

Whitewall House Stables
18 Whitewall
Norton
Malton YO17 9EH

December 2017

By email: jill.thompson@ryedale.gov.uk

Dear Miss Thompson

Consultation on Identification and Review of Visually Important Undeveloped Areas

I am writing to strongly support the Council's proposal for the land south of Norton, between Welham Road and Langton Road, north of Whitewall and Bazeley's Lane, to be considered for and granted VIUA status.

Background

The Council initiated the VIUA consultation process in 2009 and we strongly supported this then, and although part of the total area (marked Area B on the map at **Appendix A**) has now achieved outline planning permission (albeit through Appeal, strongly contested by Ryedale District Council, and many others, and achieved on the basis of the perception of a variation in calculations within the Local Plan), both Areas A (Proposed new VIUA) and Area B (Proposed Extension to New VIUA) have for many years been considered together, and Mill Beck, which sources from the many springs in and around the east end of Bazeley's Lane, divides the two areas and is at the heart of this area. It is quite possible for Area B to be designated VIUA, even with outline planning permission, in the event that this expires. Since the outline planning for Area B could expire in June 2019, this would not be an unreasonable step to take, in particular since this consultation process was well under way and had been for several years, when planning permission was applied for and granted for Area B.

Neither Areas A or B are not are designated as priority for development within the Local Plan, which has been developed over recent years to plan for the future residential development responsibilities for Ryedale. The compelling reasons for this include the lack of local infrastructure (since access to the A64 from both sites requires vehicles to go through either the centres of Norton and/or Malton, which are already heavily congested, and have long standing air quality issues); rail services are due to double in 2019 and this is going to put even more pressure on traffic in and between both towns; and the sites are too far from local amenities and transport to be likely to be accessed on foot; also Whitewall/Bazeley's Lane could not cope with the inevitable traffic, let alone access, and it will impinge on the surrounding racing industry close by; as well as the historic Listed setting of Whitewall House and racing stables and cottages. The Local Plan has emphasised the importance of sites to be allocated which can access the A64 without going through the towns, and this is why development is aimed at and ongoing in the area between Beverley Road and the Scarborough Road because of

VIUA – Reasons to support this for the area south of Norton/north of Whitewall and Bazeley's Lane

Collectively, Area A forms an important division between the historic settlement of Whitewall, and Norton. Whitewall has been marked on maps for hundreds of years as a settlement of its own, and Whitewall House (parts of which are 500 years old), and the attached cottages and racing stables are

Grade 2 Listed, and well known nationally for their racing heritage and individuality. John Scott, who trained racehorses at Whitewall in the 19th Century, was the very first public trainer who trained racehorses in his own right, and he held the record for Classic winners – 42 British Classic winners, a record which stands to this day. Racehorses continue to be trained at Whitewall which is a 20 minute hack from Langton Wold Gallops, which have also been operating for over 200 years. Whitewall House is a local landmark, and can be clearly seen from the York Road approach into Malton, and is even used by the RAF as a visible marker, because of its distinctive white standing out among the green around it. Whitewall House and Racing Stables are the oldest racing stables in Malton and Norton, and retains many original features including the old blacksmiths' forge, and substantial stabling buildings. The paddock directly in front of Whitewall House and Racing Stables, has until more recent years been part of the training facilities here – until recently it included a circular gallop (which has been allowed to grass over but is still discernible), which is identified on OS maps, but which has cynically been allowed to grow over coincidental with enthusiasm for having the site developed for extensive housing by the owner. The 3 more recent houses to the east of Whitewall House have negligible impact in Whitewall House and Racing the yard since they are not part of its view or footprint, whereas the paddock opposite most certainly is. Similarly, the houses of similar age in Welham Road, only run down one side with the exception of a handful of cottages, and are a linear development only, with good sized gardens, and actually protect the paddock from the busier Langton Road. This is entirely different to a block of development right in front of Whitewall House and Racing Stables which would be catastrophic in terms of setting, noise, peaceful environment for the racehorses, air quality, and traffic (Whitewall and Bazeley's Lane is entirely unsuitable for any exit here). Whitewall/Bazeley's Lane is slightly raised above the fields in front and offers excellent views, framed by the fields, and many people walk to Whitewall and Bazeley's Lane and often stop and enjoy the view north, over the fields at Area A, and indeed Area B. The whole length is a bridleway and also a sustrans cycle route.

To the West of Area A, is Malton & Norton Golf Club, and also Star Cottage Racing Stables, and these areas are a natural boundary to Norton and a visual extension of the Areas in question. To the East/South East, are Highfield and Langton Wold Gallops (which lie in the area south of Blink Bonny bridle way, which runs between Langton Road and Beverley Road), which extends for a good mile south of Norton.

In effect, the Areas A and B and these extensions, form the rewarding green and wooded view which is seen on approaching Norton and Malton from the south, whether from Welham Road, Langton Road, or Beverley Road. The view from north towards the North Yorkshire Moors, from the top of Langton Road Hill, is often used in marketing the area – it is stunning, and is the “walk home” for the racehorses stabled in Norton from Langton Wold Gallops (such photographs often feature racehorses as well).

On all three routes into Norton, you are met by numerous racing stables and gallops, which are such an important feature of Norton, both visually, but also economically – Norton and Malton's economy benefits to the tune of well over £20m a year from racing, it employs several hundred people directly and indirectly, and has been a major feature of life here for several hundred years. Indeed Highfield Gallops was Langton Racecourse until just over 100 years ago. The racing stables are identified on the attached Map (**Appendix B**), and Areas A and B are at the heart of this unique and visually and practically/commercially and sensitive area. The area is heavily populated by horses, significant numbers of racehorses, riding horses, retired racehorses, and livery horses, and Whitewall/Bazeley's Lane is a historic and current bridleway.

Whitewall/Bazeleys Lane is also unique. Until the A64 bypass was built, Bazeley's Lane was an unsurfaced bridleway, and is cut into the side of Scott's Hill (itself an area preserved by Natural

England), which is an area cherished and sought after by local residents who walk here often with dogs. The family who own the land on Scott's Hill have created pathways where dogs are permitted to be walked, and it is immensely popular locally.

Bazeley's Lane was made accessible to road vehicles, relatively recently, when excess tarmac from construction of the A64 bypass, was crudely tipped onto the bridleway, and a narrow footpath was cut in a few yards above it. Both the footpath and lane subside continually because there was no formal construction to support it. There is now a weight restriction of 7.5 tonnes, but as it is single track with a blind S-bend on a hill at one end, and occasional single vehicle passing spaces cut into the bank, it cannot cope with more than a small number of light vehicles at a time, without causing standoffs and difficulties for all who use it, not least the racehorses being ridden to/from the gallops close by. It is deeply unsafe as a route for more than a small number of vehicles at a time. It is also particularly fragile on the east end because of the springs around and beneath it – it collapsed completely here in 2000/01 during the heavy flooding that year and had to be completely closed. It remains at risk of doing so again, if overused. It is the main route to the gallops for racehorses from Whitewall, and this must be a priority for consideration since it is a bridleway, first and foremost.

Mill Beck

Mill Beck, which runs between Areas A and B, is an unspoiled source and stream, with springs in and around Bazeley's Lane, and is the clearest of becks, and contributes to the trout farm which is located at the north end of Area A.

At the Appeal for part of Area B in 2016, we learned from Jennifer Deadman who presented as an expert at that Appeal (made by Gladman's), that the layout of those fields forms part of an ancient Manor and has significant historic interest. It is also believed that there was a Roman settlement in those fields.

Mill Beck and the surrounding area will be irreparably damaged by any further development on those fields, and any further development in the area described will change the rural and equine-friendly aspect of this area, which has been at the heart of the horseracing industry in Norton for several hundred years.

Area A

Area A is divided into two ownerships. The families who own the two western-most fields, have collectively objected through a third party Agent, Evolution Town Planning. Both families have long been keen to profit from achieving extensive planning permission for these sites and it is clear from Evolution's published comments that continues to be their aim, and their comments should be viewed in that context.

The field to the SW of Area A, is, as already mentioned, marked on OS maps as a circular gallop, which was maintained as such until it fell into misuse under the current family ownership, but its shape is still visible. The field is now used as paddocks and temporarily divided for practical purposes.

The L-shaped field which surrounds this on two sides is also used for paddock and leased out, and used by the local Riding Club. On the edge of Whitewall/Bazeley's Lane is an historic barn with attached stables and which is consistent in age and style with many of the original buildings in Whitewall, and possibly used for broodmares and foals, and which has featured in paintings from the period.

The third field in Area A, which runs the length between Mill Beck and Bazeley's Lane, is put to crop, and is sheltered by Scott's Hill. In the past it has been prone to flooding but recently drainage has been put in. It is a peaceful field in a beautiful setting and emphatically should not be developed, since any exit from it would have to be into Bazeley's Lane close to the dangerous narrow S-bend, among the springs; and development would seriously damage the beck.

The north part of Area B is in the vicinity of Sutton Grange and attached Barn, and inevitably any development in Area B will have an effect on the settings of these buildings.

Further development in the area described will change the rural and equine-friendly aspect of this area, which has been at the heart of the horseracing industry in Norton for several hundred years – although it was given negligible weight by the Planning Inspector in 2016, which is deeply concerning, since it is such a major contributor to the economy of Norton and Malton – over £20m a year and several hundred jobs directly and indirectly.

The approach to Norton from the south from Whitewall Hill, Langton Road and Beverley Road should also be considered because together they constitute the main body of the racehorse training area of Norton, including the visually important Highfield are. The protection of this whole swathe of Norton should be of the highest priority with town planners, minerals and waste development planners, and highways considerations – although it is not always clear that this is the case.

Attached at Appendix B is a commentary on the initial comments made by “Gladmans” and “Evolution Town Planning obo the Carr and Watts Families” comments, who appear to be the only objectors to the inclusion of Areas A and B as New VIUA and Extension to New VIUA

Yours sincerely

Mrs A M (Fiona) Campion

Attached:

Appendix A – Plan of Area A and Area B – New VIUA between Welham Road and Langton Road Norton

Appendix B – Map of Racehorse Training Yards, immediately surrounding Norton and Malton

Appendix C (attached to this document) – Comments on Gladman's and Evolution's comments

Appendix D – Springs & Wells of Norton

Appendix C

Comments on Gladmans', and Evolution Town Planning obo the Carr and Watts Families

Gladmans Comments

Gladmans are the company who applied for and were Refused planning permission for the two northern most plots in Area B. They have since sold this land on. It would appear that their business objectives are to obtain initial planning consent for land (in this case undeveloped), and then sell it on to third party developers. They then took this to Appeal, and controversially and on the basis of a technicality, through Appeal, obtained permission for the two plots of land off Langton Road which forms the eastern most part of the area in question. Clearly their motivation is to identify further sites where they can maximise their opportunity to make further profits, which is the predominant motivation, and would see the principles of VIUA as a direct threat to future opportunities for themselves.

The two plots of land (which comprise the northern majority of Area B) west of Langton Road were Refused planning permission by Ryedale District Council's Planning Committee for several reasons including *"the development of the site would result in the loss of this open area of undeveloped land which has significant intrinsic landscape value and character, and which is atypical of the area. Furthermore, it would harm the setting of this attractive approach to Norton, and breach the strong woodland setting (subject to a Tree Preservation order), which currently provides a significant visual end stop at the approach to the town. As such it is contrary to the strategy of the Development Plan for the location and distribution of new housing at Malton and Norton, including Policies SP2, SP13 and SP20 of the Ryedale Plan – Local Plan Strategy."*

"By virtue of the separation site from the built up area of Norton, the proposed development would be detrimental to the form and character of the town. Furthermore, it would result in the development of a site in an unsuitable location in relation to local and neighbourhood facilities. As such it is contrary to the locational policies of the Development Plan including Policies SP1 and SP2 of the Ryedale Plan – Local Plan Strategy".

"The development is not in accordance with the Development Plan and furthermore, it is not considered that the benefits of the development would outweigh the harm to the setting and character of the listed building, the adjacent undesignated heritage asset (Sutton Grange) nor the loss of this important landscape setting in Norton. As such, the development is contrary to Policies SP2, SP12, SP13 and SP20 of the Ryedale Plan – Local Plan Strategy, and the NPPF".

When Gladmans took this decision to appeal, the Planning Inspector controversially overturned the Refusal on the basis of a relatively minor technical discrepancy in calculation of the Local Plan's allocation of affordable housing. Despite the relatively minor discrepancy and the obvious efforts of Ryedale District Council to achieve the affordable housing quota, and capacity for doing so within the most suitable locations around Malton and Norton from the Local Plan, he controversially gave this more weight than any of the other factors such as distance from local amenity, effect of traffic on the local infrastructure and local economy including the close proximity to the racehorse training yards and gallops; the need for the traffic from these estates to pass through either Norton or Malton town centres to reach the A64 (and the effect that the increase in trains in 2019 will have on the traffic problems in Norton). RDC have prioritised sites for future development, which will provide direct access to the A64 without having to go through the town centres, and neither of these sites will achieve this.

Since then, Gladmans have traded the two controversial sites on to a new property developer, and since they see fit to comment on Area A, perhaps they are aiming to capitalise on further opportunities here in future.

Gladmans refer to GLVIA 3 on what should be a physical attribute with helpful indicators:

Gladmans are bound to express the opinion that the attributes of this important undeveloped land in a historical setting, do not show sufficient demonstrable physical attributes, but that is their convenient opinion, and at odds with others, who value the contribution the space makes to the area for the many reasons given, rather than for its potential development value.

Gladmans “*Question why this area is being designated now, and why it has not been previously designated*”?

Had Gladmans done their due diligence when they became involved with the two sites west of Langton Road, they would have known that Ryedale District Council instigated this VIUA process in 2009, and it is regrettable that RDC did not make the Planning Inspector aware that the whole area (including the two sites west of Langton Road) was under serious consideration to be put forward as a VIUA. VIUA is clearly a lengthy process and Gladmans should have been aware of this.

Gladmans say “*The setting of a building, or groups of buildings, either listed or other could be considered a physical attribute as referenced in the justification above. This issue has already been addressed in the Inspectors report for the appeal on the second part of the proposed designation at land between Welham Road and Langton Road*”.

This is disingenuous because his decision only referred to the two plots to the west of Langton Road and in close proximity to Sutton Grange and associated buildings. The land in Area A to the west of this is much closer to Whitewall, Whitewall House, Racing Stables and Cottages, and is integral to its historical setting – and this was not part of the issues addressed by the planning inspector at that appeal as he was looking specifically at the Listed context in relation to Sutton Grange.

Gladmans then say “*The second part of the proposed designation is much closer to the listed building and designated heritage asset in question and the inspector did not consider that any harm to them would be sufficient to refuse the application. There is nothing to suggest that the same would not be the case should a development proposal come forward on another part of this VIUA designation.*

This is also disingenuous because they are implying that the historic Listed buildings and setting at Whitewall are of insignificant importance to the area, which is patently not the case.

It is even more regrettable since clearly RDC were relatively close to publication of their consultation document when considering the planning applications for the two Gladman’s developments on Langton Road, followed by the Appeal against refusal in June 2016. It would appear that the Planning Inspector who led the Public Inquiry into the two related Gladman’s Developments in Langton Road, was not briefed or aware of the intention to propose this area a VIUA, before he gave planning permission to both developments, which was unfortunate, and may have contributed to him giving little if no weight to the negative impacts of these two developments on the area south of Norton, and the impact on Norton itself. Since RDC’s photographs were clearly taken in mid-winter so presumably the intention had been to use these long before the Gladman’s developments were put to Committee, or the subsequent Appeal regarding the two linked applications.

Evolution Town Planning obo The Carr & Watts Families

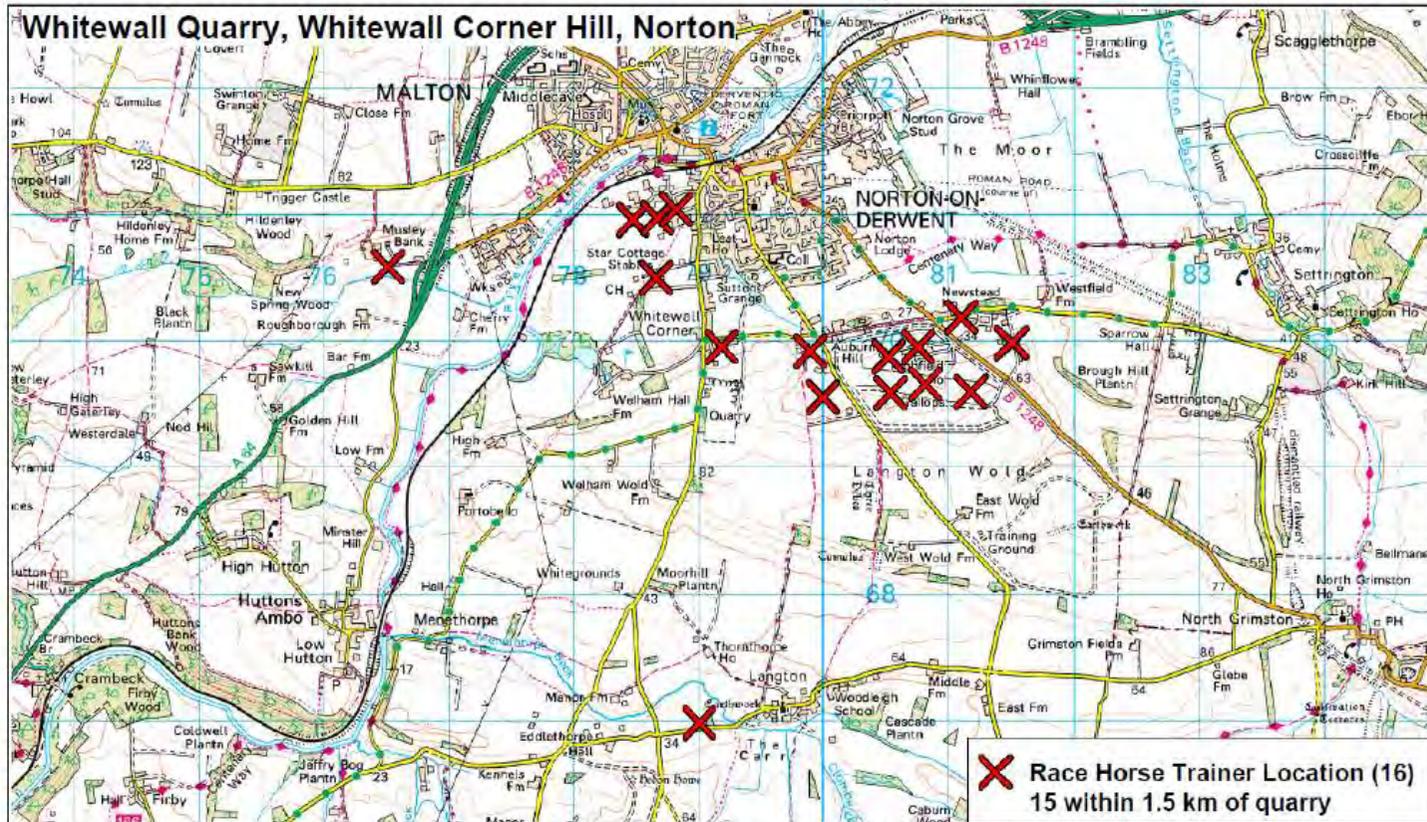
The Carr and Watts families own the two fields which lie to the east of Langton Road in Area A, and it is well known that their aim is to develop both these sites which they put forward for development as part of the local plan, so it is no surprise that they would wish to avoid the area being designated VIUA. They refer to the “Landscapes of Northern Ryedale” of 1999 which was preceded the Local Plan, (published several years later after extensive consultation). It is deliberately misleading of Evolution to omit to mention this, since the Local Plan did not give the weight they imply in their comment, and the sites were relegated down to a significantly less desirable for development purposes.

Evolution refer to the land being “flat and low lying” which is correct. It is at water level, and floods regularly; as does the land in Area B; and as does the area at and surrounding the junction between Bazeley’s Lane and Langton Road. Further development will only exacerbate this problem further. A map showing the Springs and Wells of Norton is attached at **Appendix D**. A local topography map will demonstrate the low land levels in the Areas A and B, and the surrounding areas (such as was provided by Gladmans in their original application to build in Area B). Photographs of all these areas flooding in wet weather can be provided.

We strongly disagree with the remainder of their comments, the majority of which are covered in the covering letter.

Their comment ***“We believe that development of the Site would bring about enhancements of the setting of the Listed buildings”*** is entirely wrong and sums up the poor quality of their comments, coloured by their motivation. The only enhancements development of Area A will bring is to their pockets, and should be judged in this context.

Appendix B – Committee Plan – Racehorse Trainers



Title: Whitewall Quarry, Whitewall Corner Hill, Norton

Application No :C3/13/00086/CPO



Business &
Environmental Services,
North Yorkshire
County Council
Countryside, Planning & Development

The River Derwent runs west and north of the site. There are no chemical or biological water quality assessments within 1500m of the site. According to the EA the River Derwent is mainly groundwater fed with flows being dependent on levels of water within the main aquifers.

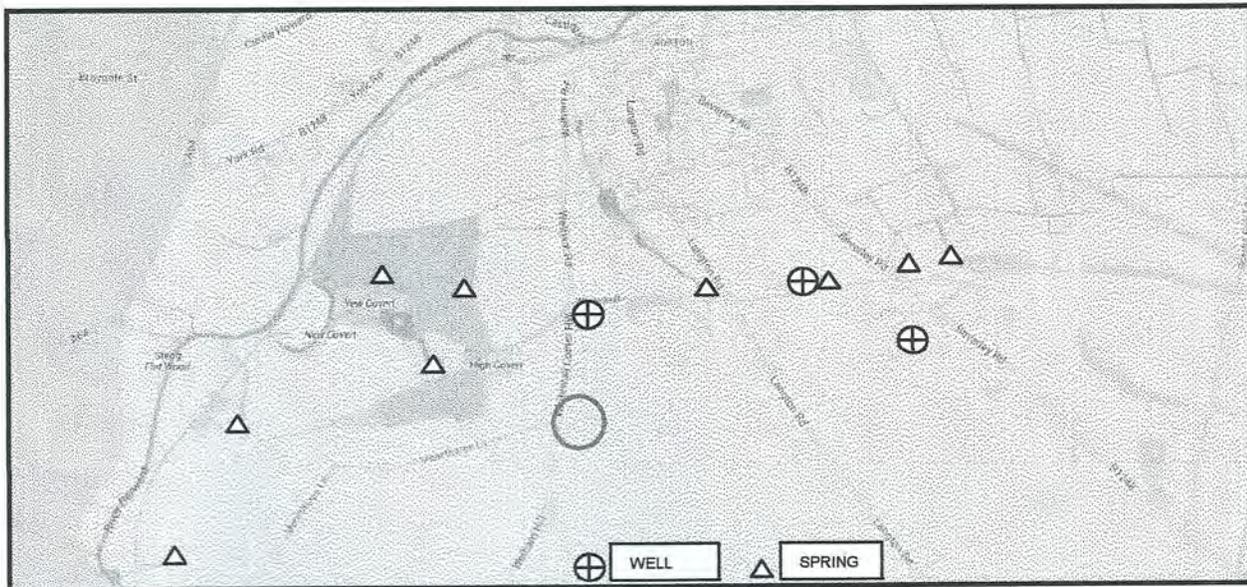


Figure 8 Hydrology Plan of Site and Environs

Surface Water Features close to the site are shown on Figure 8 and 9 and indicate the following:

- A pond in the Limestone Quarry.
- Springs at Welham Park draining through Ponds and Fish Hatcheries to the River Derwent SSSI to the west.
- Springs north of Welham Park draining to River Derwent.
- Springs near Spring Cottage draining north through mill ponds and Fish Hatcheries to the River Derwent in Malton.
- Springs east of Langton Road draining north to River Derwent.
- Springs at Howe Hill.
- Springs west of the site draining west to the River Derwent.
- River Derwent to west and north of the site.

The springs occur along the geological fault line that has caused impermeable strata to the north to be juxtaposed to the permeable Corallian limestone to the south. Groundwater flowing north through the Corallian therefore springs out of the ground when the impermeable strata is met.

Groundwater flow in the Corallian is to the north and west and therefore water entering the site, if polluted, may contaminate surface water which is recharged from groundwater in the Limestone and emerges as surface water as springs to the immediate north of the site.