

From MICHAEL HAYES

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Email:- michael@ardenvale.net

29 March 2016

TO:-
The members of the
Neighbourhood Plan
Working Group

Dear Group Members

Wilmcote and Pathlow
Neighbourhood Development Plan ("the Plan")

The volunteers and council members who are the authors of the Plan deserve our gratitude for giving up their personal time to produce this comprehensive and valuable report.

Without detracting from that, I regret having to raise substantive objections in respect Policies WP1 and WP3. In this connection I have to declare a personal interest in that my wife and I are the owners of the residence and its grounds known as Lark Rise, Station Road.

POLICY WP1-BIODIVERSITY

1. I have to object to the inclusion in the list of Potential Local Wildlife Sites ("PLWS") of our triangular field OS 7239 shown coloured brown on Figure 6 of the Plan ("the Field").

2. The only legal or quasi-legal basis for designating the Field as a LWS is if it is "wildlife rich ---- containing important, distinctive and threatened habitats and species". (DEFRA Local Wildlife Sites Guidance). The Warwickshire County Council Strategy (quoted in the Plan) also states that the selection of a LWS "takes into account the most important, distinctive and threatened species and habitats.

3. It is clear from these and other definitions and guides (which I can refer to if asked) that a LWS can only be selected for its own individual and actual wildlife content and, to quote another guide, if it contains "a special and tightly-knit habitat for a particular or special species which is unique to the area".

4. As I have not been asked to allow access to the Field for the purpose of ascertaining whether it contains any flora or fauna of special interest I assume that no investigation has in fact taken place and that the Group do not have any evidence to that effect.

5. The Field is bounded on three sides by a noisy road, the railway and the canal mooring wharf—not particularly conducive to animal habitation. I have never seen any animal wildlife in the Field other than rabbits and birds.

6. The Field was almost entirely overlaid with building site spoil and clay by a previous owner and it contains no floral or plant wildlife of any distinction. I have since planted it with trees and spring flowers. The fact that the Field may look scenically attractive in comparison with its immediate neighbours is not a valid ground for PWLS designation.

7. The Field therefore contains no more wildlife than any of the other fields in the Parish and I object to its being singled out for special attention. Lest it be thought that I might have something against LWSs, I would be happy to support a proposal to designate the whole of the Protected Biodiversity area shown edged red on Figure 6 as a P LWS. In default of that I request that the Field be removed from the figure 6 plan.

POLICY WP3 - NON-DESIGNATED HERITAGE ASSETS.

8. I have to object to the inclusion in the list of NDHAs of Item nos. 1, 4 and 5.

9. The wording of Item 1 is inaccurate. The Historic Environment Record correctly specifies “THE SITE” of the cement works. The Works were completely demolished over 100 years ago and the site now contains nothing except spoil heaps overlaid with trees and scrub.

10. The wording of Item 4 is inaccurate. The HER correctly refers to “THE SITE” of the kilns. These were entirely demolished over 100 years ago and the site now contains only overgrown spoil heaps.

11. The wording of Item 5 is inaccurate. The HER correctly refers to “THE SITE” of the former railway station. The station and all its ancillary buildings and platforms were completely demolished about 100 years ago and no signs of them remain.

12. The first line of Policy WP3 carries an inaccurate implication in stating “The following NDHAs identified by the HER”. The HER, by its own terms, merely contains lists of items which may or may not lead to their being designated as NDHAs after detailed surveys and investigations. The HER is, as it itself states, purely a record and does not claim to justify or support designations of Heritage Assets. I suggest that it is not a legitimate function of the Plan simply to lift items (even accurately) out of the HER without proper justification.

13. The Group appears to justify its list of NDHAs by reference to The National Planning Policy Framework. The Planning Practice Guidance in relation to that defines NDHAs as one of two types:-

A. of equivalent significance to scheduled monuments

B. of archaeological interest

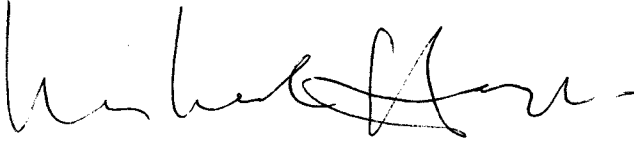
It has not, to my knowledge, ever been suggested that the site of the former Works and kilns and the site of the former railway station are anything more than cleared former

industrial sites without any archaeological remains. It is right that the former existence and use of these structures should be (as they fully are in various sources) recorded, but this is a different consideration from attempting to create a Heritage Asset out of something which does not exist.

14, Having regard to all of the factors mentioned above,I request that Items 1,4 and 5 be removed from the list.

15.It is not part of my purpose in writing to you to comment on any of the other sites listed by the Group but I do urge the Group, as a constructive comment and not as a criticism, to consider whether the Plan might compromise its validity and general acceptance by unnecessarily "gold-plating" it in seeking additional protection for features already well protected by legislation.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Hayes", written in a cursive style.

Michael Hayes