

AGENDA ITEM NO: 9/1(a)

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 –

Deferred from 1st September 2025 Planning Committee. Originally called in by Cllr Kirk, and the officer recommendation is at odds with the views of the Parish Council.

Neighbourhood Plan: No

Members Update

This application was deferred at September's Planning Committee to allow additional information to be sought regarding drainage, and to clarify the full criteria of Policy LP32 of the Local Plan as well as the Planning Policy for Traveller Sites. The following report has been updated to reflect the new information received.

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
Planning Policy for Traveller Sites
Other Material Considerations

Recommendation

APPROVE

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.

Members at the previous planning committee raised concern over the location of each caravan and the proximity to the front boundary and these concerns are acknowledged however are considerations controlled in more detail under the licensing regime. Given that consent is sought for the siting of the caravans within the site (i.e. a change of use of land), variations to the siting of the caravans would be within the realms of the consent. Therefore, 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. Full consideration of the impact on amenity takes place within this report.

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

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 Parish Council provided comments objecting 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.

CSNN: Recommended conditions with the following summarised comments:

- Request for foul drainage information
- Request for solid fencing along the south and west boundaries

- Information is required for waste/recycling provision
- Conditions should be used to control commercial activities, burning and external lighting

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
- 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 metres away. This proposed site will overlook 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 (2024)

PLANNING CONSIDERATIONS

The main considerations are:

Principle of development and assessment against Policy LP32
Planning Policy for Traveller Sites
Other Material Considerations

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 Planning Policy for Traveller Sites (PPTS) sits alongside the NPPF (2024) and the Local Plan Policies as a material consideration when considering gypsy and traveller accommodation within the Borough. The PPTS generally allows the Local Plan within an area to set their own policy criteria for Gypsy and Traveller Sites, however this is underpinned by the overarching aims of ensuring that traveller sites are sustainable economically, socially and environmentally.

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 states:

"2. Proposals for the above allocations, for new sites, and for the extension or intensification of other existing authorised sites for Gypsies and Travellers and Travelling Showpeople, should, where appropriate:

- a. address an unmet need for Gypsy and Traveller or Travelling Showpeople Accommodation;
- b. be appropriate in scale to the character of the local area, and, in the case of an extension, in relation to the size of the existing site, and make effective use of brownfield land, where practicable, in line with Policy LP18 - Design and Sustainable Development;
- c. safeguard the amenity of neighbouring residents in line with Policy LP21 Environment, Design and Amenity;

- d. provide safe and suitable access to the highway network and sufficient access and turning space for emergency and refuse vehicles in line with Policy LP13 Transportation;
- e. have the ability to connect to all necessary utilities on the site including mains water, electricity supply, drainage, sanitation and provision for the screened storage and collection of refuse, including recyclable materials;
- f. have no unacceptable impact on heritage assets and their settings in line with LP20 – Historic Environment;
- g. have no unacceptable impact on biodiversity and environmental assets in line with Policy LP19 - Environmental Assets, Green Infrastructure, Landscape Character, Biodiversity and Geodiversity and Policy LP21- Environment, Design and Amenity;
- h. safeguard existing boundary treatments where they provide adequate screening and/ or use new boundary treatments and screening materials which are sympathetic to the existing urban or rural form in line with Policy LP19 – Environmental Assets, Green Infrastructure, Landscape Character, Biodiversity and Geodiversity;
- i. ensure that amenity buildings or day rooms are the minimum size necessary to provide required facilities;
- j. address all forms of flood risk (coastal inundation, fluvial, pluvial and groundwater) through a site-specific Flood Risk Assessment (FRA) in line with Policy LP25;
- k. Provide a flood evacuation plan for the site that has been agreed by the Environment Agency and the Local Flood Authority.
- l. provide a bespoke Habitat Regulations Assessment (HRA) in accordance with GIRAMS requirements for sites either within or just outside Impact Risk Zones (IRZ) for SSSIs, SACs, SPAs and Ramsar sites; namely, GT17, GT18, GT25, GT28, GT34, GT39, GT54, GT65 and GT66. This would also be a requirement for any windfall sites that are within or in close proximity to the boundary of an IRZ. For remaining sites, a project level HRA is required in accordance with GIRAMS.”

A. Need for pitches

Paragraph 25 of the PPTS sets that Local Planning Authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections

Further consideration of the Planning Policy for Traveller Sites (PPTS) is below. Paragraph 25 of the PPTS aligns with the aims of LP32(2a) more generally.

The most recent GTAA (June 2023) 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.

The GTAA identified 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 identified need for gypsy, travellers and travelling showpeople until 2028.

Beyond the identified need, additional need will continue to arise due to changing personal and family circumstances over the plan period. These are classified as unmet need which is also accounted for in the GTAA and is considered windfall development, controlled and managed through Part 2 of Policy 32 of the Local Plan.

Part 2 of Policy LP32 enables non-allocated sites to come forward where additional need arises over the plan period. If an application can satisfy 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.

It is important to note that, as with the Housing Land Supply for general market housing, the identified need does not provide a cap on the overall need for gypsy and traveller sites. As discussed within the most recent GTAA, unmet need is still need which the LPA should have regard to as part of consideration of applications.

By virtue of the application, it is therefore considered that the proposal would meet an unmet need. Planning conditions would be utilised to restrict occupation only to those meeting the relevant definition set down within the PPTS and would therefore ensure that the additional caravans provided by virtue of this consent continue to meet the unmet need going forwards.

B. Scale, Character & Use of Brownfield Land

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 however this impact would not be so significant so as to be considered harmful to the character and appearance of the wider area.

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

Whilst Biggs Road is generally rural in character with only sporadic development along its length, the majority of the application site is an existing Gypsy and Traveller Site (therefore falling within the definition of Brownfield or Previously Developed Land) and given the site's position immediately north of an existing larger (in site area) caravan site. Secondly, the site plan maintains existing boundary treatments which maintains the visual boundary between the site and the countryside, further protecting its character.

It is not considered that the scale of the development proposed, which effectively constitutes the intensification of an existing approved site, would be so significant so as to be at odds with criteria B. Similarly, whilst a localised visual impact will occur, it is not considered given the existing extent of development immediately south and the retention of existing boundary features, that this impact would be significant detrimental to character.

C. Amenity of neighbouring residents

Whilst concerns from the Parish Council have been noted 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.

The nearest residential dwellinghouse, on the opposite side of Biggs Road, is approximately 20m from the front boundary of this site. Whilst this proximity is noted, it is not considered that the impacts from a more intense residential use of the land would result in any significant dis-amenity to an extent which would be at odds with the NPPF or Policy LP21. Nonetheless, as above, retained boundary features would prevent window to window relationships.

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.

D. Safe and suitable access to the highway network, turning for emergency vehicles

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.

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.

In so far as emergency vehicle access, the provision of 6 static caravans and 3 tourers on the application site would leave space on site for necessary access and turning. This is further controlled by the licensing regime.

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.

E. Utilities

The site has previously been deemed capable of being served by water and electricity, and since discussion at September's Planning Committee, the Agent has confirmed current connection points. Until Planning Permission has been granted, the collection of waste is being undertaken weekly privately. Once planning permission is approved, the Agent has confirmed that the Council will be approached to discuss bin collection.

Following the previous meeting, Officers have requested additional detail of the existing drainage situation on site. In response, the Agent has confirmed that a 60 person Marsh Package Treatment Plant has been installed on site. Photos have been provided of the service hatches/top of the PTP within the site to demonstrate the presence of this drainage infrastructure, and a brochure has been provided which includes the technical details.

However, despite the requests to the Agent and the receipt of some information, insufficient detail has been provided at this stage to establish that the on-site drainage infrastructure meets all the relevant standards and complies with relevant policies. Missing information includes the location of all foul water connection points, a mapped location of sewage treatment plant/s and pipework, or details of the discharge point (understood to be outfall to IDB drain).

Given this lack of precision, and considering 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. This approach is common practice within the planning regime.

Drainage is covered by separate legislation including the Building Regulations and IDB byelaws under the Land Drainage Act (1991). IDB Consent will be required outside of the planning regime to ensure any connection to existing drains meets the IDB byelaws and requirements.

Subject to conditions, the proposal would comply with the NPPF (2024) and Policies LP18 and LP21 in regard to drainage.

F. Heritage Assets

None affected.

G. Biodiversity and Environmental Assets

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.

No other biodiversity impacts are considered likely considering the nature of the scheme. The proposal complies with Policy LP19 of the Local Plan.

H. Boundary Treatments and Screening;

Existing boundary hedgerows are proposed to be retained. Close boarded fencing is existing within the site boundaries. The existing boundary treatments are considered sufficient to appropriately screen the development and retain the rural character of the locality in line with Policies LP18 and LP21 of the Local Plan.

I. Amenity Buildings

No amenity buildings or day rooms are proposed as part of this application nor existing on site. These buildings would require separate consent.

J. 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 which is the LPA's responsibility as noted by the Environment Agency, 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.

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 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.

K. Provide a flood evacuation plan for the site that has been agreed by the Environment Agency and the Local Flood Authority.

A Flood Evacuation Plan is existing on site as per the previous approval. The FRA notes that this will be updated as and when required. This is considered sufficient to control these impacts.

L. Bespoke Habitats Regulations Assessment

The application site is not one of those allocated sites listed in Criteria L. The windfall site is not considered likely to impact upon any protected sites other than those scoped into the GIRAMS study for recreational impacts. A GIRAMS form has been completed as part of this application in line with the approach agreed from Natural England and significant effects can be ruled out.

Conclusion on Principle of Development

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

Planning Policy for Traveller Sites

The requirements and considerations within the PPTS as a whole generally coincide with the requirements of local planning policy and are discussed above and elsewhere throughout this report. Policy H of the PPTS sets out how individual applications should be considered.

Paragraph 24 of the PPTS discusses the interaction between the PPTS and NPPF, stating that applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

In regards to 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

The site has reasonable access to main routes being 2km by road from the A47.

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, given that the site has extant consent for gypsy and traveller accommodation, the site is considered to be appropriately accessible for this type of development, particularly considering the unmet need in this locality.

There is no evidence to suggest given the scale of this development that the above services or facilities, or local infrastructure more generally, would be unduly pressured as a result of this proposal

Paragraph 26 of the PPTS states that local planning authorities should 'very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure

that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure'. By virtue of being an expansion/intensification of an existing site, rather than an entirely new site, it is not considered that the first part of this paragraph is relevant to this scheme. The second part in reference to the scale of the nearest settled community is a matter of judgement, however given the existing sites to the South, and considering the existing scale of West Walton, and the services within, it is not considered that this proposal would conflict with this requirement of the PPTS.

Paragraph 27 states that 'When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.'

As noted above, the majority of the application site meets the definition of brownfield land. In so far as Paras B-D, this proposal relies on the use of existing landscaping, including the retention of the existing boundary hedgerows on site which accords with the requirements of Policy LP32 and would not lead to any harm to the rural character of the vicinity. It is unlikely, given that this application seeks consent for the intensification of use of an existing approved site that any meaningful landscaping elements could be incorporate into the scheme; however, as a whole, the proposal is considered to have positive weight attributed through general compliance with Paragraph 27 of the PPTS.

Overall, the proposal is considered to comply with the overarching aims of the PPTS.

Other Material Planning Considerations

Site License - 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.

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. The caravans have since been re-sited, however the Housing Standards Team have not confirmed that the revised space meets their requirements.

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 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.

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 site and would not be at odds with Para 187b of the NPPF (2024).

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 at Moyses Bank (LPA ref 20/01246/FM, Appendix 1) 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.

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, the PPTS and the NPPF 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.

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), PPTS (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, the PPTS and the NPPF.

- 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 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.