

John Slater Planning
The Oaks
Buckerell
Nr Honiton
Devon
EX14 3ER

11 October 2017

Dear Mr Slater,

**BURY NEIGHBOURHOOD PLAN EXAMINATION
RESPONSE TO EMAIL DATED 03/10/2017 REGARDING PARISH HERITAGE ASSETS**

First of all, thank you for providing the Neighbourhood Plan Steering Group with the opportunity to respond to your draft conclusions in relation to policy BNDP Policy 8 of the Submission Bury Neighbourhood Plan. I have taken the opportunity to liaise with my colleagues on the Steering Group and our consultant, Andrew Metcalfe of Enplan Ltd.

BNDP Policy 8 seeks to protect and enhance local heritage assets within the parish that do not currently benefit from protection for their specific historic significance at the local or national level.

We have read the extract of your report carefully and would like to provide this response in two parts. First it will address the approach, terminology and methodology before looking in more detail at your concerns regarding the specific heritage assets we have identified.

Approach, terminology and methodology

We have considered your comments and believe that the principle issue may be that the text in both the plan and supporting documents is being misinterpreted. To assist with this I attach suggested alternative wording (showing tracked changes) that will hopefully go some way to providing greater clarity on the policy.

In your draft report we accept that you have correctly identified that the Parish Heritage Asset designation is intended to apply to 'buildings or features' within the parish but believe you have erred in your interpretation. In the draft report the word 'features' has been interpreted as 'physical features' which was not the intended nor actual meaning.

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The Oxford English dictionary definition of *'feature'* is *'a distinctive attribute or aspect of something'*, this could indeed relate to something physical but could also relate to non-physical attributes such as the ambience, meaning or historic importance to name a few or aspect. As you note, the NPPF defines a heritage asset as a *'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning to decisions, because all its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listings)'*. Whilst this does include physical features such as buildings and monuments it also includes those assets which may not have specific physical features such as a site or place.

We would also direct the examiner to the report prepared for the Lavant Neighbourhood Plan where a similar approach was taken on this matter. The neighbourhood plan proposed to designate the route of the former railway line due to its historic significance. That route today forms a public right of way called the Centurion Way. Despite a recommendation from the examiner that only the physical remains of the railway be designated (i.e. the bridges over it), the South Downs National Park Authority, I believe in consultation with Historic England, subsequently decided it was appropriate to designate the historic route and not just the physical remains. This plan is now made with the entire route designated as a Local Heritage Asset.

With regard to the methodology adopted, we note your concerns but believe it to be appropriate. It was prepared to ensure that it reflected local aspirations. In addition, we would highlight that Historic England, the statutory consultee on heritage matters, have confirmed in their representation that Policy 8 complies with the National Planning Practice Guidance (NPPG) and have endorsed the methodology used to assess the suitability of each of the Parish Heritage Assets.

Response in relation to specific Parish Heritage Assets

Ref 2: The Coffin Trail

The extract of the draft report states that this asset does not warrant *'designation as a heritage asset for planning purposes'*. We disagree and would like to provide clarity on a number of points.

The report states *'I do not believe it meets the criteria for being a building or feature – it is a right of way'*. As outlined earlier in this letter we believe you have misinterpreted the definition of *'feature'*. In addition, the fact that it is a public right of way provides no protection to the route for its historical significance to the local community. As you will know a public right of way only provides a right for members of the public to pass and repass along the designated route, this route can be subject to diversion or realignment by application so long as a right of way between two points is generally maintained. This designation therefore provides no protection for part of the significance of the asset which is that it follows the *'same alignment as it did in the past'*.

The report also states that many footpaths across the country owe their existence to the routes used by parishioners, in previous centuries, for moving about. We agree and are

not suggesting that all footpaths, whilst historic, should benefit from a heritage designation in planning policy. When considering what should be designated as a heritage asset one must look at the significance of it.

The Coffin Trail links the hamlet of West Burton (which is a Conservation Area) to the churchyard of the Grade I listed St John the Evangelist Church in the Bury Conservation Area. This relatively short path through the parish was used, as its name implies, to walk the coffins of the deceased to the churchyard for burial. This route is therefore not just a footpath but a route that has particular historic resonance of a bygone era and a historic feature within the parish that the local community wish to maintain. The name, The Coffin Trail, is in itself historic and not a recent invention such as The Serpent Trail or Literary Trail.

It is true that the public right of way designation provides a degree of protection but this designation pays no attention to historic significance, and if an application were made to realign or divert the path then the historic importance of the route would not feature in any consideration of the application. The Parish Council are aware of existing proposals to divert this public right of way and additional protection is considered essential.

The report does talk about there being 'no physical manifestations by way of physical remnants'. Whilst we maintain that physical remnants do not provide the significance of this asset there are obvious features of sunken sections of the path and stiles along the route. In particular there is an ancient stepped stone stile built into the wall of the churchyard with clear evidence of use over the centuries at the conclusion of the path.

We would therefore urge you to reconsider your draft conclusion in relation to this Parish Heritage Asset and ask you to conclude that it be designated as such.

Ref 3: The Serpent Trail

We have considered your comments in relation to this proposed Parish Heritage Asset and agree that this route bears no specific historic significance to the local community or parish, unlike the Coffin Trail. We therefore have no further comments in relation to this and agree that it should be removed from Policy 8.

Ref 4: The Wharf and Common Land at the Wharf

The draft conclusions accept that this place has historic importance to the village and notes that it is part of the conservation area and proposed to be protected as a Local Green Space. It goes on to consider that these designations are '*more appropriate than a policy that relates to a building or feature*'. Our comments in relation to the definition of a feature are well versed and we will not repeat them.

The Bury Conservation Area does not benefit from a Conservation Area Appraisal or Management Plan. The actual reasoning behind the designation is therefore relatively unknown and the importance of The Wharf and Common Land at the Wharf to the Conservation Area is unknown. A conservation area is an area where the character or appearance of which it is desirable to preserve or enhance, it is a blanket approach that can in certain circumstances have little effect. Moreover when considering how

development would effect a conservation area consideration tends to be more of an overview than considering the impact on specific aspects of the area.

We are pleased to read that the area will benefit from Local Green Space designation this primarily relates to the areas amenity value rather than historic significance.

The significance of this particular Parish Heritage Asset is epic in the local context. All parishioners have the right to store boats in this area and launch boats on the river and a purpose built jetty or launching point has always existed on one form or another. This historic right has been bestowed on parishioners for centuries and has been maintained ever since. Furthermore it is the location of an historic toll ferry crossing the river. The Wharf and the associated land are closely tied with every parishioner and therefore have great significance both historically and in the present day.

This significance should be recognised by both allocating it as Local Green Space for its significant local value but also as a Parish Heritage Asset for its historic significance. Furthermore, through recognition as such in this Neighbourhood Plan it can continue to form part of the parish's heritage for many years to come.

Ref 5: The Pill Pond

Whilst we note your comments regarding this aspect we understand that there is evidence that a water mill once stood on the site and some Roman remains have also been found. However, in the absence of firm evidence to submit to you we concede that this Parish Heritage Asset should be removed.

Ref 7: Bury and West Burton Cricket Club Pavilion and recreation grounds

The cricket club was established in 1745. Further research has revealed that the pavilion was built in the 1930's in its current position and was previously located on the opposite side of the ground. The cricket club has been on the recreation ground since the 1870's and it is considered that an important historic link with the site has been established.

This Parish Heritage Asset has physical manifestation in both the pavilion and the playing area which has been used continually as a cricket pitch for around 150 years to date.

This historic significance should, we contend, be justification enough to designate the Bury and West Burton Cricket Club as Parish Heritage. We note the potential crossover between this historical significance and the proposed designation as a Parish Heritage Asset and on review consider that the name of the asset fails to capture the importance of the heritage asset so propose that the asset be renamed '*Bury and West Burton Cricket Club*'. This should help to provide the distinction between the heritage asset and the recreation ground which is proposed to be allocated a Local Green Space for different reasons.

We consider this land should be designated as both a Local Green Space and Parish Heritage Asset.

Ref 8: Bury Church of England Primary School

With regard to the Bury Church of England Primary School we are pleased to note that the original school building is recommended to remain a Parish Heritage Asset but are disappointed that its grounds are recommended to be excluded. The grounds form a fundamental part of the asset and have historically been linked to the original school building, the fact that new structures have been built within the heritage asset does not mean that the place should no longer be considered a heritage asset.

We believe this recommendation may stem from the misinterpretation of the text in the plan and therefore would urge you to reconsider this recommendation.

I trust that our comments are helpful and go some way to assisting to clarify the reasoning behind the proposed Parish Heritage Asset designations. We believe some of your comments have merit and agree that Nos. 3, 5 & 6 should not be designated but strongly contend that the other buildings or features identified should be included in the plan so that their local historic significance can be protected.

Should you have any other queries in relation to this matter please do not hesitate to contact me again.

Yours sincerely,

Tony Lewis

Bury Neighbourhood Plan Steering Group (Chairman)
Bury Parish Council (Chairman)