

Parish:	West Walton	
Proposal:	Continuation of 22/01005/F for use of land and stables for commercial livery and continued siting of dwelling in connection with commercial livery	
Location:	Buddiesyard Common Road South Walton Highway WISBECH PE14 7ER	
Applicant:	D Glover	
Case No:	26/01426/FM (Full Application - Major Development)	
Case Officer:	Lucy Smith	Date for Determination: 1 December 2026

Reason for Referral to Planning Committee – Called in by Cllr Kirk

Neighbourhood Plan: No

Case Summary

The application seeks the continued siting of a rural workers dwelling tied to a commercial livery business outside of the development boundary of Walton Highway.

Key Issues

Principle of development

Form and character

Flood risk

Any other matters requiring consideration prior to determination of the application

Recommendation

REFUSE

THE APPLICATION:

The application seeks retention of a rural workers dwelling tied to a commercial livery business outside of the development boundary of Walton Highway.

The dwelling, described as a lodge cabin within the submission, comprises a portable structure akin to a caravan, although no confirmation has been provided within the submission to confirm the structure meets the definition of a caravan for the purposes of the Caravan Sites and Control of Development Act 1960 or the Caravan Sites Act 1968.

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The application has been submitted following refusal of 25/01794/F and expiration of the 3 year temporary consent granted under 22/01005/F which expired in December 2025.

The application site comprises an existing 'C' Shaped stable block positioned centrally within the land parcel. The business tied caravan is positioned to the south of the stables alongside an area of hard core, with day room caravan in between.

The application site is within Flood Zone 3.

APPLICANT/AGENT SUPPORTING CASE:

None received.

PLANNING HISTORY:

08/01851/F: Application Permitted: 22/09/08 - Erection of sectional timber framed and clad stables - Land On The North East Side Of Common Road – DELEGATED DECISION

21/01781/F: Application Refused: 06/04/22 - Change of use of land and stables to commercial livery yard (retrospective) and siting of a temporary dwelling in connection with commercial livery - Land North-East of Thurston Farm - COMMITTEE DECISION

22/01005/F: Application Permitted: 01/12/22 - Change of Use of land and stables to commercial livery (retrospective) and siting of a temporary dwelling in connection with commercial livery - Land NE of Thurston Farm - DELEGATED DECISION

25/01794/F: Application Refused: 23/01/26 - Continuation of 22/01005/F for use of land and stables for commercial livery and continued siting of dwelling in connection with commercial livery. - Buddiesyard - DELEGATED DECISION

RESPONSE TO CONSULTATION:

Parish Council: No response.

Internal Drainage Board: Referred to 2022 response and the Board's Byelaws being a separate requirement.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Environment Agency: NO OBJECTION- subject to the FRA being complied with.

REPRESENTATIONS:

None received.

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

LP02 - Residential Development on Windfall Sites (Strategic Policy)

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LP06 - Climate Change (Strategic Policy)

LP07 - The Economy (Strategic Policy)

LP18 - Design & Sustainable Development (Strategic Policy)

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

LP20 - Environmental Assets- Historic Environment (Strategic Policy)

LP21 - Environment, Design and Amenity (Strategic Policy)

LP25 - Sites in Areas of Flood Risk (Strategic Policy)

LP36 - Housing Needs of Rural Workers

NEIGHBOURHOOD PLAN POLICIES

Neighbourhood Plan: Not Applicable

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

E426: Rural Business Development

S5: Principle of Development outside Settlements

HO11: Isolated Homes in the Countryside

F4: Assessing flood risk for decision-making

F5: The sequential test

F6: Development in areas at risk of flooding from rivers or the sea

F7: Ensuring development is safe from flooding

DP3: Key Principles for Well-Designed Places

NATIONAL GUIDANCE

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS:

The main considerations are:

Principle of development

Form and character

Flood risk

Any other matters requiring consideration prior to determination of the application

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Principle of Development:

The application seeks full planning permission for the continuation of use of land as a commercial livery and continued siting of an associated lodge to be occupied as a dwelling, following expiration of the three-year temporary consent granted under 22/01005/F which expired on 1st December 2025. The date by which Condition 1 of this consent require the mobile home to be removed has now passed.

A day room is also sought to be retained on site.

In relation to the change of use to commercial livery, the creation of rural enterprises is widely supported by policies at both a local and national level and the principle of development is therefore considered acceptable in line with NDMP E4 of the NPPF and Policy LP07.

Application reference 25/01794/F, which also sought planning consent for the retention of the rural worker's dwelling was refused on 23rd January 2025.

No evidence has been supplied to demonstrate that the dwelling meets the definition of a caravan, however it is noted as being 'sited' on the land and brought to the site in no more than 2 pieces. This aligns with the definition of a caravan as per the relevant legislation however is not sufficient information to suggest that the temporary dwelling is fully in accordance with the definition of a caravan. The description of development is therefore accurate & elevations of the dwelling have been provided.

The application site is positioned outside of the settlement boundary for Walton Highway (a Tier 4 Settlement) which ends on the opposite side of the A47. The site is distanced from any settlement identified by the Council's Settlement Hierarchy and the principle of development would therefore at odds with LP02 of the Local Plan.

NDMP S5 of the NPPF (2026) sets out the national guidance in relation to the principle of development outside settlements, none of which are considered to support the provision of a market dwelling in this position. The application however has been submitted on the basis of the dwelling being tied to the horsicultural business – policy support for such is set out in the Councils Local Plan Policy LP36 and reinforced by Policy S5:3 and HO11:1a.

The applicant is the same individual who sought consent under the 2022 permission and the overall business plan remains unchanged, proposing to utilise the site as a commercial livery.

Within their planning statement, the applicant agrees to a condition restricting the occupancy of the dwelling limited to persons solely or mainly employed in connection with the commercial livery business (as per condition 3 of 22/01005/F). Conditions would also be required to ensure the proposed day room caravan is only utilised for incidental purposes.

Policy LP36 allows new permanent dwellings to support existing rural based activities on well-established rural based enterprises, but only upon the satisfaction of three criteria. These are (firstly) that there be a clearly established existing functional need for occupants to be adjacent to their enterprises day and night; (Secondly) that the need could not be met by existing dwellings within the locality; and (thirdly) a demonstration of the financial viability of the enterprise.

It is not disputed, given the potential for horses to be at the livery for medical purposes, that an on-site presence may be helpful for the applicant; and it was for that reason that the

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temporary use was permitted. Similarly, no properties have been identified in the immediate locality that would meet the same purpose. Notwithstanding this, Policy LP36 of the Local Plan sets out the criteria for new rural workers dwellings which must be complied with as part of this application. The policy establishes that new permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, provided certain criteria are met.

As of the 2022 approval, the livery had been operating on a commercial basis for three years – the business as of the time of this application can be assumed to have been operating for at least 7 years (at odds with the original consent for the private stables granted under 08/01851/F). The business is therefore not new and has been established for a non-insignificant period.

Part 1.c of Policy LP36 which requires that the enterprise and the rural based activity concerned must have been established for at least three years, have been profitable for at least one of them, that the business must be currently financially sound with a clear prospect of remaining so, and that the enterprise can sustain the size of the proposed dwelling.

As of 25/01794/F, tax records showed the Applicant's total income each year reducing from just under £4,000 in 2022-23 (the year following original granting of temporary consent), reducing over the next two years to around £3300. That application was ultimately rejected on the basis that no robust evidence was before the LPA to demonstrate that the livery business would continue to be viable in the future. Consequently, based on the evidence before the LPA as of determination of that application in January 2026, it was not considered that the existing enterprise is financially sound with a clear prospect of remaining so, conflicting with Policy LP36.

Despite this refusal in January 2026 setting out the lack of information to support the use, and in addition, despite the business having been operating for in excess of 7 years, this application has not been supported by any in-depth financial statements that would suggest that the business is capable of sustaining a dwelling.

Financial projections have been provided which are at odds with the figures provided for previous years and the financial summaries of the past 6 months of accounts illustrate significant income when compared to statements from previous years. The submitted supporting statement indicates the monthly livery profits, hay profits and shavings (assumed to be profit from) for January to July 2026 with a total profit in those 6 months of around 3 times that set out in any of the previous years. Whilst these figures are noted, they have not been accompanied by any evidence or detail to demonstrate that this is accurate, to show in-goings or outgoings or provide any in depth business case.

The Applicant was asked to expand or evidence this however has not provided any reliable evidence that the financial prospects of the business would facilitate the permanent retention of the dwelling.

In the absence of sufficient and verifiable financial evidence, it has not been demonstrated that the requirements of Policy LP36 of the Local Plan are met and the proposal does not satisfy the circumstances in which a permanent countryside dwelling may be supported under NDMP S5 or HO11 of the NPPF. Accordingly, the proposal is considered contrary to both local and national planning policy and is recommended for refusal on the following grounds.

Form and Character:

No external changes are proposed to the existing stable building and therefore the impact of the change of use to commercial livery on the surrounding area is limited.

The proposed dwelling/lodge has the appearance of a static caravan and is visible from the wider street scene. The dwelling's appearance and the appearance of any associated domestic paraphernalia and the extent of hardstanding proposed leads to some impact on the countryside. However, on balance with regard to the existing use of the site and surrounding hedgerows proposed to be retained, the visual impact of the dwelling/lodge would not warrant refusal of the application.

If planning permission were to be granted for its continued retention, conditions could be used to ensure landscaping details come forwards to define the extent of allowed curtilage versus approved stabling/livery land.

The proposed plans indicate the siting of a 'day room' alongside the larger lodge. The additional day room caravan adds visual clutter to the countryside; however, it appears as being functionally linked to the stables and dwelling and the overall design of the proposal would not be at odds with the requirements of the local plan.

Overall, the design and impact on form and character is considered acceptable in line with LP18 and LP21 of the Local Plan.

Flood Risk:

In relation to flood risk, the site is within Flood Zone 3. The sequential test is passed in this instance as the dwelling/lodge is stated to be required on site in association with the business and therefore cannot reasonably be relocated elsewhere in an area of less flood risk, although it should also be noted that the vast majority of the built extent of Walton Highway is also at the same level of flood risk which would also satisfy this element.

In regard to the exceptions test, the submitted Flood Risk Assessment states that flood levels should be no lower than 500mm above adjacent ground level to ensure mitigation against extreme events. The Environment Agency notes that the site could be made safe for its lifetime and would not increase flood risk elsewhere. Subject to conditions the application would pass each of the second and third part of the Exceptions Test.

Conditions could also control the occupation of the day room caravan to prevent its use for sleeping accommodation.

However, the first part of the exceptions test requires development proposals to provide wider sustainability benefits to the community that outweigh the flood risk and this would not be met by this proposal, given that the application has not demonstrated compliance with policies to allow a new rural workers dwelling in this position. The provision of one new dwelling in an area of significant flood risk would not outweigh the flood risk implications.

There are no justifiable reasons for the development to be located in this area of flood risk. The application therefore fails to accord with Policies LP18 and LP25 in regard to the location of development in flood risk areas, and fails the exception test as set out in NDMP F6 of the NPF (2026).

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

Highway Safety

There are no known likely highway safety implications with the proposed access point, and no issues were raised on those grounds as part of the 2022 application. Sufficient parking and turning area is available within the site boundary to cater for the residential and commercial uses. The application complies with Policies LP13, LP14 and LP21 in regard to highway safety.

IDB

The Internal Drainage Board reiterated comments made in 2022 in regard to the Board's Byelaws. These are a separate legislative requirement which the Applicant must comply with.

Impact on Neighbour Amenity

The nearest neighbour is positioned on the opposite side of the access track. The distances involved are such that no impacts are likely, in line with LP18 and LP21 of the Local Plan.

Contamination

No contamination risks have been identified on site. The application complies with Policy LP21 in regard to contaminated land.

CONCLUSION:

The site lies outside of any settlement boundary identified within the Council's Settlement Hierarchy, where the principle of new residential development would ordinarily conflict with Policy LP02 and national policy relating to development in the countryside. The application therefore relies on the dwelling being justified as a rural worker's dwelling associated with the established commercial livery enterprise.

Although it is accepted that there could be a functional need for an on-site presence for a commercial livery business of this nature, the proposal fails to satisfy the financial tests required by Policy LP36. The application lacks robust financial information to demonstrate that the business is currently financially sound, has a clear prospect of remaining so, and that the business is capable of sustaining the proposed dwelling. Whilst recent profit summaries have been submitted, they are unsupported by detailed accounts, evidence of income and expenditure, or a comprehensive business case, and therefore carry very limited weight in support of a new dwelling in this position.

In the absence of sufficient and verifiable financial evidence, it has not been demonstrated that the requirements of Policy LP36 of the Local Plan are met and the proposal does not satisfy the circumstances in which a permanent countryside dwelling may be supported under NDMP S5 and HO11 of the NPPF.

Furthermore, the application site fails the exceptions test as required by NDMP F6 - the first part of the exceptions test requires development proposals to provide wider sustainability benefits to the community that outweigh the flood risk and this would not be met by this proposal, given that the application has not demonstrated compliance with policies to allow a new dwelling in this position. The provision of one new dwelling in an area of significant flood risk would not outweigh the flood risk implications.

Accordingly, the proposal is considered contrary to both local and national planning policy and is recommended for refusal on the following grounds.

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RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal would result in provision of a new residential unit in a location remote from services and outside of any development boundary, in an area which conflicts with Policy LP02 without sufficient justification.

Policy LP36 applies for proposals for rural workers dwellings. Of pertinence is Part 1.c of Policy LP36 which requires, amongst other things, that the business must be currently financially sound with a clear prospect of remaining so, and that the enterprise can sustain the size of the proposed dwelling. Despite the livery business having been operating since before the granting of a three year temporary consent in December 2022, there is no robust evidence before the LPA to demonstrate that the livery business would continue to be viable in the future to an extent that would support the permanent creation of a new dwelling.

Consequently, the proposal fails to demonstrate compliance with the requirements for a rural workers dwelling under Local Plan Policy LP36 and does not satisfy the circumstances in which a permanent countryside dwelling may be supported under NDMP S5 and HO11 of the NPPF. Accordingly, the proposal is considered contrary to both local and national planning policy.

- 2 The application site fails the exceptions test as required by NDMP F6 which is required for more vulnerable development in Flood Zone 3. The first part of the exceptions test requires development proposals to provide wider sustainability benefits to the community that outweigh the flood risk and this would not be met by this proposal, given that the application has not demonstrated compliance with policies to allow a new dwelling in this position. The provision of one new dwelling in an area of significant flood risk would not outweigh the flood risk implications.

As a result, the development is at odds with Policies LP18 and LP25 of the Local Plan and NDMP F6 of the NPPF in regard to the location of development in flood risk areas, and fails the Exceptions Test by virtue of there being no identified sustainability benefits to the community that would outweigh the flood risk associated with the creation of a new dwelling on site.