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Gayton Neighbourhood Plan Steering Group,  
The Willows,  
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19 July 2019

**Local Green Space nominations, landowner notification.**

Dear Gayton Neighbourhood Plan Steering Group – thank you for your letter dated 17 June 2019. As requested, please see comment below.

I feel it is worth stating up front that all land owned by the Gayton Estate forms part of a commercial enterprise. The land use policies adopted will change over time at the discretion of my family in light of national, regional and local (community) demand and appetite. I have considered Gayton my home for the past 42 years and can state with absolute certainty that my family and I approach any decision we make in an environmentally sensitive way always with impact on the wider community in mind. That none of those decisions will realise unanimous community support is a reality we have to live with. Please bear that in mind as you read on.

1. **LGS1** – Known correctly as Crown Paddock, TF7219 9838. It is currently under an agri environment scheme (Higher Level Stewardship) as EK3 low input grass.

- a. The NP Group description “provided by a former Lord Romney for Parish enjoyment” could easily be taken to mean that the field was gifted into public ownership. The field is in fact owned by Gayton Estate under title NK374080 and registered as a 1.02 hectare grazing paddock with the Rural Payments Agency.
- b. There is undoubtedly an element of aesthetic enjoyment for villagers and passers-by from the chestnut avenue on the paddock although this is purely incidental in the same way that many areas of the Estate are. Inevitably, the aesthetic appeal is diminishing as the relatively short-lived hybrid chestnuts are now over mature with significant crown die back, splitting of the main stem and loss of major boughs.
- c. It is worth exposing a frustrating example of the sentiment in my opening paragraph. Instead of removing the trees unilaterally which was perfectly within my gift, I asked for an article to be published in the parish magazine describing the work to be done to ensure there was broader community awareness. The reaction was imposition on the borough

council to place a Tree Preservation Order on the trees. The TPO does allow felling and replacement but not of all the trees at the same time. Given that an avenue is by definition composed of trees of a similar age, that presents the Estate with a dilemma and prevents replanting of suitable species (flowering cherry or perhaps flowering crab apple) in a timely manner.

d. I think the NP Group should also consider that Crown Paddock is within the development boundary as adopted within the 2016 Local Plan. This has been the case for many years under past Local Plans but has no bearing on extant Gayton Estate policy which is to continue to manage the paddock as it has been managed for generations – as grazing.

**The view of Gayton Estate is that this paddock does not fulfil the requirements of paragraphs 99 – 101 of the NPPF (as revised Feb 2019) and is not appropriate for nomination as a Local Green Space.**

2. **LGS2** – Allotments, football field and paddock.

a. Roughly 3.4 hectares (8.4 acres) in total area, these parcels of land are owned by Gayton Estate under title NK374276.

b. I think it is worth stating publicly the Estate provides the allotments and the football field voluntarily. The costs of administering and managing these bits of land and attendant tenancy agreements undoubtedly cost significantly more than the total rental income of less than £500 per year. Nevertheless, the family believes it is important to offer such facilities and has no intention of changing the land use there.

c. You will note the three new horse paddocks on the western portion of the allotment field. This initiative was led by repeated enquiries for such grazing. It took significant investment to remove an asbestos building and tidy up the rubbish, ragwort infestation and debris left by a former tenant. We installed mains water, new fencing and gates as well as improvements to the access track and parking area. A win for the Estate in improved rents and a win for the community in an additional facility and a greatly enhanced environment. An example of how we think things should work.

d. That said, it is important to highlight a broader issue. If landowners are regularly faced with well-meaning designations the result might easily be to take a defensive attitude. Inevitably community facilities would suffer as removing them would be the least risk way of managing land. Please don't read that as a statement of intent – it is simply the fact as I see it now. The key is to keep talking!

**The view of Gayton Estate is that this area does not fulfil the requirements of paragraphs 99 – 101 of the NPPF (as revised Feb 2019) and is not appropriate for nomination as a Local Green Space.**

3. **LGS3** – village playing field.

a. This roughly 0.6-hectare (1.5 acre) site was almost certainly gifted by Gayton Estate to Gayton Parish Council and it is thought (without any great certainty), that this may have happened sometime in the 1930's. Corporate Estate memory points to Gayton Parish

Council having to demonstrate ownership when the first WREN grant-funded improvements to the play equipment on the playing field were opened in May 2011 by Henry Bellingham MP.

b. Gayton Estate offered all assistance it could through Alistair Beales, PC member and Estate Manager and it is believed that Kenneth Bush Solicitors handled the process and will have the title deeds. Certainly, it is the Estate's belief that Gayton PC own the freehold of the playing field.

c. The social club and former bowling green remain in Estate ownership under title NK374276.

**The view of Gayton Estate is that the playing field fulfils the requirements of paragraphs 99 – 101 of the NPPF (as revised Feb 2019) and could be nominated as a Local Green Space.**

4. **LGS6** – playing field at current village school.

a. This area of just over 1 acre (1.1 – 1.2 acres) is owned by the Church via the Norwich Diocesan Board of Finance (NDBF). For those that are unfamiliar with the NDBF, their website is useful. <https://www.dioceseofnorwich.org/about/committees/finance>

b. The field is leased by NDBF to Norfolk County Council. Not being in ownership, Gayton Estate has no further comment with regard to nomination as a Local Green Space but obviously the Norwich Diocesan Board of Finance should be consulted as a key stake holder.

c. The Neighbourhood Plan Group commentary on footpaths is somewhat curious and unrelated to the nomination of the playing field as a Local Green Space. Gayton Estate has spent considerable time assisting Norfolk Council Council in delivering a new school site and has highlighted provision of footpaths and has done much to assist delivery. This was particularly the case with the proposed site at Back Street which would have delivered a new footpath along the stretch of Back Street currently without one.

d. In addition, as and when Norfolk County Council confirm their preferred school site, or a planning application is forthcoming, Gayton Estate will engage on the possibilities of pedestrian links from public open space and the new development at Manor Farm to new and existing village infrastructure. After all, the central location and good footpath links were a big factor in allocation of that site for development and are a significant factor in Estate development policy.

e. Given that work and my offer of engagement at any time, I have to say I am disappointed the Neighbourhood Plan Group have a stated ambition for a new footpath on private land having failed to engage or consult with me as landowner about that policy in any way. It also appears somewhat at odds with the requirement for NP Groups to work with landowners and developers in preparing a Plan. As I have said before, please don't hesitate to get in touch!

5. **LGS8** – described by NP Group as pastureland with covenant. Owned by Gayton Estate under title NK374080 and correctly known as Church Paddock.

a. Church Paddock is registered with the Rural Payments Agency under TF7319 0918 with an area of 0.71 hectares. It is currently under an agri environment scheme (Higher Level Stewardship) as EK3 low input grass.

b. The reference by the NP Group to a covenant is curious as such would normally only be imposed by a landowner on sale and would appear on the registered title. Given the land has not changed hands since the 1870's or earlier, it is not surprising that nothing of this nature appears on the title and the Estate has no knowledge of any covenant. It would be great to understand where this reference originated please.

c. It may be that confusion has arisen around the landscape protection of the paddock given its location between Grade 2 listed Gayton Hall and Grade 1 listed St Nicholas Church, not to mention the historic landscape context of Hall Farmhouse, Church Farm Cottages and Gayton Mill – all grade 2 listed. In that respect, Historic England policy would state that the landscape should be preserved for future generations. This is and I hope will remain the policy of Gayton Estate. The land will continue to be managed as grazing land.

**The view of Gayton Estate is that this paddock does not fulfil the requirements of paragraphs 99 – 101 of the NPPF (as revised Feb 2019) and is not appropriate or necessary for nomination as a Local Green Space.**

6. **LGS12** – This is a complicated proposal by the NP Group that cuts across various land uses. The entire area is owned by Gayton Estate under title NK374253 and title NK374276.

a. The map below should clarify the layout somewhat. Firstly, title NK374276 covers only the area rented as garden to the owners of Manor Farm Cottage, tinted green, outside red field boundary and to the NE of the Manor Farm Cottage annotation on the map below. The boundary should be refined (as suggested) to exclude that area.

## Parcel details

J & C FARMS

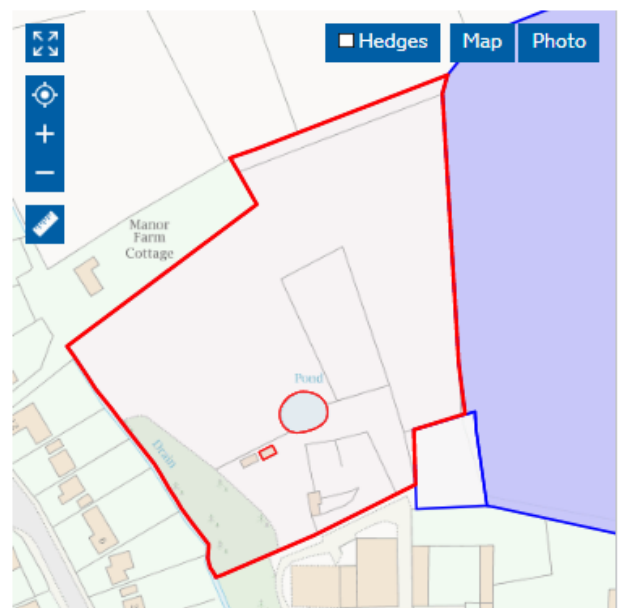
Parcel ID: TF7219 5307

[Help](#)

This is a summary of the information we currently hold for this land parcel.

### Summary

BPS eligible area (ha)	1.3
Total area (ha)	1.32



b. The blue tinted land to the east of the red field boundary (above) is arable land (Manor Farm field). It has recently been harvested of winter barley by J&C Farms on behalf of D&K Marsham and registered with RPA as TF7219 6709 – 3.63 hectares.

c. As the NP Group will know given their recent and extensive review of a recent Reserved Matters application, part of that field has extant outline planning permission for 40 dwellings under 15/01888/OM. The now superseded and purely indicative site layout from the outline application (below) clearly shows the area of the arable field to be developed and importantly the area of public green space to the west and north of the access road including the pond.



d. Turning to NP comment on the area, I find it strange the field is described as landlocked when it has been accessed and farmed for generations through the now redundant Manor Farm yard off and via Back Street.

e. I am afraid I don't understand the access via Springvale as described as Springvale is some 200 metres or so to the north through some pretty rough country and across differing ownerships.

f. Equally surprising is the description as 'possible heathland' which neither accords with what is actually seen on the ground or the NP's own proposed Character Assessment: *"Area 6 – Centre. Green/agricultural centre of village with mixed residential properties to south and north. Mix of style and material residences, includes 'listed' buildings, local authority housing, farmyard, church land and new development off Hall Farm Road. Abundant green paths, trees, mixed foliage to the local area interspersed with hedgerows and large gardens to established areas"*. (For reference and interest, the Estate manages nearly 70 acres of very

fine heathland restoration on the higher ground of the farm around Jordan Wood – well worth a look).

g. My policy at the moment is to maintain the area north of the pond and broader development as grazing and it will be re-fenced and managed as such. This is as a result of both my initial interaction with the NP Group and in expectation of the latest revision of the Borough Local Plan.

h. Importantly, the grassland has not been fertilized for decades and it is hoped that interesting flora will quickly develop. We tidied away the detritus from previous uses and have controlled a virulent ragwort population.

i. The area designated as public open space has a Tree Management Plan as part of the planning application with the intention of thinning the existing aspen to allow crown development of the remaining trees and to clear rough, scrubby areas, saving any worthwhile specimens and replanting with native trees. The intention is to both to improve the woodland, (flowering native trees such as bird cherry, hawthorn etc will be favoured), but importantly to make public access to woodland and open space easy and safe.

j. The pond will be cleared and carefully dredged to remove accumulated sludge but ideally preserving the puddled clay liner that is likely to be present given the historic use as a horse pit. The pond will be opened a little more to the south to allow sunlight onto the water encouraging a stable ecosystem and hopefully long-term water retention (it is currently dry for much of the year). Part of this work is as required by planners but all of it is central to my broader development policies and the objective of securing the space for long term public enjoyment.

k. In terms of management, the Estate intends to form a Management Co. to manage the space in the long term. This is subject to negotiations with a wide range of stakeholders in determination of the broader reserved matters application.

**Part of this area might be appropriate for nomination as Local Green Space in due course, but it may be early for that and the Estate would welcome discussion and working with the NP Group and the wider community on this area.**

7. **LGS14** – Arable land (Manor Farm field) owned by Gayton Estate under title NK374253.

a. Recently harvested of winter barley by J&C Farms on behalf of D&K Marsham and registered with RPA as TF7219 6709 – 3.63 hectares.

b. The area of the field that has extant outline planning permission for 40 dwellings under 15/01888/OM will be developed in due course (19/00694/RMM in progress as known).

**The remaining area pretty much as shown under LGS14, (although that may encroach too far west onto grassland,) will remain in arable farming and as such does not fulfil the requirements of paragraphs 99 – 101 of the NPPF (as revised Feb 2019) and is not appropriate for nomination as a Local Green Space.**

## Conclusion

My family have been involved in Gayton community life (Parish Council, School Governors, Church Warden etc) for a long time. Anyone employed by the Estate is similarly encouraged to play as full a role as they are able in the community within which they live. Whilst I am currently not at liberty to serve in those roles given my Army role, I strive to assist as and when needed.

Recent years have seen a dramatic shift in demand for sustainable local development which has necessitated changes in land use in and around Gayton. Whether volunteering to move the working farm yard (with attendant noise and disruption) out of the centre of the village, creating local amenity or holding public meetings around proposed residential or commercial development, I hope you can see that my family have tried to involve the community at every step.

As I stated when I first met the NP Group, I am a big advocate of involving community views in local planning decisions and the genesis of Neighbourhood Planning. With that in mind, I would again offer the extensive knowledge of land management and planning policy contained in the heads of those of us involved in the stewardship of the Gayton Estate.

Hopefully we will be able to work together in adherence to the tenets of neighbourhood planning with minimum bias or conflict. Happy to talk!

Lieutenant Colonel Viscount Marsham