



Groves Town

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Chartered Town Planners and
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Job Title	Representations to the Ryedale Plan – Designation of land off Welham Road Norton
Client	Mr M Campion
Document Title	Statement of Representation
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Site	Land adjacent to Welham Road and Langton Road Norton

1 Introduction

- 1.1 Groves Town Planning is instructed by Mr Mark Champion to provide a statement of representations to the emerging Ryedale Plan. Specifically comment reflects *support for the proposed designation of land east of Welham Road and north of Whitewall within the plan as an area of Visually Important Undeveloped Area (VIUA)*. Mrs F Champion has previously made submissions to a September 2016 consultation on the designation of land as VIUA, and has commented on the scope for designation to cover areas to the west of Welham Road and the east of Langton Road which will also be reflected in these representations.
- 1.2 Comments reflect support for the VIUA designation and opposition to those who seek to resist designation on the basis of the suitability of land to the north of Whitewall for development in the future
- 1.3 Mr and Mrs Champion occupy residential premises and an associated racehorse yard on Whitewall.
- 1.4 This statement sets out background to the designation and analyses the planning policy context in which consideration of designation takes place. The appraisal of previous representations and responses to consultation are usefully tabulated in appendix 3 to the Council's Visually Important Undeveloped Areas Paper of October 2017. This table has been utilised to present further comments which form the basis of Mr Champion's representation. Key points are contained in a concluding summary.

2 Background

2.1 Land located between Welham Road and Langley Road is open, undeveloped land to the south of the main, built up areas of Norton. The eastern side Welham Road is characterised by a ribbon of mid twentieth century development extending southwards from centre of Norton, until it meets the much older group of properties located around the junction of Welham Road with Whitewall. Historically this ribbon of development has been seen to be located within the settlement boundary, even though observation might suggest that a tighter boundary around the main concentration of development would show greater logic. This is particularly the case in terms of the inclusion of property on Whitewall within the main settlement boundary. These buildings are a loose collection of buildings, some with heritage value, which relate specifically to their rural location. Even if it is accepted that the ribbon of development north of Whitewall is located within defined development limits, there is logic and consistency with wider policy objectives to exclude buildings on Whitewall and to wash over with either VIUA or AHLV status. This approach would provide a defensible and robust boundary where different approaches to development proposals would be justified.

2.2 Land to the west of Welham Road is open and undeveloped and utilised alternatively for agricultural or equestrian related uses. Whitewall is a narrow country lane linking Welham Road with Langton Road in the west. It is correct to recognise a distinctive change in landscape to the north and south of Whitewall. To the north land is largely flat, at most gently sloping and repeats the characteristic haphazard field patterns over the 500 metres until the main settlement boundary is reached. The area between Welham Road and Langton Road is bisected by the wooded areas around Mill Beck.

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This area of woodland to some extent compartmentalises land fronting the eastern side of Langton Road.

2.3 Whitewall defines the boundary with land to the south which is designated as an Area of High Landscape Value (AHLV). There is a distinct change in topography of this area as with considerably greater changes in level and undulation as the area extends into the wider Yorkshire Wolds. There are views back towards the settlement from this elevated position, providing a transition to the edge of the settlement and a clear setting for the historic pattern of built development in the locality.

2.4 Land located beyond the defined settlement boundary, outwith any formal designation or notation; within proposed VIUA and within the AHLV is strongly associated with the historic presence of horse racing stables in the Malton area. Stables and yards, paddocks and gallops contribute to the history of the area told through the pattern of land use and its influence on the landscape.

3 Historic Status and Policy

3.1 Land to the south of Whitewall has longstanding recognition as being of particular landscape value and has been consistently designated as part of an area of high landscape value. Policy ENV3 of the 2002 Ryedale Local Plan limiting scope for development where harm would result to areas of protected landscape.

3.2 Land to the north of Whitewall and between Welham and Langton Roads has been located beyond any settlement boundary and has been subject to development plan policy which generally limits the scope for development beyond defined development limits. Policy ENV1 of the 2002 Local Plan clearly supports this position. This policy

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reflected a desire to “maintain distinctive landscapes.....minimise the loss of rural character”.

3.3 The Local Plan Strategy was adopted on 5 September 2013, superseding most policies within the Ryedale Local Plan 2002 but critically updating policy in the context of the then applicable the National Planning Policy Framework (NPPF). Critically within its housing section, the LPS established how the Local Authority would be able to meet housing requirements across the plan period, subject to later definition of site allocations in a subsequent Local Planning Strategy Sites Document. Policy SP2 applies. Appeals relating to land west of Langton Road Norton in 2016 explored the Council’s approach to housing a supply and found it to be robust albeit in anticipation of the now emerging Local Plan Strategy Sites Document (ref APP/Y2736/W/15/3136237 and 3136233)

3.4 Policy SP13 recognises the longstanding landscape designations which have existed in the areas of the Yorkshire Wolds within Ryedale as a reflection of their natural beauty and scenic qualities. The explanatory text to SP13 recognises the role of continued designation of AHLV to reinforce landscape quality and local value attached to these landscapes.

3.5 SP13 sets out a number of distinctive elements of landscape character which are the result of historical and cultural influences, natural features and aesthetic qualities including;

- *The distribution and form of settlements and buildings in their landscape setting*
- *The character of individual settlements, including building styles and materials*
- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*

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- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure*

3.6 PolicySP13 is clearly reflective of advice provided in NNPF paragraph 109 relating to the protection of valued landscape.

3.7 Policy SP16 recognises a continuing role for VIUAs and states

"To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including..... The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement."

3.8 The principle of using the VIUA designation has been established in the adopted Development Plan: The Ryedale Plan - Local Plan Strategy. The rationale for the consideration of VIUAs formed part of the evidence base for the consideration of the Local Plan Strategy, which was submitted, examined and adopted in a post NNPF policy context. It should be noted that as part of the VIUA consultation in 2016, both Historic England and Natural England have actively supported the identification of VIUA's and have identified no conflict with national policy.

3.9 The VIUA background paper of October 2017 notes the purpose of designation and related long term aims. It is noted that Visually Important Undeveloped Areas are areas of undeveloped or open land which contribute to the form, character or setting of a settlement. They can be areas of land that are within a settlement or on the edge of a settlement. The longstanding aims of the designation are to:

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- *protect the character and amenity of settlements*
- *protect the setting of Listed Buildings and other historic and architecturally important buildings and the character of Conservation Areas*
- *To prevent town and village 'cramming'*
- *To retain green areas, open space and trees*

3.10 Areas of land are designated as VIUA's for one or more of the following reasons:

The site makes a significant contribution to the character or setting of the settlement;

- *The site provides an attractive setting for buildings within it;*
- *The site is of importance in terms of the historical form and layout of the settlement*

Against this context, six criteria/prompts have been used to identify VIUA's. These are as follows:

- *Contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths*
- *Contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest*
- *Contribution the space makes to the overall form and character of the settlement*
- *Extent to which the space provides a vista/viewpoint into the surrounding countryside*
- *Extent to which trees, boundary hedges or walls contribute to the character of the space*
- *The archaeological or historic interest of the space.*

3.11 The VIUA background paper justifies inclusion of the land between Welham Road and Langton Road when assessed against these reasons for designation and selection criteria.

- *Contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths*

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- *Contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest*
- *Extent to which the space provides a vista/viewpoint into the surrounding countryside*
- *Extent to which trees, boundary hedges or walls contribute to the character of the space*

This particular area of land is considered to provide the following justification for designation

- *This collection of fields allows the ability of both Malton and Norton to be viewed. They provide a buffer between the built edge of Norton, with an aligned use of horse grazing with the Listed 'Whitewall' and Whitewall Cottages. The field patterns are more diverse than those which surround the rest of Norton, and the fields afford views of Norton and Malton, and the important area of Mill Beck which is an important landscape feature, which is part of the proposed VIUA and for the most part is so included in the proposed VIUA. These fields provide an important, significant contribution to the setting of Norton, and allow intervisibility to Malton.*
- *The VIUA designation does not cover the area of land granted planning permission on appeal, on the eastern extent, to the north of the mill beck. This was consulted on as a potential addition to the proposed VIUA should that permission expire. It has since been identified as a commitment due to the evidence that the site will be built out. Nevertheless, the land to the south of Mill Beck, and the beck, with the trees would contribute to providing significant end-stop to the settlement.*

It is considered that the identification of this land as a proposed VIUA is for the following reason:

- *The site makes a significant contribution to the character or setting of the settlement.*

4 Review of responses to consultation on VIUA 2016

4.1 Whilst it is not intended to review all of the responses to consultation on the subject of VIUA it is considered that there is some value in considering issues raised

Representation Comment (Abridged and summarised)	RDC response	GTP commentary
Significance of view from south across proposed VIUA to settlement boundary	Council is committed to the identification of the land between Welham and Langton Roads, south of Mill Beck as a VIUA.	<p>The interaction of open space with settlement pattern and form is clearly a critical justification for the VIUA designation. Justification should also reflect the inherent value of the landscape as well as its function as space providing a setting to the urban area. Historic field patterns; the reflection of historic equestrian use should be emphasised in justification.</p> <p>The area provides a clear and valuable transition between defined development limits and land to the south within the AHLV. All but limited development would result in settlement boundaries</p>

		abutting AHLV
<p>Importance of Mill Beck</p>	<p>The Council is committed to the identification of land between Welham and Langton Roads, south of Mill Beck as a VIUA.</p>	<p>Mill Beck is clearly critical to the landscape value of the area to be included in the VIUA.</p> <p>Mill Beck is the only stream in the locality. The upper reaches have, so far, been free from development and provide a natural habitat close to the edge of town. There is scope to emphasise the value of the Beck, its contribution to the setting of the urban area and the consistency of protection with wider local plan policy objectives</p>
<p>There is justification to extend the VIUA west of Welham Road towards the Golf Course.</p>	<p>The fields to the north and east of the Golf Course do not influence the form and character of Norton significantly. These areas of land do not demonstrate features which merit the VIUA designation needs to be applied judiciously with specific criteria, to ensure that it remains of value, and provides robust policy protection to areas which are subject to particular sensitivities.</p>	<p>The area of land between the Golf Course and Welham Lane could be considered to satisfy criteria for inclusion in the VIUA. It provides similar transition from the AHLV in towards the settlement and should be reconsidered as additional land to be included in the VIUA now proposed.</p> <p>Considered positioning of a boundary south west of the existing defined settlement would provide for the acknowledged benefits of protecting the landscape value and setting of the southern edge of the settlement, its juxtaposition with the AHLV</p>

		<p>whilst still providing for potential development beyond settlement boundaries as accepted within policies of the LPS. This land is sufficiently distinctive to avoid criticism that the VIUA is being misused as a holistic barrier to development.</p> <p>The designation of the area to the south west of Norton would be justified on at least 3 of the four criteria used to justify designation of land between Welham Road and Langton Road – the main distinction being the lesser significance of tree cover. The land is very prominent when viewed from slopes descending from the Wolds into the settlement. Designation would demonstrate consideration of how settlement form and character would be protected across the full term covered by the development plan, not just a reaction to current pressures.</p>
<p>Impact on the setting of listed buildings and the historic relationship of the area to the race horse training industry</p>	<p>In exercising its planning functions, the Local Planning Authority must <i>"in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard</i></p>	<p>The manner in which a VIUA can contribute to the setting of buildings or groups of buildings particular those of heritage value is a clear aim and objective of designation as set out by the Council. The listed status of buildings on Whitewall and</p>

	<p><i>to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</i>" As required by s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>The Local Planning Authority maintains that this area of land, which is to the western side of the VIUA, contributes significantly to the setting of Whitewall. The lane known as Whitewall to the west and Beazley's Lane to the east is a narrow lane, which takes vehicular traffic but is narrow. Whilst this representation identifies it as a road which separates the property from the fields, and this cannot be ignored, the properties face directly onto the fields, and there is a combination of post and rail fence and low stone wall. There is also a small fall in elevation, so the fields are visible even from ground floor windows. As such it is considered that there is a strong intervisibility between the paddock areas and Whitewall. Anecdotally, in another response, the lane has been described as a former bridle way, which was</p>	<p>their historic relationship with the horse racing industry – which has clearly influenced historic settlement and landscape, merits further review of the detailed boundary of the VIUA around the junction of Whitewall with Welham Road.</p> <p>It is worth recognising that the longstanding connection of the area with horse racing has influenced the form and layout of settlement, and landscape, and the nature of buildings now considered to be of heritage value. There is value in protecting the symbiotic relationship between economic use of land and the settlement and landscape patterns which result – benefiting the wider economy of the area and the rurality of the area in which it is located. Erosion of that rural character has the potential to undermine the long-term success of equestrian related businesses.</p> <p>The comprehensive response of the Council on this point is wholly supported through this representation.</p>
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tarmaced in the 1960s with leftover tarmac from the A64. The lane would in the past itself have had an intrinsic relationship between the stables and the paddocks, and continues to do so today, which have for many years shared facilities between the stables. These fields in particular give an important indication of Norton's historic rural associations and the importance of the equine industry. The Listing Description describes the detailed elements of Whitewall House and attached outbuilding. The Cottages are included for group value. It identifies in the description: The Whitewall Stables have had connections since the 18th century with racing in Norton. The house was the residence of John Scott, a notable 19th Century trainer. Whilst it is not possible to make a direct correlation, the property of Whitewall is an imposing property, and its primary outlook is over the paddocks subject of this proposed VIUA designation.

The presence of other modern properties are a product of their time, and whilst they still allow Whitewall and the cottages to be experienced

	<p>without visual interference, their presence is not justification for allowing further development to this particular area, which would enclose this whole complex of fields irrespective of the retention of an 'open area' in front of Whitewall</p>	
<p>The VIUA and areas on the northern edge of the AHLV are a heavily utilised amenity asset</p>	<p>The Council is committed to the identification of the remaining land between Welham and Langton Roads, south of Mill Beck as a VIUA</p>	<p>Previous representations provide categoric justification for the designation of land as a VIUA. There is clear scope to distinguish the relatively enclosed and compartmentalised site of Langton Road which has now secured planning permission on appeal from the wider area which forms the edge of the AHLV and the transition across open countryside towards the existing edge of the settlement, and the relationship and value of open space viewed from the AHLV.</p> <p>There would be value, consistency with policy and the aims of VIUA designation in creating an area with some degree of protected status across the southern eastern and western edges of Norton in order to properly plan for the entire plan period. This would have the potential to lessen the impact and improve the quality of development deemed</p>

	<p>permissible through development management process and close to the existing defined development limits on the southern edge of the settlement without compromising the expectations of national policy – NPPF or the expected level of housing supply.</p> <p>The southern edge of the settlement and the open land between it and the AHLV are both highly visible from vantage points on main arterial routes into the area and publically accessible viewpoints into the area.</p> <p>The Council correctly emphasises in response to other representations that the VIUA is not simply a tool of landscape protection but a wider policy tool available to be used to properly manage development. It is clearly the case that landscape and visual impacts are major considerations in designation. As such it is considered that there are opportunities to reinforce the Council's approach through more detailed assessment of specific receptors and viewpoints where analysis would undoubtedly reinforce proposed designation and</p>
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		<p>our suggestion that the area to be designated could be extended.</p> <p>Review of the need to protect views from receptors located on the main road routes and at elevated positions on public footpaths within the AHLV would emphasise the benefit of an extended VIUA.</p>
<p>Object to the inclusion of the VIUA designation as has not been considered worth of designation previously</p>	<p>The rationale of not identifying land as VIUA because it was not identified as a VIUA in the preceding Local Plan from 2002 neglects the fact that planning policy changes over time and site specific designations must respond to that in a place-specific way and development requirements change. It is entirely appropriate that development plan policies are periodically reviewed. Since the adoption of the 2002 Local Plan, national planning policy regarding housing delivery has increased the emphasis on the sustained delivery of housing, particularly in those settlements where facilities and services, shops employment and education can be accessed in a more sustainable manner. This has placed significant pressure on the District's market towns and service villages, and a</p>	<p>This representation wholly supports the Council's response on this point. It is clearly spurious to suggest that policy established is fixed. It is clearly appropriate to demonstrate how circumstances have moved on in the 15 years since previous designation on 2002. The Council's robust criteria based approach provides clear justification for inclusion of land in the now proposed designation</p>

	<p>need to re-examine areas of land which were in the 2002 Local Plan capable of being identified as a VIUA, but were not because the allocations were defined, there was no pressure for development, and they were outside Development Limits and seen as Open Countryside.</p> <p>Consequently, as part of the production of the Local Plan Sites Document the Local Planning Authority both reviewed the existing VIUA designations, and examined areas which had been identified through consultation (particularly in 2009) regarding areas of land which were identified as being important to remain open and undeveloped. The work on the sites assessment had identified sites with particular sensitivities, including the Council's Special Qualities Study.</p>	
<p>Land is of insufficient landscape quality to merit inclusion in the VIUA</p>	<p>It is important to recognise that the VIUA designation is not a landscape designation per se; the range of site sizes and situations across the District is testament to the range of attributes which can significantly contribute to the form and character of places and setting of settlements, as</p>	<p>The Council provides a clear and robust counterpoint to objection over the inclusion of land within VIUA.</p> <p>This representation supports the Council on the issues highlighted to justify designation.</p>

	<p>identified in the six criteria used to assess potential VIUA sites. The reasons for the application of the designation are based on one or more of the following reasons:</p> <ul style="list-style-type: none"> • The site makes a significant contribution to the character or setting of the settlement; • The site provides an attractive setting for buildings within it; • The site is of importance in terms of the historical form and layout of the settlement. <p>Consequently, as part of the production of the Local Plan Sites Document the Local Planning Authority both reviewed the existing VIUA designations, and examined areas which had been identified through consultation (particularly in 2009); site assessment; and wider evidence such as Conservation Area Appraisals and Special Qualities Study; which identified such land as being important to remain open and undeveloped.</p> <p>Whilst a large number of the existing and proposed VIUAs in villages and towns they</p>	<p>It is important to note that designation derives from a clear and robust, criteria based approach and the land in Norton meets a number of those criteria – indeed it is this representations position that the application of designation criteria would justify the inclusion of a wider area in the VIUA.</p>
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represent more discrete, smaller areas of land; a small number of larger VIUAs have been previously identified at the Market Towns. As towns expand, it is appropriate that the Local Planning Authority consider whether it is necessary to identify further areas which incorporate larger areas of multiple fields which are of demonstrable significance to the setting of the towns, and their form and character in respect of this.

In respect of the tests, and reasons for the VIUA designation, there is a lack of appreciation of the intrinsic qualities of the site, which have been identified through the site's consultation, the special qualities study, the site assessment process. The field patterns are historic (evidenced through the Historic Landscape Characterisation work undertaken by North Yorkshire County Council), distinctive, and are in strong contrast to the modern, regular enclosed fields to the west and east and south east of Norton. This is experienced in combination with the trees of Mill Beck, and the

gentle topographical undulations of the eastern part of the VIUA. The area is attractive, and is used by dog walkers and others seeking recreation. The public footpath of Bazeleys Lane affords significant views of both Malton and Norton.

It is appropriate that in the consideration and evaluation of all the site submissions through the application of the Site Selection Methodology, which is the operational element of the Sustainability Appraisal process, derives which are the most sustainable sites to meet housing requirements, and this work has concluded that the sites at between Langton and Welham Roads do not perform as well as some other sites. As such other sites have been taken forward as proposed allocations. Whilst this is clearly not a reason to impose the VIUA, it is to demonstrate that there are more suitable sites in principle to deliver housing.

The Area of High Landscape Value for the Wolds extends to Bazeley's Lane, as it is at this point that

	<p>the land begins to rise to the south, on Scotts Hill. The fields subject to the proposed designation provide an important historic rural edge to Norton (which has been lost elsewhere), and contributes to the setting of the town.</p>	
<p>Relevance of the earlier Langton Road appeal decision.</p>	<p>The Langton Road appeal decision has prompted the Council to strive to provide a policy approach so as to ensure that in any application, any demonstrable qualities concerning the contribution of specific areas of land to the setting of a place are given full weight in the decision making process. The quote from the Inspector, which this representation has referred to, merely recognises that on the basis that there was no designation which he could consider and weigh in the planning balance regarding the impact of the development on this area, the sensitivities which the Local Planning Authority had identified, had no policy 'weight' for the Inspector to consider. The Inspector outlines: <i>"The sites lie to the south-west of Langton Road. Site A is relatively level between the road to the east and the heritage</i></p>	<p>This representation supports the analysis and response of the Council when considering the relevance of the 2016 Langton Road appeal decisions.</p> <p>Critically those decisions although relatively recent took place in a different policy context as the more recent site and VIUA documents have been produced by the Council. In the context of approved policies of the LPS there is scope to give weight to the policy position which applies now rather than that considered 18 months ago.</p> <p>Crucially the Inspector accepted an apparently agreed position over the issue of housing supply which ultimately supports the scope to protect land of visual importance.</p> <p>The Langton Road site is visually distinctive from</p>

	<p><i>assets to the west. Site B slopes down from the road towards the Mill Beck stream. A substantial hedge largely hides the sites from public view although there are openings through which the Wolds can be seen across the site by looking south and a picturesque view of Sutton Grange nestling against a backdrop of trees can be obtained by looking north. The carriageway of Langton Road is elevated and so more continuous views across the site can be seen by passers-by on horseback or, more generally, when the hedgerow is trimmed. There is no doubt that these are pleasant, even pretty, scenes. Their loss would be regretted".</i></p> <p>Regarding the Inspector's references to the Landscape Character Assessment. The Local Planning Authority would like to take the opportunity to quote the full text which from the Landscape Character Assessment, which was taken out of context by the Appellants and applied without check by the Inspector. The underlined text was text not included.</p> <p><i>"From a landscape perspective, urban expansion</i></p>	<p>the wider area of land. The screening effect of Mill Beck is important in this regard. If anything the potential development of this area reinforces the value and justification for protection of areas to the south of the site with planning permission.</p> <p>To the converse of the objector's argument it is considered that the site which has been the subject of an appeal is far more compartmentalised and of less relevance to VIUA designation than the area now proposed for designation. Mill Beck and related woodland ensures closure and termination of views through the appeal site to a much greater extent than views across and through the wider areas now proposed for designation. There is far greater alignment with the stated aims of designation.</p> <p>It is important that references in appeal documents and previous studies are not taken out of context. The Council's assessment demonstrates the need to review the whole of an analysis not a selective quote. Ultimately these assessments, particularly</p>
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	<p><i>would be best accommodated on the flat, low lying land to the south and east of the towns. This area is already affected by large scale development, notably the Norton Grove Industrial Estate, and would not impinge on the attractive landscape setting of the Howardian Hills Footholds that lies to the west of the town."</i></p> <p>It is important clarification because it demonstrates that this land to the south was not being identified as a suitable site for development, but the land to the south <i>and</i> east. The Norton Grove Industrial Estate is some distance from the land concerning this representation, and not viewable from the site.</p> <p>The Local Plan Sites Document identifies allocations to comfortably meet the residual requirement, and the NPPF buffer, whilst also in conjunction with the operation of the local buffer means that the Council will deliver more than 3000 homes over the plan period. The NPPF is clear that in tandem with ensuring that there is a sufficient land supply for the delivery of housing, there is a</p>	<p>of landscape quality are only part of the rationale behind justification of VIUA.</p>
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	<p>role for Local Plans to identify areas of either restraint (Green Space), or areas where particular sensitivities are acknowledged and identified, and where if development proposals sought, these sensitivities would be identified within the Development Plan. In Ryedale, there are no Local Green Spaces identified. Areas of particular sensitivity would need to be considered in the context of Local Plan Strategy policy SP16 <i>"Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement"</i>.</p> <p>Whilst the 2016 VIUA consultation identified the principle of the VIUA designation being extended to include the Langton Road permissions, the Local Planning Authority is aware that the sites are very likely to be developed, and therefore this as a policy principle has not been taken forward into the Local Plan Sites Document, and accordingly the Policies Maps.</p>	
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<p>Land north of Whitewall is suitable for development</p>	<p>The Local Plan Sites Document identifies allocations to comfortably meet the residual requirement, and the NPPF buffer, whilst also in conjunction with the operation of the local buffer means that the Council will deliver more than 3000 homes over the plan period. The NPPF is clear that in tandem with ensuring that there is a sufficient land supply for the delivery of housing, there is a role for Local Plans to identify areas of either restraint (Green Space), or areas where particular sensitivities are acknowledged and identified, and where if development proposals sought, these sensitivities would be identified within the Development Plan. In Ryedale, there are no Local Green Spaces identified. Areas of particular sensitivity would need to be considered in the context of Local Plan Strategy policy SP16 <i>"Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement"</i>.</p>	<p>Much of the area of the proposed designation at Norton is physically suited for development. That does not mean that some degree of harm sufficient to resist that development might exist. In this case the absence of protection and the unrestricted expansion of the urban area to Whitewall would dramatically alter urban form and the relationship of the settlement to the AHLV to the south. The ribbons of development extending along routes into the down to not justify an approach which would exacerbate unsatisfactory urban form accepted historically.</p> <p>The Council ably explains the wider policy position with regard to housing supply and the ability to allocate sufficient land for development without having to balance the need to meet supply targets against the use of environmentally or landscape sensitive areas.</p> <p>Policy SP16 does not exclude the scope for appropriate development in VIUA but sets necessary tests to assess the weight of benefits of</p>
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		development against harm to character and function of the designated area.
<p>Scott's Hill provides a clearly defined, defensible edge to the countryside beyond.</p>		<p>Scott's Hill, Whitewall and Bazeleys Lane provide a logical and defensible boundary to the AHLV. The absence of protection of land closer to the defined development limit would potentially result in the complete absence of transition between settlement and area of the highest landscape value – a situation which the Council acknowledges as an issue in places where such juxtaposition has been allowed to happen.</p>
<p>The area makes little contribution to the settlement viewed either from publicly accessible viewpoints within the settlement or from approach roads or paths. were to be developed.</p>		<p>A focus on the attractiveness of the views across to the existing edges of settlement against misinterprets the role of the VIUA.</p> <p>The open land to the north of Whitewall very clearly provides a setting for the listed buildings at Whitewall. The setting very much depends on the relationship with open land and scattered development on Whitewall rather than more recent development. The historic relationship of</p>

		<p>Whitewall House with horse racing and its setting against open paddocks and gallops would clearly be protected to a greater extent through designation.</p> <p>It is not the case that views from Whitewall back to Malton and Norton are limited. There are intervening hedgerows but the edge of the settlement is visible at various points along Whitewall. This edge is more visible still from elevated land further to the south.</p>
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5 Summary of Representation

5.1 The key issues which are of concern can be summarised as follows

- Designation of a VIUA is fully compliant with nationally and locally applied planning policy.
- The case made by the Council to justify designation of land between Welham Road and Langton Road is fully supported
- The criteria based approach used to justify and support designation is considered to provide a generally robust methodology for assessment. The inclusion of land south of Norton meets a number of the criteria identified by the Council. It is considered if anything that application of criteria relating to the protection of the character of settlements and the relationship of the urban edge with AHLV would justify expansion of the boundaries of the area currently proposed to both east and west. This would enable the VIUA to continue to meet the criteria for designation across the full plan period and support the best possible management of development for this part of Ryedale.
- There is scope to review assessment of the value of retaining the area of land in visual terms. It is considered that a more comprehensive landscape and visual impact assessment would reinforce the already robust case for supporting designation and would support the case made here that the areas of designation should be extend further.
- Appraisal by the Council properly balances considerations raised in recent appeal decisions. That decision reinforces the policy approach now advocated.

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- Designation correctly reflects the need to provide and protect an appropriate setting for listed buildings at Whitewall.
- Designation enables protection of landscape which has an intrinsic and historic relationship with the horseracing industry. The protection of open spaces is important both in terms of the physical protection of open areas of land but is also critical in ensuring that the benefits that equestrian related activity bring to the wider community and economy
- Notwithstanding designation any basis for allocation or formal recognition of development potential of land in this area is limited by the physical constraints and impacts of infrastructure, the potential harm to heritage assets and the impact upon protected landscape.

Groves Town Planning



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