
**Application for Local Green Space Designation:
Middleton Community Orchard**

SYNOPSIS

This report sets out the policy background to the Local Green Space designation and assesses the proposal for local green space received as part of the public consultation on the Emerging Draft Part 2 Local Plan.

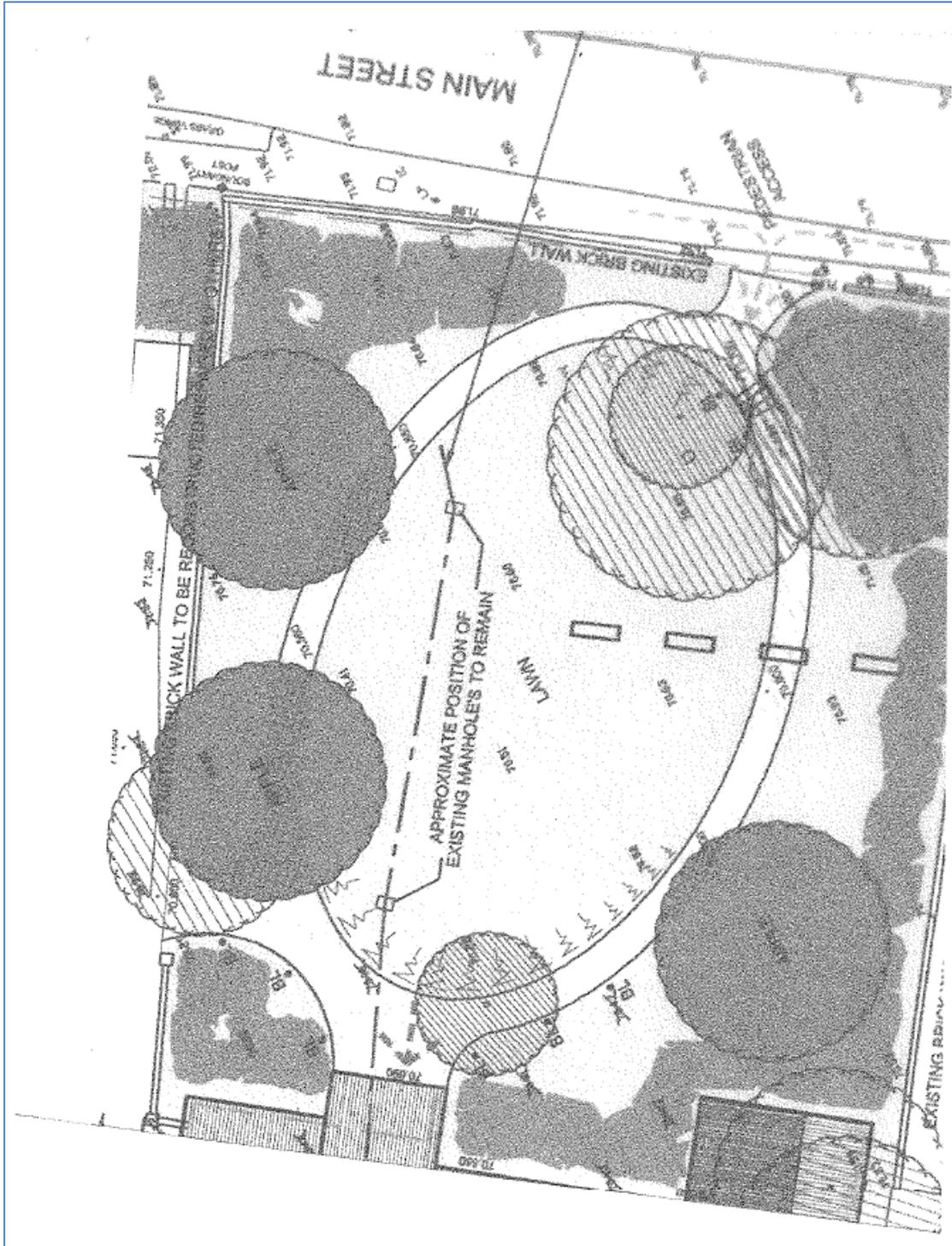
1. Background

- 1.1 National policy and the Joint Core Strategy (JCS) provide scope for the designation of Local Green Spaces in local or neighbourhood plans. This designation will provide special protection and only allow new development in very exceptional circumstances. However there are a number of criteria which must be fulfilled in order to justify the designation:
- the green space is in reasonably close proximity to the community it serves;
 - 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
 - the green area concerned is local in character and is not an extensive tract of land.
- 1.2 It is anticipated that most eligible green and open spaces in the Borough will already benefit from protective planning designations; including for example designations such as Local Wildlife Sites, Pocket Parks and Ancient Woodland but also Sites of Special Scientific Interest (covered in Policy 4 of the JCS) or Policy 7 of the JCS which covers community services and facilities, including open space, allotments and sports and recreation buildings. Promoting the designation of Local Green Space is not a way of preventing development that already has planning permission. Thus, the Local Green Space designation will only be appropriate where it adds value to existing designations.
- 1.3 The Council invited applications to designate Local Green Spaces as part of consultation on the emerging Part 2 Local Plan. This provided the opportunity for local communities to identify those areas that are of particular importance to them and to propose them for inclusion as Local Green Space in the Part 2 Local Plan.

2. Middleton Community Orchard

- 2.1 Middleton Parish Council submitted an application for the Middleton Community Orchard to be designated as Local Green Space in accordance with the National Planning Policy Framework.
- 2.2 The Community Orchard is situated on Main Street, Middleton, at the junction of Main Street and Glover Court, comprising a refurbished ancient orchard in which a small park has been developed in recent years by Middleton Parish Council using public funding. The Cottingham and Middleton Conservation Area Appraisal and Management Plan SPD so describes the Community Orchard "This deliberate creation is very successful, the park bounded by a neat low brick wall with curved topped coping. The open grassed area on its east side running along the edge of the new road provides a most attractive setting to the Manor House fronting the Main Street on the opposite south side of the road."

2.3 A plan and photographs of the site are shown below:





3. Evaluation

- 3.1 The Government has not set out a standard methodology or template for the assessment of sites nominated for consideration as Local Green Spaces and therefore the criteria set out in Appendix 1 forms the basis for the evaluation of Middleton Community Orchard.
- 3.2 The application from Middleton Parish Council has been evaluated by Council Officers against the assessment criteria with the results summarised below:

Site Constraints Criteria

Planning History: A search of the planning records demonstrates that no planning applications for development of this site have been submitted although a number of applications have been submitted and approved for works to trees on site to manage tree stock. **Criteria passed.**

Development Allocation: Site is not allocated in the Local Plan. **Criteria passed.**

Existing Designations: The site is currently undesignated. **Criteria passed.**

Site Size: The site is approximately 0.12ha. **Criteria passed.**

Local Character: The site is well connected both physically and visually within the local area: **Criteria passed.**

Proximity to Communities: The site is located within the centre of Middleton and within reasonable walking distance for the majority of residents of both Middleton and Cottingham. **Criteria passed.**

Beyond Plan Period: The Parish Council have indicated their continuing willingness to maintain and manage the site in perpetuity. **Criteria passed.**

Conclusion: The application meets all sites constraints criteria.

Supporting Evidence Criteria

Local Significance – beauty: The aesthetic value of the ancient trees and park settling within the centre of the village score highly against this criteria. **Criteria passed.**

Local Significance – history: Some original features including trees and reinstated original brick wall score highly against this criteria. The site also contributes to the setting of the Manor House. **Criteria passed.**

Local Significance – recreation: The Parish Council has indicated that the site hosts a number of community events as well as providing a day to day facility for residents. Its central location makes it accessible to residents of both villages and as far as the Council are aware there are no other similar centrally located sites that would provide an alternative community facility. **Criteria passed.**

Local Significance – tranquillity: A number of man-made structures are visible from the site and some traffic noise would be heard by visitors due to its location along Main Road, Middleton. **Criteria failed.**

Local Significance – wildlife: A report prepared in 2012 in support of a £65,000 Greenscape grant to restore the ancient orchard confirmed that the site supports birds, with evidence of small mammals via eaten nutshells. Subsequent planting has been chosen to attract insect and bird species as well as small mammals. **Criteria passed.**

Conclusion: The application is considered to meet 4 out of the 5 of the supporting criteria which exceeds the minimum required.

- 3.3 The above analysis suggests that Middleton Community Orchard meets the standard for designation as a Local Green Space in the Part 2 Local Plan for Corby and should therefore be designated as such.

4. Options to be considered (if any)

4.1 The alternative would be not to approve the designation of Middleton Community Orchard as a designated Local Green Space in the Part 2 Local Plan for Corby. However, this would not offer Middleton Community Orchard the additional protection from development which is being sought by the Parish Council.

5. Issues to be taken into account:-

Policy Priorities

Local Green Spaces, as designated on the Part 2 Local Plan Policies Map, will be protected and where possible enhanced. Development that will result in its loss will only be permitted in the following very special circumstances:

- The built form is minimal and essential to the operation of the Local Green Space;
- The development represents a suitable extension to an existing structure;
- The development is an acceptable or reuse of an existing building in the site; or
- The development is essential for public safety.

Financial

There are no specific costs related to the designation of Local Green Spaces.

Legal

There are no direct legal implications at this time.

Human Rights, Community Safety, Equalities and Sustainability

None directly linked to this report.

Performance Information

None directly linked to this report.

Best Value

None directly linked to this report.

Risk Management

There are no risks associated with this report.

6. Conclusion

- 6.1 Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.
- 6.2 Subject to Members' approval Middleton Community Orchard will be designated as Local Green Space in the Pre-submission draft Part 2 Local Plan for Corby and will be designated as such on the Policies Map. This will provide an opportunity for any objections to be raised during the Regulation 19 consultation which is due to take place in July/August 2019. There are possibly other open spaces in the Borough that could be considered but were not put forward. Should members of the community wish to include other areas within this designation, then this would need to be through the neighbourhood plan process.

7. Recommendation

- 7.1 That Members approve the designation of Middleton Community Orchard as a designated Local Green Space in the Part 2 Local Plan for Corby.

Background Papers

- Local Green Space Technical Guidance Note (May 2018) available at www.corby.gov.uk
- Cottingham and Middleton Conservation Area Appraisal and Management Plan Supplementary Planning Document (April 2016) available at www.corby.gov.uk
- National Planning Policy Framework (July 2018) paras. 99 to 101 available at www.gov.uk
- North Northamptonshire Joint Core Strategy 2011-2031 (July 2016) available at www.nnjpd.org.uk

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Appendix 1 Local Green Space Designation Criteria

Table 1: Site Constraints Criteria

All proposed Local Green Space submissions to the Council are to be assessed against all the criteria 1-7, listed in table 1.

Criteria	Explanation of criteria/evidence
<p>1. There is no current planning permission which once implemented would undermine the merit of a proposed Local Green Space designation.</p>	<p>Local Green Space designation would not normally be appropriate where the land has planning permission for development. Special exceptions to this would be those sites which are large enough to accommodate a green space designation as part of the development or where planning permission is no longer capable of being implemented.</p>
<p>2. The proposed Local Green Space is not land allocated for development as part of the Local or Neighbourhood Plan or required to meet the Borough's development needs.</p>	<p>It will not be appropriate to designate spaces that are allocated or proposed for development in the Local or Neighbourhood Plan unless it can be shown that the Local Green Space could be incorporated within the site as part of the allocated development.</p> <p>The designation of Local Green Spaces should be consistent with the local planning for sustainable development and complement investment in homes, jobs and other essential services.</p>
<p>3. The Local Green Space designation would provide protection additional to any existing protective policies and its special characteristics could not be protected through any other reasonable and more appropriate means.</p>	<p>It is only appropriate to designate spaces that are already protected by another designation where it would provide additional benefit to the community.</p> <p>Existing designations include:</p> <ul style="list-style-type: none"> • Special Protection Areas • Sites of Special Scientific Interest • Registered Historic Parks and Gardens • Local Nature Reserves • Ramsar sites
<p>4. The site proposed for designation is local in character and is not an extensive tract (of land 19ha in size or greater).</p>	<p>Designated spaces would normally be fairly contained with clearly defined edges.</p> <p>An independent examination into a Neighbourhood Plan concluded with the Inspector deciding not to designate an area as a Local Green Space because he considered its size of 19 hectares to be an extensive tract of land¹. Corby Borough Council will therefore use this as a suitable measure.</p>

¹ <https://www.no5.com/news-and-publications/news/978-no5-barristers-successful-in-persuading-neighbourhood-plan-examiner-to-refuse-local-green-space-designation/>

5.	The proposed Local Green Space must be within close proximity to the community it serves.	<p>National policy states that to be designated as a Local Green Space the area should be in reasonably close to the community they serve. The proximity of a Local Green Space to the community it serves will be dependent on local circumstances including why the green area is seen as special. For example if public access is a key factor, then the site would normally be within easy walking distance of the community served. Sites should feel part of the local area, sites which are entirely isolated from the community will not be considered appropriate.</p> <p>Natural England has set a range of accessibility standards for natural sites and areas within easy reach of people's homes. The 2010 ANGSt guidance recommends that everyone, wherever they live, should have an accessible natural green space no more than 300 metres (5 minutes' walk) from home which is considered to be an appropriate walking distance.</p>
6.	The sites special characteristics and any uses or activities which form parts of the case for its designation can be maintained and managed during the Local Plan period.	The space should be capable of enduring beyond 2031.
7.	The space must be demonstrably special to the local community.	Blanket designation of all/most green areas or open space within an area is not appropriate. The space must be demonstrably special by meeting at least one of criterion 8-12, in Table 2.

Table 2: Supporting Evidence Criteria

Robust evidence must exist to satisfy at least one of the criteria listed below.

Criteria	Explanation of criteria/evidence
<p>8. The proposed space is of particular local significance because of its beauty.</p>	<p>This would include the visual attractiveness and aesthetic value of the site; and its contribution to townscape, landscape, character and/or setting of the settlement. Features on sites such as woodland and water could also contribute to the overall value of the site. It would be expected that the area contributes significantly to the local identity and character of the area and plays an important role in defining the sense of place of the area.</p>
<p>9. The proposed space is of particular local significance because of its historical significance.</p>	<p>The site is viewed to be of local significance because of its historic importance to the community. For example</p> <ul style="list-style-type: none"> • There are recognised historic assets on site • The site links back to a historic person or event • The site has retained historical features and boundaries
<p>10. The proposed space is of particular local significance because of its recreational value.</p>	<p>The site holds a local significance for recreation providing an important asset for the community for a particular activity or for a range of activities. Although most green and open spaces will fall within this category and offer some form of recreational value, the aim is to identify why a particular area offers something unique and could not realistically be accommodated on the sites that would serve the community</p> <p>National guidance states that there is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.</p>
<p>11. The proposed space is of particular local significance because of its tranquility.</p>	<p>The site submitted is viewed to be of importance to the local community because of the tranquility it provides, offering a place for quiet reflection and peaceful enjoyment. It would need to demonstrate the following qualities:</p> <ul style="list-style-type: none"> • A feeling of remoteness or quiet contemplation • A general inability to see man-made structures such as roads, power-lines or excessive lighting • Has a general lack of artificial noise from vehicles or industry.

<p>12. The proposed space is of particular local significance because of its richness of wildlife</p>	<p>For a site to be considered suitable for Local Green Space status for its richness of wildlife, it would need to relate to one or more of the following:</p> <ul style="list-style-type: none">• Be designated for its wildlife value (e.g. Local Wildlife Site or Pocket Park)• Include a combination of important landscape features such as ancient Hedgerows, Ancient Woodland, Veteran trees, pockets of woodland and wildflower meadow• Support a unique and/or diverse range of wildlife. This would need to be evidenced by records, ecological surveys and/or expert advice.
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