



Witherley Parish Neighbourhood Development Plan 2020 – 2039



The Witherley Parish Neighbourhood Development Plan logo was designed by Witherley C. E. Primary School

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Foreword

The process of creating the Witherley Parish Neighbourhood Development Plan has been driven by Parish Councillors and members of the community and is part of the Government's approach to planning contained in the Localism Act of 2011. Local people now have a greater say about what happens in the area in which they live by preparing a Neighbourhood Development Plan that sets out policies that meet the needs of the community whilst having regard for local and national policies.

The aim of this Neighbourhood Development Plan is to put forward the wishes of the community regarding future development and to deliver local aspirations within the context of the strategic planning framework.

Witherley Parish Council has overseen the development of the Neighbourhood Development Plan but delegated its preparation to a Steering Group and finally to a Committee comprising primarily of Councillors.

The Neighbourhood Development Plan contains a number of policies, including some areas where the Parish Council will support development activity, and other areas such as "Local Green Spaces" that the community seek to protect. These policies have been drafted following engagement with the residents and landowners of Witherley Parish, incorporating the settlements of Atterton, Fenny Drayton, Ratcliffe Culey and Witherley itself.

We are grateful to Officers from Hinckley & Bosworth Borough Council who have supported us through the process and to our community for engaging so enthusiastically in the process. Many hours of volunteer time and expertise have made this Plan possible. The Parish Council would like to express sincere thanks to all the Parishioners who kindly contributed to the preparation of the Neighbourhood Development Plan.

Witherley Parish is an attractive and popular place in which to live and the contribution from people who care about their community and want to make it better for generations to come is greatly appreciated.

Kay Conway

Chairman, Witherley Neighbourhood Development Plan Steering Group (2017 – 2020)

1. Introduction

This is the Submission version of the Neighbourhood Development Plan for Witherley Parish. It has been prepared by the Witherley Parish Neighbourhood Development Plan Steering Group together with the support of three Theme Groups. This process has brought together members of the local community and Parish Councillors and has been led by the Parish Council.

A Neighbourhood Development Plan is a new type of planning document that gives local people greater control and say over how their community develops and evolves. It is an opportunity for local people to create a framework for delivering a sustainable future for the benefit of all who live or work in that community, or who visit it.

As the Plain English Guide to the Localism Act 2011 states, “Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live”.

It enables a community to create a vision and set clear planning policies for the use and development of land at the neighbourhood level to realise this vision. This includes, for example, where new homes and employment units should be built, what new buildings and extensions should look like and which areas of land should be protected from development.

Neighbourhood Development Plans can be general or more detailed, depending on what local people want. They must, however, be in general conformity with Borough-wide planning policies, have regard for national planning policies and must be prepared in a prescribed manner.

Comments received through the pre-submission consultation process have been taken on board and the Neighbourhood Development Plan amended where appropriate, prior to submission to Hinckley & Bosworth Borough Council who will consult on it further before submitting it for Independent Examination where the Plan will be tested for conformity with a range of ‘Basic Conditions’. It must:

- have appropriate regard for national policy;
- contribute towards the achievement of sustainable development;
- be in general conformity with the strategic policies of the Local Development Plan;
- be compatible with human rights requirements and EU obligations.

After that it will be put forward to referendum, where those on the electoral register in Witherley Parish will be invited to vote on whether or not they support it. Over 50% of those voting must vote yes for it to become a ‘Made’ statutory planning document.

After being ‘Made’, each time a planning decision is taken by Hinckley & Bosworth Borough Council, or any other body, they will be required to refer to the Neighbourhood Development

Plan (alongside the Borough's own Local Plan and other relevant documents) and check whether the proposed development is in accordance with the policies the community has prepared.

Full resolution maps are available in the supporting information.

1.1 How the Neighbourhood Development Plan Fits into the Planning System

The right for communities to prepare Neighbourhood Development Plans was established through the Localism Act 2011, which set out the general rules governing their preparation. A Neighbourhood Development Plan forms part of the statutory Development Plan for the area in which it is prepared. This statutory status means that it must be taken into account when considering planning decisions affecting that area.

A Neighbourhood Development Plan is not prepared in isolation. It also needs to be in general conformity with relevant national and Borough-wide (i.e. Hinckley & Bosworth) planning policies.

For Witherley Parish, the most significant planning documents are the Hinckley & Bosworth Core Strategy (2009) and Site Allocations DPD (2016). This sets out the strategic planning framework for the Borough's future development up to 2026. It contains a number of policies and objectives which are relevant to Witherley Parish and in which the Plan must be in general conformity. These policies and objectives span issues such as the provision of new housing; providing strong and sustainable communities; protecting and enhancing historic character and local distinctiveness whilst protecting and enhancing natural habitats; and providing transport systems that reduce the need to travel. The Neighbourhood Development Plan is in general conformity with the policies contained in this document, and also has regard for the emerging Local Plan 2016 – 2039 which is currently being prepared. We have made sure that the Neighbourhood Development Plan takes the latest evidence supporting the Local Plan review into account in its preparation.

Also important is the National Planning Policy Framework (NPPF) updated in July 2021. This sets out the Government's planning policies for England and how these are expected to be applied. The NPPF requires the planning system (including Neighbourhood Development Plans) to promote sustainable development and details three dimensions to that development, as detailed in Section 6 on page 12.

This Plan and the policies it contains are consistent with the NPPF, Hinckley & Bosworth Local Plan and relevant EU legislation. Full details of how the Plan complies with these legislative requirements are set out in the Basic Conditions Statement (to be included with the Submission version of the Neighbourhood Development Plan). Furthermore, these policies

are specific to Witherley Parish and reflect the needs and aspirations of the community.

It is important to note that not having a Neighbourhood Development Plan does not mean that development will not happen. Development will still take place, but without the policies in this Plan, which set out the type of development that is in keeping with our area's character having any effect. Decisions would instead be primarily based on Borough-wide policies rather than local criteria.

2. The Plan, its Vision, Aims and What We Want it to Achieve

The Plan area encompasses the whole of Witherley Parish and covers the period up to 2039, a timescale which deliberately mirrors that of the emerging Hinckley & Bosworth Local Plan.

Our Vision is as follows:

Witherley Parish, valuing its past and its rural identity but planning for the future.

In developing a shared vision, we shall have maintained and enhanced the rural character of Witherley Parish, its heritage, green spaces and vistas. We shall have responded to the needs of its residents by providing a high-quality living and working environment, and ensured that any development is appropriate, sympathetic and better by innovative design.

To achieve this vision, we will:

- ensure that development takes place in the most sustainable locations;
- encourage the right types of development that meets local needs;
- protect important community facilities that are special to the local community;
- promote good and innovative design;
- facilitate appropriate employment opportunities;
- enable the community to have good access to the surrounding countryside and green spaces;
- safeguard open spaces that are important to the community and/or wildlife, and highlight environmental features that must be protected where development does take place;
- improve pedestrian and cycle connections within the Plan area and into the surrounding areas.

3. How the Plan was Prepared

The Parish Council decided to undertake the formulation of a Neighbourhood Development Plan for Witherley Parish and appointed a Steering Group to take the process forward. The Parish Council appointed Neighbourhood Development Plan consultants 'YourLocale' to advise and assist the Steering Group.

The mandate was to drive the process, consult with the local community, gather evidence to support the development of policies and deliver the Plan. The whole of the Parish was designated as a neighbourhood area by Hinckley and Bosworth Borough Council on 3 April 2017.



All Parishioners were invited to initial Community Engagement Drop-In Events which took place across the Parish on three dates in late November 2017. The purpose of the Consultation events was to inform the community on Neighbourhood Development Planning and gain some initial feedback from residents on what they liked, disliked or would like to see or improve within the Parish. A series of display boards and large-scale village maps were set out with each focussing on a topic relating to planning and development.

The turnout was very good, with 114 attendees from across the settlements participating, providing important input into the future development of the Plan.



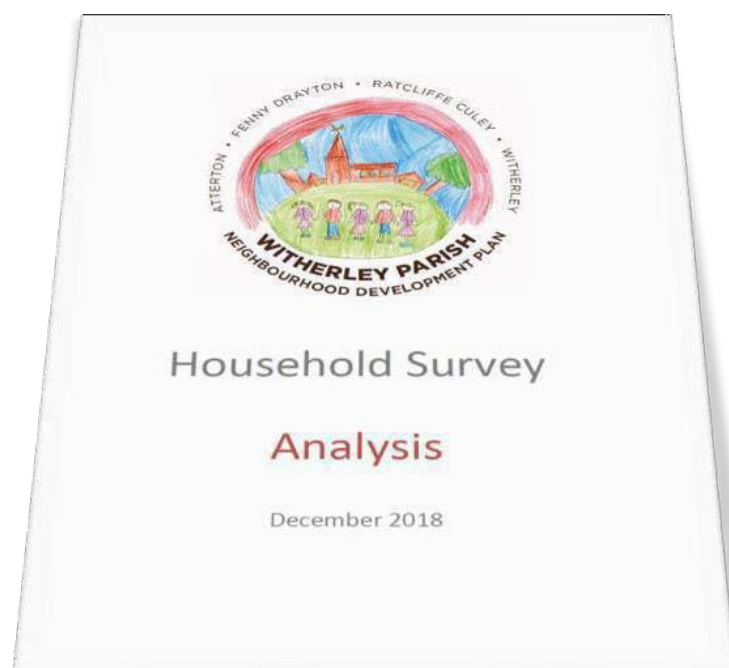
The top issue was Transport with 85 respondents whose comments included public transport, speeding, rat runs and the A5. Housing came next with 84 comments followed by a long list of issues: starter/affordable homes, infrastructure, renewable energy, history and heritage, employment and business, open green spaces, environment, communications, footpaths and bridleways, and lastly flooding.

In February 2018 a Stakeholder Consultation Workshop with landowners, businesses and local groups was held to encourage them to contribute to the core evidence base and inform the ongoing consultation and engagement process.

A comprehensive questionnaire was produced in late 2018 to obtain further information from the community. The questionnaire was distributed to every household in the Parish with an invitation to all householders to respond. A young person's questionnaire was compiled and distributed at the same time. Responses were received from 339 people and provided very clear direction for the Plan and the future of the Parish.

The responses were well thought out, including those from the under 17s who took part. There were few surprises; lack of public transport, speeding traffic, lack of pavements, need for a shop, new development and what type it should be if we have to take any, lack of leisure facilities, broadband speeds, mobile phone reception, sewerage problems, flooding were all included in the concerns. On the other hand, nearly everyone valued our green open spaces and vistas, and the rural nature of our Parish.

An independent analysis of the questionnaire was completed and made available on the Parish Council website.



Theme groups were established in March 2019 to consider the development of the Neighbourhood Development Plan from the perspective of housing, environment, community facilities, transport and employment. These groups continued to meet until early 2020 and it was through this process that the draft policies and supporting evidence emerged.

In February 2020, a further three drop-in events were held to allow Parishioners to view draft policy statements and make

their comments on the Plan. Members of the Steering Group and the theme groups were on hand for clarification and to answer any questions.

Comments were recorded on post-it notes which have been taken into account when finalising the Neighbourhood Development Plan.

In May 2020 a formal Parish Council Committee was established to oversee the final stages of the Neighbourhood Development Plan preparation. This was confirmed at an Extraordinary Parish Council meeting held on 1 May 2020.

4. Our Parish

The Plan area comprises the whole of the Parish of Witherley, within the Borough of Hinckley & Bosworth, as shown in Figure 1. High resolution versions of all figures are available in the supporting information.

The area was formally designated by Hinckley & Bosworth Borough Council on 3 April 2017.

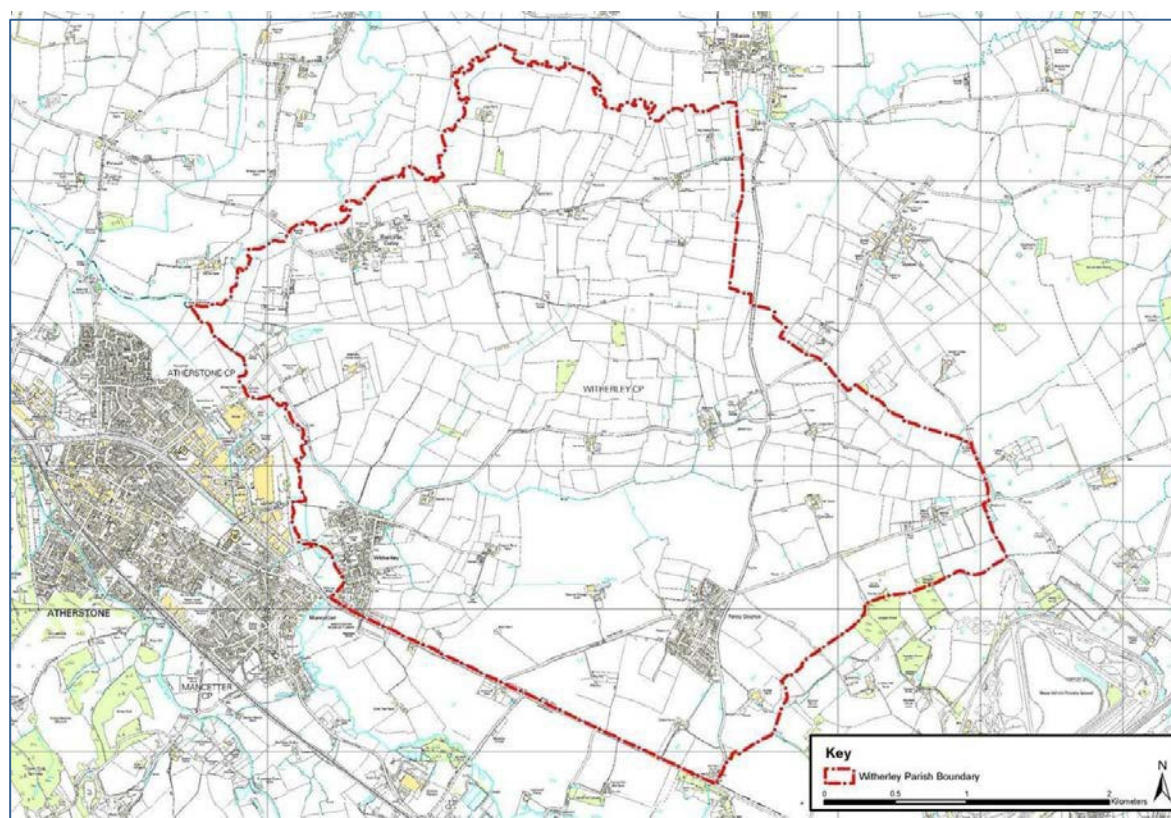


Figure 1 – Witherley Parish Neighbourhood Development Plan – Designated Area

History of Witherley Parish

The Parish of Witherley is at the very heart of England. This central and strategic position contributes to its significant historical provenance. On the south border lies one of Britain's greatest ancient arterial routes, Watling Street (today's A5). First settled in the Bronze Age, the Romans arrived in Witherley in the 1st century AD. Part of the Parish lay within the Roman walled town of Manduessedum where historians speculate Queen Boudica was killed in Battle. In the 3rd Century AD the Romans built a burgus, a walled fort, where the Bull Inn in Witherley now sits. Later, following departure of the Romans, the Saxons and Scandinavian invaders divided the country using Watling Street as a frontier. Development of agricultural settlements associated with important manorial centres continued and, at the time of his death in battle, the Manor of Witherley was held by King Richard III (National Archives BCM/D/5/53). The south western ridge of the Registered Battlefield (Battle of Bosworth Field, 1485) lies to the east of the Parish.

By 1700 much of the medieval open cultivated land had been enclosed by private landowners; the Enclosure Acts of the 18th Century completed this process. The rural landscape remains largely unchanged with its complex pattern of hedgerows, lanes and wide verges and long, open views. The main economic activity is farming with 86% of Witherley Parish remaining as agricultural land.

The River Anker forms the Parish, Borough and County boundary with North Warwickshire and the small industrial and market town of Atherstone. As a result, the administrative history of Witherley Parish over the past ninety years has been a chequered one. Prior to 1932, Atterton, Fenny Drayton, Ratcliffe Culey and Witherley were independent Parishes and sat within Atherstone Registration District. Later, Fenny Drayton and Ratcliffe Culey Parishes were abolished and when local government was reorganised in 1974, Witherley Parish and its four settlements became part of the new Hinckley & Bosworth Borough Council in Leicestershire.

Witherley Parish Today

At the time of the 2011 Census, Witherley was home to 1,373 residents living in 616 households. Analysis of the Census suggests that between 2001 and 2011 the local area population decreased by around 6% (58 people). During this period, the number of dwellings rose by 3% (17).

There is evidence of a higher than average representation of older residents living in the local area with over 28% of residents aged 65+ which is higher than the Borough, Region and National averages. There is also evidence that the population is ageing with the share of residents aged 65+ increasing from 21% of the total population in 2001 to 28% in 2011. The Census shows that the number of residents aged 65+ rose by 28% during this period. In line with national trends the local population is likely to get older as average life expectancy continues to rise.

Home ownership levels are very high with around 85% of households owning their homes outright or with a mortgage or loan and at 5% the share of households living in social rented accommodation is very low when compared with Borough, Regional and National rates.

There is a predominance of large detached and high value housing. There is an under representation of housing for single people with just 1.6% of dwellings having one bedroom.

Land Registry and council tax data indicates there has been some new build housing market activity over recent years, but this has been predominantly high value detached housing.

Deprivation is not a significant issue in the local area but the area's relatively high ranking in the Barriers to Housing and Services domain of the 2015 Indices of Deprivation suggests that some residents may find it difficult to access owner-occupation or access the private rental market.

5. Meeting the Requirement for Sustainable Development

The NPPF states that there are three dimensions to sustainable development: social, environmental and economic, all of which are important and interrelated.

a) Social

We have sought, through the Neighbourhood Development Plan, to safeguard existing open space for the future enjoyment of residents.

We are also seeking to protect existing community facilities and to deliver a mix of housing types so that we can meet the needs of present and future generations and ensure that we support the community's needs and its health, social and cultural wellbeing.

b) Environmental

In order to protect and enhance our natural, built and historic environment, we are seeking to ensure that housing development is of the right type in the right location, so that it does not harm but instead positively reflects the existing historic character of the area in order to:

- Protect the village identity and conserve the rural nature of its surroundings;
- Recognise the need to protect and, where possible, improve biodiversity and important habitats and historic assets; and
- Provide for improved pedestrian facilities.

c) Economic

Whilst the built-up parts of Witherley Parish are primarily residential, there is a desire to ensure that appropriate economic activity is maintained as long as the local infrastructure supports it. We therefore wish to encourage employment opportunities in our area by:

- Supporting appropriate existing business development and expansion where the local infrastructure would not be adversely affected by the proposals; and
- Encourage start-up businesses and home working.

This document sets out local considerations for delivering sustainable development across Witherley Parish. Development proposals should meet the requirements of all relevant policies in the Local Development Plan.

6. NEIGHBOURHOOD DEVELOPMENT PLAN POLICIES

6.1 Housing and the Built Environment

Introduction

Witherley Parish is situated at the very centre of England, on the western boundary of both the county of Leicestershire and Hinckley & Bosworth Borough. The A5 Watling Street trunk road runs along its southern edge with the River Anker forming a natural separation from the nearby small industrial and market town of Atherstone in North Warwickshire.

The Parish has an overwhelmingly rural landscape with an economy based historically on agriculture. Housing is focussed on four settlements: Atterton, Fenny Drayton, Ratcliffe Culey and Witherley. All four settlements currently have good separation distances between them and the respective neighbouring villages with good visual links to the wider countryside. Community consultation responses have stressed the importance of these views and vistas and so it is a priority that these should be maintained.

Witherley is classified as a 'Rural Village' by the Borough Council and its adopted Core Strategy stipulates that it 'will be the focus of limited development'. Both Fenny Drayton and Ratcliffe Culey are classed as 'Rural Hamlets' where the Borough Council will 'support housing development within settlement boundaries that provides for a mix of housing types and tenures; support development that complies with the Policy 17: Rural Needs and support development enabling home working and other small-scale employment uses within settlement boundaries'.

Atterton has no official classification (source: HBBC Adopted Core Strategy 2009, Spatial Strategy and Policies: Rural Areas).

Settlement Characteristics

Atterton is the smallest settlement with a population of fewer than 40 people (based on 2011 Census data). It has 14 dwellings, including four traditional farmsteads, focused along a single-track lane with a duck pond in the centre. It has two 18th century redbrick Grade II listed buildings while later development saw the conversion of farm buildings to dwellings and the erection of detached bungalows on former pastureland for retired farmworkers.

Fenny Drayton is the second largest settlement with a total of 246 dwellings. Pre-20th century Fenny Drayton consisted of a collection of small farms and rural cottages. A number of farms still surround the village, and cottages remain within the settlement. The 12th century St Michael & All Angels church is Grade II* listed and is the only community facility in the village.

The majority of the current settlement was developed in the late 20th century. Today, properties mainly consist of detached houses and bungalows with good separation and well-maintained grass verges.

Ratcliffe Culey has 53 dwellings, a pub, part-time post office, one working farm within the settlement boundary and six or more isolated working farms. It comprises a mix of houses with over a quarter of properties predating 1845 interspersed with modern in-fills from the 1960s onwards. The 14th century All Saints Grade II* listed Church doubles as the only community facility.

Witherley is the largest settlement and has the only school in the Parish, the Parish Rooms, a Grade I listed 14th century St Peter's Church and a Grade II listed Blue Lion pub. Before the Second World War, the village was almost self-sufficient and included a smithy, bakery, slaughterhouse, mill, post office and a shop. In 1963 Witherley had some 100 houses but farms within the settlement have since disappeared and the land developed for housing. Traditional cottages have been demolished or modernised and only pockets of the traditional character of the village remain, chiefly in the Conservation Area as is the case in other villages in the Parish. There are now 309 dwellings.

Meeting Future Housing Needs

The apportionment for new housing based on the adopted Core Strategy is zero for Witherley Parish, and this is the information that has guided the development of the Neighbourhood Plan. There were no residential allocations in Witherley Parish in the DPD because of development constraints in Witherley itself and because the other settlements were categorised at the lower end of the settlement hierarchy and considered not to be sustainable settlements for the purposes of allocating housing sites.

The Core Strategy set a housing requirement of 10 dwellings for the settlement of Witherley. However, the subsequent Site Allocations DPD did not allocate a site to meet this requirement due to Highways England concerns at the time regarding access and junction capacity onto the A5. In addition, no housing requirements were set for Fenny Drayton or Ratcliffe Culey. These settlements were classed as rural hamlets in the Core Strategy, and these are considered as the least sustainable settlements in the settlement hierarchy set out in the Core Strategy. Atterton has no settlement status in the hierarchy and therefore also had no housing requirement set.

The emerging Local Plan is not sufficiently advanced to establish a new housing requirement for Witherley Parish and in the absence of a figure the Borough Council has recommended an alternative approach based on apportioning the overall Borough housing need (based on the latest standard method) against existing population distribution of the parishes in the borough. This approach would give a housing requirement figure for Witherley Parish of 107

dwellings between 2020-2039. In addition, it is recommended flexibility is built into this figure to allow for future changes to this figure once the local plan is adopted. A minimum of 10% is recommended which would provide an overall figure of 118 dwellings.

This calculation was based on the Government's standard methodology approach for determining housing need. This gives a housing need for the borough of 452 houses per year or 8,588 over the period 2020-2039. Based on the latest data on population (2017 midyear estimates) Witherley parish accounts for 1.2% of the total borough population.

Nevertheless, the Parish Council has been keen to contribute to the delivery of sustainable development in the Parish and has sought to allocate a site for residential development, to help meet a local housing need.

It is recognised, however, that this is a crude method of determining overall housing requirement for any locality and in effect requires the same approach for Witherley (with 1.2% of the Borough population), as Hinckley Town, with 30% and significantly greater infrastructure.

It is also recognised that there are serious impediments to the delivery of this level of housing in the Parish, which was the reason that the Borough Council removed the housing requirement from the Parish based on the Core Strategy figures. As the HBBC response to Regulation 14 stated 'There are important heritage assets such as the Scheduled Monument to the south of Witherley Village, ongoing concerns with flooding, and the long-standing issues with the connections to the A5. The Site Allocations and Development Management Policies DPD (SADMP) stated clearly that no allocations were to be made in Witherley at that time. The SADMP states: "Whilst Highway England's comments were positive towards the principle of one selected site, they identified that access would not be a viable option for this site as the access lane is unadopted and unsuitable for further development of this nature. As a result no residential development will be allocated for Witherley.'

The A5 plays an important role as part of the wider Strategic Road Network and carries around 23,000 vehicles per day on its busiest section.

Plans have long been mooted to upgrade the A5 between junction 18 of the M1 and junction 10 of the M42 and various studies are currently being undertaken. For the stretch between the M69 and the M42, including past Witherley, the A5 would be upgraded via a combination of on and off-line dualling, to deliver the first phase of the A5 Expressway. However, no definitive scheme has yet been agreed.

In 2009, when HBBC adopted its Core Strategy, the council stated that it would 'Work with the Highways Agency (now Highways England) to address identified problems with the A5/Kennel Lane junction. If these problems can be overcome, the council will allocate land for limited

housing development'. It therefore did not allocate any housing for the village.

The Kennel Lane junction with the A5 provides the most direct route to Atherstone from the village. An alternative is via Bridge Lane onto the A5 which benefits from having a central refuge on the A5, unlike access from Kennel Lane where drivers turning right have to negotiate both carriageways. The alternative route to Atherstone is via the narrow Mythe Lane at the opposite end of the village. During heavy rainfall, this route frequently becomes flooded and impassable. This adds more pressure on the Kennel Lane junction.

It is the constraints described above that have been taken into account when considering the amount of new housing that can be allocated in Witherley in the NDP.

Having visited the junction in June 2019 and after reviewing Personal Injury Data for the location, Highways England said: "If the volume of traffic using the junction is increased without any substantial improvement to the junction we would expect this issue to become worse and the number of collisions to increase. As such the Safety Team would not encourage a development that will increase traffic volume using the junction without more substantial junction improvement works being included in the proposal".

No improvements have been made to the A5/Kennel Lane junction since the Core Strategy was adopted in 2009. That situation is not expected to change during the lifetime of the NDP.

The same constraints to development exist now as they did in 2016. The same heritage assets and flooding issues prevail and there has been no improvement work to the A5, which was a pre-requisite to any significant development taking place in Witherley.

For this reason, the Neighbourhood Plan allocates a single site for around 15 dwellings, to help meet a local need for smaller dwellings and Affordable Housing, and sees this, alongside a reasonable allowance for windfall, as meeting the housing requirement for the Parish up to 2039.

Housing Allocation

In 2018 the Borough Council produced its Strategic Housing and Economic Land Availability Assessment (SHELAA) containing a number of potential sites within the Parish. However, it was thought important to get an up-to-date picture by making a targeted 'Call for Sites' to landowners whose property lies adjacent to the existing settlements. The invitation to respond made it clear that sites should be able to accommodate 50% of the dwellings as affordable units. This exercise produced an additional two sites that hadn't previously been put forward by the landowners as part of HBBC's SHELAA process.

YourLocale, our independent consultants, undertook a Strategic Sustainability Assessment of each site (Appendix 5) with input from the Theme Groups. The analysis followed a formula that

measured 24 criteria covering a wide range of issues including capacity, current use, topography, visual impact, wildlife considerations, impact on the Conservation Area, vehicular access, flooding, and heritage. This ultimately determined the most sustainable location for new housing. The site selected is developable and deliverable in satisfying the locally identified housing need.

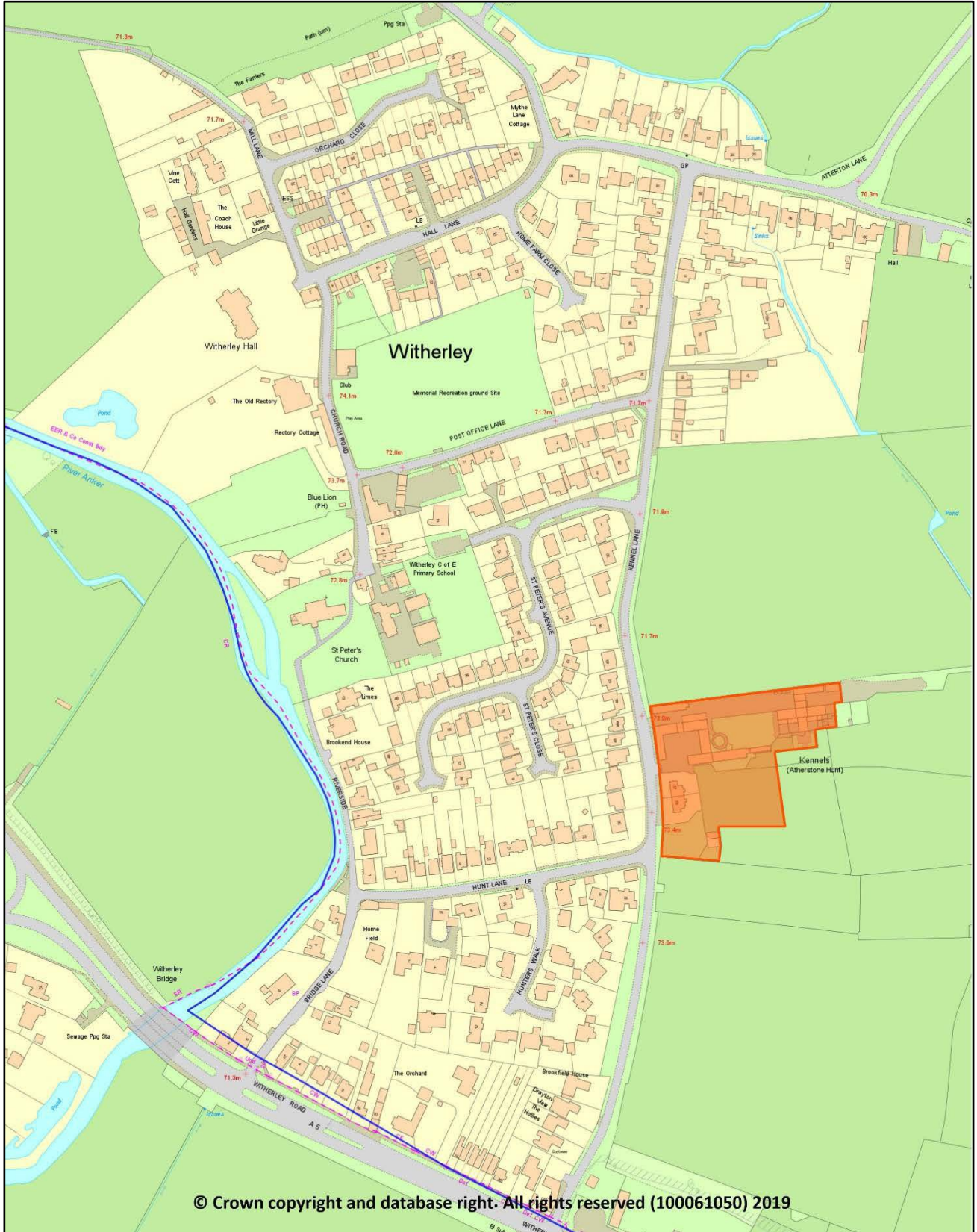
The result of this exercise is that a single site is allocated for residential development that is deliverable, meets housing need locally and is sensitive to the character of the Parish. Conditions are attached to the development and have been agreed with the landowner.

POLICY H1: Residential site allocations - The Plan makes provision for around 15 new dwellings in Witherley Parish up to 2039. This is met by land being allocated for residential development as follows:

A sympathetic development of the buildings of the former Atherstone Hunt Kennels site on Kennel Lane, Witherley (Figure 2) will be supported for around 15 dwellings in total, with preference given to optimising the number of units provided within the existing redundant buildings. Limited new build development will also be permitted on the land to the south of the kennel buildings. Proposals will need to avoid harm to the heritage assets and their setting, achieve a net-gain in biodiversity and are subject to the following criteria:

- a) The housing mix will be in accordance with Policy H3;
- b) The design of both phases of the scheme shall comply with Policy H5 and achieve the standards specified in the Design Guide and be informed by a Heritage Statement;
- c) Development shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are put in place unless demonstrated to be inappropriate.
- d) No development will take place on the adjacent and more prominent ridge and furrow field; and
- e) A minimum of at least 40% of the dwellings will be affordable, including retirement housing, subject to viability, made available to people with a connection to Witherley Parish where possible.

Figure 2 – Allocation at Witherley



Settlement Boundary

Development in rural communities such as those in Witherley Parish has traditionally been shaped by the designation of a village envelope, adopted in a statutory Local Plan. With a settlement boundary in place, development is permitted inside the envelope subject to conformity with other development plan policies, or outside the envelope in certain prescribed circumstances (for example, to provide affordable housing or for agricultural purposes). This helps to ensure that sufficient sites for new homes and economic activity are available in appropriate locations within the Parish that will meet the community's aspiration to avoid unwanted encroachment into the countryside.

The Plan has revised the settlement boundary for Witherley village and this updates and supersedes the settlement boundary used by HBBC as it takes into account the site allocation proposed through the Neighbourhood Development Plan (see Policy H1). Settlement Boundaries for the other settlements in the Parish are in line with the boundaries in the Core Strategy.

The community has expressed a clear desire to protect what is special about Witherley Parish for future generations. Its countryside setting and the quiet pace of a rural dominant landscape are seen as being of particular importance with 75% of respondents to the Household Survey saying they valued most the lovely countryside.

Focusing development within settlement boundaries will support the limited existing services within the villages and protect the open countryside setting of Witherley Parish from inappropriate development.

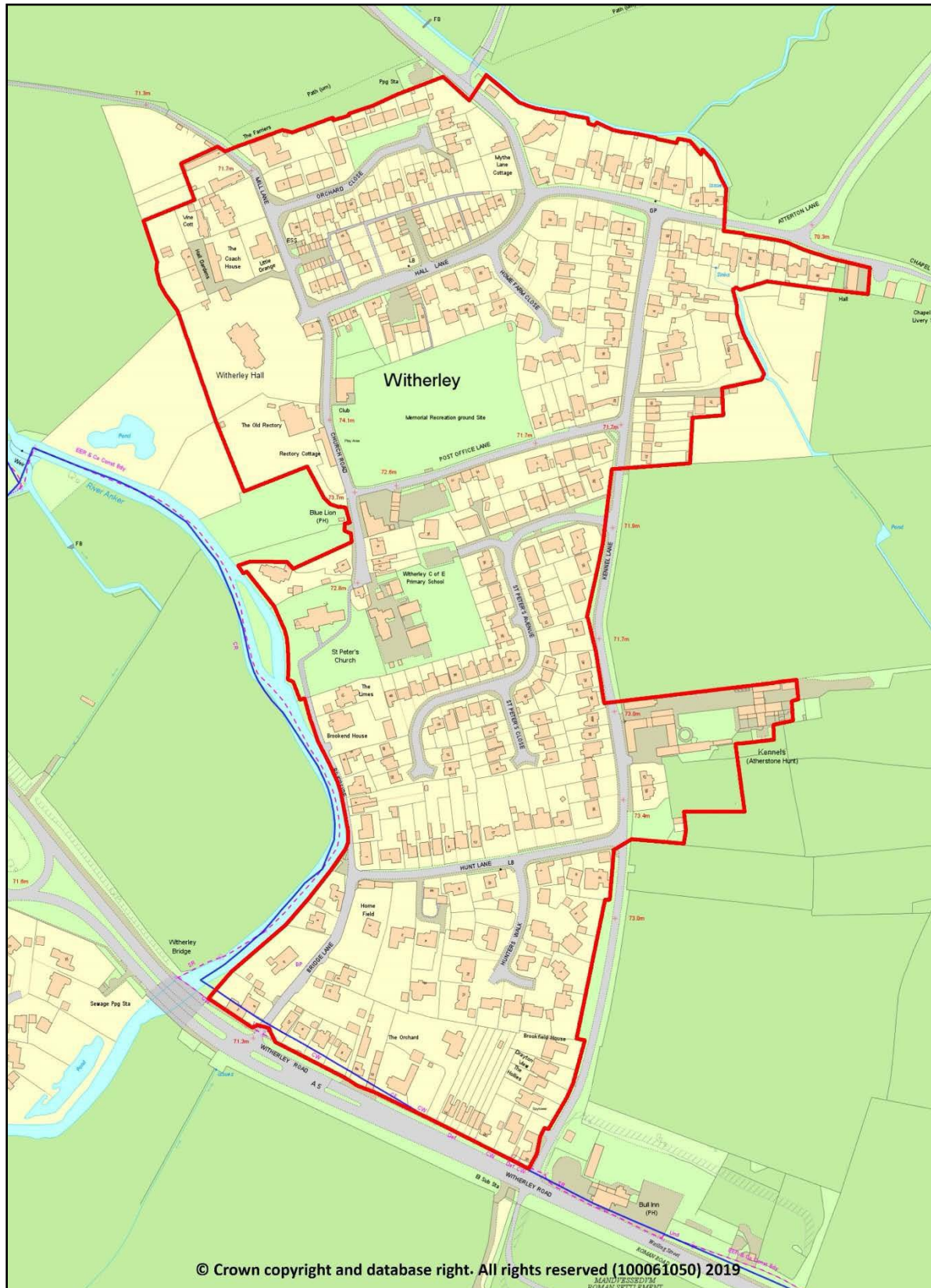
In revising the settlement boundary for Witherley, the following methodology has been applied:

- a) any development sites with an extant planning permission for residential, community use or employment land on the fringes of the settlement have been incorporated;
- b) the residential site allocated within the Neighbourhood Development Plan has been included within the boundary;
- c) defined physical features such as walls, fences, hedgerows, gardens, streams, brooks, formal leisure uses, and roads have been used to define boundaries where appropriate;
- d) non-residential land, which is countryside, agricultural, paddock, meadow, well preserved ridge and furrow, woodland or another green-field use has been excluded, where appropriate.

POLICY H2: Settlement Boundary - Development proposals will be supported on sites within the settlement boundary where the proposal complies with the policies in this Neighbourhood Development Plan.

Land outside the defined Settlement Boundary will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies.

Figure 3 – Settlement Boundary Witherley



Housing Mix

Analysis of the 2011 Census shows that around 60% of all occupied households in Witherley Parish have two or more spare bedrooms and around 33% have one spare bedroom. Under- occupancy is higher than Borough, Regional and National averages and is particularly evident in larger properties with around half (47%) of households with four or more bedrooms occupied by just one or two people. This is above Borough (44%), Regional (43%) and England (41%) rates. No affordable housing has been built in the Parish since a number of council houses in the 1960's.

The 2011 census also suggests that older person households are more likely to under-occupy their dwellings. The data allows us to investigate this using the bedroom standard. In total, around 97% of pensioner households live in households that have at least one more bedroom than is technically required by the household and is somewhat higher than the 92% non- pensioner household rate.

House prices are generally high across the Plan area and, coupled with a disproportionately high level of larger dwellings, makes it hard for young families to enter the housing market locally, or for older people to find suitable accommodation when downsizing. In the Witherley local area, average house prices are as high as £367,500 (Land Registry, 2017), whilst a low to mid-priced property costs on average £179,950 which is higher than the national average. Assuming a 15% deposit, those entering the property market in the area would require a household income of £33,991 (£26,444 England & Wales average) and savings of £30,092.

Almost all housing development in Witherley Parish in the past ten years has been on in-fill sites with just 16 housing completions and 8 conversions between April 2006 & March 2019. (source: HBBC Residential Land Availability Statement 2008-2019). The situation has not improved over the past 12 months. Land Registry and council tax data indicates that this development has been predominantly high value detached housing.

To enable a more up-to-date picture as part of the Plan evidence gathering, a survey of residents was carried out in 2018 with questionnaires delivered to every household in the Parish. The survey took place between November and December and was also available to complete electronically. The level of response from the community was good, there being 339 responses representing a return from over 28.5% of the adult population of 1,186 (over 16). The number of responses represents a little over 55% of households.

The results showed that there was a clear preference for smaller homes while large executive- style housing was generally opposed. Properties specifically for local people, both starting on the property ladder and seeking retirement accommodation was supported (42% 2-3 bed houses; 38% bungalows; 33% smaller retirement housing).

An important part of the Steering Group's vision was that younger residents and older people who

wished to remain living in the community as their needs changed should be enabled to do so. Providing smaller homes would enable elderly and younger people to stay in the community and at the same time release under-occupied larger family homes onto the open market which would then be available to growing families keen to remain living in the Parish.

POLICY H3: Housing Mix - New housing development proposals should provide a mixture of housing types specifically to meet identified local needs in the Plan area as evidenced in the Parish Housing Needs Report (2018); HBBC Housing Needs Study (2019); Midlands Rural Housing Report (2016) and the 2017 HEDNA or more recent documents updating these reports.

Dwellings of 3 bedrooms or fewer and single storey accommodation suitable for older people will be supported where in accordance with other policies.

Affordable housing is required on development proposals of more than 10 dwellings or more than 0.5ha in size and should be designed and delivered to be indistinguishable from market housing and should be distributed and integrated evenly through the development as a whole. Provision of affordable housing for people with a local connection to the Parish is supported.

Windfall Development

A windfall site is defined in the NPPF as one which has not been specifically allocated through the Local Plan or Neighbourhood Development Plan process. These sites often comprise previously developed land that has unexpectedly become available. To help protect the character of Witherley Parish, development beyond the housing allocations described above will be restricted to windfall and brownfield sites.

POLICY H4: WINDFALL SITES - Small residential development proposals of 5 dwellings or fewer on infill and redevelopment sites will be supported subject to proposals being well designed and meeting all relevant requirements set out in other policies in this Plan and Borough-wide planning policies and where such development:

- a) meets a clearly identified housing need for the Parish;
- b) is within the settlement boundary or adjacent to the settlement boundary if the proposed development is on previously developed land;
- c) is in keeping with the character of the surrounding area;
- d) the development is well integrated within the existing village and maintains the residential amenity of neighbouring properties. The scale and form will be complementary to surrounding properties;
- e) retains existing important natural boundaries and features such as gardens, trees, hedgerows, footpaths and streams;
- f) provides safe vehicular and pedestrian access to the site; and
- g) does not reduce garden space to an extent where there is an adverse impact on the character of the area, or the amenity of neighbours.

Design Guidance

Existing settlement patterns have grown incrementally over time, but it was during the 1960's and 1970's that the largest increase in construction activity was seen. For example, in Witherley, village farms were sold off to developers who constructed small estates of three- and four- bedroom houses. New development proposals, including extensions to existing properties, should be designed sensitively to sit within the distinctive settlement patterns of the villages within the Plan area. Existing buildings date from many different periods, providing a richness and variety of styles and materials. This traditional rural character should be enhanced by new development and schemes should be designed to ensure that new buildings sit comfortably within the existing settlement pattern and are respectful of their surroundings.

It is not considered supportable to have a uniform series of properties that all look the same, rather to ensure that new developments respect the features of buildings which make villages within the Plan area desirable places in which to live.

'Affordability' doesn't just mean the cost of buying or renting a property. It also applies to the day-to-day running costs. Residents in the Plan area want their communities to play their part in the sustainable development of the Borough, minimising the running costs of heat and light.

The aim of the Design Guide, therefore, is to keep what is special whilst accommodating modern building and design incorporating a high level of energy efficiency. It will not necessarily be out of character to favour the innovative.

POLICY H5: DESIGN - This policy will apply to all new commercial and residential developments, including one or more houses, extensions and replacement dwellings. Development proposals must respond positively to the character and historic context of existing developments within the Parish. However, contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from the historic context. Proposals are required to have regard to the Design Guide (Appendix 6) where appropriate and to demonstrate in the application how the measures contained in the Guide have been addressed.

6.2 The Natural and Historic Environment

Introduction

This chapter of the Neighbourhood Development Plan deals with the environmental agenda of sustainable development together with open spaces of community value from the social

agenda, as described in the NPPF (2021), page 5. The chapter aims to balance the requirement for appropriate development in the Plan Area against the value of environmental and other features that are both special – appreciated, in their own right and as community assets, by local people - and significant for their wildlife and history. It also deals with broader environmental issues of concern to the community, including protection and enhancement of local biodiversity and planning for resilience to climate change.

The chapter has been informed by an Ecological Survey, undertaken in 2019 which collected over 1800 records comprising 448 species. This Survey is attached as an appendix (Appendix 11) and its findings incorporated into the Environmental Inventory of sites and features of natural and historic significance which was compiled by residents from extensive fieldwork and review of existing designations.

Environmental Protection as Part of Sustainable Development

Care was taken during preparation of the Plan to ensure that the policies (and the sites and areas of environmental significance covered by them) were not unduly restrictive on development during the Plan’s lifetime. Of the total area of all the open and currently undeveloped land in the Parish, 13% is protected in any way from potential environmentally damaging development. The key statistics are:

1. Total area of Neighbourhood Development Plan Area	c.1576 ha
2. Open and undeveloped land	c.1523ha
3. Area designated or recognised in this Plan for environmental protection	c.200 ha

Landscape, Geology and Setting

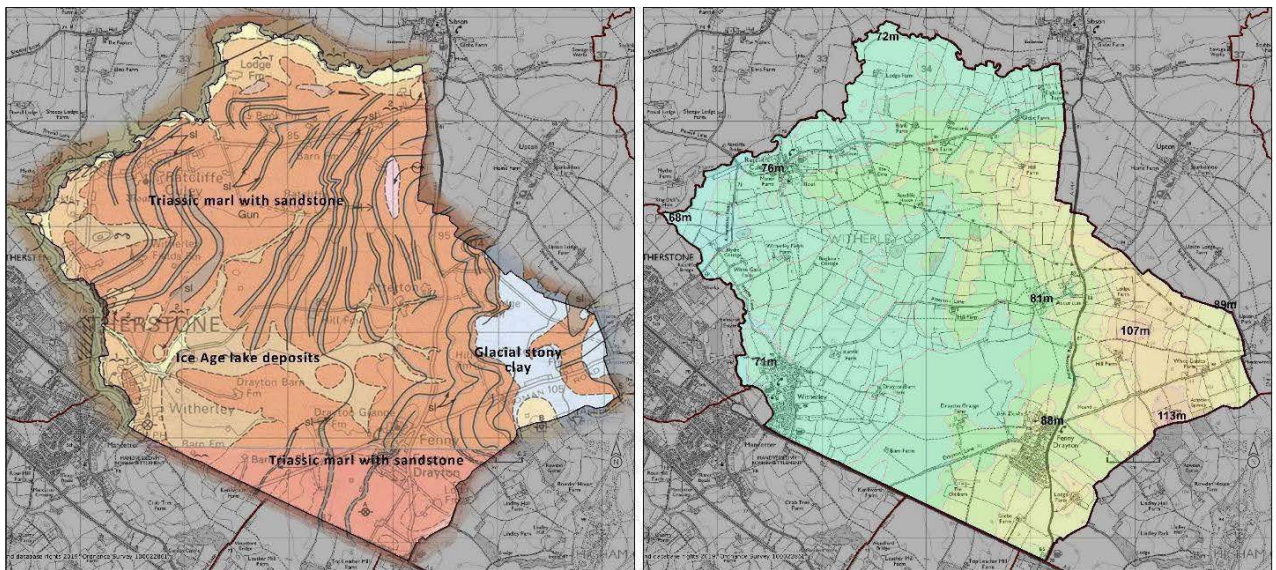
The Plan Area is in the upper reaches of the Trent – Tame – Anker drainage system: The Tweed River (known as the Sence Brook in the Plan Area) and the River Sence form the northern boundary and the River Anker runs along its western boundary. Most of the area is a west- draining basin, with a low point of 68m at ‘King Dick’s Hole’ and the highest, east of Fenny Drayton, at 113m. The topography is gentle, and the rural landscape, as described in the HBBC Landscape Character Assessment (2017) for LCA G Sence Lowlands, includes a dispersed settlement pattern of small historic villages...attractive local vernacular of red brick buildings...grass verges and species-rich grassland...and...a relatively intact field boundary pattern.

The gentle topography results largely from the area’s geological history. The bedrock is a series of relatively thin layers of clay, mudstone and sandstone of Triassic age (about 225 million years old); the more resistant sandstones form low steps in the landscape, while the natural reddish colour of the rocks gives the area its distinctive red soils and explains the name of Ratcliffe (‘red cliff’) Culey. These Triassic rocks were planed smooth by the countrywide ice

sheets during one of the Ice Ages (around 300 thousand years ago). During a period when the ice retreated, a huge meltwater lake formed in this part of the Midlands, including the topographic basin described above. The sand and gravel on which Witherley village stands was laid down on the floor of this lake. Parts of the east of the Parish, however, retain a covering of boulder clay or 'till', the debris dropped by the ice sheets. The modern brooks and their tributaries have cut shallow, meandering valleys into these sediments and partly removed the ice age deposits – they are (geologically speaking) young features.

Figure 4: Geology (left, adapted from British Geological Survey maps) and topography (right) of the Plan Area.

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Historic Environment

The modern landscape, including the locations and sizes of the settlements, the pattern of fields and farms and the network of lanes and tracks are all the result of local human history and contribute to the character of the Plan Area. Archaeological finds and sites demonstrate habitation here in prehistoric time, while finds, excavation and earthworks demonstrate the importance of the area in Roman Britain, with Watling Street, the Roman town of Manduessedum and several Romano-British villas all located partly or wholly within the Plan Area.

As demonstrated by their Old English place-names (see Supporting Information), the four settlements themselves were established by Anglo-Saxon settlers – possibly on the sites of earlier 'British' farmsteads – in the centuries following the end of the Roman occupation. The four medieval settlements of Witherley, Ratcliffe, Fenny Drayton and Atterton were the centres of four townships and at least four manors, each of which comprised a nucleated village and a group of (normally three) open fields, whose ridge and furrow ploughlands still survive in a few places as important earthworks. At their greatest extent in the 12th century, the villages were larger than their 18th to 20th century successors, as shown by archaeological

earthworks representing houses, closes, fishponds and manorial grounds that are still visible today. The three surviving churches are also medieval (Atterton's chapel was already a ruin by 1811), but most of the other extant historic buildings date from the 17th to 20th centuries, when timber and, later, brick were the characteristic building materials; the latter give their reddish colouring to many of the vernacular buildings in the modern landscape. Distinctive features of the Parish historic environment are the Lane Settings, roadside strips of common grazing land surviving from the time of the agricultural enclosures, which are still 'let' annually. The 20th century expansion of Atherstone, the A5 corridor and related commercial and residential developments have affected the historic landscape of the Plan Area, of course, as has the expansion of the villages themselves as they have changed from self-sufficient rural communities into places in the country in which people live while working elsewhere. Witherley in particular is surrounded by a number of 20th-21st century housing developments; but all four villages retain much of their rural identity and heritage and are highly valued by residents for this reason.

Natural Environment

The history of land use in the Plan Area (it has been more or less cleared and managed by its human inhabitants for 2500 years) means that effectively all "natural" environment is actually semi-natural (as classified by Natural England). This does not imply, however, an absence of wildlife, because animals and plants have adapted and evolved, even moved in, to occupy the landscape features created by human occupation and use. While Witherley Parish has no recorded nationally important wildlife sites it does have a significant number of local features and habitat areas whose ecological value makes a vital contribution to English biodiversity. They include watercourses and wetlands, particularly along the Anker, Sence and Tweed (Sence Brook) corridor, hedgerows, field ponds, gardens and churchyards, arable field margins, copses and other "re-wilded" places, and a significant number of permanent grazing fields where a mix of grassland plant species still survives.

Existing Environmental Designations

The Plan Area is located in National Character Area (Natural England landscape area, defined for Planning purposes) 72 Mease/Sence Lowlands, in Hinckley & Bosworth Borough Council Landscape Character Assessment Area G Sence Lowlands and in the HBBC Fen Lanes Landscape Sensitivity Character Area (for renewable energy infrastructure planning). It includes part of the draft HBBC Green Infrastructure Strategy (2020) River Sence Biodiversity Improvement Area.

There are 17 Listed Buildings, three Scheduled Monuments, (making 20 statutorily protected buildings in the Plan area), an area of Registered Battlefield, a Conservation Area and 51 further (non-statutory) sites and features of historical significance (Leics CC Historic Environment Records), of which 17 have direct relevance to this Plan. The Plan Area also

includes 13 areas of Priority Habitat (as defined by Natural England), 44 Local Wildlife Sites (LWS) and seven additional historic LWSs.

Environmental Inventory

An environmental inventory (Appendix 7) of Witherley was carried out between April 2019 and April 2020. The work comprised two elements:

- Review of all existing designations and available information, and
- Fieldwork to identify sites and features of natural and historical environment significance in the context of the Plan Area.

The review was undertaken as a desk study, compiling information from many sources, including

DEFRA, Natural England, Historic England, Leicestershire Historic Environment Records, Leicestershire Environmental Record Centre records (biodiversity and geology, including Phase I habitat survey data), Environment Agency, British Geological Survey, old maps (Ordnance Survey, manuscript), British History Online, local history and archaeology publications, and local knowledge including information from a residents' wildlife recording sheet circulated during summer 2019.

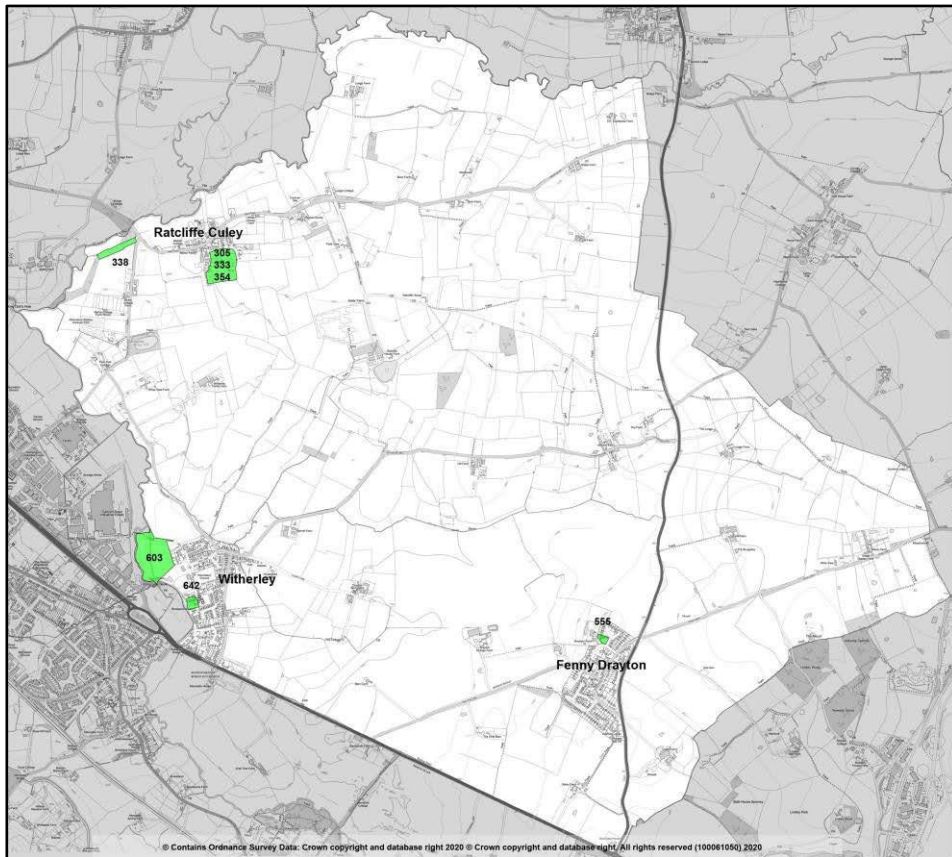
The fieldwork reviewed all open and currently undeveloped land in the Plan Area, and significant species, habitats, landscape characteristics, earthworks and other extant features were recorded or checked. An important contribution to the fieldwork and evidence base was a commissioned professional ecological survey that has significantly updated and added detail to the Phase I habitat surveys conducted by Leicestershire County Council.

This data, along with all relevant site-specific information from the existing information review, were mapped and tabulated, and each site was scored and evaluated using the seven criteria for Local Green Space selection in the National Planning Policy Framework 2019. The scoring system used in the Plan forms part of Appendix 7.

Local Green Spaces

The 386 inventoried sites in the Plan Area were assessed and scored using the seven criteria for Local Green Space designation noted in the National Planning Policy Framework 2019 (see Appendix 7 for the criteria and scoring system adopted for this Plan).

Figure 5.1 Distribution of Local Green Spaces in the Plan Area



The scoring system resulted in many sites achieving the highest score of 3/5 for biodiversity (Appendix 7). To overcome the limitations and to highlight sites representing the best for biodiversity in Witherley, the Parish Biodiversity Grade, introduced by the Consultant Ecologist, was taken into account (Page 33, Appendix 11 – Witherley Parish Ecological Survey 2019). Three sites achieved Grade 5 on a scale of 1-5. With Grade 5 considered to be ‘a site of significant value to biodiversity and one of the best within the Parish’. Sites 603 and 338 received a Grade 5 and the scores for these sites was moderated from a score of 3 to a score 4 in the Local Green Space Evidence Base (Appendix 8).

297 sites were identified as having notable environmental (natural, historical and/or community) value and of these five individual or composite (adjoining parcels) sites score 72% (18/25) or more of the maximum possible and meet the essential requirements for designation as Local Green Space as outlined in the National Planning Policy Framework (NPPF 2021, paragraph 102). Their statutory protection will ensure that these most important places in the Plan Area’s natural and human environment are protected.

Figure 5.2: Local Green Spaces in Witherley

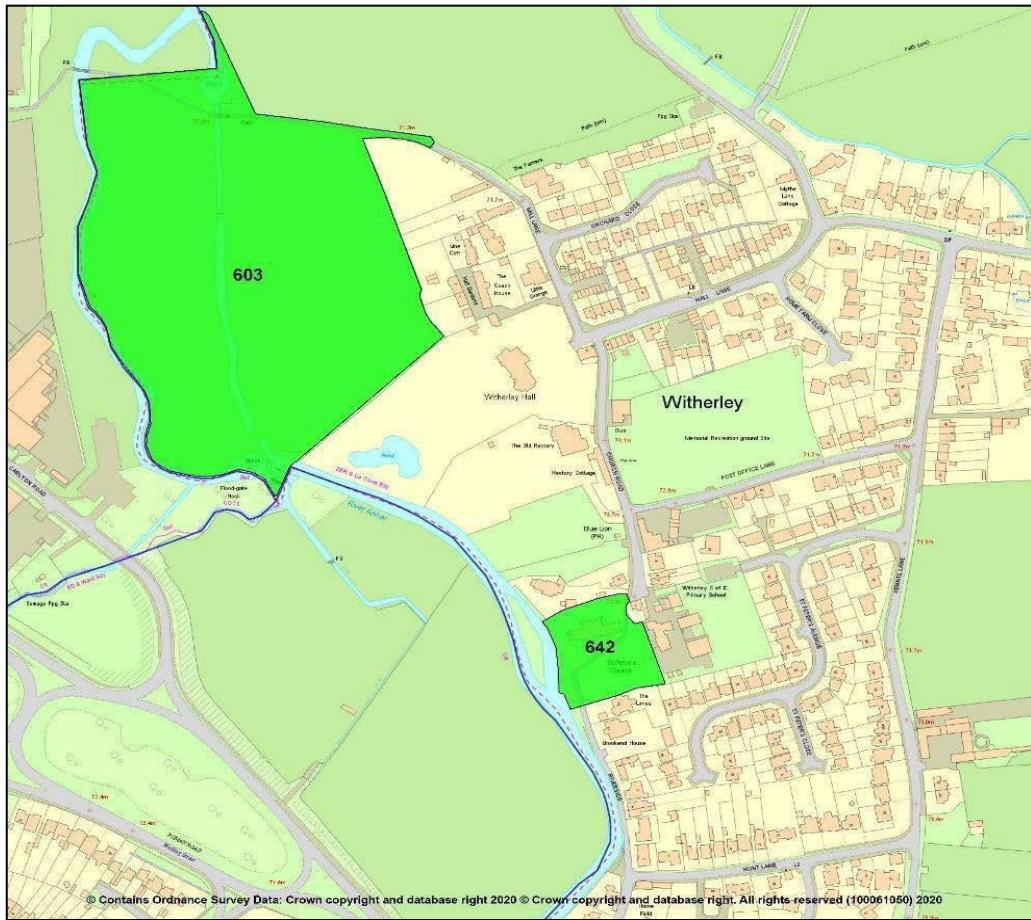


Figure 5.3: Local Green Spaces in Ratcliffe Culey

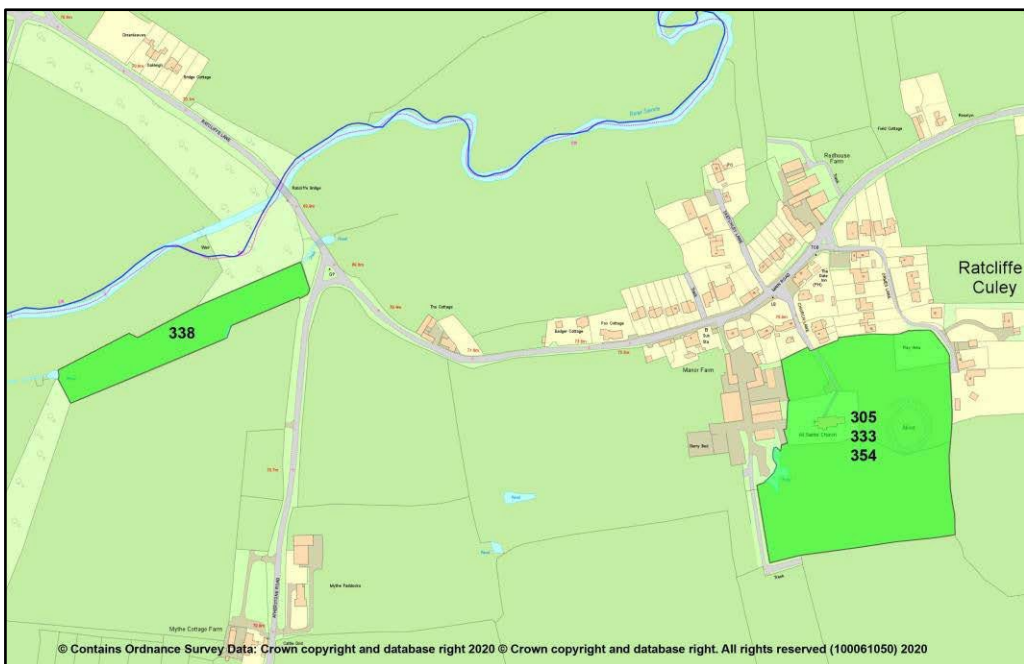


Figure 5.4: Local Green Space in Fenny Drayton



POLICY ENV 1: PROTECTION OF LOCAL GREEN SPACE – Development proposals that would result in the loss of, or have an adverse effect on, the following Local Green Spaces (details in Appendix 8; maps Figures 5.2-5.4) will not be permitted other than in very special circumstances.

St. Peter's churchyard, Witherley (inventory reference 642; area 0.42 ha) Cottagers' Piece, Witherley (603; 5.17 ha)

All Saints churchyard, 'The Moat' and children's play area, Ratcliffe Culey (305/333/354; 3.14 ha) Lane setting lot 1, Ratcliffe Culey (gravel pits field) (338; 0.92 ha)

St. Michael and All Angels churchyard, Fenny Drayton (555; 0.28 ha)

Important Open Spaces

A group of sites scored highly in the inventory (scoring at least 75% of the possible total under the relevant criteria) for their outstanding community value. They have been identified in fieldwork, community consultations, in Parish records and from the Open Space, Sport & Recreation (OSSR) sites as mapped and listed in the Hinckley & Bosworth Borough Council Open Space, Sport and Recreational Facilities Study (PPG17), 2020.

Their value as open space within and close to the built-up areas and/or their current, or potential, value, as community resources are recognised in this Policy.

POLICY ENV 2: IMPORTANT OPEN SPACES - The following open spaces in Witherley, Fenny Drayton and Ratcliffe Culey (figures 6.1-6.3) are of high value for recreation, beauty, amenity, tranquillity or as green spaces within or close to the built-up area. Development proposals that result in their loss, or have a significant adverse effect on them, will not be supported unless the open space is replaced by equivalent or better provision in an equally suitable location, or unless it can be demonstrated to the Parish Council that the open space is no longer required by the community.

Witherley

Orchard Close amenity green space (amenity green space) HBBC WIT02; inventory ref 645

Witherley Memorial Grounds, Church Road (Amenity green space, children’s play space, outdoor sports facilities) WIT03; 601

St Peter’s C of E Parish churchyard, Church Road (churchyards and cemeteries) WIT04; 642 Witherley C of E Primary School playing fields, Church Road (outdoor sports facilities) WIT05; 644

Fenny Drayton

Drayton Close green space (amenity green space, children’s play space, outdoor sports facilities, young persons’ facilities) FEN02; 554

St Michael’s and All Angels churchyard (cemeteries and churchyards) FEN04; 555 Rookery Close amenity green space (amenity green space) FEN05; 557

Ratcliffe Culey

All Saints churchyard (cemeteries and churchyards) RATC02; 354

Ratcliffe Culey playing field, Ormes Lane (amenity green space, children’s play space) RATC03; 333 Figure 6.1

Important Open Spaces in Witherley

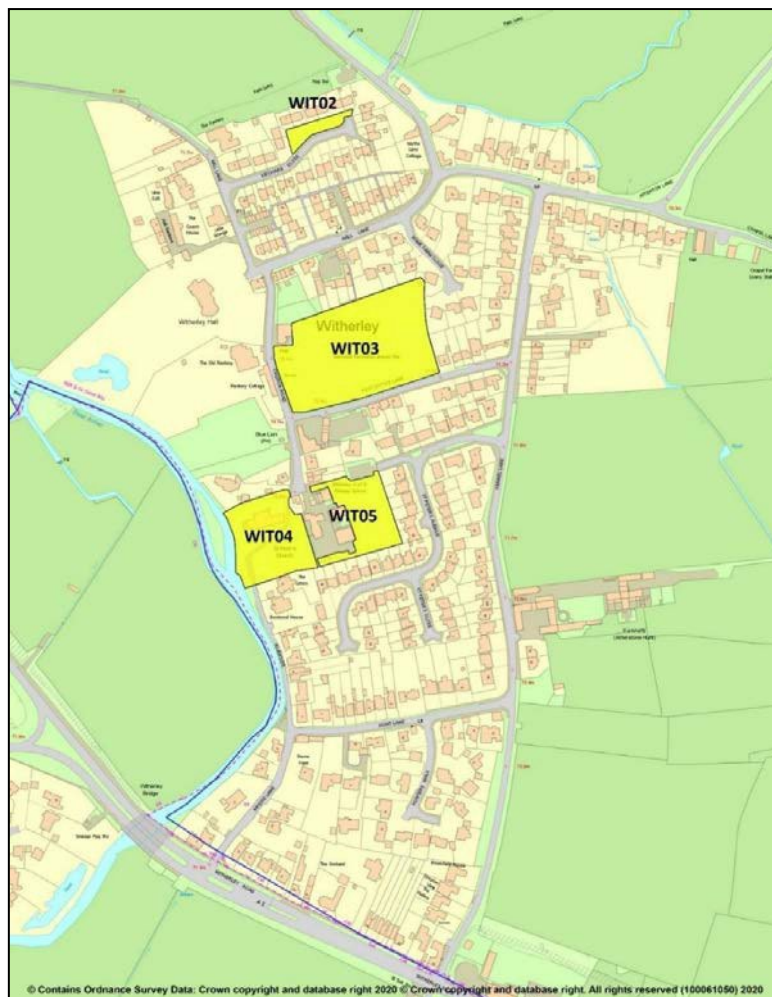
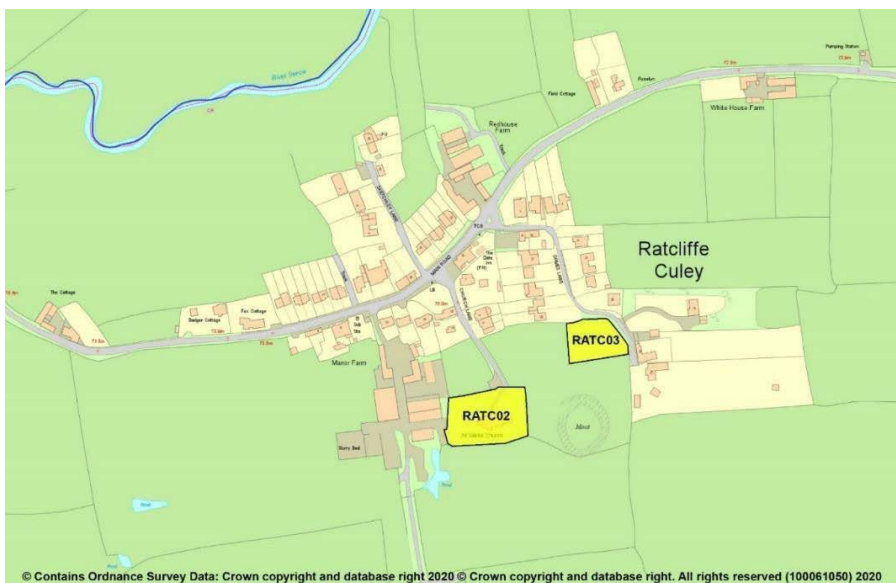


Figure 6.2 Important Open Spaces in FennyDrayton



Figure 6.3 Important Open Spaces in RatcliffeCuley



Natural environment and biodiversity

Sites and Features of Natural Environment Significance

A group of inventory sites scores highly for 'wildlife' (scoring at least 3/5 under this criterion). The features for which the identified sites have been selected and notified are listed in the environmental inventory (Appendix 7).

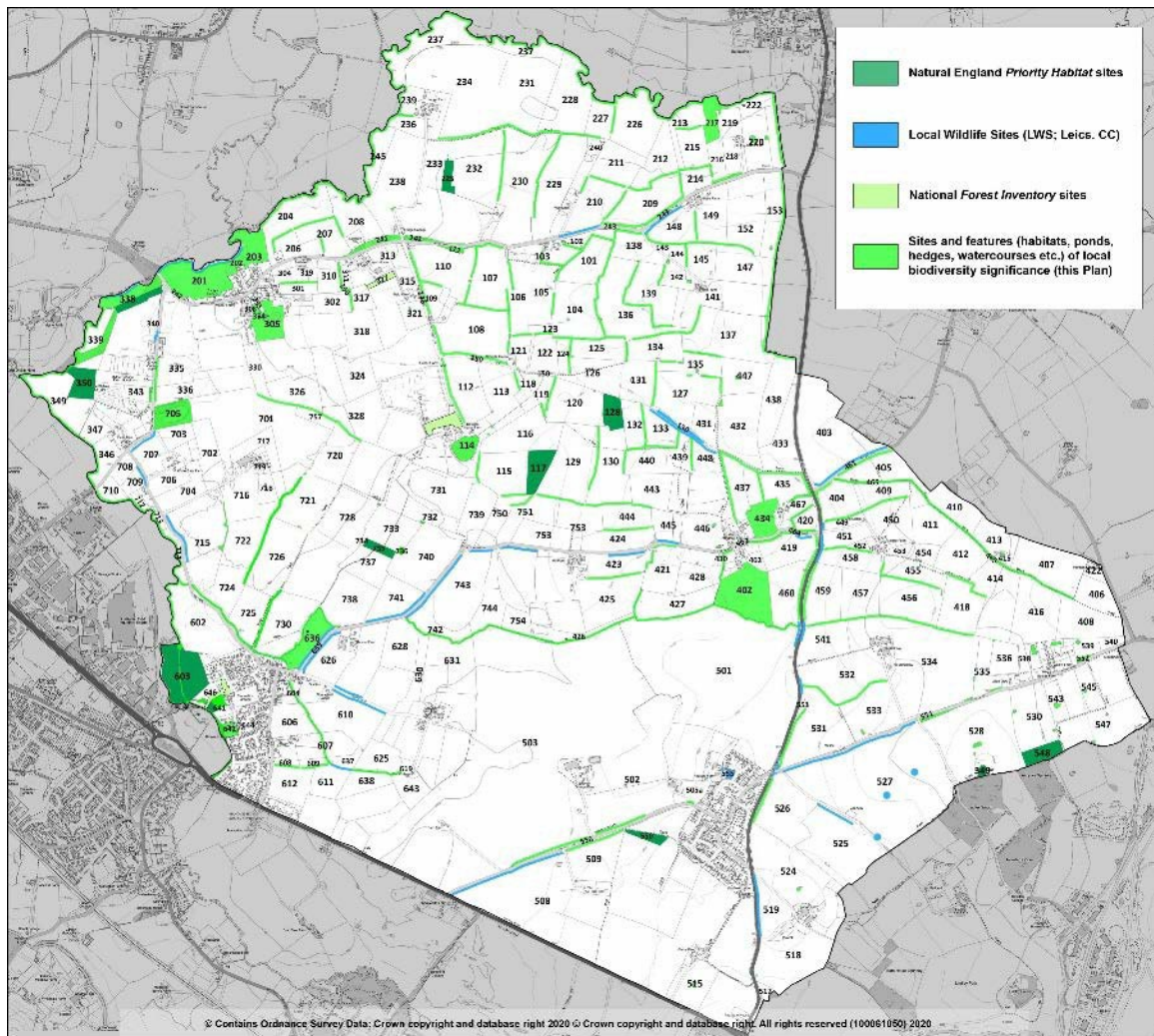
These natural environment sites comprise a) those where priority habitats occur (Natural England mapping), b) sites identified as ecologically significant by Leicestershire County Council, including Local Wildlife Sites, c) sites and features (including hedgerows) identified during the inventory process as being of high biodiversity significance in the context of the Plan Area and d) where biodiversity action plan (BAP) species have been recorded as breeding or as regular visitors. The map (figure 7) shows their locations.

Policy ENV 3 provides protection at the appropriate level for parcels of land of ecological significance when they are affected by proposed development. It delivers site-level compliance in the Plan Area with the National Planning Policy Framework, particularly paragraph 180, the relevant Hinckley & Bosworth Borough Council policies, the Wildlife & Countryside Act 1981 (as amended) and the European Habitats and Species Directives / Transitional legislation in the Withdrawal Act 2018 / Draft Environment Bill 2020 or subsequent legislation following Brexit.

Policy ENV 4 adds local detail to national wildlife legislation, regulations, and planning policy by providing protection for biodiversity action plan (BAP) species including bats and great crested newts wherever they occur in the Plan Area, and for species-rich hedgerows, including those mapped in figure 7.

In all cases, the benefit arising from the proposed development will be required to outweigh its harm.

Figure 7: Composite map of all sites and features of natural environment significance



POLICY ENV 3: PROTECTION OF SITES AND FEATURES OF NATURAL ENVIRONMENT SIGNIFICANCE

– The sites and features mapped here (Figure 7) are of at least local significance for their natural environment significance. They are ecologically important in their own right, contribute to carbon sequestration, and are locally valued.

Development proposals will be required to contribute to the protection and enhancement on a site or feature of Natural Environment Significance, through for example the incorporation of native plants. Development proposals that would have a detrimental impact on such sites will not be supported unless the need for and benefits arising from development in that location clearly outweigh the environmental loss.

Biodiversity, Species Protection and Habitat Connectivity

Species protection: bats

The Plan Area includes several important sites and foraging areas for bats (see Figure 7.1). Records held in the Leicestershire Environmental Record Centre database were augmented by compilation of sightings through summer and autumn 2019; at least six bat species are known to occur. Centres of activity are two known roosts at All Saints Church, Ratcliffe Culey and St. Peter's Church, Witherley, together with a suspected roost site close to Atterton Farm, Atterton. The targeted observations during 2019 suggested the areas used by the recorded colonies for foraging; the areas mapped are likely to underestimate the true ranges, because the species recorded indicate a diversity of foraging habitats which must exist in and around the record locations. In general, the potential foraging, roosting and breeding sites will include notable trees (in gardens and the countryside), woodland, hedgerows, older buildings and – of particular significance in view of the species list – riverside and open water habitats. English legislation (Wildlife and Countryside Act 1981, as amended, and the Conservation of Habitats and Species Regulations 2017, as amended), and building regulations and best practice should all be referred to when development proposals in the Plan Area are under consideration. Policy ENV 4 delivers local compliance with the above by addressing the factors on which bat conservation relies:

- Provision of roosting opportunities
- Availability of foraging and commuting habitat (including connectivity)
- Appropriate management and protection of existing roosts and areas
- No inappropriate artificial lighting

Policy basis: a) Institute of Lighting Practitioners/Bat Conservation Trust Guidance Note 8 Bats and artificial lighting b) Leicestershire & Rutland Environmental Records Centre Guidance Note in bat conservation

Species Protection: Great Crested Newts

Based on data in the 2011 Phase I Habitat Survey (see Figure 8), an area east of Fenny Drayton has one of the highest known concentrations of Great Crested Newts in Leicestershire. This is a very important component of Leicestershire (and Regional) biodiversity and is judged to be the result of a particular combination of factors in this part of Leicestershire, including land use history (in particular the number of small hedged fields, ditches and field ponds), and geology. The Resident Wildlife Recording Sheet Survey provided evidence of sightings in Fenny Drayton and Ratcliffe Culey. Great crested newt habitat zones, including ponds, have been recorded or inferred (based on connectivity and distance from breeding ponds) in these areas. This local population remains at risk, mainly because connectivity between ponds and between other (non-breeding season) habitats is fragmentary, while agricultural land use change is destroying ponds and breaking the connectivity essential for maintaining the population's viability.

Figure 7.1: Bat records (assumed roosts) and Foraging

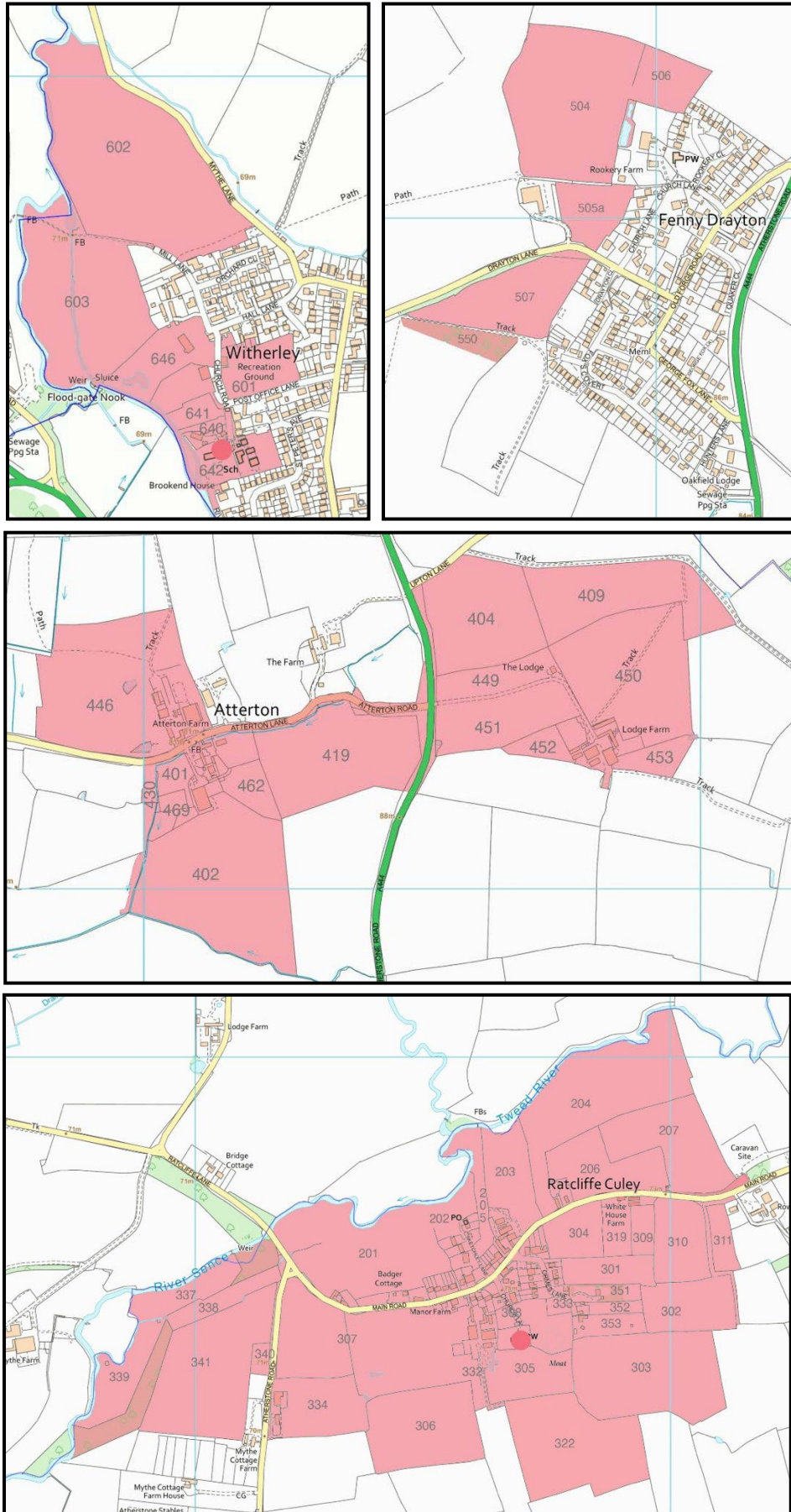
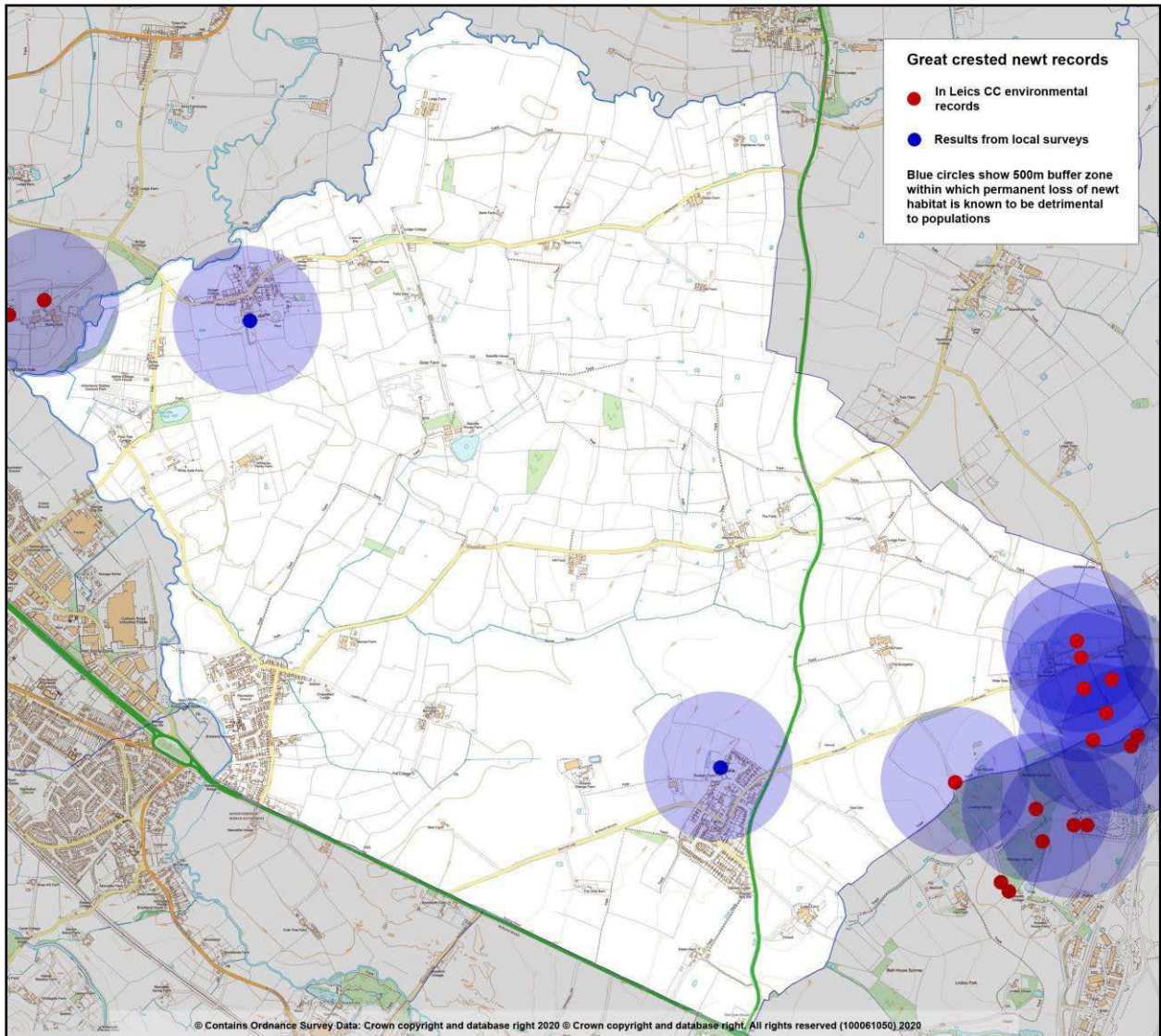


Figure 8: Great crested newts in the Plan Area, 2011-2019 (policy ENV 4)



Thoughtful application of best practice, wildlife legislation and planning conditions to deliver both protection and mitigation, along with identification of vulnerable locations to prevent habitat destruction and fragmentation, and new habitat creation in appropriate places, can together maintain this important population of protected animals in Witherley Parish.

Hedgerows

The most important hedgerows for biodiversity in the Plan Area were identified as part of the fieldwork for the environmental inventory; they are included in the map of environmentally significant sites and features (Figure 7). Most can be assumed to date from the 1766 Enclosure of much of the Parish; some are likely to be older.

The author of the commissioned ecological survey undertaken for this Plan in 2019 (Appendix

11) noted the high local biodiversity and landscape significance of the hedgerows: ‘a key feature in the landscape is the widespread network of mature hedgerows, many of which are associated with a wet ditch. Typically, these hedgerows are large, dense and with a good diversity of species - collectively they represent a very important biodiversity asset. Such high- quality hedgerows are lacking in much of the County so they provide not only a strong visual landscape feature (in a relatively flat area) but are also of crucial importance as habitats in their own right and also in providing connectivity for wildlife to move around the landscape in general, the hedgerow network appears to be amongst the best in Leicestershire and should be a priority for conservation’.

Because of this professionally assessed County level importance for the local hedgerow network, policy ENV 4.4 aims to require all development proposals in the Plan Area to provide protection, mitigation or replacement (net gain) for any hedgerows that would be adversely affected.

Habitat Connectivity

Connectivity is an essential component of biodiversity. Small, isolated populations of animals and plants are at risk of destruction or of simply ‘dying out’. Wildlife Corridors aim to re- connect populations and habitats within Parishes and more widely. Three wildlife corridors (Figure 9, policy ENV 4) have been identified during the preparation of this Plan.

Conformity

This policy is about Parish-level compliance with the relevant HBBC Local Plan policies, the Wildlife & Countryside Act 1981 (as amended), the Hedgerows Regulations 1997 (as amended), and the European Habitats and Species Directives [or their transitioned English equivalents] – and about how Witherley can play its part in maintaining and enhancing biodiversity by taking it into account, at a Neighbourhood Development Plan level of detail, in the Planning system. The policy is supported by National Planning Policy Framework (2021) paragraphs 174 (a) and (d); 179; 180 (a) upon which the policy’s wording is based, 180(c); and

182. The community also expects planning decisions affecting Witherley to follow the spirit of the Government’s 25-year Environment Plan (2018) and the Draft Environment (principles and governance) Bill (2020).

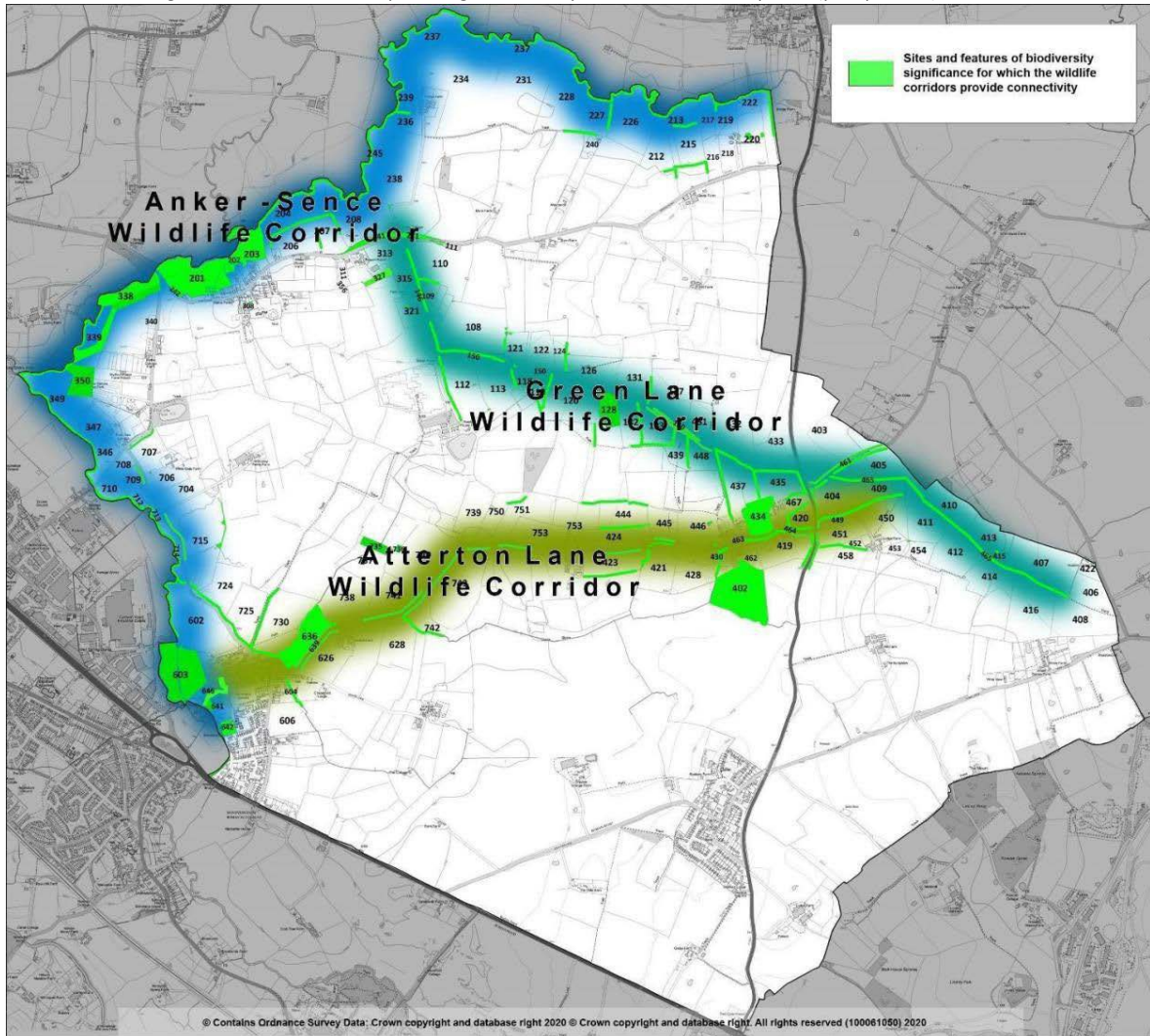
POLICY ENV 4: BIODIVERSITY AND HABITAT CONNECTIVITY - All new development proposals will be expected to safeguard habitats and species, including those of local significance. If significant harm to biodiversity cannot be avoided (through locating to an alternative site with less harmful impacts), adequately mitigated, or compensated for, planning permission should be refused.

- a) To ensure compliance with current legislation and best practice for bat protection, development proposals should use a bat survey by an appropriately qualified person to

determine the presence or absence of bat roosts and commuting / foraging habitat in and adjacent to the development site. Based on the results, the development should:

- in known bat habitat areas, not incorporate exterior artificial lighting (on buildings or open areas) unless demonstrably essential;
 - in known or potential bat habitat areas, do not remove trees or hedgerows unless demonstrably essential; and
 - in all sensitive areas, apply mitigation methods in the design and location of artificial lighting using current best practice in respect of dark buffers, illuminance levels, zonation, luminaire specifications, curfew times, site configuration and screening.
 - result in biodiversity net gain.
- b) To ensure compliance with current legislation and best practice for great crested newt protection, proposals for industrial/commercial/strategic should be accompanied by a Great Crested Newt Survey. There is an expectation that such surveys are carried out by a qualified ecologist. This should identify the appropriate avoidance or mitigation measures to be incorporated into the development proposal. Where appropriate, proposals should also incorporate specific enhancement measures for great crested newts that take account both of current best practice and of the characteristics of the proposal site and of biodiversity significance of adjacent areas.
- c) Development that damages or results in the loss of old and species-rich hedgerows will not be supported. Where loss of any hedgerow is unavoidable as a result of development, it must be minimised, and loss mitigated with replacement planting of locally appropriate native species to provide a demonstrable net gain in hedgerow length either on-site or locally within the Plan area.
- d) Development proposals should not damage or adversely affect the habitat connectivity provided by the wildlife corridors identified in Figure 9.

Figure 9: Wildlife corridors providing connectivity between biodiversity sites (policy ENV 4)



Trees and Woodland

Woodland cover in England currently stands at 10%. In this Plan Area the proportion is less than 1% - just 8.5 hectares of semi-natural woods, copses, naturally ‘re-wilded’ areas, streamsides, churchyards and mature gardens across the whole Parish. Some compensation for this paucity, for biodiversity and landscape, is provided by hedgerows (policy ENV 4), within which are a few dozen examples of notable trees, some designated as LWS (Local Wildlife Site) by Leicestershire County Council. Other notable trees occur in the villages, some with protection from their location in Witherley conservation area.

This policy aims to give the full range of protections within the powers of a Neighbourhood Development Plan to the notable trees and scarce remnants of woodland surviving in the Plan Area. Any further loss of trees and woodland will significantly reduce biodiversity and ensure Witherley fails to play any part in the national target of at least 17% woodland cover that is required to achieve net zero carbon by 2050.

POLICY ENV 5: TREES AND WOODLAND - Trees of arboricultural, historical, ecological and/or landscape value, including those in development proposal sites, should be protected from felling, uprooting or damage unless they have been independently judged by a qualified arboriculturalist to present an unmanageable public safety risk.

Development proposals that would damage or result in the loss of woodland will not be supported unless the environmental and ecological harm is demonstrably outweighed by the benefits of the development. Development proposals affecting trees or woodland need to be accompanied by a full tree Survey (BS 5837 Trees in relation to design, demolition and construction) that establishes the health and longevity of all trees within the site.

If destruction of trees and woodland by new development is unavoidable, developers will be required to plant replacement trees or woodland on the site on a ratio of at least 1:1 or to make provision for an equivalent or greater compensatory area of planting elsewhere in the Parish.

Historical Environment

Sites of Historical Environment Significance

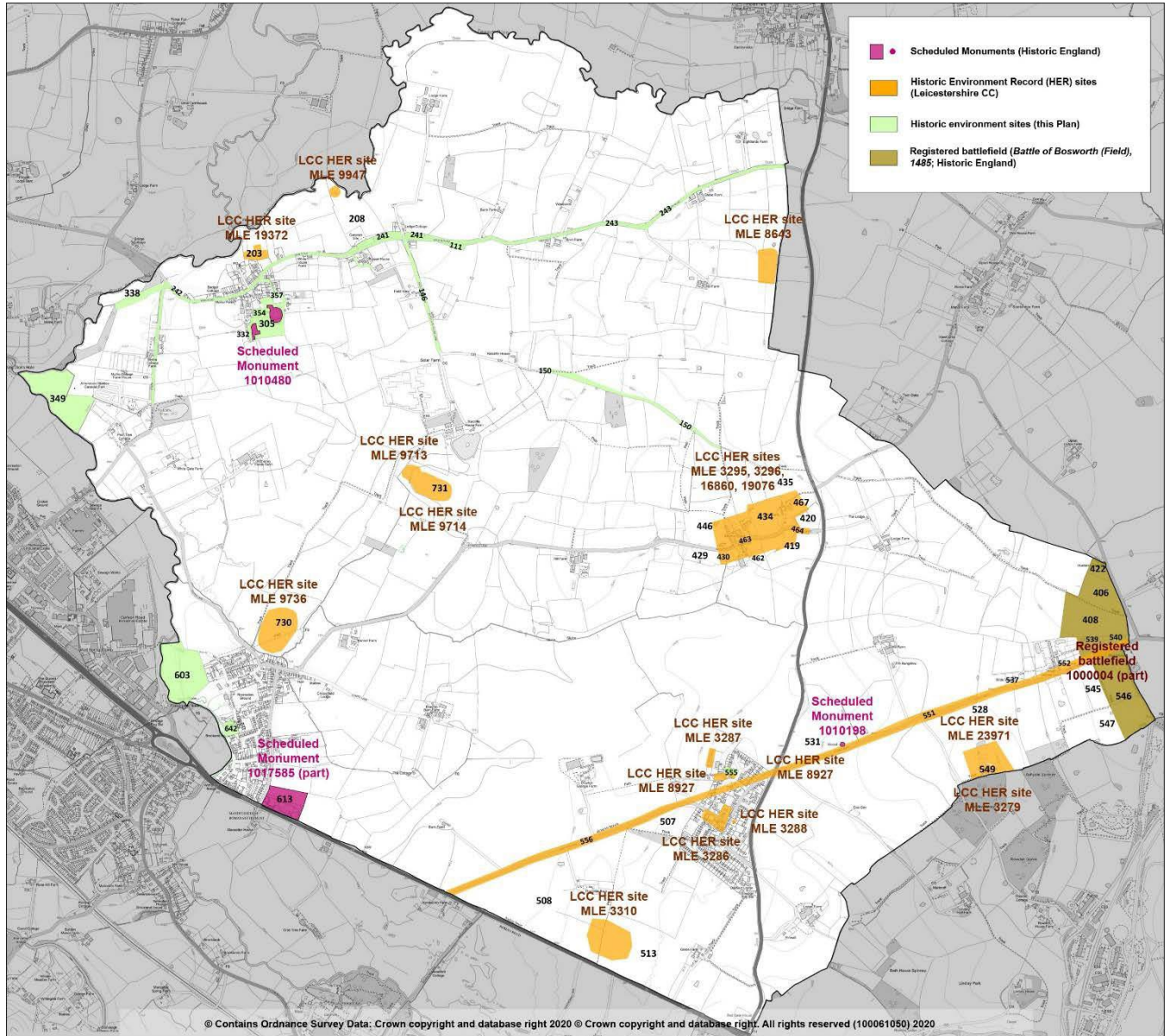
A group of inventory sites scores highly for 'history' (scoring at least 3/5 under this criterion). The features for which the identified sites have been selected and notified are listed in the environmental inventory (Appendix 7). The map (Figure 10) shows their locations.

These historical environment sites comprise a) sites with extant and visible archaeological or historical features or proven buried archaeology, as recorded in the Historic England and Leicestershire CC Historic Environment Records databases, and b) other sites of historical and social significance identified in local records and during the inventory process. The sites mapped in Figure 10 (details in Appendix 7) include designated heritage assets of the highest significance i.e. the scheduled monuments (which have statutory protection) and an area of registered battlefield. Substantial harm to or loss of these designated assets should be wholly exceptional.

POLICY ENV 6: SITES OF HISTORICAL ENVIRONMENT SIGNIFICANCE – In addition to the Scheduled

Monuments (existing statutory protection), the sites mapped in Figure 10 (details in Appendix 7) are non-designated local heritage assets which have at least local significance for their historical features. The features are extant and have visible expression or there is proven buried archaeology on the site, and they are locally valued. The historical and cultural significance of the sites and the features present on them should be balanced against the local benefit of any development that would affect or damage them.

Figure 10: Sites of historical environment significance

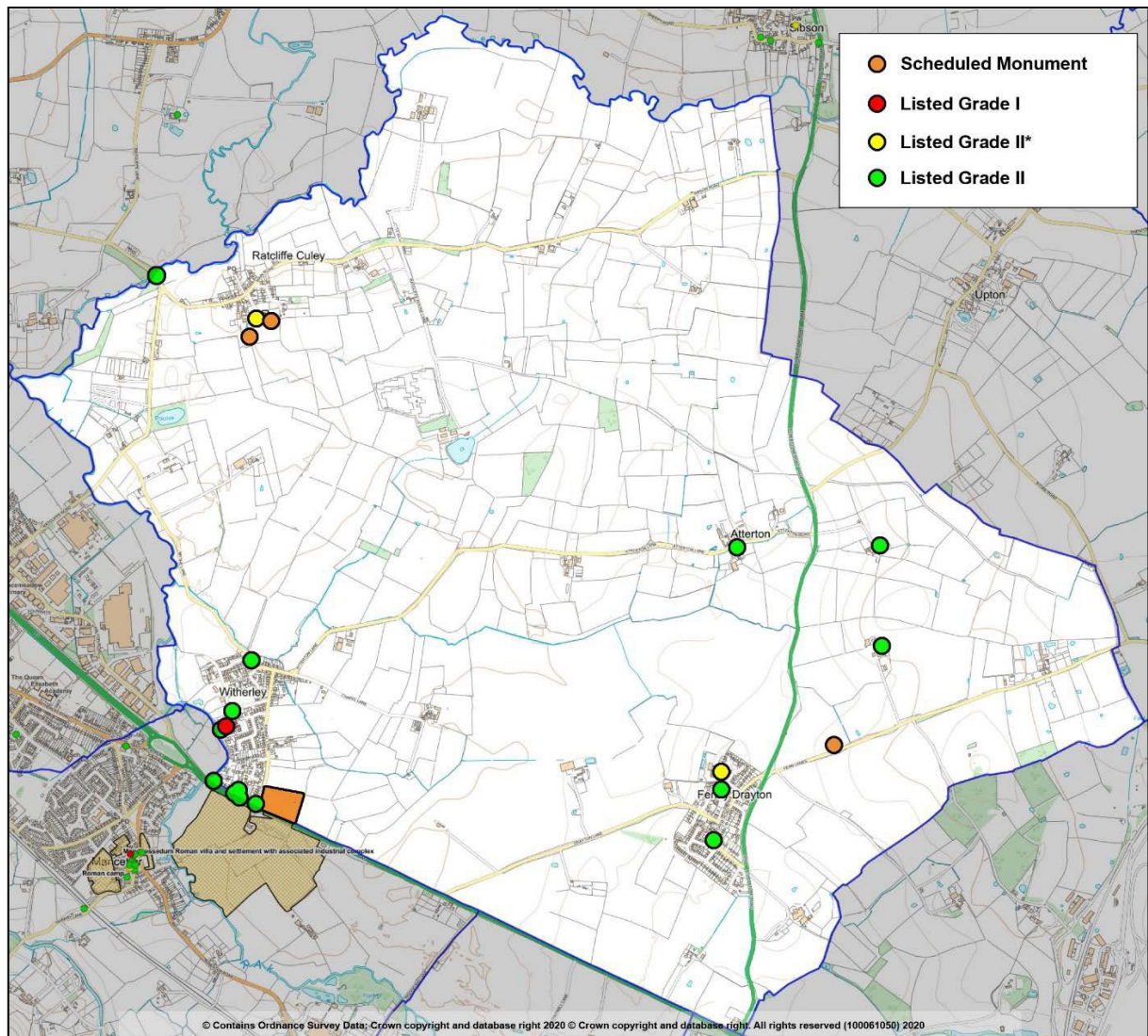


Buildings and Structures of Local Significance

Statutorily Protected Heritage Assets

Seventeen buildings and structures in the Plan Area have statutory protection as Scheduled Monuments or through Listing at Grade I, II* or II. The Neighbourhood Development Plan notes that new development will be required to take into account their settings. Their location within, or close to, sites designated or noted for protection in the Plan's Policies contributes to evidence of significance. See Supporting Information for the full list

Figure 11: Scheduled Monuments and Listed Buildings in the Plan Area (for protection of their settings) Adapted from Historic England, via Parish Online mapping



Local Heritage Assets

The Neighbourhood Development Plan identifies and describes 46 buildings, building ranges and structures in the built environment of the Plan Area that are considered to be of local significance for architectural, historical or social reasons (full details in Appendix 9). Seventeen entries describe those within the Witherley Conservation Area (designated 2009) which were noted and mapped in the relevant documents for the same reasons by HBBC. A further five entries describe existing Leicestershire County Council unlisted buildings in the Historic Environment Record (HER).

Note Local Heritage Assets and community consultation: assets 18 – 36 are newly identified in this Plan. The owners/residents of these buildings and structures have been advised of their property’s inclusion under this Neighbourhood Plan policy. The buildings etc. identified in the HBBC Conservation Area designation statement and those already recognised as non-

designated assets by Leicestershire CC are recorded here for completeness.

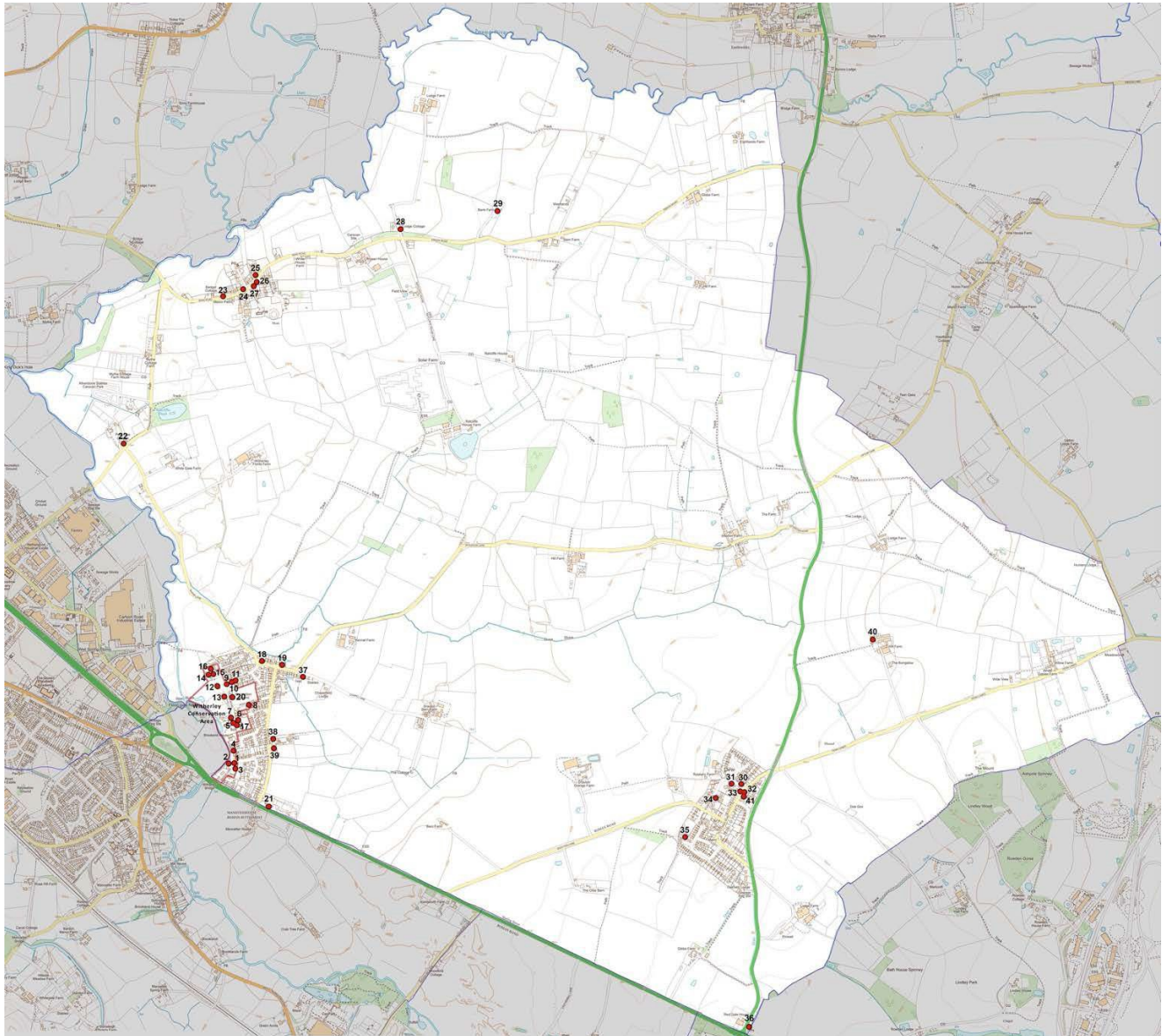


Figure 12: Local Heritage Assets: buildings and structures of local significance

Note: the full size (A2) version of this map is available in the supporting documents

POLICY ENV 7: LOCAL HERITAGE ASSETS – The structures and buildings listed here (map above) are non-designated local heritage assets. They are important for their contribution to local history and to the layout and characteristic mix of architectural styles in the Plan area. The benefits of a development proposal, or of a change of land use requiring planning approval, will need to be judged against their significance as heritage assets.

1. Assets wholly or partially in the Witherley Conservation Area (2009), noted by HBBC as of local historic or architectural significance, and still in existence

- | | |
|--|---|
| 1. No.1 Bridge Lane, Witherley | 11. Home Farm, Hall Lane, Witherley |
| 2. No.2 Bridge Lane, Witherley | 12. Witherley Hall, Hall Lane, Witherley |
| 3. No.3 Bridge Lane, Witherley | 13. Old Rectory and Old Rectory Cottage, Church Rd, Witherley |
| 4. Nos. 3 & 4 Riverside, Witherley | 14. The Stables, 7 Mill Lane, Witherley |
| 5. No.1 Church Road, Witherley | 15. The Coach House, 5 Mill Lane, Witherley |
| 6. Nos.2 & 4 Church Road, Witherley | 16. Vine Cottage (The Nurses House), The Hall, Witherley |
| 7. Blue Cross Cottage, 5 Church Road, Witherley | 17. Witherley CE Primary School |
| 8. Nos.15, 17 & 19 Post Office Lane, Witherley | |
| 9. Witherley Hall Lodge, no.2 Hall Lane, Witherley | |
| 10. The Cottages, 4-12 Hall Lane, Witherley | |

2. Assets identified in this Plan as of local historical or architectural significance

- | | |
|--|--|
| 18. Woodbine Cottage, 1 Atterton Lane, Witherley | 27. The Gate Inn, Main Street, Ratcliffe Culey |
| 19. Nos.23 & 25 Atterton Lane, Witherley | 28. Lodge Cottage, Sibson Road, Ratcliffe Culey |
| 20. Witherley War Memorial, Recreation Ground, Witherley | 29. Bank Farm House, Sibson Road, Ratcliffe Culey |
| 21. The Bull Inn, Witherley Road (Watling Street), Witherley | 30. Nos.2&4 Church Lane, Fenny Drayton |
| 22. Mythe Cottage, Atherstone Road, Witherley | 31. The Old Coach House, Church Lane, Fenny Drayton |
| 23. Walter Leith Memorial, verge at 1-3 Main Road, Ratcliffe Culey | 32. Nos.13-15 Old Forge Road, Fenny Drayton |
| 24. Wisteria Cottage, no.23 Main Road, Ratcliffe Culey | 33. K6 Telephone Kiosk, Old Forge Road, Fenny Drayton |
| 25. Red House Farm, Ratcliffe Culey | 34. Bridle Cottage, Church Lane, Fenny Drayton |
| 26. K6 Telephone Kiosk, Main Road, Ratcliffe Culey | 35. Nos.1-3 Lodge Farm Cottages, Fox's Covert, Fenny Drayton (Birthplace George Fox) |
| | 36. The Royal Red Gate Inn, Watling Street, Fenny Drayton |

3. Assets identified in the Leics. CC Historic Environment Record as unlisted buildings of local historical or architectural significance

- | | |
|--|---|
| 37. Parish Rooms, Chapel Lane, Witherley (Previously known as 'The Mission Room') (Leics HER MLE 6324) | 40. Farm Buildings, Hill Farm, Fenny Drayton (Leics HER MLE 19835) |
| 38. Atherstone Hunt Kennels and Stable, Kennel Lane, Witherley (Leics HER MLE 24332) | 41. The Forge, 15 Old Forge Road, Fenny Drayton (Leics HER MLE 20906) |
| 39. Hunt Cottages 57-59 Kennel Lane, Witherley (Leics HER MLE 24331) | |

Ridge and Furrow

The medieval townships of Witherley, Ratcliffe, Atterton and Drayton were primarily agricultural and, beginning in the 9th or 10th century AD, were farmed using the Open Field system. All the open land, other than small fields (closes) backing onto the villages, meadows in stream valleys and a few patches of woodland or waste, was worked in a seasonal and yearly rotation of arable crops (cereals, beans), grazing and fallow. Medieval ploughs were pulled by oxen and, because they were not reversible, the soil was always turned rightwards as the plough team progressed up and down the furlongs, to produce a corrugated pattern of ridges and furrows whose dimensions increased with every season. The normal arrangement was to have three large open fields, and this is confirmed in Witherley itself, with its Moor, Middle and Mythe Fields.

The open field system was practised in the four townships for most of the medieval period until changes in land ownership and use, beginning in the Tudor period, and an ‘agricultural revolution’ in the 18th century, gave rise to a change from large communal open fields to enclosed, privately-owned small fields with hedged boundaries, and a change from arable to pastoral (livestock) farming. The land in the Plan Area was enclosed in this way in several phases, beginning some time before 1550 in Ratcliffe and culminating in the Parliamentary Enclosures in the mid- to late- 18th century.

The result of Enclosure, although socially disruptive, was to ‘fossilise’ the ridges and furrows under grass and hedgerows, and this situation persisted until the mid-20th century, when a second agricultural revolution after the Second World War effectively reversed the first one. British governments, later the European Union, encouraged farmers, mainly through subsidies, to plough the pastures and turn them over to intensive arable production. Wherever this happened, modern reversible ploughs quickly obliterated the ridge and furrow. In most English open field Parishes, the loss of ridge and furrow since 1950 has been over 90%. In the 1990s, English Heritage (now Historic England), realising the scale of this destruction, undertook the first of a series of surveys (‘Turning the Plough’) across the Midlands, including Leicestershire, and made recommendations for protection and management.

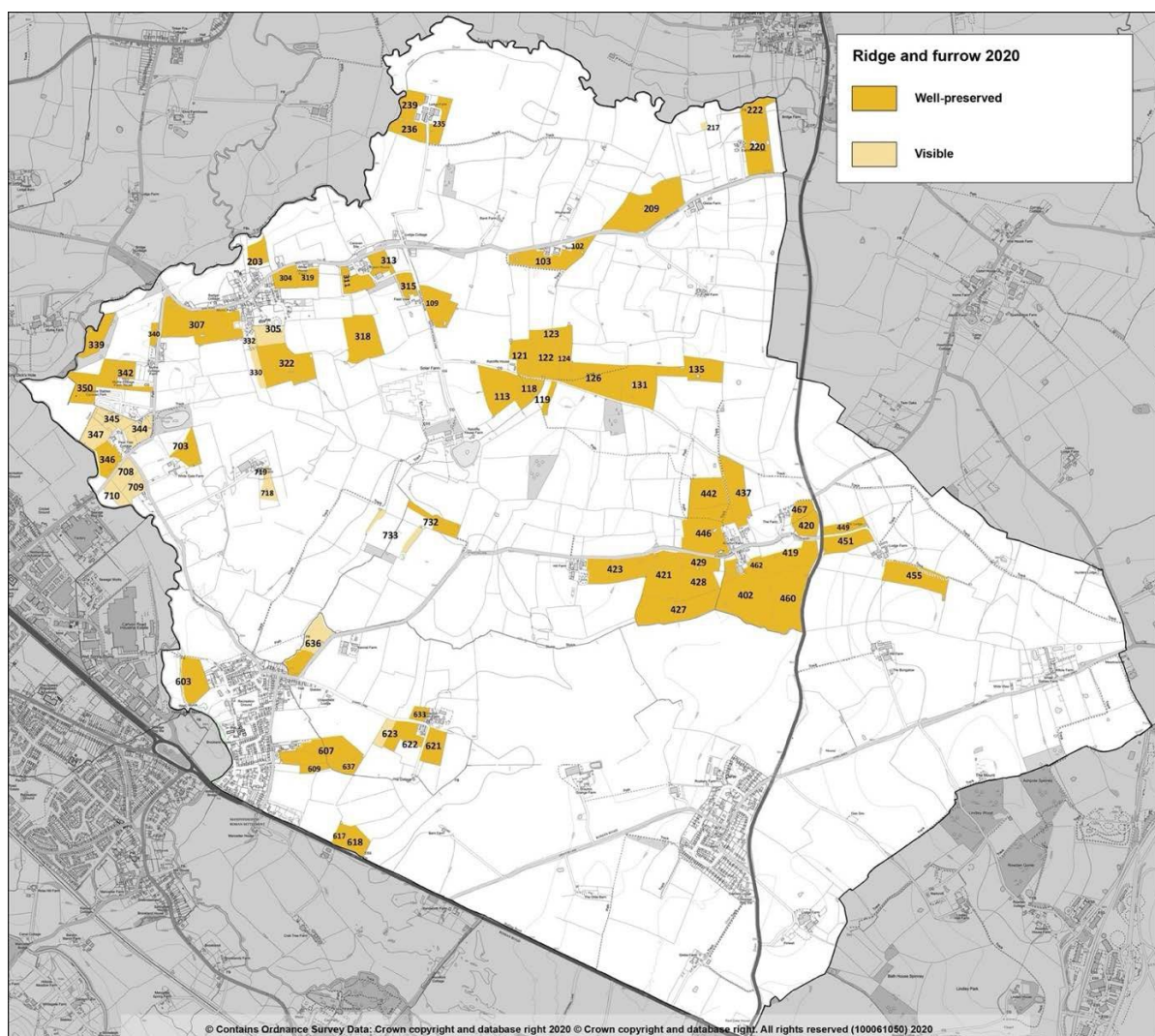
The extent of ridge and furrow in 1947 was mapped in the 1980s from aerial photographs; this and the 2009 Turning the Plough (Historic England and Northamptonshire CC) survey were used as baselines for a new survey undertaken as part of the inventory for this Plan in 2019-20. The summary results (see also Supporting Information) show the decline since 1947; including the rediscovery of a few small ridge and furrow areas not recorded in 2009 the situation is now as follows:

1947	c. 1164 ha	2009	c. 284 ha	2020	c. 180 ha
------	------------	------	-----------	------	-----------

In English legislation ridge and furrow fields (except for the few that are Scheduled Monuments) are not statutorily protected, despite recognition that “as the open field system was once commonplace in NW Europe, these [surviving] sites take on an international importance” (English Heritage, 2001). It could also be argued that ridge and furrow is as important as ancient churches for connecting us to our medieval predecessors.

While the individual fields with surviving ridge and furrow in the Plan Area are not claimed to be of international importance, the relatively coherent groups (showing how the ploughlands were laid out and worked) and their rarity across the Midlands means that any further, avoidable, loss would be highly detrimental. In conformity with paragraph 200 of the National Planning Policy Framework (including footnote 68), supported by NPPF 2021 paragraph 189 and following the recommendation of Historic England, all surviving ridge and furrow in the Plan Area should now be regarded as a non-designated heritage asset and taken into account in the planning system as the visible evidence of a component of national heritage comparable in significance to that of surviving medieval buildings.

Figure 13: Surviving ridge and furrow in Witherley, 2020



POLICY ENV 8: RIDGE AND FURROW - The areas of ridge and furrow earthworks mapped in Figure 13 are non-designated local heritage assets.

Development proposals which would affect the identified ridge and furrow resources in the neighbourhood area will be determined on the basis of any assessment of the scale of the harm or loss of the heritage assets concerned, their significance and the public benefits that would arise from the development concerned.

Lane Settings

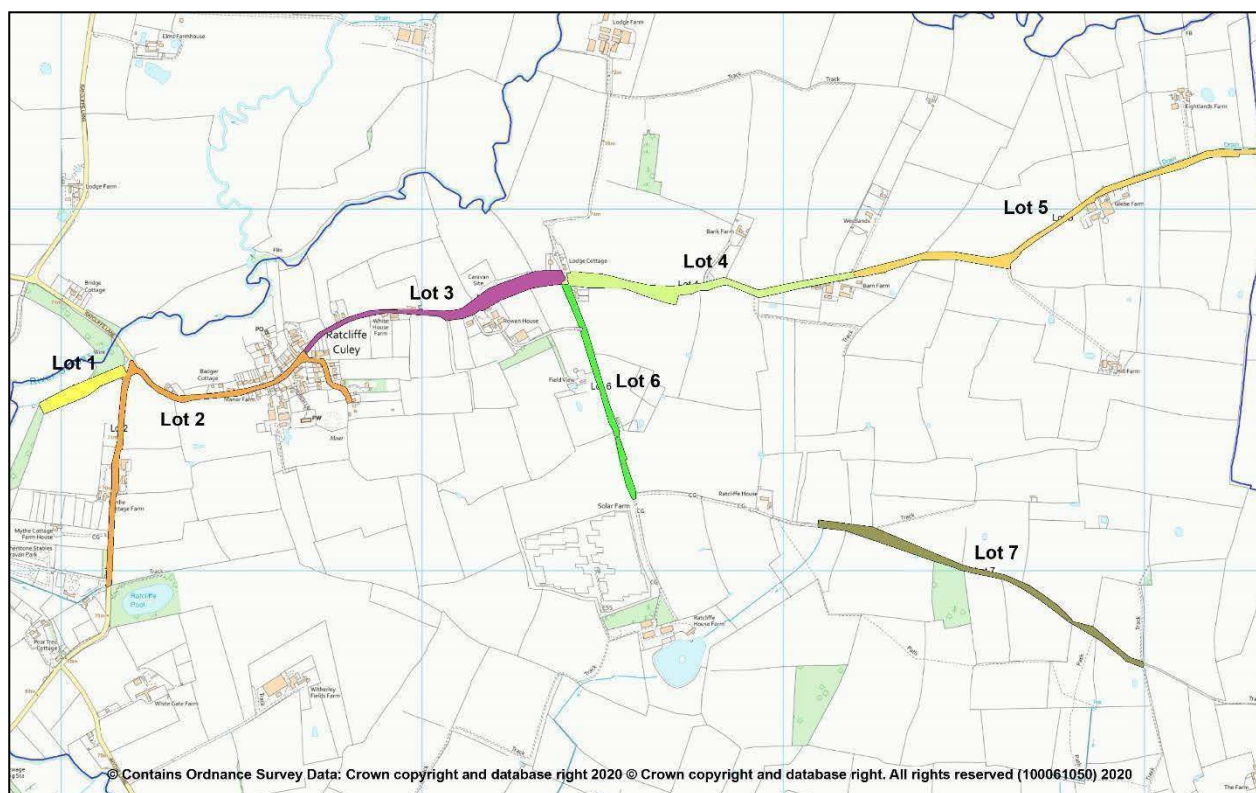
The 1766 Act of Parliament for the Enclosure of Ratcliffe Culey included a provision for the Commissioners to maintain the roads and for the Annual Setting of the Lanes to 'raise monies for the maintenance of the roads'. While similar arrangements were made in enclosed parishes elsewhere in the midlands, Ratcliffe Culey's is the only one to continue into the 21st century. On the first Thursday after Easter an auction takes place at which members of the community bid for 'the right to graze your sheep or beast upon your lot'. Although livestock grazing is no longer practicable on the wide verges of narrow public roads, letting the rights has carried on as an important heritage tradition. This is mentioned explicitly in the 1767 Enclosure Award and an 1854 Commissioner's plan as 'the gravel hole for the poor of Ratcliffe Culey'.

As a unique rural event and a component of local history of which residents are understandably proud, the Lanes should be recognised and protected in the Planning system as non-designated heritage assets.

POLICY ENV 9: LANE SETTINGS LOTS - The seven Lane Setting lots mapped in Figure 14 are non-designated local heritage assets.

Any loss or damage arising from Highway works, a development proposal or change of use requiring planning permission is to be avoided without suitable mitigation; the significance of the features as heritage assets must be balanced against the benefits of such development.

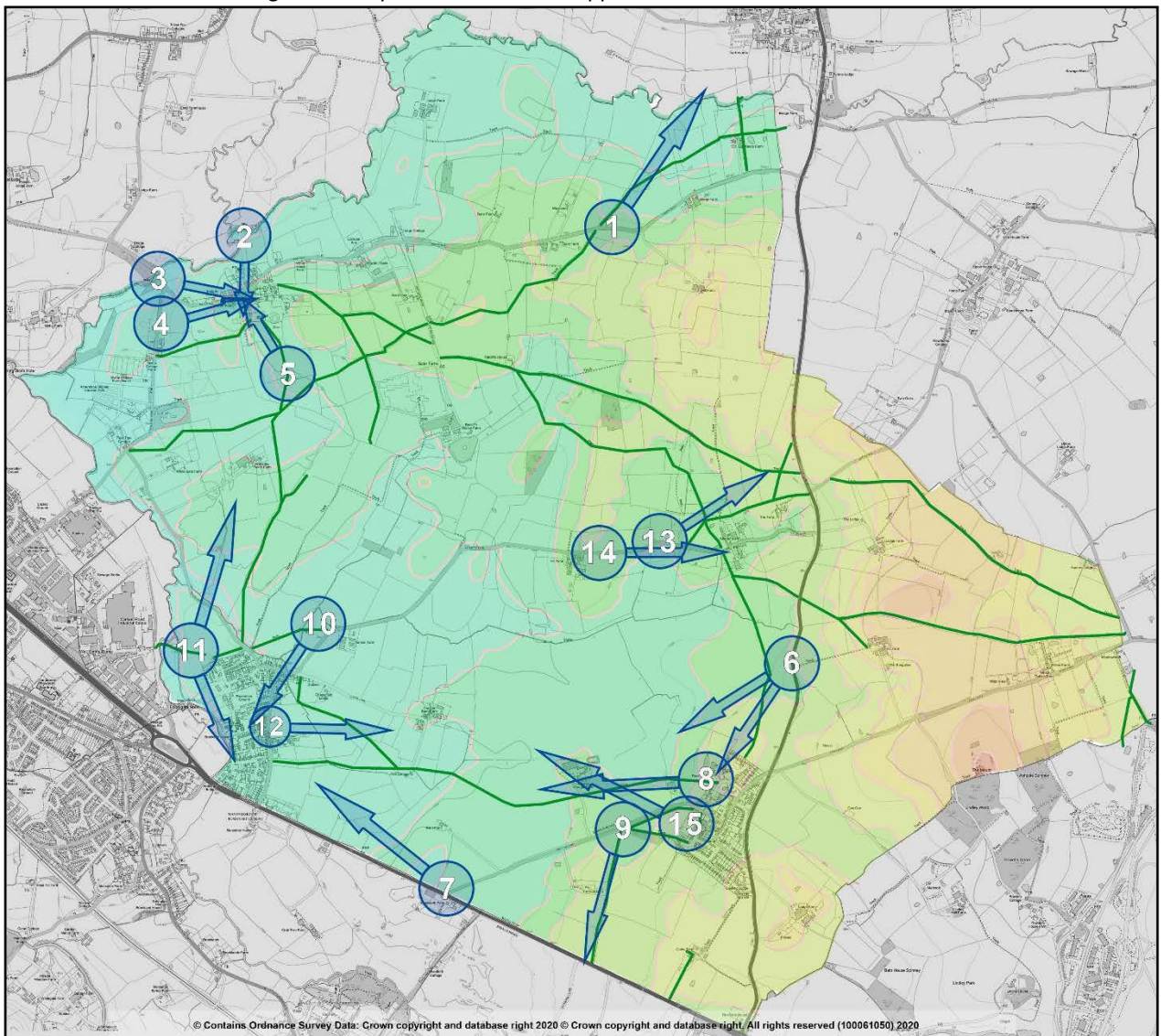
Figure 14: Lane Settings lots



Important Views

Consultation during the Neighbourhood Development Plan's preparation identified a widely held wish to protect what remains of Witherley's rural setting and its relationship with the surrounding landscape, the fully rural village character of Ratcliffe Culey and Atterton, and the open countryside setting of Fenny Drayton. One of the main ways in which residents expressed this wish was by identifying and mapping a number of highly valued viewpoints in the Plan Area. These consultation findings were supported and augmented by the environmental inventory, which although principally aimed at identifying sites of environmental significance also confirmed the eligibility and sightlines of the views proposed by residents and identified several more in the wider countryside (Figure 15, details in Appendix 10).

Figure 15: Important views. See Appendix 10 for details



POLICY ENV 10: PROTECTION OF IMPORTANT VIEWS – The following views (locations Figure 15) are important to the setting and character of the villages and Parish. New development should be designed to respect locally important and valued views and where possible enhance them. Development which would have an unacceptable impact on the identified views will not be supported.

1. The view from Sibson Road near footpath T21 looking North-East towards Sibson.
2. The view South towards Ratcliffe Culey from the footbridge over the Sence Brook on footpath T12, near its confluence with the River Sence.
3. View North-East from the road bridge over the River Sence that forms the north-west Parish boundary. The spire of All Saint’s Church, Ratcliffe Culey, is on the horizon.
4. Looking East on Ratcliffe Road across fields of surviving medieval ridge and furrow towards the spire of Ratcliffe Culey church.
5. View looking north on footpath T31 towards Ratcliffe Culey church.

6. The view from the A444 Atherstone Road looking South-West towards Fenny Drayton with Witherley to the right and the Nuneaton Ridge on the horizon.
7. The view North-West towards Witherley from the junction of Drayton Lane and the A5 trunk road.
8. The view from footpath T27 at Church Lane, Fenny Drayton looking West towards the A5 trunk road and the Nuneaton Ridge.
9. View South-South-West from Drayton Lane, Fenny Drayton along footpath T44.
10. The view South towards Witherley from footpath T34 with the spire of St Peter's Church in the distance.
11. Views from the northern edge of Cottager's Piece, Witherley, north-east towards Ratcliffe Culey and south from footpath T30 at the footbridge over the River Anker (which forms the Parish's western boundary with North Warwickshire) across Cottager's Piece towards Witherley village and the church spire.
12. From Kennel Lane, Witherley, east to the high ground beyond Fenny Drayton, with the former Hunt Kennels to the right.
13. Northeast from Atterton Lane on the easterly approach to Atterton.
14. East from Atterton Lane between Witherley and Atterton, showing the wide verges and vistas along this popular route for walking, cycling and horse-riding.
15. Northwest from Fenny Drayton playing field (Drayton Close green space in Important Open Spaces, policy ENV 2) toward Witherley

Footpaths and Bridleways

The Plan Area's location in rural south-west Leicestershire, with easy access from Leicester, north Warwickshire and Tamworth, makes it popular for recreational walking. As well as visitor interest, the household resident survey for this Plan identified local footpaths as having high value for local people, both in their own right and for physical wellbeing and mental health.

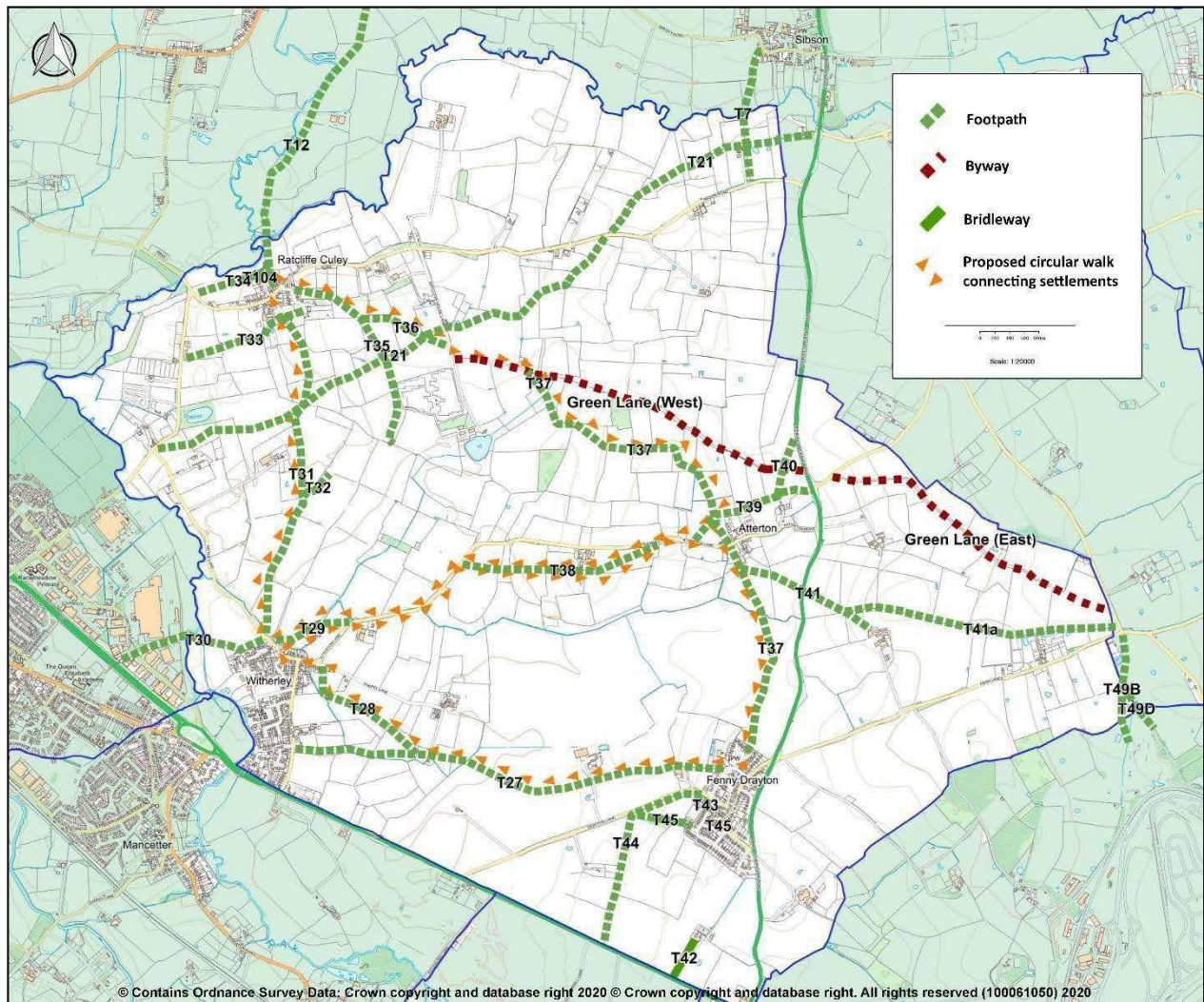
Most walking routes in the Parish are well maintained and signposted, and there are circular village walks around Atterton and Ratcliffe Culey. The network of green lanes, most of at least local historical significance, are also a characteristic landscape feature. The Neighbourhood Development Plan includes a Community Action to add to the existing network by promoting a new circular walk connecting all four settlements; it would pass some of the most biodiverse areas and places of historical interest, and take in the two pubs in the Plan Area as a contribution to support for local businesses.

See SUPPORTING DOCUMENT for further details.

POLICY ENV 11: FOOTPATHS AND BRIDLEWAYS - Development proposals that result in the loss of, or have a significant adverse effect on, the existing network of footpaths (Figure 16) will not be supported without appropriate mitigation.

Development proposals should consider improvement of existing and, where possible, creation of new footpaths and cycleways to provide off-road connections to village services including the school.

Figure 16: Footpaths, bridleways and other walking routes



Renewable Energy Generation Infrastructure

National Planning Policy Framework 2021 paragraphs 156-158 make it clear that all communities are responsible for reducing emissions as part of the necessary approach to mitigating and adapting to climate change. Residents of Witherley Parish wish to play their part, but at a scale appropriate to the landscape of the Plan Area. The impact of wind generation projects on communities has been recognised by the government: A Ministerial statement made on the 18th June 2015, notes that while suitable areas for wind energy development must be identified in local plans (as has been done in HBBC Site Allocations and Development Management Policies DPD 2016), any such developments must have the support

of affected local communities. This policy provides that support, subject to specific conditions about location, scale and impact.

Solar

An audit undertaken in 2019 (by the Environment Theme Group) shows only 27 properties across the Parish had solar panels. However, the presence of the existing solar farm at Ratcliffe Culey (6.5ha), which is well screened by a deciduous woodland, 1.2ha in size and whose operator works with the Parish Council to support the local community, is supported by a majority of respondents to the Neighbourhood Development Plan questionnaire; this suggests a wider acceptance of solar generation as a contribution to a greener Parish.

Turbines

Evidence obtained during the community consultation for this Plan, including public drop-in sessions and the questionnaire, confirmed that the community would support renewable energy infrastructure development of appropriate scale in suitable areas of the Parish. The Plan Area falls entirely within HBBC Landscape Sensitivity Area G Fen Lanes (HBBC Renewable Energy Capacity Study 2014), meaning that, subject to community agreement to individual proposals, small (up to 25m tip height) and medium (to 80m) turbines would be acceptable. Because of the visibility of any large infrastructure across the relatively flat topography of the Plan Area, larger (80-135m) turbines would be regarded as unacceptably intrusive and would not be supported.

Sensitivity of Landscape Character Area G Sense Lowlands to turbines of various sizes (HBBC 2014)

Landscape Character Area	Small scale wind turbines (25-40m)	Medium scale wind turbines (40-80m)	Large scale wind turbines (80-135m)
G: Fen Lanes Character Area	Low	Low-moderate	Moderate

Within the areas of high social, landscape, historic and biodiversity value, the community's opinion is that only small, domestic or agricultural, privately initiated proposals would be supported.

This policy is in conformity with or supported by NPPF (2021) paragraphs 156-158 and Hinckley & Bosworth Borough Council Settlement Site Allocations 2016 Policies DM2, DM11, DM12, and Core Strategy 2009 Spatial Objective 10.

POLICY ENV 12: – RENEWABLE ENERGY INFRASTRUCTURE: Proposals in the Plan Area for turbines of 80m or greater tip height will not be supported. Individual, small-scale, domestic or small business (up to 25m) proposals will be supported subject to compliance with other conditions in this policy, and with the approval of residents.

Subject to the above paragraph in respect of turbine size, renewable energy Infrastructure of all types in the Plan Area (including solar, ground source heat pumps and aerobic digesters)

will only be supported if the proposal demonstrates that it will not adversely impact on:

- a) Health and wellbeing of the community by virtue of noise, visual impact, reflections/glare, water pollution, smell, air quality, gaseous or noxious emissions or/and the biodiversity of the surrounding area.
- b) The character of the surrounding area including protected views and vistas.

Any proposal must be of an appropriate scale and supported by relevant documentation, for example impact assessments covering archaeology, landscape, visual impact, environmental impact, flood impact, ecological mitigation, arboriculture (impact & method) tree reference and protection.

Flood Risk Resilience

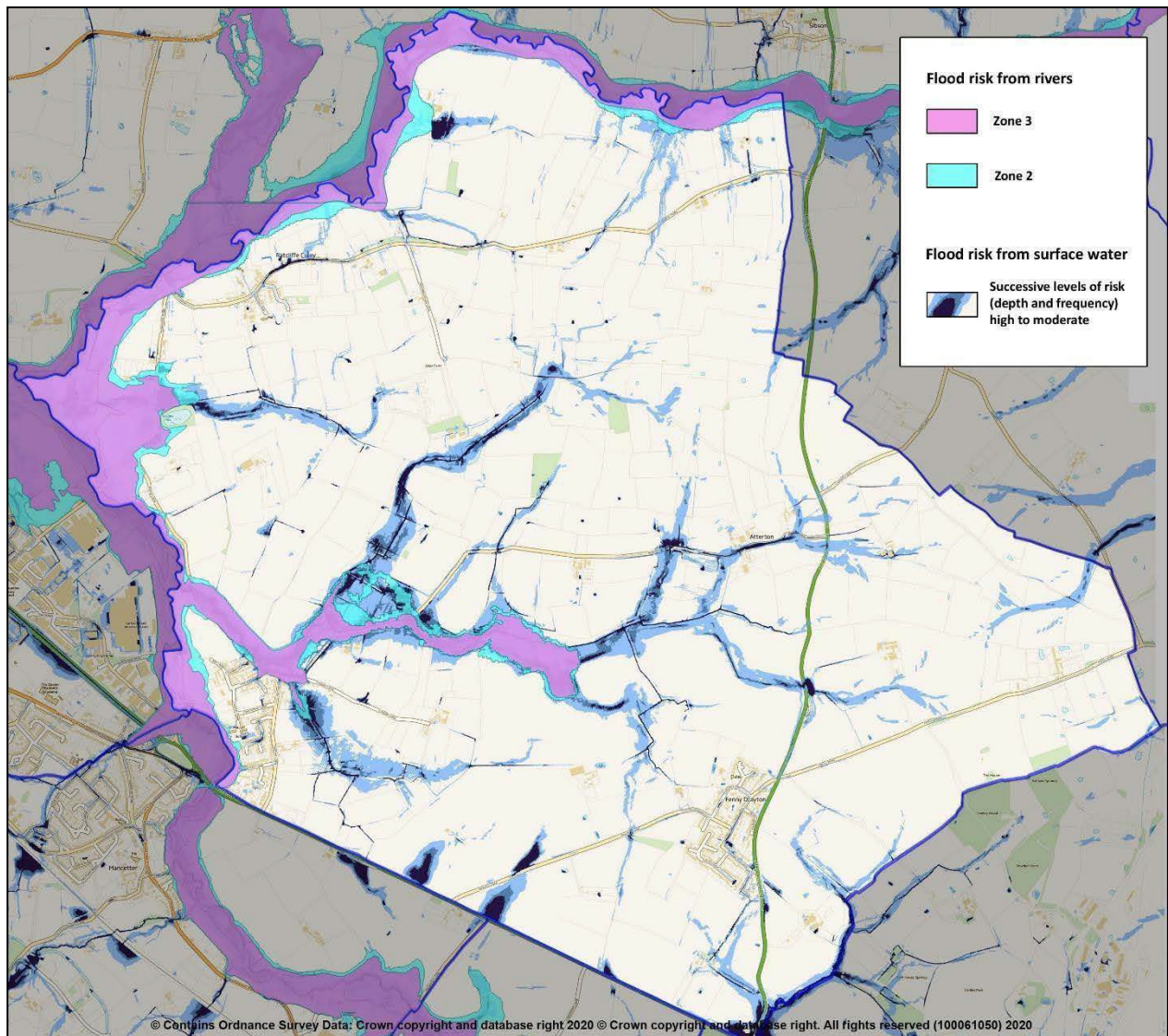
Even if international cooperation and national strategies and policies eventually succeed in halting the human and industrial contributions towards climate change, the effects of recent and current warming on weather events will likely persist for decades. It is therefore desirable to plan for at least a medium-term future, in which weather events will continue to become more extreme, by putting in place measures that mitigate the challenge of climate change for the lifetime of this Plan and beyond. This objective is explicitly supported by the Environment Agency (EA) draft National Flood and Coastal Erosion Risk Management Strategy for England (2019), in which the strategic emphasis for the EA shifts from mitigation to resilience; in other words, from requiring new development to reduce its adverse effects on flood risk and to avoiding creating or adding to flood risk at all.



Because of the way the floodplains of the Anker and its tributaries border and extend into the Plan Area, parts of the Parish have flooded frequently in the past: in Witherley itself, for example, Cottager's Piece and other riverside fields took the pressure off the village at times of heavy rainfall, while the Mythe Lane area had a duckpond and withy bed that held excess water from further upstream. These were features of the Parish that were accepted as 'normal' before building on

floodplains and other 20 century development in inappropriate places made these traditional mitigations inadequate. A combination of topography, geology (see Figure 4), changes in agricultural practice and new infrastructure across the Parish and upstream in the Anker catchment now makes the Plan Area vulnerable to flooding events, both from the rivers and watercourses and from surface water. Local experience in recent years, including during the time of preparation of this Neighbourhood Development Plan (2019-2020), is that these types of flooding, together with that caused by flow from an over-capacity water table, have increased in extent, duration and severity.

Figure 17: Flood risk from rivers (Flood Risk Zones 3 and 2) and from surface water



Composite of Environment Agency mapping

In light of this, it is particularly important that the location and technical standards of all new development proposals in the Plan Area should in future be judged on their likely contribution to flooding in a climate change world. To complement this, the community will support proposals to improve the infrastructure within the built-up areas for managing flooding from the rivers and from surface water run-off events, providing this is not unduly detrimental to the historic built environment, biodiversity sites, or open and green spaces. This policy supports and is in conformity with NPPF paragraphs 159, 160 and 161, especially (b), and is strongly supported by the 2019 draft National Flood and Coastal Erosion Risk Management Strategy for England, particularly the strategy's recognition of the need to build flood resilience into future strategic development planning. It is also in general conformity with Hinckley & Bosworth Borough Council Site Allocations and Development Management policies EN8, EN11 and EN12.

POLICY ENV 13: FLOOD RISK RESILIENCE – Development proposals for new development affecting an area larger than 9m² in flood risk zones 2 and 3 and within the areas of surface water flood risk indicated in Figure 17 will be required, where appropriate, to demonstrate that the benefit of development outweighs the harm in relation to its adverse impact on national and Hinckley & Bosworth Borough Council climate change targets, and that it will not conflict with locally applicable flood resilience strategies and mitigation infrastructure.

Proposals to construct new (or modify existing) floodwater management infrastructure (ditches, roadside gullies, retention pools, etc.), including within the built-up areas, will be strongly supported.

Development proposals for one or more new dwellings and/or for employment development should demonstrate that:

- a. if in a location susceptible to flooding from rivers or surface water, an alternative site to meet the local residential development need is not available;
- b. its location and design respect the geology, flood risk and natural drainage characteristics of the immediate area and is accompanied by a hydrological study whose findings must be complied with in respect of design, groundworks and construction;
- c. it includes a Surface Water Drainage Strategy which demonstrates that the proposed drainage scheme, and site layout and design, will prevent properties from flooding from surface water, including allowing for climate change effects, and that flood risk elsewhere will not be exacerbated by increased levels of surface water runoff, and that these will not threaten natural habitats and water systems;
- d. its design includes, as appropriate, sustainable drainage systems (SuDS) with ongoing maintenance provision, other surface water management measures and permeable surfaces;
- e. it does not increase the risk of flooding to third parties;
- f. proposed SuDs infrastructure includes, where practicable, habitat creation comprising e.g. landscaping, access and egress for aquatic and terrestrial animals, and native species planting; and
- g. it takes the effects of climate change into account.

Area of Separation

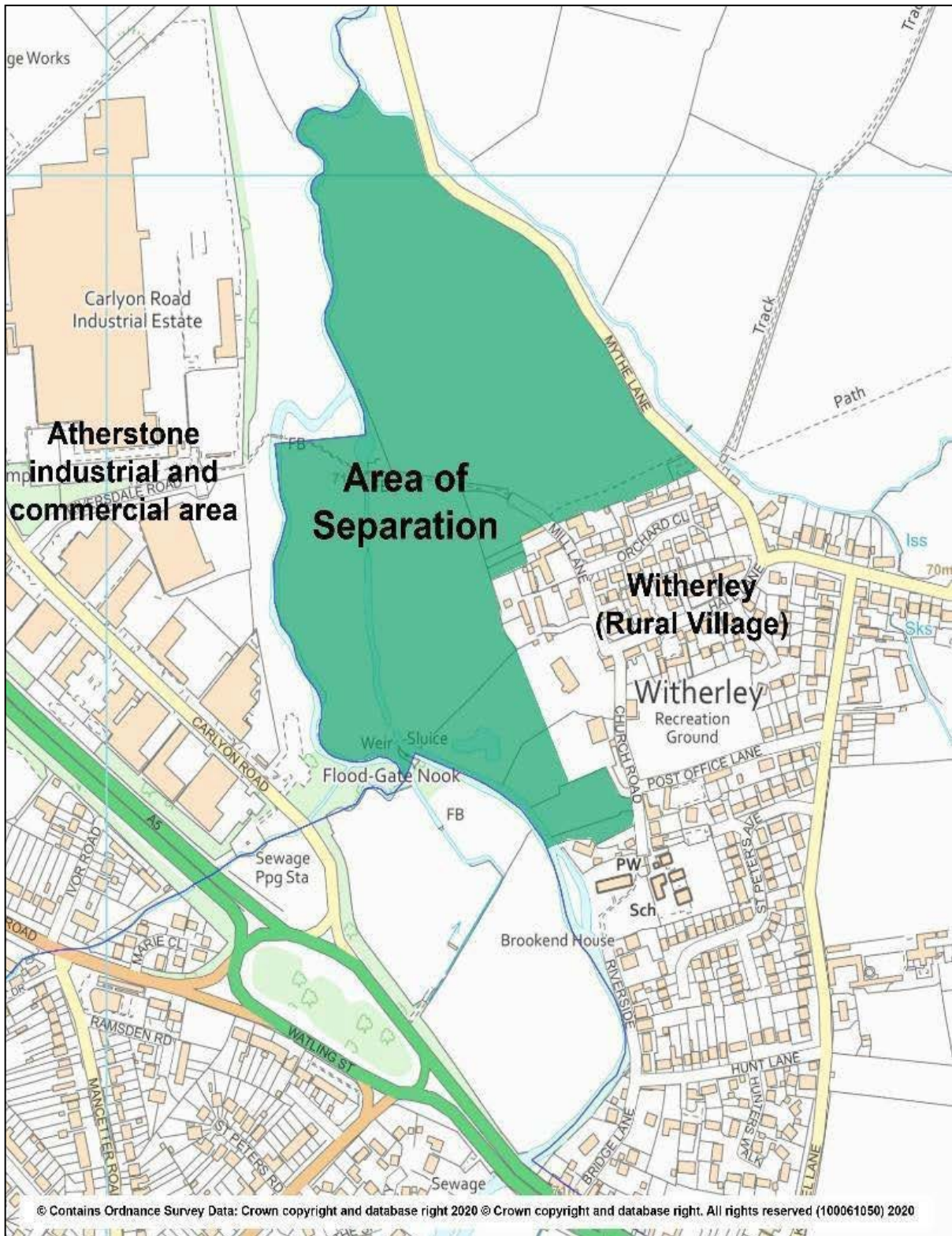
The principle of Areas of Separation has been established in HBBC Local Plans (and Core Strategies) since 2001; their purpose being:

- a) to maintain the physical identity of communities and
- b) to preserve the physical separation between incompatible uses, in particular between residential and employment areas.

Seven Areas of Separation were proposed in the HBBC Areas of Separation Review 2012; none of them is relevant to the Plan Area, but it appears to Witherley residents that there are actual and potential identity and separation conflicts between the parts of Atherstone north of the A5 and the Rural Village (as defined by HBBC) of Witherley. This Plan's scope limits its powers to land within the Plan Area, so although there are theoretically further opportunities for Atherstone to expand eastwards toward the river Anker (in the areas outside the Witherley Neighbourhood Development Plan Area) which cannot be resolved through a Neighbourhood Development Plan policy, the area mapped in Figure 18 is identified in this Plan as a new Area of Separation to prevent the remaining open land (a wedge of between 200m and 400m width) being reduced further by westward or northward growth of Witherley. The last meaningful separation (physical and identity) between the two settlements would be destroyed if this area were to be built on.

POLICY ENV 14: AREA OF SEPARATION – To retain the spatial and visual separation between Witherley and Atherstone (north), the open land indicated in Figure 18 is designated as an Area of Separation. Development proposals between the present Witherley settlement boundary and the River Anker should be of an appropriate scale and type and should be located and designed to maintain the separation of the settlements.

Figure 18: Area of Separation
- to prevent coalescence of Witherley with Atherstone



2.1 Community Sustainability

Introduction

Overall, the community facilities and amenities that exist in Witherley Parish make a significant contribution to its vitality and sense of community. They have a positive impact on our sustainability, enhancing the quality of life for residents and providing the potential for social interaction. The largely traditional nature of farming around the villages has meant that the field pattern in these villages is virtually unchanged: there is some cereal cultivation but most of the landscape is still one of arable with unchanged hedgerows, and mature trees, providing a valuable resource for wildlife.

The villages in our Parish are graced by the beauty of the lanes leading to them. Wide verges and mature oak and ash trees lend an unchanged, traditional aspect to the villages which, although typical of the countryside of rural Leicestershire, is in danger of being subtly lost by development. It should be noted here that the disease known as 'Ash Dieback' is now making its presence felt along Atterton Lane leading from Witherley to Atterton and consideration should be given to replacing trees along the country lanes with suitable native species which will maintain the attractive aspect of these lanes.

To promote the ongoing prosperity of the Parish, we should encourage the retaining of our existing community facilities and amenities and continue to provide local services that will sustain the vitality of the community.

The importance of the existing facilities and amenities was highlighted in our Neighbourhood Survey which was carried out in late 2018.

Community Facilities and Assets

Witherley

Witherley is a village of approximately 309 houses; having formerly been a farming community, there are no longer any farms located within the village itself, although a new one, Kennel Farm, has been built on farmland on the outskirts of the village. The recent survey has identified that there is a high proportion of older households within the village, there is also a high proportion who are self-employed/homeworkers. The Parish is unable to sustain the places at the village school by itself, as there are not enough young families living in the village.

Witherley C of E Primary School

The school has 109 pupils as at December 2019. Over the last 10 years numbers have been rising, there were 102 pupils in 2018/19. About 60% of pupils come from outside the Parish, many from neighbouring Warwickshire. Fenny Drayton is not in the catchment area, but 6 of the pupils live there.

People want a small school with a good reputation. In recent years many pupils have come

from North Warwickshire, but should that situation change, then Witherley numbers could fall. Therefore, it is important that the school has a full roll. However, there aren't many children in the Parish, and the high cost of housing prevents many young families settling in the area.

The school is in the Conservation Area, so any change has to (a) not be higher than the height of the old school, (b) not increase the footprint or (c) restrict the view of the Church.

The school has its own indoor sports hall, and occasionally uses the football field. It has applied to Leicestershire for a Multi-Use Games Area (MUGA) on their own playing field - asphalt, tennis court, basketball court etc, to be used only during school hours. A MUGA would greatly improve the offer for prospective pupils. The application is yet to be determined by the County Council.

The school would like to have more room, but this is unlikely. The school was promised a new building in Autumn 2018, but unfortunately this is not going to happen now. One old hut (50 years) will, however, have to be replaced soon.

The Head feels that, under current arrangements, the school facilities are unlikely to be of value to the community. The Premises Officer is only part-time, so it is difficult to open the school outside school hours. The playing field is poor, not flat and not big.

Parking is a big problem around the school during arrival and departure times; the surrounding roads become blocked, cars are parked on pavements and emergency services would be unable to get through if needed. This highlights the whole problem of parking in the village, because the school, the club, the pub and the church are all very close together. There is land belonging to the Church Trust near the school but, unfortunately, it is unavailable as it is earmarked for an overflow graveyard.

The Blue Lion Public House

The building is a Grade II Listed building, situated in the Conservation Area. The Blue Lion is at present the only Public House in Witherley, following the closure of The Bull on the A5, and is well supported by the village, particularly in the summer when live music events are held there. It is a social centre for the village and also provides some small bed and breakfast units in converted buildings within the courtyard. It would be a great loss to Witherley, as in any village, should the pub close or the buildings be sold for private use or conversion.

The Bull Inn

There has been a public house on this site for many years. The building is presently closed following failure of the previous business. This building is important as the 'gateway' to the village and although at present an unappealing sight, with barriers in place to prevent illegal use of the car park, it was very popular and well supported as a public house with a garden, which was much used by families. We await action there.

The Memorial Playing Field

This is owned by the village of Witherley, having been gifted to the village as a memorial to the fallen of two World Wars, and cannot be built upon or developed in any way. It is administered by a Charitable Trust. It is much used, both by Witherley United Football Club, but also by Atherstone Rangers as a training ground and for occasional matches. There is also a small children's play area at one end of the Field, which is extremely well used by both residents and visitors to the village. The Playing Field is an enormous asset to the village and defines its centre in a way that traditional village greens have always been the heart of any village.

The Football Club

The clubhouse is built on a small portion of the Playing Field, being land which was gifted to the Club by the Church and is a licensed facility with a public sports TV licence. It is also very well used as a social centre and as a venue for funeral teas and parties.

The Parish Room

This is the only 'village hall' in the whole of the Parish. Built around 1892, this was originally called the Mission Hall. In 1935 it was transferred to the Leicester diocese in trust for Witherley Parochial Church Council and is now funded by village usage and occasional grants from bodies such as the Heritage Lottery Fund. It is very well used but is frequently in need of work, partly due to the nature of the fabric. The Parish Room currently requires updating.

St Peter's Church

The Parish Church is Grade I listed, early 14th century, with a 15th century west tower, a chancel dating from 1858, and a significant spire, which has been maintained and rebuilt over the centuries. There are Sunday services, with the exception of 'benefice' services when churches in the Fenn Lanes benefice take it in turns to hold a joint service. It is well cared for and funded by village events and other income streams and has an active bell-ringing group.

Parking has been made available to churchgoers (and other visitors by arrangement) on part of the Glebe Field but this is earmarked for use as a burial ground and following concerns about incursions the field has been gated. The Church is now in the process of carrying these plans forward and the proposed graveyard extension will provide an amenity to the village in terms of landscaping and also, of course, the continuation of burials within the village rather than at a municipal cemetery.

Fenny Drayton

This is a quiet rural settlement which has a 12th century, Grade II* listed church at its heart. In medieval times, it was considered a hamlet. At the time of the Domesday Book, Fenny Drayton was called Drayton in the Clay. It was a settlement with 22 houses, with 14 villagers and 8 smallholders who paid a tax yield of 5.5 geld (this was a large amount of tax compared with other settlements at the time).

The current population assessment from the 2011 Census is 514 residents.

The Church

The Anglican Church of St Michael and All Angels is the focal and social point of the village. The church is surrounded by a significant circle of 28 yew trees in England. During excavation work, in 2008-9, Roman remains dating back to the 3rd and 4th centuries were found next to the church. The Norman bell-tower, housing its five bells, was added in the 13th century. The lead-lined font inside the church was used to baptise George Fox, founder of the Quakers. Quaker Pilgrims currently visit the church from all over the world including Japan, America and Canada.

George Fox Monument

George Fox was born in 1624 in Fenny Drayton. A monument to him stands at the corner of George Fox Lane and Old Forge Road. Quaker Pilgrims, visiting the church, also visit the monument, and arrive by coach. Parking on these occasions is extremely difficult as there are no parking facilities in the village. There are also no public toilets except for one in the church.

Social Activities

Most of Fenny Drayton's social and non-religious events are held in the church, as there is no village hall or other alternative community building. There is a community room with a toilet and kitchen area but there is only room for small meetings of eight to ten people. Events in the church and community room include Friday with Friends, weekly coffee morning, Parish Council meetings, fetes, and music and dance evenings. Summer events can be held outside in the church grounds or in the play area off Drayton Close.

Amenities

Over the years the village has lost most of its amenities. Residents must travel, mostly by car, for provisions and access to public houses, and rely solely on the church for social events.

The village does have an excellent play area on a substantial site next to the largest housing area. It has accessible paths suitable for pushchairs or wheelchairs. The play area is owned and managed by the Parish Council and has a play centre, climbing frames, seesaws, swings, a basketball area, adult exercise equipment, seating areas, and an open area with practice goals. Village fetes, barbeques and other social events are held in the play area.

The telephone box is no longer in operation, it now houses the defibrillator machine and there are Village notice boards - two in Old Forge Road and one outside the church.

The Royal Red Gate Inn

The Inn was built on the Lindley Hall estate. It serves the local community in and around Fenny Drayton as well as travellers along Watling Street (A5) and Burton Road (A444).

Although the Inn is only a half-mile from Fenny Drayton, it cannot be accessed on foot because

there is no footpath, paved or otherwise, from the village. Therefore, residents in Fenny Drayton have to use a vehicle to patronise the Inn.

Atterton

Atterton is the smallest settlement situated on reclaimed marsh land, which at the last census had approximately 40 residents. There are ten residential properties, including two farmhouses. There is another farm on the other side of the A444.

The hamlet is surrounded by fields, mostly set to pasture. There are good examples of preserved ridge and furrow, with ancient species-rich hedgerow trees and species rich hedgerows which date from late medieval times. There is evidence of a larger medieval settlement (1067AD to 1539 AD). There is documentary evidence that a Medieval Chapel existed in 1220 to the east of the settlement.

There are two listed buildings: Hall Farm House, an early 18th century red brick and slate- roofed house (circa 1702) and Lodge Farm on the north eastern side of the A444 which is a late 18th century redbrick and slate roofed farmhouse with attached stable and barn (circa 1790).

Atterton Lane which runs between Witherley and Atterton, is a single-track road with passing places, which makes it ideal for the residents and neighbouring villagers to enjoy outdoor pursuits such as walking, cycling, running and riding. It received many viewpoint and cherished areaspots at the Parish Residents' Drop-in event.

Ratcliffe Culey

Ratcliffe Culey is a rural hamlet located near the confluence of the River Sence and River Anker. The village comprises housing, farms, a pub, a church, and part-time Post Office. The village is steeped in history, with evidence of a medieval manor house with moat and fishponds (Scheduled Monument, 1010480).

The Gate Inn

The Inn was probably built in the Victorian period and is the venue for the annual traditional auction of The Lane Setting.

Post Office

It is open two days a week in a room of a private house to comply with the Government's 'Access Criteria' that 95% of the UK rural population should be within 3 miles of their nearest post office outlet.

All Saints Church

Dating from the mid-14th century and Grade II* listed, this is a small, simply decorated village church that retains much of the original exterior. It is unusual in that it was built as one

building and there is speculation that the original building programme was interrupted when the Black Death, which wiped out the population of the nearby (now lost) village of Mythe, hit the area.

Inside, the church houses the conserved coat of arms of George III. There is also a wall text with a biblical passage quoting the 1534 William Tyndale translation of the New Testament.

Situated at the end of a narrow lane, parking is extremely limited. Services are held twice a month: while the kitchen and toilet facilities are much valued at community events.

Play Area

Ratcliffe Culey has a problematic play area. The ground dips quite deeply at one point, which makes football and other games difficult. However, the Parish Council which owns and manages it, has installed new and very much improved play equipment.

POLICY CA1: THE RETENTION OF COMMUNITY FACILITIES AND AMENITIES – Development leading

to the loss of existing community facilities, including Witherley C of E Primary School, playing fields in all three villages, Public Houses, Witherley Parish Room, Witherley Football Club and our Churches will not be supported unless it can be demonstrated that:

- a) there is no longer any need or demand for the existing community facility; or
- b) the existing community facility is, demonstrably, no longer economically viable or able to be supported by the community – such viability and support includes fundraising and volunteering by Parishioners and others; or
- c) the proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location within the Parish which complies with the other general policies of the Neighbourhood Development Plan.

New or Improved Community Facilities and Amenities

The Parish encourages the provision of new and improved facilities as these help the community to evolve and enjoy the benefits that new initiatives bring.

The Parish Room in Witherley needs updating and improved community meeting facilities in Fenny Drayton would provide opportunities for more diverse social activities in the village.

POLICY CA2: NEW OR IMPROVED COMMUNITY FACILITIES - Proposals that improve the quality and/or range of community facilities, will be supported provided that the development:

- a) can be used as a central facility for all of the community;
- b) will not result in unacceptable traffic movements or other disturbance to residential properties and incorporates adequate parking;

- c) will not generate a need for parking that cannot be adequately catered for
- d) is of a scale appropriate to the needs of the locality and conveniently accessible for residents of the village wishing to walk or cycle; and
- e) takes into full account the needs of people with disabilities.

Broadband Infrastructure and Communications

In the Household Survey, over 22% of respondents stated that the lack of satisfactory broadband and mobile phone connectivity is an impediment to them working in the Parish.

Witherley is provided with fibre to the box on Kennel Lane, and thereafter is served by copper cable. Atterton has recently been upgraded to receive faster broadband, served by overhead fibre wires from Upton to the box in the centre of the hamlet. In the remainder of the Parish broadband is still patchy, with fibre only available in some locations.

In all the settlements, superfast fibre is not provided to all the homes and businesses, which are instead being served by copper telephone lines from the 'green boxes' at the entry to the villages. The lack of any reasonable connection has left some farmers living outside the settlement boundaries in danger of fines from DEFRA, as it is difficult to complete the necessary forms for the movement of animals, for example, in the tight timescale required.

Residents and businesses have stressed the need via the Household Survey for significantly improved mobile signals in the Parish. Signals are sporadic and, in some areas, mobile access is not available at all. More people are choosing to use mobile phones and tablets to make calls, often instead of having a landline, and to access the internet and social media. Internet Banking is almost impossible in some parts. It is therefore crucial that improvements to the current infrastructure should be in place, not only to existing residents and businesses but also future housing, employment and services in the villages.

The Parish wishes to maximise the quality of its broadband and mobile phone infrastructure AND to be at the forefront of any future enhancements to communications technology.

POLICY CA3: BROADBAND AND MOBILE PHONE INFRASTRUCTURE - Proposals to provide access to superfast broadband for all businesses and households in Witherley Parish will be supported, along with improvements to the mobile telecommunication network. Where new masts are installed, more than one provider should share these where possible.

Any infrastructure improvements, possibly requiring above ground network installations, must be sympathetically located, designed to integrate into the landscape and not be in or near to open landscapes.

Transport and Traffic

Witherley Parish – General

Ours is a rural Parish served by small rural roads and two major roads: the A5 and A444. The A5 London to Holyhead trunk road links the M42 and M69 motorways and carries an increasing high volume of HGV traffic serving the adjacent 'Golden Triangle' of distribution. Both the A5 and A444 are single carriageway.

The A444 carries a high volume of traffic from Nuneaton, north to the M42. Both these main roads carry a lot of traffic, much of which is travelling faster than the speed limit: the roads go through built-up areas, with frequent junctions at minor roads, and there are several bottlenecks on the A5. There has been a number of fatal accidents on the A5 and A444 close to the villages.

Roads through and around the villages are busy with cars, HGVs, buses and farm vehicles. They are also popular with cycle clubs, dog walkers and horses from local stables. Agriculture forms an important part of the local economy and the local village roads also handle increasingly large farm machinery such as modern 4wd tractors and large trailers, combine harvesters and grain transport trucks. Villagers are concerned about the safety of different groups of road users as they meet other traffic: teams of fast cyclists; pedestrians and dog walkers; horse riders and heavy farm machinery

Just as the catchment of Witherley Primary School extends beyond the village, so the secondary school pupils have to travel out of the Parish to their schools. There is a significant increase in traffic through the villages at school operating hours. A number of school coaches and minibuses ferry the older pupils to schools in Market Bosworth, Desford and Twycross. Some parents drive their children to the bus stops while other children walk through the villages. There are children who cross the busy A5 in Witherley and A444 at Fenny Drayton on foot twice a day, then walk down village roads that have no pavement to the bus collection point. During the winter months, it can still be quite dark when the buses pass.

Fenny Drayton

There is a growing problem of drivers using the village as a 'rat run'. They use Old Forge Road and Drayton Lane as a shortcut from the A444 to the A5 to avoid the often congested A5 Redgate roundabout.

There are many problems with the road junctions around Fenny Drayton. The junction from Fenn Lane to Old Forge Road is a staggered 4-way junction across the busy A444. There was a fatal crash at this junction in 2019.

The junction into the village off the A444 to George Fox Lane is too narrow for two cars to pass, especially if one car is turning right towards Nuneaton. Drivers sometimes have to wait on the busy A444 to turn into the village, and vehicles have gone into the back of them.

The junction from Drayton Lane to the A5 is very dangerous for traffic turning right onto the

A5 towards Atherstone, and collisions have happened here on many occasions. There is a very small refuge area in the middle of the A5, made dangerous by traffic turning into and out of Drayton Lane.

Turning out of Church Lane into Drayton Lane is dangerous, due to the very poor visibility. Residents have suggested that it would be improved by cutting back the hedgerows and installing a mirror.

Drivers speed around the village especially on the 'rat-run' between the A444 and Drayton Lane, a problem exacerbated by the lack of pavements along much of the route.

There are no designated parking spaces in the village. Parked cars on the main roads cause congestion and prompt dangerous manoeuvres.

The Church has no dedicated parking, so visitors to the church, including visitor coaches, have to park on the grass verge, obstructing the access for pedestrians and other traffic.

There is very limited parking outside the church for coaches or cars. There is no tarmac, or other road surfacing for this, so vehicles have to be parked on what was once a grass verge, but is now rutted, and in wet weather, muddy and slippery, resulting in three people falling during 2019.

The Parish Council agreed to fund improvements but the highway authority, Leicestershire County Council, required a more comprehensive scheme which proved unaffordable.

A solution to the parking problems would be to extend the road up to the boundary of the church, in line with the rest of Church Lane.

There is no pavement along Old Forge Road from the A444 to Church Lane. On Drayton Lane the pavement disappears after a few metres. The lane is narrow, and pedestrians are vulnerable here. When coming from the playing field area to cross Church Lane or walk along Drayton Lane, children have no pavement for safety. Church Lane is very narrow and there are no pavements from Drayton Lane up Church Lane to its junction with Old Forge Road.

There is no pedestrian crossing for children who cross the busy A444 for the school bus. There are no pedestrian crossings in the village.

Witherley

Witherley has through traffic using the village as a route to the A5 as well as local village traffic. School traffic, visitors to the church, the Blue Lion pub, the Football Club and the Playing Field come from all over the area.

The two junctions with the A5 are a particular problem. Highways England has implemented road marking schemes over the years to try to reconcile the high-speed, through-traffic flow along the A5 with the local traffic turning in and out of the village.

Entering from the A5 into Kennel Lane from the East is a dangerous right-hand turn for traffic, with a narrow, marked out turning area in the centre of the A5. This is also a difficult left turn

for traffic from the West due to the need to slow down to make the narrow, right-angled turn, with impatient traffic behind. Proceeding into the village there is a vehicle activated speed sign outside the former Hunt kennels which shows the vehicle speeds along Kennel Lane. Statistics are published monthly by the Parish Council: speeds of up to 85 mph have been recorded.

The exit to the A5 from Kennel Lane is narrow, with no proper pavement for pedestrians. Only the brave attempt a right turn out of Kennel Lane onto the A5, as the central area is not wide enough to be safe for right turns, and vehicles parked outside houses on the A5 seriously restrict visibility to the right.

Exiting from Bridge Lane to the A5, where it is dual-carriageway, there is a marked and physically segregated refuge area in the centre of the A5 which makes this the favoured right turn out of Witherley. However, the curve in the road restricts visibility to the right, and vehicles coming from the Atherstone direction are frequently well over the 50 mph limit by the time they reach Bridge Lane.

Entering Bridge Lane from the A5, the refuge for right turns into Bridge Lane is shared with traffic turning out of Bridge Lane. Bridge Lane itself is narrow, with house garden walls on both sides and no pavement. Residents and pedestrians are understandably annoyed at the constant traffic using this lane and Hunt Lane to access the A5.

Mythe Lane is very prone to flooding. Many vehicles, ignoring the flood signs, have broken down in the flood water. The narrow and winding nature of the road, the poor condition of the surface, uneven camber and the dangerous ditches alongside do cause some traffic to slow down, but not all.

Atterton Lane outside the village is single-track with passing places. Even so, many vehicles speed down this lane as it is also a 'rat run'.

There is no public parking in the village, so visitors park on the roads and pavements. This is a problem around the school and the church at busy times, particularly in Church Road. This creates a problem for pedestrians and other traffic, including the buses which have to navigate Church Road and Post Office Lane.

The School has staff parking but parents on the 'school run' park in St Peters Avenue, Hunt Lane, Bridge Lane, Hall Lane, Kennel Lane, Post Office Lane and Church Road.

The Blue Lion has a small car park, which is adequate for the regular patrons, but does not cope when there are events such as music evenings.

The Football Club has no parking, so all visitors have to park on Church Lane and surrounding roads.

Some parents also drive their children into the village to take the bus to the secondary schools in Market Bosworth and Desford. The coaches pull up on Atterton Lane near the Kennel Lane junction. Parking on Kennel Lane creates chicanes for through traffic.

There is no full pedestrian crossing on the A5 for access from Witherley to Atherstone, but there is a crossing with a pedestrian refuge in the middle, just past the River Anker bridge.

There is no pavement down Kennel Lane from Hunt Lane to the A5, and there is no pavement on Bridge Lane to the A5.

There are no pedestrian crossings in the village.

Ratcliffe Culey

There is a 30-mph limit on the main road through the village and the approaches to it are winding and narrow. There are no major junctions in the village.

Parking at the church is extremely limited, it is just a turning space. The Gate Inn has two small car park areas, but at busy times patrons also park along Main Road.

Pavements are only provided on Main Road through the centre of the village. There are no pedestrian crossings.

Atterton

Atterton Lane is narrow, most of it is single-track with passing places, but even so, Atterton has a considerable flow of through traffic at busy times, as drivers use the lane as a cut-through to Witherley and the A5.

The junction from the A444 is a dangerous right turn with little space to wait in the centre. The lane appears to be a two-way road, but rapidly narrows round an 'S' bend, with the added hazard of ducks in the road; there are warning signs for the ducks in each direction through the village. It also floods.

There is no real parking problem in Atterton as the properties have their own parking.

Road surfaces are generally poor throughout the Parish, due to the policy of repeated applications of 'tar and chippings' without always raising the level of drains and manhole covers.

POLICY TR1: TRAFFIC MANAGEMENT - With particular regard to the rural highway network of the Parish and the need to minimise any increase in vehicular traffic, all housing and commercial development should:

- a) be designed to minimise additional traffic generation and movement through the villages.
- b) incorporate sufficient off-road parking.
- c) not remove or compromise the use of any existing off-road parking areas unless a suitable equivalent alternative is provided.
- d) provide any necessary improvements to site access, communal parking and the highway network either directly or by financial contributions
- e) consider, where appropriate, the improvement and where possible, the creation of footpath and cycleways to key village services.

Electric Vehicles

The UK government has announced its intention to ban sales of new petrol and diesel cars from 2030 to combat rising levels of air pollution and address climate change concerns. The implication is that the number of electric vehicles on the road will certainly increase rapidly during the lifetime of this Plan.

This raises the crucial question of battery recharging. We should support home charging in all new developments within the Parish. However, residential charging is only possible where off-road parking is available. It does not help residents of houses without on-site parking in Witherley Parish.

Commercial/communal rapid charging facilities are growing across the country making use of 3-phase supply not possible at the domestic level and reducing the 7KW re-charge time by a factor of 3. We should support these being utilised in Witherley Parish.

POLICY TR2: ELECTRIC VEHICLES - Residential development of one dwelling or more should provide 7kW cabling, or better if feasible, to the most practical point in the home to facilitate subsequent installation of a home electric vehicle charging point.

The provision of communal vehicular charging points within the Parish will be encouraged so long as there is universal access and they do not impact negatively on the availability of existing parking within the Parish.

Bus Service

Service 7 runs from Measham to Fenny Drayton, via Witherley. It is a two-hourly off-peak service, Monday to Saturday and is the only public transport service out of the Parish. Underused, it is heavily subsidised by the County Council. The timetable was amended in 2019 deleting the earliest and latest runs to incorporate 'school runs' to and from Market Bosworth High School. The timetable is unchanged from 09:00 until 14:51. LCC is open to discussing with the community how a community-led provision could be created.

Business and Employment

Support for Existing Business and Employment

The strength of the local economy and of the community goes hand-in-hand. Supporting the growth of a stronger local economy is recognised as an important theme of the Neighbourhood Development Plan.

However, employment opportunities within the Parish are limited, whilst extensive opportunity for employment exists in the business areas and major conurbations surrounding the Parish.

Major employment providers within the Parish are its pubs: The Blue Lion in Witherley, The Gate Inn in Ratcliffe Culey and The Royal Redgate near Fenny Drayton and Witherley C of E

Primary School, the farming community and Horiba Mira Enterprise Zone.

The track built by Mira in the Enterprise zone is 17.4 hectares (a slightly smaller site than Fenny Drayton Village). This makes a positive contribution providing employment, career development and business opportunities.

POLICY BE1: SUPPORT FOR EXISTING BUSINESSES & EMPLOYMENT OPPORTUNITIES – There will be a presumption against the loss of commercial premises or land that provides employment opportunities. Applications for a change of use to an activity that does not provide employment opportunities would only be supported if it can be demonstrated that:

- a) the commercial premises or land in question has not been in active use for at least 12 months; and
- b) the commercial premises or land in question has no potential for either reoccupation or redevelopment for employment-generating uses and as demonstrated through the results both of a full valuation report and a marketing campaign lasting for a continuous period of at least six months.

Support for New Businesses and Employment

New employment initiatives can help to boost and diversify the local economy, thus providing more local employment opportunities.

However, Parishioners have been clear that any new employment initiatives should be small scale and sensitive to the character of the Parish. Employment proposals should only be approved if they avoid harmful impacts on other matters agreed to be locally important such as increased traffic flows, parking, residential amenity, the preservation of historic/heritage assets and the local environment.

POLICY BE2: SUPPORT FOR NEW BUSINESSES AND EMPLOYMENT - In supporting additional employment opportunities, new development will be required to:

- a) fall within the boundary of planned limits of development for the Parish, unless it relates to small scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location or there are exceptional circumstances;
- b) be sited, wherever possible, in existing buildings or on areas of previously developed land;
- c) be of a size and scale not adversely affecting the character, infrastructure and environment of the village itself and the Neighbourhood Development Plan area, including the countryside; and
- d) not involve the loss of dwellings.

Home Working

There is an increasing national trend to home working and therefore, as the Parish develops and grows, it will need to increasingly accommodate and support the needs of residents who are working from home. This will include good internet and mobile phone Infrastructure and opportunities within the Parish to allow businesses to develop and grow. The provision of meeting spaces and workshops would create opportunities for Parishioners and potentially enhance their business and employment opportunities.

Residents who wish to move to home working or within the village may need to adapt their properties. Therefore, the construction of extensions, the conversion of outbuildings, and the development of new freestanding buildings in gardens from which businesses can operate would be supported. This is intended to maximise the opportunities for entrepreneurial activity and employment in Witherley Parish. Any future housing and developments within settlements should strongly consider accommodation that can promote home working and local employment.

POLICY BE3: HOME WORKING - Proposals for the use of part of a dwelling for office and/or craftwork and for small-scale, free-standing buildings within its curtilage, extensions to the dwelling or conversion of outbuildings for those uses, would be supported where:

- a) such development will not result in unacceptable traffic movements and that appropriate parking provision is made;
- b) no significant and adverse impact arises to nearby residents or other sensitive land uses from noise, fumes, light pollution, or other nuisance associated with the work activity; and
- c) any extension or free-standing building shall be designed having regard to policies in this Plan and should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction.

Farm Diversification

The farms in the Parish are largely still pursuing a traditional mixed form of farming with both cereal crops/rape cultivation and livestock. Dairy farming has mostly died out in the Parish, with only a milking herd at Ratcliffe Culey. Livestock farming tends to be of beef cattle, bought in to fatten up, and some sheep farming.

In the face of the loss of milking subsidies, farms have been forced to diversify and this has taken a variety of forms. At Ratcliffe Culey, land has been given over to a solar farm on a site of 6.5 ha. Also, at Ratcliffe Culey, a dairy farm has a fridge and honesty box for the purchase of unpasteurised milk. Outside the village itself, there is a livery business on what was formerly a smallholding, together with a caravan and 'glamping' site which has 48 caravan pitches and four wooden 'glamping' pods.

At Fenny Drayton, on land which is also still farmed for cereals, there is a self-storage business, making use of barns and other farm buildings, some of which have been adapted for the

purpose and some purpose-built, air-conditioned buildings. Another farmer provides vehicle storage, a few manufacturing units and supplies eggs, Christmas trees and turkeys.

At Witherley, there is a farm machinery hire business and a boarding kennels and cattery.

In future, more diversification may occur to enable farming businesses to thrive and to combat the impact of issues such as climate change.

POLICY BE4: FARM DIVERSIFICATION - In order to support farm diversification and the sustainable growth and expansion of businesses, the conversion of existing agricultural and commercial buildings would be supported subject to:

- a) the use proposed is appropriate to the rural location;
- b) the conversion/adaptation respects the local character of the surrounding area;
- c) the development will not have an adverse impact on any archaeological, architectural, historic or environmental features;
- d) the local road system is capable of accommodating the traffic generated by the proposed new use and adequate parking can be accommodated within the site; and
- e) there is no significant adverse impact on neighbours through noise, light or other pollution, increased traffic levels or increased flood risk.

Tourism

There is some tourism in the Parish due to attractions such as the George Fox connection at Fenny Drayton and the proximity of Bosworth Battlefield, which the recent discovery of the remains of Richard III has also helped to highlight. Twycross Zoo is another local attraction. The popular public houses and the general reputation of the Parish being an attractive area as a whole brings visitors from far and wide.

However, for most visitors, there is only on-street parking provision and this can at times further impact the already saturated parking availability and transport access issues for residents and the services they rely on.

The Parish wishes to extend a welcome to tourists while ensuring that their visit does not have a negative impact on Parishioners. It would be beneficial to introduce pictorial signs giving historical information, further leaflets about what to see in the villages and relative information, particularly the provision of parking.

POLICY BE5: TOURISM - Support will be given to facilities to enhance and manage tourism where it:

- a) is on a scale appropriate to the settlement;
- b) does not have a detrimental effect on the distinctive rural character of the Parish;

- c) does not adversely affect the surrounding infrastructure, particularly local road networks, water supply and sewerage;
- d) provides adequate parking facilities;
- e) benefits the local community through, for instance, provision of local employment opportunities and improvements to local service provision; and
- f) where feasible, the development involves the re-use of existing buildings or is part of farm diversification.

8. Monitoring and Review

The Neighbourhood Development Plan covers the period up to 2039. During this time, it is likely that the circumstances which the Plan seeks to address will change.

The Neighbourhood Development Plan will be regularly monitored. This will be led by Witherley Parish Council on at least an annual basis. The policies and measures contained in the Neighbourhood Development Plan will form the core of the monitoring activity, but other data collected and reported at the Parish level relevant to the delivery of the Neighbourhood Development Plan will also be included.

The Parish Council proposes to formally review the Neighbourhood Development Plan in 2025 or to coincide with the review of the Hinckley & Bosworth Local Plan if this cycle is different.

9. Community Actions

During the development of the Plan, a number of Community Actions were identified that would help to improve our community and help satisfy wider community aspirations. They reflect future work activities that it is proposed be undertaken within the Parish which will involve a wide range of third parties alongside the Parish Council to help improve the Parish in line with the outcome of community consultation.

Community Actions are not planning policies and are not subject to Examination.

The Community Actions that have emerged through the process of preparing the Neighbourhood Development Plan are as follows:

COMMUNITY ACTION - the Parish Council will seek support from relevant agencies for the reduction of the speed limit to 40mph along the A444 Atherstone Road at Fenny Drayton to encompass the Fenn Lanes and George Fox Lane junctions.

COMMUNITY ACTION – the Parish Council will explore the feasibility of creating a Parish Circular Walk utilising the existing public footpath network.

COMMUNITY ACTION - the Parish Council will explore the potential for a Natural Flood Management Scheme with the Environment Agency and local landowners in order to reduce the incidence of surface water flooding in Witherley.

COMMUNITY ACTION - the Parish Council will continue to work with Severn Trent and Leicestershire County Council to seek improvements to the aged sewer and road drainage infrastructure throughout the Parish.

The following Community Actions will only be progressed if there are sufficient members of the community willing to engage in the work and to lead the process:

COMMUNITY ACTION – to continue to survey and record habitat features including woodland, trees and hedgerows as appropriate and where there is the capacity to do so.

COMMUNITY ACTION – to assess the feasibility of creating a Community Orchard and a suitable location.

COMMUNITY ACTION – to explore the practicality of having the Green Lane reclassified from a track to a bridleway.

COMMUNITY ACTION – to identify unofficial footpaths in order consider their potential for being declared public rights of way.