Appendix 1, and Paragraph 5.7 should be worded as follows:
- 2.2.14 *“Hoo Hill and monument should be retained and enhanced as a public open space in accordance with Policy H4 of the North Warwickshire Local Plan which states that the landowners of the H4 site will prepare a Framework and Design Guide to be approved by North Warwickshire Borough Council. The details of this open space and the protection of this monument will therefore be determined through this Framework and Design Guide. The*

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<sup>1</sup> Paragraph: 041 Reference ID: 41-041-20140306

*Framework and Design Guide will ensure that development will address the setting, significance and enhancement of the listed Obelisk and Hoo Hill monument.”*

## 2.3 PNP3 – Sustainable Design and Construction

- 2.3.1 Policy PNP3 of the Regulation 16 version of the PNP adds a requirement for the Polesworth Design Code to be used in the development process as follows:

*“The Polesworth Design Code should be used by all those involved in the development process to ensure good design is achieved.”*

- 2.3.2 The following is proposed to be added to paragraph 5.13 *“The PNP seeks to achieve this national planning policy aim through implementation of Policy PNP3 and through the Polesworth Design Code that accompanies the PNP. The two documents should be read together to inform design proposals and decision making.”*

- 2.3.3 **Requested Modification 2** – The Polesworth Design Code is not included in this consultation for review or comment and therefore it is wholly inappropriate for the PNP to progress to towards examination with a Policy requiring all those involved in the development process to accord with a Design Code that is not available to comment on now. Therefore, this Policy fails to comply with the requirement of Paragraph 41 of the PPG for Neighbourhood Plan policies to be supported by appropriate evidence thus both references to Polesworth Design Code should be removed.

- 2.3.4 PNP3 sets out that to ensure good design is achieved, development should be designed to take account of, and will be assessed against, a set of criteria, where relevant.

- 2.3.5 The second paragraph of the draft Policy states that *“developments should seek to exceed minimum standards for energy efficiency and resource use...”*.

- 2.3.6 **Requested Modification 3** - This requires proposals to go above and beyond the minimum standards set out locally and nationally and therefore places an additional burden on Applicants, which could be overly onerous. The wording does not set out the extent by which developments should ‘exceed’ the minimum standards and is therefore not sufficiently precise. As such, the wording should be amended to ensure developments ‘achieve’ minimum standards:

*“Development should seek to ~~exceed~~ **achieve** minimum standards for energy efficiency and resource use and seek to be carbon neutral, thereby making a contribution to reducing the effects of climate change.”*

- 2.3.7 Part (c) of this policy relates to wildlife and habitats and states:

*“It conserves or enhances existing wildlife habitats and incorporates new native planting (if appropriate to the site and its context) and landscaping that create new habitats, nesting (e.g., for birds and bats), encourages pollinators and provides foraging opportunities. Overall, a net gain in biodiversity should be demonstrated”.*

- 2.3.8 **Request Modification 4** - This criteria should be amended to allow flexibility in the achievement of all components of the draft policy, to allow site-specific circumstances to be taken into consideration, as follows:

*“It conserves or enhances existing wildlife habitats and incorporates new native ~~planting (if appropriate to the site and its context)~~ and landscaping that create new habitats, nesting (e.g., for birds and bats), encourages pollinators and provides foraging opportunities, **if appropriate to the site and its context**. Overall, a net gain in biodiversity should be demonstrated.”*



2.3.9 Part (k) of this policy relates to building heights and states:

*"It respects the height of the buildings in the immediate surrounding area. Future housing development will generally be expected to be no more than two storeys."*

2.3.10 **Requested Modification 5** - Policy LP30 of the North Warwickshire Local Plan sets out general principles for built form and how the layout, form and density of development should reflect the existing pattern, character and appearance of its setting. Policy LP30 does not restrict the height of new development to a specific number of storeys, therefore Part (k) of draft Policy PNP3 is too onerous and should be amended to remove reference to two storey buildings as follows:

*"It respects the height of the buildings in the immediate surrounding area. ~~Future housing development will generally be expected to be no more than two storeys.~~"*

2.3.11 **Requested Modification 6** - Part (t) of this policy relates to electric vehicle charging and states:

*"All new residential development should provide external wall-mounted charging points for plug-in and other ultra-low emission vehicles for each dwelling that is to have a private drive or garage. Where communal car parking is provided this should also contain charging points. Larger homes, such as those with 3 bedrooms or more, should consider providing facilities to charge more than one vehicle at once."*

2.3.12 Policy LP35 (Parking) of the North Warwickshire Local Plan sets out the requirement for electric vehicle charging points for new homes with on-site parking. This policy does not require the provision of multiple charging points at a single dwelling, regardless of size, and the inclusion of this within draft Policy PNP3 would go above and beyond the requirements of the Local Plan. As such, Part (t) of this policy should be amended to omit this requirement:

*"All new residential development should provide external wall-mounted charging points for plug-in and other ultra-low emission vehicles for each dwelling that is to have a private drive or garage. Where communal car parking is provided this should also contain charging points. ~~Larger homes, such as those with 3 bedrooms or more, should consider providing facilities to charge more than one vehicle at once.~~"*

2.3.13 **Requested Modification 7** - Parts of Policy PNP3 are onerous and in excess of the requirements of the Local Plan and National policies and advice, whilst some aspects do not allow for the flexibility of its application on a site-specific basis. The Policy therefore breaches Basic Conditions (a) and (e) and should be amended to ensure compliance with the Local Plan and to allow for flexibility in the application of the requirements.

## **2.4 PNP4 – Conserving and Enhancing the Landscape**

2.4.1 Policy PNP4 seeks new development to conserve, enhance and restore the landscape of the Neighbourhood Plan area. The text supporting the policy states at paragraph 5.18 that "The neighbourhood area is also valued for the surrounding local countryside"; that there is "valuable separation between the settlements"; and that "the countryside is valued for the visual and other qualities of the local landscape."

2.4.2 Paragraph 180 of the NPPF states that "planning policies and decisions should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value..."

2.4.3 The definition used by the Landscape Institute in Technical Guidance Note (TGN) 02/21 'Assessing Landscape Value Outside National Designations', states: "A "valued landscape" is an area identified as having sufficient landscape qualities to elevate it above other more



*everyday landscapes.*” [Noting that ‘Everyday’ landscapes may nevertheless have value to people].

- 2.4.4 Whilst the text supporting of Policy PNP4 references the National Character Area 97 (Arden) which Polesworth Parish lies within and the North Warwickshire Landscape Character Assessment, the Policy has not been supported by any Neighbourhood Plan level landscape assessment work undertaken by a qualified consultant. These parts of the Policy and supporting text breach Basic Conditions (a) and (e) as they seek to determine the value of the landscape without the appropriate assessment by a qualified consultant or expert. The use of the word “value” with reference to landscapes should therefore be removed.
- 2.4.5 **Requested Modification 8** - The opening sentence of Policy PNP4 should revert back to the previous wording of this sentence in the Regulation 14 version of the PNP which states that new development should “*conserve or enhance the local landscape*”. The Policy in the Regulation 16 version of the PNP fails to meet Basic Condition (a) to have regard to national policies. As detailed above in paragraph 2.4.2, the NPPF includes requirements to protect and enhance valued landscapes but there is no such reference to restoring landscape character and therefore the requirement in Policy PNP4 for new development even “*where appropriate*” to “*restore*” landscape character should be removed as it goes beyond the requirements of national policy.
- 2.4.6 **Requested Modification 9** - Part (f) of Policy PNP4: “*seeks to minimise the encroachment of development into visually exposed landscapes and where development is proposed on the edge of the village, it enhances views of the settlement edge from the surrounding countryside and does not lead to inappropriate incursion into the surrounding countryside by reason of its siting, design, materials or use of landscaping.*”.
- 2.4.7 Site H4 which is allocated in the North Warwickshire Local Plan is located at the edge of Polesworth and neighbouring settlement Dordon. Part (f) of Policy PNP4 is not sufficiently clear and unambiguous in that it does not consider this large, allocated Site which is located at the edge of Polesworth within the proposed wording for this Policy. The Policy therefore breaches Basic Condition (a) as it has not had due regard to national guidance on the drafting of this policy wording about an allocated site within the Local Plan, therefore also breaching Basic Condition (e). It should be amended to either appropriately acknowledge Site H4 or omit reference to edge of settlement development.

## 2.5 PNP5 – Non-Designated Heritage Assets

- 2.5.1 Policy PNP5 seeks to identify non-designated heritage assets to be conserved in a manner appropriate to the significance of the asset. Supporting paragraph 5.28 states that the policy “*identifies the key non-designated heritage assets in the town*” and that NWBC are in the process of preparing a Local List. The PNPWG have identified a list of sites “*as suitable for Local Listing as part of the Neighbourhood Plan process*”. Detailed assessments of the reasoning for identifying the ‘assets’ are set out in Appendix 2 of the PNP.
- 2.5.2 Non-designated heritage assets are defined in the PPG as “*...buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.*”<sup>2</sup>
- 2.5.3 North Warwickshire Borough Council does not currently maintain a list of buildings of local interest.

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<sup>2</sup> Paragraph: 039 Reference ID: 18a-039-20190723

- 2.5.4 The PPG sets out that *“a substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets.”*<sup>3</sup>
- 2.5.5 The identification of sites in the PNP has not been supported by appropriate evidence from a suitably qualified individual to justify the conclusions made. This draft Policy does not formally make the sites ‘non-designated heritage assets’ for the purpose of Paragraph 203 of the NPPF. This is a mis-representation of the legislation and therefore conflict with Basic Condition (a).
- 2.5.6 **Requested Modification 10** - As currently drafted and presented, the whole of draft Policy PNP5, Appendix 2 and the supporting text are in breach of Basic Condition (a) and should be deleted. It would be more appropriate to record the current position with the applications for Local Listing with NWBC within the supporting text.

## 2.6 PNP8 – Transport

- 2.6.1 Policy PNP8 requires three named infrastructure projects and two unnamed infrastructure projects to be brought forward during the Local Plan period. Two are in Warton and one is to the north of the H4 Site in Polesworth. The improvements to the Bridge Street / Market Street junction, known locally as ‘The Square’ are described in the PNP as a traffic signalling scheme fully prepared by Warwickshire County Council Highways requiring *“funding to be identified before it can be implemented”*.
- 2.6.2 The supporting text at paragraph 5.38 refers to the Policy H4 site and specifically states that the site will *“...impact significantly on journeys within the neighbourhood area”*. No evidence has been provided to substantiate this claim and as a reminder Policy H4 in the North Warwickshire Local Plan requires *“a comprehensive transport assessment for the development and setting out the details of: new vehicular access arrangements onto the A5; north/south highway links from the A5 to the B5000, to distributor road standard; a legible road and movement hierarchy for the whole development; and off-site improvements to the local and strategic road network, with particular regard to the Long Street/New Street and the canal bridges of the B5000”* and therefore it is considered improper and premature to make assumptions on how the journeys within the neighbourhood area will be impacted prior to the transport assessment being undertaken for the site.
- 2.6.3 **Requested Modification 11** - The supporting text at paragraph 5.38 lacks the appropriate evidence thus it fails to comply with Paragraph 41 of the PPG for Neighbourhood Plan policies to be support by appropriate evidence and it therefore should be reworded accordingly: *“Through the NWLP allocation Policy H4 allocates 2,000 new homes (1,675 to be delivered within the plan period); ~~this will impact significantly on journeys within the neighbourhood area.~~”*
- 2.6.4 The supporting text for Policy PNP8 at Paragraph 5.40 describes localised issues, particularly at The Square, however no evidence base has been provided to underpin these statements and it is not supported by highways assessment. The final sentence of Paragraph 5.40 states that *“this scheme [The Square junction improvements] is an essential requirement **prior to any further development in Polesworth**”* [our emphasis].
- 2.6.5 Paragraph 115 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- 2.6.6 The supporting text at paragraph 5.40 is overly restrictive and without appropriate evidence. It should be amended to include appropriate evidence, so as not to prevent the Policy H4 site

<sup>3</sup> Paragraph: 039 Reference ID: 18a-039-20190723

allocation to come forward, in accordance with the development plan and national policy, or be deleted from the Neighbourhood Plan.

- 2.6.7 The supporting text to Policy PNP8 should be amended or deleted to ensure that it complies with Basic Conditions (a), (d) and (e).

### 3 Conclusion

- 3.1.1 We support the principle of the Polesworth Neighbourhood Plan, although these representations demonstrate that the PNP does not currently meet the Basic Conditions and we request a number of modifications before it is examined.
- 3.1.2 Given the significance of the delivery of the North Warwickshire Local Plan Site H4 allocation and the 2,000 homes, we consider that a neighbourhood plan hearing would be appropriate, in accordance with Paragraph 9(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended). This would allow the landowners and promoters of Site H4 an opportunity to put forward their case and discuss the practical difficulties identified above. These issues are substantial and relate to the largest allocation within the adopted North Warwickshire Local Plan. They are of fundamental importance, to ensure that the draft PNP does not prejudice the delivery of these 2,000 homes and associated development required by the Development Plan.
- 3.1.3 The landowners and developers of Site H4 would welcome the opportunity to meet with the Polesworth Neighbourhood Plan Working Group to discuss these representations. We also respectfully request that we are kept up to date with the progression of the draft DPNP moving forwards.

**From:** Janet Neale [REDACTED]  
**Sent:** 03 September 2024 16:39  
**To:** planningpolicy  
**Cc:** Susan Wilson  
**Subject:** Fw: Polesworth Neighbourhood Plan - Regulation 16 Consultation  
**Attachments:** Polesworth NDP Policies Map 21.11.23.pdf; Polesworth NP Consultation Statement 19.02.pdf; Polesworth Draft Plan 13.03.23.pdf; Polesworth SEAHRA Screening 19.02.pdf; Polesworth Basic Conditions Statement 19.02.pdf; FRM NDP Comments.pdf

**Caution:** Warning external email

OFFICIAL

Thank you for affording Warwickshire County Council the opportunity to comment on the latest draft of the Polesworth Neighbourhood Plan.

I have shared the details across the County Council and have the following comments to make.

The plan doesn't connect the Parish's priorities to minority groups including people with disabilities, the elderly etc. The document seems to be more focused on protecting their heritage and greenspace which is understandable given where they are, but we feel there is room for more broader consideration how they will make sure ALL members of the community will benefit.

**Market Street/Bridge Street improvements, Polesworth** – The support for this scheme is noted and welcomed by the County Council and remains a priority for implementation.

### **Public Transport (Bus)**

#### All-Electric Bus Provision (Zero Emission Bus Regional Areas 2 (ZEBRA2) Scheme):

The County Council was successful in securing funding from the ZEBRA2 scheme following an announcement by the DfT in March 2024. The Warwickshire ZEBRA2 scheme is an alliance between the County Council, Warwick District Council (as funding partner) and Stagecoach Midlands (as primary funding partner). A total of £4.577million funding contribution has been secured from the DfT (awarded to the County Council) towards the £13.859million cost for introducing 27 all-electric specification buses and supporting charging infrastructure at Stagecoach depots in Leamington, Nuneaton and Rugby. It is anticipated that the all-electric buses should commence operation by March 2025 including on the following commercial bus service presented in Table 1 below:

Table 1: Stagecoach Midlands Bus Services in Warwickshire Enhanced through the ZEBRA2 Scheme		
Service No.	Route Description	Days of Operation
48A	Nuneaton - Hartshill - Mancetter - Atherstone (extending to Grendon - Dordon - Polesworth - Tamworth on Sundays and Bank Holidays only)	Daily

-  
-  
-  
-  
-  
-  
-  
Refreshed  
Warwickshire Bus

#### Service Improvement Plan 2024:

In June 2024, through the Warwickshire Enhanced Partnership (EP) established in December 2022 under Section 138G of the Transport Act 2000 and Section 9 of the Bus Services Act 2017, the County Council and

bus operators have worked in unison to refresh the Warwickshire Bus Service Improvement Plan (BSIP) published in October 2021.

The updated Warwickshire BSIP clearly sets out the vision and plan for improving bus services and increasing bus patronage in the local area in line with the aspirations in the National Bus Strategy and is a light touch refresh of the original Warwickshire BSIP. Therefore, no changes have been made to the vision and BSIP outcomes set out in the original Warwickshire BSIP, which remain as follows:

- A fully integrated bus services on the Warwickshire Bus Network;
- The availability of simple multi bus operator tickets, multi-modal tickets and ‘tap in / tap off’ fare payment, like London;
- Bus priority measures on the local highway network;
- High quality information for all passengers;
- Better turn-up and go (demand responsive transport) service frequencies that keep running into the evening and weekends;
- Growing bus patronage;
- Financial support for buses;
- Other factors that affect bus use, e.g., seeking a change of thinking regarding car parking in town centres to encourage modal shift onto buses; and
- Supporting the Decarbonisation agenda of the County Council and Government and help UK reach net-zero.

The updated Warwickshire BSIP sets out how the County Council will use the framework of an Enhanced Partnership with bus operators to deliver an ambitious vision for travel by bus in Warwickshire by means of introducing measures aimed at helping achieve the patronage growth and increased bus modal share objectives set in the Bus Back Better (National Bus Strategy for England), published in March 2021.

#### Bus Passenger Charter:

Through the Warwickshire Enhanced Partnership (EP) all bus operators have signed up to a passenger charter for Warwickshire, which sets out the high standard of customer care each passenger can expect on every journey and details of a complaints and redress procedure.

#### Securing Continuation of Bus Services:

The County Council has received a programme of Bus Service Improvement Plan (BSIP) Plus revenue grant funding from the Department for Transport (DfT) towards maintaining bus services, considering the continued recovery in patronage levels since the Covid-19 pandemic. One of the bus services to be maintained through use of the funding is as follows:

Table 2: Bus Service in Warwickshire Enhanced through BSIP Plus Revenue Funding Grant 2023-24				
Service No.	Route Description	Days of Operation	Service Frequency	Operator
785/786	Warton - Little Warton - Austrey – Newton Regis - Shuttington - Polesworth – Birchmoor - Amington Tamworth	Daily	8 journeys per day (Mon – Sat)	Arriva Midlands

#### Pursuing Delivery of Other Bus Infrastructure Improvements:

Warwickshire County Council officers continue to seek funding opportunities to secure delivery of other transformational measures on the Nuneaton – Atherstone – Polesworth – Tamworth Boundary bus corridor, such as the following:

- Bus priority measures (to reduce journeys times) by extending green light provision at key traffic signal-controlled junctions;
- Active Real Time Information displays at key bus stops (to provide residents with confidence regarding the actual arrival time of buses);



- Accessibility and waiting environment improvements to existing bus stops, including the provision of bus shelters;
- Launch Warwickshire Multi-Operator Smartcard (to make it simpler and cheaper for residents to use bus services including standardised ticketing);
- Introduce Tap on Tap off technology on buses to simplify payment for tickets and reduce journey times;
- Printing a QR Code at every bus stop (over 3,200) in Warwickshire enabling swift access to bus information in real-time via mobile phone;
- Audio-visual equipment onboard buses;
- Reduced fares promotional activities;
- Improving the quality of roadside bus information; and
- Bus journey planning improvements via WCC website – including information on temporary bus service routing and stopping changes during roadworks.

#### Significant New Development:

The County Council will seek to ensure the developers of significant new residential, commercial and mixed-use sites in Polesworth fund bus service provision and supporting on-street bus infrastructure, which will enable occupiers of the site to have access to relevant existing bus services in line with the National Planning Policy Framework and promoting its connectivity between new development and sustainable transport to facilitate sustainable development. This will contribute towards wider sustainability and provide an attractive alternative, influencing how people travel to access employment, education, health facilities, leisure, amenities and health objectives.

**Public Transport (Rail)** – The County Council is aware of the limited role which rail is able to provide to the local community of Polesworth given the current service of one train per day. We are planning to carry out a study in the second half of this financial year (2024/25) to consider how the existing station could be brought back into full use through the reinstatement of access to the disused ‘Up’ Platform. The aim would be to deliver this as part of the recasting of the West Coast Main Line (WCML) timetable following the opening of HS2. Should it not prove feasible to bring the existing station back into use, the County Council would then begin feasibility work to develop a new station (Polesworth Parkway) which would also be timed to coincide with the opening of HS2 and take advantage of released capacity on the WCML.

**Traffic Management and Casualty Reduction** – With regards to the junction of Barn End Road and Orton Road, enhanced warning road signs have been provided to address the number of collisions at this location. The provision of a ‘Stop’ sign contains the legal requirement that a vehicle must stop at the white line at the junction. A driver commits an offence if he or she fails to bring the vehicle to a complete halt at the line. ‘Stop’ signs can be erected only with the written permission of the Secretary of State for Transport. Permission will be given only in cases where visibility from the side road along the main road falls below certain levels. ‘Stop’ signs erected without this permission are not legal and cannot be enforced by the Police. Consequently, the County Council cannot place one of these signs at a junction unless the visibility standards are met and the Secretary of State has given permission for the sign to be erected. The visibility at this junction is too great to consider this measure.

Concerning speeding traffic within the village, sadly, the poor driving standards which have been described are seen on a daily basis in numerous locations across Warwickshire. The nature of this road should be resulting in the majority of drivers travelling at a speed suitable for the environment, as the speed limit is not a target speed to travel at. We are pleased to be able to advise you that Warwickshire Road Safety Partnership is bringing partners together to improve the approach on how we investigate and respond to residents’ concerns of speeding in their area. A consistent and data-led approach has been developed which considers all types of Personal Injury Collisions reported and average speed data at the location. To report a speed concern please visit <https://warksspeedconcerns.org/> and click on ‘Reporting Speed Concerns.’ In addition, we also provide free of charge a comprehensive road safety education package to all schools within the county, which has proven to be an effective tool. Other initiatives such as an advisory 20mph outside the school can also be considered if funding was provided.

The County Council is aware of a planning application (Reference: NWB/24CC003) for the expansion of Warton Nethersoles Primary School. A suggestion has been made as part of the County Council’s formal

response to the application that funding is requested to provide School Safety Zone measures on Maypole Road which could include an advisory 20mph speed limit.

Having been through the previous response from Flood Risk on the 2023 version it is clear that none of the comments previously provided have been included in the 2024 versions which is disappointing to see. I have attached a copy of previous comments for ease. A number of the comments are more statements of support rather than suggested changes however large parts of Polesworth fall within Flood Zone 2 and 3 with several Main Rivers/Ordinary Watercourses running through the town. It has been stated in the NDP that between 2011-2033, 9598 homes, 100 hectares of employment development and 19 permanent gypsy and traveller pitches will be constructed. As a result, we would welcome a section on how development will be managed in the areas at most risk of pluvial and fluvial flooding and how general flood risk will be managed in the town. We also have several historic reports of flooding in the area with the latest flooding occurring in January 2024 and a subsequent flood group being set up demonstrating the residents do recognise flooding is an issue. We cannot stress strongly enough that flooding is a real issue in the town and we would welcome a section addressing this in the NDP.

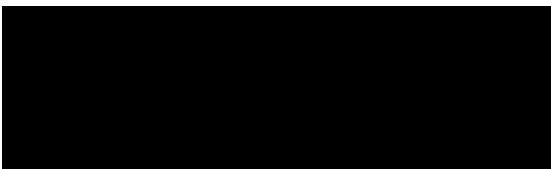
I have received no specific comments from Education although we do need to be aware of the impacts future growth will have on the provision of school places.

I hope this information is helpful but please do let me know if you require anything further.

Kind regards

*Janet*

**Janet Neale**  
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**From:** Susan Wilson <SusanWilson@NorthWarks.gov.uk>  
**Sent:** 10 July 2024 08:15  
**To:** SUE WILSON <swilson15@hotmail.co.uk>  
**Subject:** Polesworth Neighbourhood Plan - Regulation 16 Consultation

Dear Sir / Madam

**Consultation on Polesworth Neighbourhood Plan (Regulation 16)**

Polesworth Neighbourhood Plan has been submitted to the Borough Council for formal consultation.

Under the *Neighbourhood Planning (General) Regulations 2012* and the *Localism Act 2011 – Regulation 16 (publicising a plan proposal) Plan Summary* require the Local Authority to carry out a consultation on the