

Appendix 2m - Loddington

Comment	KBC Response
<p>65. Table 12.20 There are a couple of inaccuracies on the Loddington section:</p> <ol style="list-style-type: none"> 1. Loddington no longer has a shop. 2. There is a new property behind 79 Harrington Road which is not marked on the map. 	<p>The table of facilities is a record of a point in time and is likely to change over time. The background work that was undertaken to inform this table was done in May/June 2015. This will be updated in the next version of the Rural Settlement Facilities background paper. The base map that is used for the proposals map is provided by Ordnance Survey, who are responsible for updating it, therefore the Council is not able to update the base map. The map used was the most up-to-date available.</p>
<p>361. Chapter 12.10 Loddington We have been instructed to object to the proposed designation of HV1 028 Loddington in connection with the public consultation on the Site Specific Part 2 Local Plan – Draft Plan.</p> <p><u>Background</u></p> <p>Representations were previously submitted on behalf of our client by CgMs in connection with the proposed designation and the basis for the objection remains as set out in their letter dated 8 December 2015. A copy of this letter will be emailed to planningpolicy@kettering.gov.uk for ease of reference.</p> <p><u>NPPF/NPPF2</u></p> <p>The newly published revised NPPF (“NPPF2), is consistent with the NPPF published in 2012 (“NPPF1”), with regard to Local Green Space designation.</p> <p>For the purposes of this letter, we have made reference to NPPF2 paragraph numbers,</p>	<p>Site HVI028 was recommended to be designated as Historically and Visually Important Local Green Space in the 2015 Background Paper. This was informed by an assessment which was undertaken by a third party. This assessment recognised that this open space provides views to the church, listed buildings and the conservation area and helps create the rural feel of the village. This recommendation was carried through into an update in the June 2016 version of the background paper, following a consultation with landowners and Town/ Parish</p>

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but we do of course reserve the right to refer to NPPF1 in the event that the Plan is submitted for examination prior to NPPF2 transitional deadlines.

NPPF2 Policies

It is critical that any Local Green Space designation is consistent with the local planning of sustainable development **and** that it complements investment in sufficient homes, jobs and other essential services. In addition Local Green Spaces should only be designated where that designation will endure beyond the end of the Plan period (paragraph 99 of NPPF2).

Further, in paragraph 100 of NPPF2 it is stated that:

The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.

Objection

Our formal submission at the EIP Hearing will refer to this letter of objection and the CgMs letter previously submitted and demonstrate that the:

1. paragraph 99 objectives (which includes the need for consistency with local planning of sustainable development), are not and will not be achieved in this case; and
2. the criteria justifying designation as set out in paragraph 100 is not satisfied.

In this respect, the **objection** to the proposed designation, as previously made in the

Council's, where one objection was received to the designation of this site. This is the comment referred to. Following this consultation, as set out in the June 2016 version of the background paper, the site was reassessed by RNRP; this assessment concluded that the site is a key open space in the setting of the village and for numerous listed buildings. It provides views to the Grade II Listed Church and creates the rural character for the village.

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<p>CgMs letter, is renewed and maintained for the reasons stated in that letter.</p> <p>We also reserve the right to add to and expand upon the reasons for objection raised in this letter at the EIP Hearing itself.</p>	
<p>494. Chapter 12.10 Loddington</p> <p>Historic and visual Open Space HVI 028 Loddington</p> <p>I write to object to the proposed designation of HVI 028 in Loddington on behalf of the owners, ****, on the following grounds:</p> <ul style="list-style-type: none"> • The policy is not consistent or aligned with the NPPF policy on Green Space • There is no historic basis for the designation • HVI 028 has no visually distinctive characteristics • There is no qualitative evidence to indicate that the site is demonstrably special to the local community • The selection of the potential sites is inconsistent <p>The following provides the evidence base for the objections above.</p> <p><u>Policy</u></p> <p>NPPF and SSPLDD: The NPPF policy on Green Space emphasises the importance of Green Spaces to communities:</p> <p>NPPF 2012 Local Green Space</p> <p>Para 76</p> <p>Local communities through local and neighbourhood plans should be able to identify for</p>	<p>Site HVI028 was recommended to be designated as Historically and Visually Important Local Green Space in the 2015 Background Paper. This was informed by an assessment which was undertaken by a third party. This assessment recognised that this open space provides views to the church, listed buildings and the conservation area and helps create the rural feel of the village. This recommendation was carried through into an update in the June 2016 version of the background paper, following a consultation with landowners and Town/ Parish Council's, where one objection was received to the designation of this site. This is the comment set out in this consultation response. Following this consultation, as set out in the June 2016 version of the background paper, the site was reassessed by RNRP; this assessment concluded that the site is a key open space in the setting of the village and for numerous listed buildings. It provides</p>

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special protection green areas of particular importance to them. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

By designating land as Local Green Space local **communities** will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.

Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

Para 77

The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the **community** it serves
- where the green area is demonstrably special to a local **community** and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

The criteria of the HVI is focussed on settlement and designated heritage assets as follows:

- Land that contributes positively to the setting, form or character of a **settlement**.
- Land that allows views into a settlement from approach roads or open countryside,

views to the Grade II Listed Church and creates the rural character for the village.

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views into the open countryside from within the settlement and/or views across the **settlement**.

- Land which provides the setting for Listed Buildings or Conservation Areas or contributes to the character and appearance of Conservation Areas.

These criteria are incompatible. Community is a social construct, settlement is a physical entity explicit in the identification of listed buildings and Conservation Areas.

In detail the criteria for designation of HVIOS and local Green Space are not compatible. The object of protection in the HVIOS criteria is the '**settlement**' whilst the NPPF focuses on the **Local Community**. The difference is most explicit in criteria (c) where the HVIOS seeks to formalise protection for land which forms the setting of heritage assets (listed buildings and conservation areas) or (a) where land forms the setting of the settlement. It may be that 'settlement' is intended to imply 'community' but the term is not defined in the Glossary of the SSPLDD 2012 and is not a defined term of reference in the NPPF Appendix 2. It is used only in the context of 'new settlements' protected by Green Belt NPPF (para 82). In short HVIOS is protection intended for physical assets, Local Green Space for the community.

Application of Criteria: In the SSPLDD 2012 consultation the designation HVIOS is a subset of section 7 *Natural Environment and Heritage*.

The identification of historic significance may be considered part of the wider Heritage significance employed by the NPPF in Section 12, defined in Appendix 2 as:

'Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

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In contrast the SSPLDD 2012, 7.4 defines the designation of HVIOS as:

“sites, within or on the edge of settlements, defined as Historically and Visually Important Open Space where they meet one or more of the following three criteria set out above” (see above a, b, c). Close reading of the three criteria indicates that each represents a contemporary, not historic value:

- (a) contributes positively to the setting form or character of the settlement,
- (b) allows views into the settlement,
- (c) provides the setting for listed buildings and conservation areas

What constitutes historic significance has been provided by Historic England in Conservation Principles where:

Historic value: has two elements associative or illustrative. The former concerns association with notable family, persons, events or movements whilst the latter encapsulates the power to aid interpretation through making connections with, and providing insight into, past communities and their activities through shared experience of a place (Conservation Principles 2008, 39-45).

In contrast none of the three HVIOS criteria reflect historic significance.

Site Specific Considerations: In section 7.4.3 the SSPLDD 2012 described how in ‘2007, Kettering Borough Council undertook a PPG17 study of all the Borough's open spaces. The study sets the standards of open space, and identifies deficiencies across the Borough. The study categorised open space as one of the following ten types:.

- *Parks and Gardens*
- *Natural and semi-natural greenspace*

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- *Amenity greenspace*
- *Provision for children*
- *Provision for young people*
- *Outdoor sports facilities*
- *Allotments and community gardens*
- *Green corridors*
- *Cemeteries, disused churchyards and other burial grounds*
- *Civic Spaces*

Further work led to the conclusion that in addition to those identified in 2007:

“there were a number of spaces across the Borough that are important, not necessarily due to their accessibility, but provide the setting, form or character for a particular settlement, its Conservation Area or the setting of Listed Buildings. These spaces can include:

- *parks,*
- *traditional village greens,*
- *or more informal areas and/or*
- *churchyards and*
- *cemeteries, and*
- *historic halls and gardens*

which are considered to be either historically or visually important and should be protected for this reason.”

The list of spaces is comprehensive, but it does not include agricultural or farm land. HVIOS 028 is pasture and does not satisfy the criteria for inclusion in the SSPLDD 2015.

In paragraphs 77 of the NPPF the framework notes that *“Local communities through local and neighbourhood plans should be able to identify for special protection green areas of*

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particular importance to them'. The NPPG provides guidance for the type of site as follows:

What types of green area can be identified as Local Green Space?

The green area will need to meet the criteria set out in paragraph 77 of the National Planning Policy Framework. Whether to designate land is a matter for local discretion. For example, *green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis. (NPPG Paragraph: 013 Reference ID: 37-013-20140306).*

The NPPF and NPPG clearly emphasise land already in use for recreation. The PPG17 (KBC 2007) study and SSPLDD 2012 are both consistent in excluding farmland from consideration. In this respect HVI 028 should be excluded from designation.

HVI 028 lies within Loddington Conservation Area and needs no further protection

Current Status: HVI 028 lies within the boundary of a Conservation Area and its status is already a material consideration in planning policy. Further designation only duplicates this (contra NPPG Paragraph: 011 Reference ID: 37-011-20140306). If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.)

Additional Guidance in Assessing Historic Open Spaces: In June 2012 English Heritage issued Understanding Place: Historic Area Assessments in a Planning and Development Context. Of relevance to this assessment the guidance explains how to undertake Historic Area Assessments which:

- Lead to an understanding of the historical development of an area
- Document the survival and significance of historic buildings, structures, open spaces and landscape features

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- Give a sense of the archaeological potential of an area
- Describe character areas and assesses their relative historic and architectural importance.

The guidance provides a sound evidence base for plan making and decision making (NPPF paras 158, 19 and 170).

The proposal to designate HVI 028 is a significant material change to its status. There is no indication from the questionnaire, from MADE Environmental or responses by Northamptonshire County Council Archaeology service that a formal assessment of the area concerned has taken place. (1 - Ex litt e-mail 17/11./15 L-A Mather, Northants CC; further historical analysis by MADE Environmental (Ellison 2015) did not include site HVI 028). In the River Nene Regional Park CIC report and the summary recommendation by KBC there is no reference to early map data: George Nunn 1727 Estate Map of Hitch Young 1727 (Northants CRO Map 1008), The Loddington Estate 1840 Sale Catalogue of Loddington Manor Estate, Auctioned B Payne and Son (Kettering) 1840 (Northants CRO JAG 35) or Loddington Tithe Award 1841 and Map 1842 (CRO T154 & 4087). All of which pre-date the map series quoted on page 133.

Critical Appraisal of the Historic Basis of the Proposed designation:

Historic Character: This section provides an assessment and appraisal of HVI 028 at Loddington and the proposed designation. The assessment is based on site observation, cartographic and documentary evidence, at Northamptonshire Records Office (NRO) and Northamptonshire County Historic Environment Record (HER), together with published and on-line sources. The research also takes into account the wider context, noting that the National Monuments Record Centre holds no information on the land parcel on file.

HVI 028 comprises a near rectangular agricultural field. It is bounded in the north by the rear plots of houses flanking Main Street. To the east is Richardson's Lane, lined by 20th century housing, to the south is Harrington Road similarly lined by 20th century dwellings

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and to the west are the rear gardens of late 20th century houses along Parklands Close. Within the field is a large steel framed agricultural shed set in the north west corner of the paddock. The field is referred to as Lays or Homeclose.

The earliest representation of the field is in the 18th century where called the Lays it is shown on Hitch Young's estate map of 1727.

Subsequent map evidence, the 1842 Tithe Award, shows a similar configuration though with changes in the northern boundary where a new range of buildings has been built at Loddington Farm.

The 1886 1st edition of the OS 1:2500 shows a significant change in the northern area where an open foldyard, probably three sides flanked by single storey cattlesheds, has been created within the north-west corner. This appears to be a predecessor of the current steel and concrete framed building.

The 1901 map shows the animal shelters around the foldyard in the north-western corner was short lived and is no longer on the map.

The historic survey of documentation in the County Records Office, the map regression from the 18th century onwards, reveal the land has been in agricultural use since at least the early 18th century when it formed part of the estate of Hitch Young. The name is derived Middle English leye meaning 'meadow', 'pasture', or 'fallow'. It has remained in that use ever since.

There is no evidence to suggest that the field has been associated with significant historic events, it has no identified heritage assets on the County Historic Environment Record (HER) and there are no designated assets within its boundary.

Visually Distinct Characteristics

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Visually Important Open Space. (River Nene Regional Park CIC Assessment of proposed Visually Important Open Space, Feb 2014) [2 - Abbreviated to Nene Regional Park Assessment]

The Nene Regional Park Assessment was carried out based on three criteria: 1. Views into the site; 2. Setting within the village, 3. Setting of the village from outside village boundaries. Each attribute was scored High (Score 3) medium (score 2) of Low (score 1), and in the case of Setting within the Village, the high score was weighted score 5 presumable to emphasise the importance of this characteristic.

Visual Importance was then assessed in terms of 9 key pieces of information (integral or peripheral to the village?, integral to the setting of the village; key views in, key views out; visible from outside the village; land use; surrounding land and age of properties; contribution to character and appearance of the Conservation Area; and contribution to character and appearance of listed buildings).

Conclusion: Land HVI 028 achieved a score of 9. It did not meet the criteria of Visually Important Open Space (Nene Valley Report 2014, 136). However, without any attempt at quantification, an entirely new criterion 'within the central area of the settlement' was introduced to ensure HVI 028 was recommended for designation. This negates the entire Nene Valley Assessment, unless the whole sample, of sites is assessed against this criteria the report is arbitrary and evidently bias. Furthermore even the most cursory appraisal of its spatial location within the village would show that HVI 028 is not **central** to the village. (In the 2012 Rural Masterplanning by KBC (page 148) the field is evidently on the margin of the 400m Isochrone, and not central to the village.)

Demonstrably special to the local community.

No evidence has been provided to show that the site is demonstrably special to the local community. The judgement that it 'helps create the rural feel of the village' is entirely unquantified (SSPLDD 2015, HVI 028, page 54). This can be said of the entire

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agricultural hinterland of the village.

The selection of the potential sites is inconsistent

The map above shows the site selected for their potential Historic and Visually Important characteristics. It is not clear why further areas were not considered to the south of Harrington Road as the rural Masterplanning 2012 identified several view corridors looking out from the village, but which also indicate inward views in which church and listed buildings are visible?

The above confirms that HVI 028 should not be designated because:

- The policy is not consistent or aligned with the NPPF policy on Green Space
- There is no historic basis for the designation
- HVI 028 has no visually distinctive characteristics
- There is no qualitative evidence to indicate that the site is demonstrably special to the local community
- The selection of the potential sites is inconsistent