

**Gayton and Gayton Thorpe Neighbourhood Development Plan**  
**Response to Examiner's Clarification Note**  
**Ward and Gayton Estates**

**Abbreviations**

David Marsham – DM	NP Steering Group – NPSG	Local Green Space - LGS
Tom Howard – TH	Consultation Statement – CS	Borough Council of Kings Lynn & West Norfolk – BCKLWN and/or KLWNBC
Neighbourhood Plan – NP	Parish Council – PC	Gayton Thorpe - GT

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## **1 Background context to the issues raised in the representations**

- The site allocation south of Manor Farm Field (referred to as Manor Farm South) is for at least 23 houses. Planning permission for 40+6 houses was refused. (see Neighbourhood Plan (NP) p110)
- The Borough 'call for sites 2016' referenced by DM refers to Manor Farm Field (LGS14) (more or less). It proposes a 'work where you live' development on agricultural land (Manor Farm North).
- One of the main outcomes from the community consultations is strong resistance to continuing the rate of development that Gayton has seen recently, particularly in the central green area. Section 4.2.1 of the NP states:
  - *"In recent years there have been a high number of dwellings permitted and built out in the plan area. Some of these sites have come forward as a result of the Borough not having maintained a 5- year housing supply. These are developments that do not accord with the Borough Plans. The findings of the 'Three Wishes' Consultation undertaken in January and February 2018, together with the consultation that took place through the drop-in sessions in the summer of 2018, tells us there is considerable concern regarding the adverse impact that development and the threat of further development is having and will have on the existing rural character on Gayton village. Of particular concern is the impact on the central open space in Gayton village."*
- There is no requirement from the Borough for further development in Gayton during the plan period. So, the basis of the NP is for a modest level of growth as set out in section 6.1.9:
  - *"The residual need for further development beyond that already in the development pipeline (see Appendix A) in the plan area is, therefore, very modest. The Borough, as at 2022, has indicated there will be no additional housing requirement from the Borough for the parish during the planning period 2019 to 2036."*
- Notwithstanding section 6.1.9, the NP identified a need for 8 units of affordable housing for people with a local connection. The NP call for sites was issued in 2021 for 8 units as a rural exception site and both Gayton Estates and the E Ward Trust responded. The results of the NP call for sites was not successful in receiving offers of suitable land as a rural exception site. Detail is provided in Appendix D of the NP Call for Sites Report (<https://gaytonnp.files.wordpress.com/2021/04/call-for-sites-report-v1-1.pdf>)
- In response to the NP call for sites, DM declined to propose a rural exception site and proposed the 'work where you live' development mentioned above
- In response to the NP call for sites, Tom Howard (TH), on behalf of the E Ward Trust responded to the NP Call for sites with a proposal for affordable housing combined with build your own houses on the area of LGS13.

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- In February 2022, after the end of the Reg 14 consultation period, DM presented a combined proposal incorporating the previous proposals for Manor Farm North (LGS14) from DM ('work where you live') and the field owned by E Ward Trust (LGS 13) (affordable housing + build your own) from TH. This proposal was presented by DM as an approach which had been formulated by DM and TH. No representative of the E Ward Trust attended the meeting with DM nor were we approached, at that time, by representatives of the E Ward Trust.

## **2 Issues raised by Gayton Estates during the Regulation 16 consultation (part (2).eml):**

### **2.1 Background history provided by DM to the Examiner regarding DM's aspirations for Manor Farm North.**

KLWNBC 'Call for Sites' 2016: Here DM is referring to a proposal for a 'work where you live' development on agricultural land at Manor Farm North that he made in his response to the KLWNBC 'Call for Sites' in 2016 (Gayton Estates App. 4, 2016 call for sites submission). Note that the NP recommends the designation of most of Manor Farm North as a Local Green Space (LGS14). DM has provided to the examiner a copy of his response to the KLWNBC 'Call for Sites' in 2016 (Gayton Estates App. 4, 2016 call for sites submission). The 'work where you live' proposal in this document is similar in content to comments made by DM during the Reg 14 consultation. DM's comment during the Reg 14 consultation and the NPSG's response can be found on p72 of the Consultation Statement (CS) ref G15 – S9 (S9 is David Marsham - Gayton Estates).

### **2.2 Neighbourhood Plan 'Call for Sites' 2021: DM is referring to his response to the Neighbourhood Plan 'Call for Sites' for a rural exception site for 8 affordable homes for people with a local connection. This response proposed a 'work where you live' development which is similar to his comment made as part of the Reg 14 consultation (See section Background history provided by DM to the Examiner regarding DM's aspirations for Manor Farm North.**

### **2.3 above). In addition, the NP Call for Sites Report (<https://gaytonnp.files.wordpress.com/2021/04/call-for-sites-report-v1-1.pdf>) Appendix D.2 of this document sets out that the proposal conflicts with the overall NP strategy and that the development would also be outside the development boundary.**

### **2.4 Collaborative proposal Feb 2022: DM is referring to a combined proposal for Manor Farm North (LGS14) and the Ward Land (LGS13) which was presented and discussed at a Zoom meeting with DM and the NPSG. The combined proposal was substantially the same as the previous individual proposals from DM for a 'work where you live' development on Manor Farm North and from the E Ward Trust for affordable housing on the Ward Land. DM's proposal is similar to his comment made as part of the Reg 14 consultation (See section above).**

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- 2.5 In addition, a response was sent to DM by email on 23 March 2022 explaining why this proposal could not be accommodated in the NP and this is provided below. Please see extract below from the email sent to DM on 23<sup>rd</sup> March 2022 on this matter.

*As promised, we spoke with Rachel Hogger the Consultant to the NP, with regards to the 'green sketch' you shared with us and it is as we thought, that it represents a change in strategy to the one set out in the Regulation 14 NP. Such options are considered at the early stage of plan making, i.e, before Regulation 14 stage. The NPSG has no evidence of community support for the proposal and no requirement for it from the Borough. The strategy (Visions in the NP) were derived from and confirmed by, our consultation work and reflects the community opposition to further significant development and noticeable support for the green environment in and around Gayton.*

*Whilst the NPSG are not in a position to consider it as part of this Neighbourhood Plan, should there be a future requirement from the Borough for significant development, then the vision you have put forward could be submitted for consideration at a future plan making stage, (at Neighbourhood Plan level or at next review of the Local Plan.*

For information: there were no new issues raised in the detailed context provided by DM to the Examiner on his aspirations for Manor Farm North for the PC to respond to.

2.6 **Policy G28**

DM responds to Policy G28: Community Facilities and states that he considers Manor Farm North to be the optimum site for a Village Hall. This is noted but the proposal as a whole conflicted with the NP.

2.7 **LGS 1 Crown Paddock and LGS8 Church Paddock**

In both these cases, DM is objecting to Crown Paddock and Church Paddock being designated as Local Green Space (LGS). DM has provided a letter to the examiner that he sent in July 2019, setting out his objections to the NP Steering Group. These spaces were proposed for designation as LGS in both the Regulation 14 (pre-submission) and Regulation 15 (submission) Neighbourhood Plan for reasons set out in Tables 1 and 4 of the April 2021 Local Green Spaces report. Available to view at <https://gaytonnp.files.wordpress.com/2023/01/gayton-local-green-spaces-assessment-report-and-recommendations-1.pdf> The report considers the objections raised by DM (see Table 4) and provides reasons for designating them as Local Green Spaces, having taken account of those objections (Table 1 and Table 4). In summary, the objection provided as part of the submission stage of the NP in relation to Crown Paddock and Church Paddock have therefore already been addressed in the LGS report.

2.8 **LGS 2 Allotments and Football Pitch.**

We note DM is supporting the withdrawal of the proposed LGS designation. This does not require a response. Although it is noted that LGS2 was not included in either the Regulation 14 (pre-submission) or Regulation 15 (submission) Neighbourhood Plan for reasons set out in Table 4 of the April 2021 Local Green Spaces report.

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**2.9 LGS 3 Village Playing Field.**

DM is querying why the village playing field is no longer designated as a Local Green Space. LGS 3 did not appear in the Regulation 14 (pre-submission) or Regulation 15 (pre-submission) Neighbourhood Plan for reasons set out in Table 4 of the April 2021 Local Green Spaces report:

*'The space meets criteria set out in paragraph 100 of the NPPF. However, it is recommended this space is safeguarded in the plan for future relocated village hall, together with play facilities and informal play area.'*

Policy G29 identifies this location as a preferred site for a new village hall.

**2.10 LGS 14 Manor Farm Field.**

DM is objecting to Manor Farm Field being designated as a Local Green Space. Here additional notes are made to the objection set out in his July 2019 letter. *"Alongside my detailed comment in the 19 July 2019 letter attached, it is an ideal (central and accessible) area of the village to provide genuine social, environmental and economic benefit to the community over time."* This comment is consistent with comments made by DM in response to the Regulation 14 plan. DM comments have been reported in the Consultation Statement and are repeated below:

*'To designate any area in the Parish as LGS without first exploring how to deliver on the NP's clear aspiration to broaden community infrastructure may be premature. The Estate promoted the idea of a 'work where you live' village hub on Manor Farm North via the Borough's 'Call for Sites' in 2016. We remain of the view this hub could be realised with an integrated mix of village hall / community cafe / meeting area / soft play area, together with a small number of offices and commercial business units. The units would provide services and employment for the village and encourage the use of sustainable modes of transport and reduce congestion. The concept could integrate the remaining land into accessible and enhanced LGS coterminous with the Manor Farm development and green space to the south. Clearly, not everything needs to be on Manor Farm North. Creative discussion with other stakeholders (proposed LGS 13 and LGS 6 are good examples) would enable a broad concept plan to be generated for delivery over the Local Plan period. It would put flesh on the bones of the proposal on Summary Plan B.'*

The NP group response to this (as reported in the Consultation Statement) is: *'Points are noted. With regards to the comments on Local Green Spaces, the NP group considers this response overlooks the overall vision for the NP. This starts with: "Our vision is to preserve the rural character of Gayton and Gayton Thorpe. This is characterised by the open landscape within which the villages are set, the green centre of Gayton village and the views to the wider countryside beyond..."* This overriding vision has been informed by continual community engagement from the outset and the subsequent policies and community actions in the NP flow from this vision. We recognise that development can contribute towards the delivery of community infrastructure improvements. However, such development must be consistent with the aforementioned vision. With regards to central open space, it is currently valued by the community as it is. The provision of public access to spaces which currently do not have public access could be welcome, however, the LGS assessment concludes the spaces currently meet the criteria for LGS designation.'

In summary, DM's objection to LGS14 has already been addressed in the Reg 14 Consultation Statement.

### 2.11 G22: Sustainable Link Gayton to Gayton Thorpe (DM)

DM is objecting to the 'wished-for-way' route 1 from Gayton to Gayton Thorpe. DM's comments are:

*'Whilst I understand the aspiration for a shorter pedestrian access from GT to Gayton, I am afraid I don't see the logic for 'wished-for-way' route 1 from GT as illustrated in Fig 36 under policy G21. The costs and issues associated with provision of a new pedestrian access on this route give me cause for concern. Establishment, maintenance, impact on wildlife, reduction in arable area, negotiations with Highways / Third Parties over crossing of or being proximate to main roads / fences / ditches and inevitable tree safety implications are all important. Maintenance of the same would also be a factor. In addition, there is a perfectly good (albeit a little longer) access available down Common Lane and then north alongside the fields. 'Wished-for-way' route 2 is simpler and, subject to costs and Highways / Third Party discussions, could be workable. This has all been discussed with NPSG already.'*

DM commented in similar terms on policy G22 during the Reg 14 consultation and also objected to 'wished-for-way' route 2. As a result of consultation, Policy G22 has been updated. DM's Reg 14 comment and the NPSG response are on p75 ref Policy G22-S9 of the Consultation Statement.

Wished-for-way 1 is the most straightforward route between the two villages and would run along the B1153: Gayton to East Walton Road. Liaison with Highways for the purpose of considering the feasibility of this route is ongoing. After Reg 14 consultation and in light of objections raised by DM, wished-for-way 2 was relocated to run up Brick Kiln Lane and alongside the B1145: Gayton to Great Massingham Road. The existing route that DM refers to in his response is indirect, heavy going, across fields and not suitable for cycle access.

## **3 Issues raised by Ward Family during the Regulation 16 consultation**

### 3.1 LGS 13 – Arable Land (Green Centre) owned by E Ward Trust (March 2023)

The E Ward Trust is objecting to the designation, as Local Green Space LGS13, of the Arable Land in the central green area of Gayton to the south of the church and adjoining Manor Farm North to the west. In a letter, March 2023, additional notes are made to the comments made by Tom Howard on behalf of the Ward family during the Reg 14 consultation. The letter states that *"The primary use of this field has been solely agricultural and will be drilled with grass for silage this spring. Whilst LGS13 is undeveloped and may have a green character, it does not meet the NPPF policy test in terms of beauty, historic significance, recreational value, tranquillity or richness of its wildlife. Our intention is for this area to remain an agricultural feature until such time when a more collaborative approach may be considered with the village for an alternative use."*

This space (LGS13) was proposed for designation as a LGS in both the Regulation 14 (pre-submission) and Regulation 15 (submission) Neighbourhood Plan for reasons set out in Tables 1 and 4 of the April 2021 Local Green Spaces report. Available to view at

<https://gaytonnp.files.wordpress.com/2023/01/gayton-local-green-spaces-assessment-report-and-recommendations-1.pdf>.

*The site is not publicly accessible but provides important visual amenity to users of public footpath number FP9. This site is part of the central green space; a key characteristic of Gayton Village. It also provides visual amenity looking west from public footpath FP11, although visual amenity in the southern part of this site has been reduced following the completion of residential scheme along Hall Farm Road which does not sit comfortably in*

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*this open aspect. This area sits alongside the Grade I St Nicholas Church and provides an important setting to the Church from the public footpath that runs south to north. Its significance is endorsed in the knowledge that it lies within the historic core of the settlement between the medieval parish church and the once moated site of Gayton Hall to the south of Back Street. Artefacts of Anglo Saxon and medieval date have been recovered in this area and there is potential that heritage assets with archaeological interest will be present. Conservation of this area for historic and heritage importance will provide significant scope for the wellbeing of the community. (Table 1 2021 LGS report.)*

As part of the 2019 consultation, 70% of respondents mentioned North of St Nicholas Close as an open space of value. Both wildlife and tranquillity were selected as reasons for their importance. Six respondents also selected beauty. Less than five selected history and recreation.

A sub element to the objection to LGS 13 is that it prevents other ideas coming forward as part of the Neighbourhood Plan and here the E Ward Trust refers to the proposal put forward jointly with Gayton Estate:

*We feel the single-issue focus to the consultation for only LGS areas is unhelpful as it fails to allow the proper considerations of the range of NP policies that would detail the Neighbourhood Plan views in relation to homes, jobs and other essential services (against which the designation of LGS should be judged). Neighbourhood Plan policies should also recognise the need to allow further development in sustainable locations close to services and facilities in the village (rather than peripheral sites) during the Neighbourhood Plan period, as you can see from the collaborative vision from ourselves "the Trustees of the E Ward trust" and Gayton Estate put forward which focuses on highlighting the potential for future growth, job creation as well as the provision of LGS.*

This is similar to objections raised at Regulation 14 stage to which the Parish Council has already responded. (See page 46 Ref G1-S10 in the Consultation Statement)

The NP group response to this (as reported in the Consultation Statement) is: *"The NP group considers this response overlooks the overall vision for the NP. This starts with: "Our vision is to preserve the rural character of Gayton and Gayton Thorpe. This is characterised by the open landscape within which the villages are set, the green centre of Gayton village and the views to the wider countryside beyond...". The Spatial Strategy set out in G1(GS1) focuses development within the settlement boundary in order conform to this vision. This overriding vision has been informed by continual community engagement from the outset and the subsequent policies and community actions in the NP flow from this vision. We recognise that development can contribute towards the delivery of community benefits. However, such development must be consistent with the aforementioned vision. With regards to central open space, it is currently valued by the community as it is. The provision of public access to spaces which currently do not have public access could be welcome, however, the LGS assessment concludes the spaces currently meet the criteria for LGS designation."*

In summary, the E Ward Trust objection to the designation of LGS13 has already been addressed in the Reg 14 Consultation Statement, the NP Call for Sites Report and the April 2021 Local Green Spaces report.