

Parish:	Walsoken	
Proposal:	Intensification of use of existing hardstanding at an existing Gypsy / Traveller site to enable standing of an additional five static caravans and one touring caravan (RETROSPECTIVE)	
Location:	Land E of Willowdene N of Clydesdale Biggs Road Walsoken Norfolk PE14 7BD	
Applicant:	Mr J Rooney	
Case No:	25/00389/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 13 May 2025 Extension of Time Expiry Date: 5 September 2025

Reason for Referral to Planning Committee – Called in by Cllr Kirk, and the officer recommendation is at odds with the views of the Parish Council

Neighbourhood Plan: No

Case Summary

The application seeks retrospective planning permission for the Intensification of use of existing hardstanding at an existing Gypsy / Traveller site to enable standing of an additional five static caravans and one touring caravan. The proposal includes an extension of the previous site boundary to the east (rear) to increase the overall site area.

Application reference 23/01082/F granted consent under delegated powers for the siting of one residential static caravan and two touring caravans. The site, known as 'Land Next To Clydesdale' in the GTAA provides one G&T pitch. This retrospective proposal would increase this to a total of six static caravans and three touring caravans on the site at any one time.

The application site is outside of any development boundary and within Flood Zones 2 & 3.

Key Issues

Principle of development and assessment against Policy LP32

Flood risk

Design and Form and character

Impact on neighbour amenity

Highway safety

Any other matters requiring consideration prior to determination of the application

Recommendation

APPROVE

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THE APPLICATION

The application seeks retrospective planning permission for the Intensification of use of existing hardstanding at an existing Gypsy / Traveller site to enable standing of an additional five static caravans and one touring caravan. The proposal includes an extension of the previous site boundary to the east (rear) to increase the overall site area, by approximately 710m² from the previous consent.

Application reference 23/01082/F granted consent under delegated powers for the siting of one residential static caravan and two touring caravans. The site, known as 'Land Next To Clydesdale' in the GTAA provides one G&T pitch. This current retrospective proposal would increase this to a total of six static caravans and three touring caravans on the site at any one time.

The application site is outside of any development boundary and within Flood Zones 2 & 3.

Whilst a revised block plan has been provided showing a line of static caravans along the west boundary and the touring caravans in the northeast corner, this plan should be considered as indicative given that the requirements of caravan licenses would likely require repositioning of the units. Given that consent is sought for the siting of the caravans within the site, variations to the siting of the caravans would be within the realms of the consent.

The application site is located on the eastern side of Biggs Road, Walsoken, approximately 1.5km from its junction with Broadend Road (East) and approximately 2.0km by road to the A47. The site is approximately 1.0km from the development boundary of Walsoken as the bird flies; however, by road it is approximately 3.0km outside of from the development boundary.

The application site now comprises largely hardcore upon which the static and touring caravans are sited, with the existing access comprising brick pillars and iron gates. To the rear of the application site, an extension into agricultural land is proposed as shown on the submitted block plan.

To the immediate south is a larger mixed site comprising both a dwellinghouse and various mobile homes - three of those pitches (known within that document as Clydesdale, 1 Longacre and 3 Long Acre) are noted in the GTAA 2023 as providing a total of three G&T pitches; however it is understood that caravan site licenses split the site differently and may allow a larger number of caravans on the site as a whole. Opposite the site (west) is a detached dwellinghouse and to the north and east (rear) is agricultural land.

SUPPORTING CASE

None provided at time of writing

PLANNING HISTORY

23/01082/F: Application Permitted: 14/02/24 - Change of use to station one residential static caravan and two touring caravans to include ancillary Works . - Land North of Clydesdale – DELEGATED DECISION

21/01198/F: Application Refused: 30/09/22 - Proposed mobile home and day room on site - Land North of Clydesdale – DELEGATED DECISION

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2/93/0891/F: Application Permitted: 03/08/93 - Construction of a steel framed blockwork barn - Ashlark Nurseries – DELEGATED DECISION

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The response received details comments from 6 parish councillors, all of whom object to the application on the grounds of over development, the retrospective nature of the application and a disregard for council processes. Full comments are available on the online file.

Local Highway Authority: Recommended condition, with the following comments:

With reference to the amendment consultation, following our previous correspondence it is observed that the number of caravans applied for has altered to 6 static and 3 touring.

Our previous correspondence referred to a planning inspectorate decision and additionally a historic application for the site (which should be 23/01082/F) where 2 touring caravans were not recommended for objection by the LHA, on balance for their tendency to be less frequently moved and the number was low.

It is noted that one additional touring caravan is now proposed in addition to that previous considered. On the basis that it is just one more touring caravan (3 in total) and that is then the absolute limit for this site, we are of the view that the touring aspect could be accommodated given that the tendency for a longer stay.

With reference to the 6 static caravans, I would refer your authority to the transport accessibility considerations previously made for your consideration. However, in relation to the vehicle impact on the highway associated with these types of accommodation. The planning inspectorate did not raise an objection to the non-trailed elements and therefore we believe that it would be difficult for a highway safety objection to be substantiated for the level of static units proposed.'

Recommended a condition relating to the upgrading of the existing access point, and an informative relating to works in the highway.

Internal Drainage Board: The Board's Byelaws apply

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Environment Agency: NO OBJECTION to revised FRA, subject to condition.

REPRESENTATIONS

SEVENTEEN letters of **OBJECTION** (across two rounds of consultation) summarised as follows:

- Concern over continued intensification during application process
- Out of keeping with surroundings
- Concern over retrospective nature of the application
- Poor quality road, narrow with no passing places

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- Lack of infrastructure, facilities and services (doctors etc)
- Not an appropriate location
- Does not comply with planning policy
- Impact on drainage and waste management
- Impact on local landscape and environment
- Inadequate consultation with the local community about the proposed development
- Impacts on and proximity to neighbours
- Overdevelopment
- Personal safety and security and anti-social behaviour

Cllr Julian Kirk: OBJECTS with the following comments:

'I am objecting to this application as the Borough Councillor. I have received emails and verbal contacts from constituents regarding this enlargement of the site I live reasonably local to the site so know the area very well.

The site is not fit for purpose, it's low lying so is vulnerable to flooding, there are no main wastewater drainage systems in the area. There is a residential property on the opposite side of the road, just a few meters away. This proposed site will over look the residential property.

If this application goes ahead property prices will be adversely affected.'

KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP01 - Spatial Strategy and Settlement Hierarchy Policy (Strategic Policy)

LP02 - Residential Development on Windfall Sites (Strategic Policy)

LP06 - Climate Change (Strategic Policy)

LP13 - Transportation (Strategic Policy)

LP18 - Design & Sustainable Development (Strategic Policy)

LP19 - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

LP32 - Sites for Gypsies, Travellers and Travelling Showpeople (Strategic Policy)

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

Planning Policy for Traveller Sites (PPTS)

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PLANNING CONSIDERATIONS

The main considerations are:

- Principle of development and assessment against Policy LP32
- Design and Form and character
- Impact on neighbour amenity
- Highway safety
- Flood risk
- Any other matters requiring consideration prior to determination of the application

Principle of Development and assessment against LP32:

The application site lies approx. 1km outside the development boundary for Walsoken, as defined by the Policies Plan. The site is considered to be within the wider countryside for the purposes of the NPPF.

Paragraph 8 of the NPPF identifies an environmental objective in order to achieve sustainable development. Planning should 'protect and enhance our natural, built and historic environment...'

National planning policy is clear that the countryside should be protected for its intrinsic character and beauty and should only be developed in exceptional circumstances.

The site is not allocated for extensions to sites for Gypsies and Travellers under the current Local Plan, and the windfall policy therefore applies as set out in LP32 which sets out various criteria which are addressed below and elsewhere throughout this report.

Need for pitches

The updated GTAA (June 2023) and an appeal decision (APP/V2635/W/22/3294180) indicated that there is a significant unmet need for G&T sites within the Borough. It was conclusive that the Council had, prior to the adoption of the now current Local Plan, failed to have a 5-year supply of deliverable sites, so there is significant weight afforded to the need for additional sites/pitches.

The GTAA identifies a local need for an additional 76 pitches within the period 2023-2027, and a future need to 2039 of 97 additional pitches.

The Current Local Plan therefore seeks to identify allocations for gypsy, traveller and travelling showpeople within Part 1 of Policy LP32 – Sites for Gypsies, Travellers and Travelling Showpeople.

These allocations meet all the required accommodation needs for gypsy, travellers and travelling showpeople until 2028, as identified within the Council's Gypsy and Traveller Accommodation Assessment (2023).

The application site does not form part of any of the allocated sites in the Local Plan. However, to provide some flexibility over the lifetime of the plan, Part 2 of Policy LP32 aims to manage future windfall development. This part of the policy enables non-allocated sites to come forward where additional need arises over the plan period. If an application can satisfy

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the relevant criteria in this part of the policy (and subject to other relevant policies within the plan), then the principle of such development can be supported.

Recent appeal decisions have confirmed that restricting occupation of proposed pitches by condition is sufficient to control occupancy by those meeting the relevant definition of Gypsy and Traveller. It is therefore considered, that subject to compliance with the remaining criteria outlined in LP32, that the proposal would meet an identified need.

Service by utilities

The site has previously been deemed capable of being served by water and electricity. There is no reason to expect that this is no longer the case.

Foul and Surface Water Drainage

No information has been provided as to proposed surface water disposal. Foul water disposal currently is understood to be to a package treatment plant however it is not confirmed that the PTP could accommodate the additional flows proposed as part of this intensification. Whilst both matters are covered by separate legislation - Building Regulation) and IDB byelaw matters under the Land Drainage Act (1991), given the flood risk implications of the site, discussed in more detail below, conditions are recommended to control details and issues surrounding foul and surface water drainage.

An informative is recommended to ensure that the IDB Byelaws are complied with.

Accessibility

The previous application on site acknowledged that the site is considered to be suitably accessible for the nature of the use.

The site is the following distances from facilities:

- Shell PFS & Starbucks 1.5km
- Worzals farm shop & restaurant 1.7km
- Walton Highway shops 2.5km
- North Cambs Hospital 3.1km
- Walsoken village centre/hall/Tescos Express 1.9km
- West Walton Primary & Marshland High School 3km
- Wisbech Town centre 3.1km
- All Saints Church 1.9km
- Marshland St James Primary & Nursery School 3.2km

There is West Walton & Walton Highway to the north-west, Marshland St James to the east, Walsoken to the west with Wisbech beyond and Emneth to the south. Whilst not sustainable in relation to open market housing, all are relatively accessible to this type of development given the identified need in this locality.

It is also concluded that the site has reasonable access to main routes being 2km by road from the A47.

Grade 2 agricultural land

Whilst the site is technically identified as Grade 2 agricultural land, this is a relatively small site area, the majority of which has not been in any agricultural use for a significant period and has been authorised for use of the siting of a residential caravan.

The land has not been in agricultural production for quite some considerable time, the balance of probability is that the land will not be returned to agricultural practices. Consequently, whilst the small increase in site area would marginally increase land take, any loss of agricultural land to development would not constitute a reasonable ground for refusal balanced against the significant need for sites.

Conclusion on Principle of Development

Given the assessment of the criteria above, the proposal is considered to comply with the overall aims of the NPPF, Planning Policy for Traveller Sites (PPTS) and Policy LP32 of the Local Plan in regards to extensions to existing authorised Gypsy and Traveller sites.

Flood risk

The site is located within Flood Zone 3 on our Flood Map for Planning and your SFRA map, which is land defined by the Planning Practice Guidance (PPG) as having a high risk of flooding. The proposed development is classed as 'highly vulnerable', in accordance with Annex 3 of the NPPF. Table 2 of the PPG makes it clear that this type of development is not compatible with this flood zone and therefore should not ordinarily be permitted.

In regard to the Sequential Test, as per the Borough Council's SFRA (2018), this is typically conducted on a settlement wide basis. There are no known 'reasonably available' gypsy and traveller sites within the settlement/parish of Walsoken that are at a lower level of flood risk. It is also noted that nearby allocated sites, for example GT14 within Walton Highway are at the same level of flood risk. The sequential test would therefore be passed.

Despite the fact that the proposal includes the provision of permanent residential caravans within flood zone 3, the EA raised no objection to amended details received during the course of this application on flood risk grounds. It is considered that the proposal can be made safe for its lifetime and that part of the exceptions test is therefore passed.

The application was accompanied by a site-specific Flood Risk Assessment which identifies that the site could potentially flood up to 0.5m above existing ground level. Mitigation measures are recommended by the EA of FFL above 0.6m and the permanent caravans to be chained down to prevent movement if flooded. This can be controlled via planning condition.

The second part of the exceptions test requires that the development should provide wider sustainability benefits to the community that outweigh the flood risk. It is your officer's opinion that, the proposal, which effectively constitutes the extension of an established G&T site and the benefits of the additional units towards the Council's ongoing supply, would provide sustainability benefits that outweigh the flood risk and this part of the exceptions test is passed.

The other part of the exceptions test requires the development to be made safe for its lifetime. The FRA and the EA response confirm the development can be made safe, and

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subject to conditions the proposal would comply with the NPPF and Policies LP18 and LP25 of the Local Plan in regard to flood risk and sustainable development.

Design and Form and Character:

Paragraph 15 of the NPPF is quite clear in promoting a genuinely plan led system, empowering local people to shape their surroundings requiring up-to-date plans which provide a practical framework for which decisions on planning applications can be made. It seeks to ensure high quality development and a good standard of amenity seeking ways to enhance and improve places in which people live and recognises the intrinsic character and beauty of the countryside (Paragraph 187).

The application site has extant consent for the siting of a single caravan and two touring caravans and is located adjacent to another existing site.

The site is bounded effectively on three sides by established hedges and the rear would be contained by a 2m close boarded fence. The introduction of additional static caravans and two additional tourers would have an impact upon the appearance of this locality from the immediate vicinity but not from wider public areas.

Its impact upon the appearance of the countryside would not be so significant so as to be considered harmful to the character and appearance of the wider area.

A site licence would be required under separate legislation from Environmental Health and it is expected that this may be achievable with minor adjustments to the siting of the caravans as currently shown on the block plan.

This proposal therefore would accord with the requirements of LP32 and the PPTS in regard to provision of Gypsy and Traveller Accommodation.

Impact on Neighbour Amenity:

Whilst concerns from the Parish Council have been inferred with regards to amenity, given the separation distances involved and existing boundary treatments, there would be no justification to refuse this proposal on those grounds. Bonfires are covered by separate legislation (Environmental Protection Act 1990) under the remit of CSNN.

Conditions are recommended to prevent commercial activities from occurring on the site as well as to prevent any external lighting without details being submitted to the LPA.

Highway Safety:

Application reference 11/01981/FM related to touring caravan pitches on a site further south along Biggs Road and was dismissed by PINS on highway safety grounds but specifically due to the number of towed vehicles. Given the extant consent on this site and the conditions of the surrounding area, it is not considered that the one additional touring caravan proposed by this application would lead to any significant highway safety concerns to an extent that would warrant refusal, and the Local Highway Authority have confirmed this approach.

The previous appeal did not raise concern on the static caravans or non-trailed elements and the Local Highway Authority confirm that they would not be able to substantiate an objection to this application on those grounds.

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Whilst the condition of the local highway network is noted, on the basis that the number of caravans on site can be limited via enforceable planning conditions, it is considered that the highway safety issues associated with the application are acceptable and would comply with the NPPF (2024) and Policies LP13 and LP21 of the Local Plan.

Conditions are recommended to ensure that the existing access point is upgraded to an appropriate standard, within 12 months of the date of this decision.

Other matters requiring consideration prior to the determination of this application:

Impact upon ecology

The site lies within an impact zone for the Islington Heronry SSSI but given the type of development proposed and separation distance involved, it would have no adverse impact. It also lies within a zone of influence of the following designated sites: the Wash, Brecks and North Coast.

A Habitats Regulations Assessment has been undertaken and GIRAMS payment has been secured. Natural England have confirmed that providing appropriate mitigation is secured (through the payment of the GIRAMS tariff) there should be no additional impacts upon the European sites.

Biodiversity Net Gain

As a retrospective application, the proposal is not liable for Biodiversity Net Gain and is exempt by virtue of the wording of the legislation.

Crime and Disorder

Whilst neighbour comments are noted, there are not considered to be any tangible concerns regarding crime and disorder associated with this proposal.

Human Rights

No information regarding the proposed occupiers of the site has been submitted. The previous application was refused as the intended user failed to meet the definition of G&T. The recent appeal decision indicated that the occupation of sites could be controlled via condition.

The interference with Article 8 of the European Convention on Human Rights (ECHR) rights of any proposed occupiers to respect for private and family life and the home is a qualified right and must be weighed against the wider public interest in the upholding of the law, including planning law which aims to protect the countryside by restricting inappropriate development. In this instance there is no conflict given the officer recommendation.

Caravan Licensing – Separate Legislation

The Housing Standards Officer confirmed that a previous iteration of plan shows a new arrangement of the proposed caravans and that the separation distance between caravans would not be sufficient in that form and would not gain a license from that Team. As noted above, this application seeks change of use of land for the siting of caravans and therefore each caravan could be re-sited within the red line without the need for separate planning

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consent. It is not considered that the precise layout of the caravans would lead to any material impact on the vicinity and the layout therefore can be decided as part of the licensing process and outside of the planning remit.

Specific Comments and/or Issues:

CSNN - Comments from the CSNN team in regard to waste storage/collection are noted, however it is considered given that this is an extension to an existing site, and considering the control provided by other legislation (site licenses etc), that the level of information provided as part of this application is sufficient in this instance. It is also not considered necessary to require additional boundary treatments to control noise or to separate individual caravans. If required by occupants, boundary treatments could be constructed by virtue of permitted development rights. It is not possible to control no burning on site as requested as this would not be possible to enforce. As noted above, the burning of bonfires or similar is controlled through separate legislation, under the remit of CSNN themselves.

Contamination - No potential sources of contamination have been identified and the Environmental Quality team raise no objection on contamination grounds. The proposal complies with Policy LP21 of the New Local Plan in regard to contamination.

Response to Third Party Representations

The majority of concerns raised by third parties have been addressed throughout this report. Whilst comments are noted, those that are not addressed above are considered as follows.

Impacts on property prices (positively or negatively) is not a material planning consideration. Similarly, the fact that this application is retrospective in nature does not change the policy considerations or make the development unacceptable. The Applicant will be expected to comply with relevant conditions and failure to do so may result in enforcement action.

A comment also alleges that there has been inadequate consultation with the local community about the proposed development. Consultation has occurred in excess of what is required by the legislation – a site notice was placed on a telegraph pole beside the site access and consultation letters were sent to the closest residential properties.

CONCLUSION:

All planning applications must be considered in accordance with the Development Plan unless material considerations dictate otherwise.

The application site would provide an additional 5 static caravans as an extension to an existing site and adjoining a larger site where the occupation of caravans by people meeting the definition of Gypsy and Traveller has already been established. It is considered as a whole that the proposal complies with the requirements of LP32 in regard to extensions to existing sites.

Whilst the flood risk implications of the scheme are noted, it is considered that the provision of additional pitches in a location which has previously been deemed acceptable by the Local Planning Authority would overcome the flood risk implications associated with the siting of caravans in Flood Zone 3. Subject to flood risk assessment compliance conditions, the properties would be safe for their lifetime.

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Issues such as external lighting, drainage and access would also be controlled via condition.

Overall, the proposal is considered to comply with the aims of the NPPF (2024) and Policies LP18, LP21, LP32 of the Local Plan and is therefore recommended for approval subject to the imposition of the following conditions.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Amended red line (location plan) 'Location Planr2a' received 6th May 2025
 - Revised Block Plan 'Block Diagramr5' (showing a total of 6 static caravans and three touring caravans) received via email 6th May 2025
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The site shall not be occupied by any persons other than Gypsies and Travellers, defined as; persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
- 2 Reason: To define the terms of the permission, as the site lies within the countryside where the Local Planning Authority would not normally grant permission for new dwellings. This permission is granted in recognition of the special need for the pitch in accordance with Policy LP32 of the New Local Plan.
- 3 Condition: Within the red line hereby approved, there shall be no more than six static caravans and three touring caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed at any one time.
- 3 Reason: To define the terms of the permission, as the site lies within the countryside where the Local Planning Authority would not normally grant permission for new dwellings. This permission is granted in recognition of the special need in accordance with Policy LP32 of the New Local Plan.
- 4 Condition: No commercial activities shall take place on the land, including the storage of materials
- 4 Reason: To define the terms of this permission as commercial use would engender additional traffic implications on this rural road network plus parking implications and in the interests of the amenity of adjoining residences; in accordance with Policies LP13 and LP25 of the New Local Plan
- 5 Condition: Within 6 months of the date of this decision, unless an alternative timeframe is otherwise agreed in writing,, the vehicular access shown on the approved plan shall be upgraded in accordance with the Norfolk County Council light industrial access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway and in accordance with details to be agreed

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in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

- 5 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement
- 6 Condition: Prior to installation of any external lighting, details shall have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as agreed
- 6 Reason: In the interests of the amenity of the locality and to accord with Policy LP21 of the New Local Plan.
- 7 Condition: Within 3 months of the date of this decision, full details of the foul and surface water drainage arrangements for the site shall have been submitted to the Local Planning Authority for approval in writing. The drainage details shall be constructed as approved within 3 months of the date of approval of those details in writing by the Local Planning Authority
- 7 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF and Policy LP21 of the New Local Plan
- 8 Condition: The development hereby permitted shall be carried out in accordance with the following flood resilience and resistance measures:
 - The caravans will be raised no lower than 0.6m above ground level.
 - The caravans will be securely anchored to the ground.
- 8 Reason: In the interests of preventing an adverse risk of flooding, in line with Policy LP25.