

---

**F/YR25/0517/F**

**Applicant: Mr Samuel Taylor**

**Agent: Mrs Alexandra Patrick  
Alexandra Design**

**Land East of Oak Meadow, New Drove, Wisbech St Mary, Cambridgeshire**

**Change of use of land to 1 x gypsy traveller's plot involving the siting of 1 x mobile home and 2 x touring caravans**

**Officer recommendation: Refuse**

**Reason for Committee: Referred by Head of Planning on advice of Committee Chairman**

---

## **1 EXECUTIVE SUMMARY**

- 1.1. The application seeks the change of use of land to provide 1no. gypsy traveller plot including the siting of 1no. mobile home and 2no. touring caravans. The submitted drawings identify a new access to be created onto New Drove.
- 1.2. Whilst it is acknowledged that the District currently has an identified need for additional gypsy & traveller plots, the application site is located in Flood Zone 3. The proposal is not supported by an adequate sequential test and does not pass the exception test.
- 1.3. It is not considered that the modest benefits from a scheme of this size would outweigh the harm caused by the development due to its location in a zone of high flood risk.
- 1.4. It is therefore considered that the proposal is contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF in terms of flood risk.
- 1.5. Accordingly, it is recommended that planning permission is refused in this instance.

## **2 SITE DESCRIPTION**

- 2.1. The application site is located on land east of an existing residential dwelling known as Oak Meadow, New Drove in Wisbech St Mary.
- 2.2. The land in question forms part of an orchard and is adjacent to three residential properties, with the remaining area characterised by open and undeveloped countryside.
- 2.3. The location of the proposed accessed and the front portion of the site is located within Flood Zone 3, along with much of the surrounding area. The remainder of the site is located within Flood Zone 1. The site is at very low risk of surface water flooding.

### **3 PROPOSAL**

- 3.1. The application seeks the change of use of land to provide 1no. gypsy traveller plot including the siting of 1no. mobile home and 2no. touring caravans. The submitted drawings identify a new access to be created onto New Drove.
- 3.2. The proposed mobile home is located close to the north-eastern boundary of the site, with the touring caravans to be located on the south-western boundary of the site.
- 3.3. Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

### **4 SITE PLANNING HISTORY**

- 4.1. There is no site history relevant to the determination of this application.

### **5 CONSULTATIONS**

#### **5.1. Environment Agency – 25.07.25**

*We have reviewed the documents as submitted and we object in principle to this planning application as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). We recommend that planning permission is refused on this basis.*

#### **5.2. Cambridgeshire County Council Highways – 31.07.25**

*Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, no significant adverse effect upon the public highway should result from this proposal, should it gain benefit of planning permission.*

#### **5.3. Natural England – 31.07.25**

No objection

#### **5.4. North Level Internal Drainage Board**

**31.07.25**

*The proposals will need to be revised so there is a clear easement strip, at least 9 metres wide, along the drain.*

**14.08.25**

*I am pleased to note the 9m easement now indicated along New Drove Drain.*

*I also note the confirmation that surface water from the new tarmac entrance will be directed to a French drain. That would not require consent from the Board, but when installed it should preferably be positioned as far as reasonably practical away from New Drove Drain, to reduce the chance of saturation of the drain bank.*

## 5.5. Wisbech St Mary Parish Council – 12.08.25

*Approval. Cllrs believed this to be an asset to the community.*

## 5.6. FDC Ecology – 20.08.25

No objection subject to BNG condition.

## 5.7. Local Residents/Interested Parties

A total of 5 letters of support were received from residents of Stow Road, New Drove & North Brink in Wisbech, Spalding, King's Lynn.

Supporting Comments	Officer Response
Applicant works in local agriculture/horticulture	See 'Principle of Development' section
Asset to rural location	See 'Principle of Development' section
Allows continuity of living arrangements	See 'Principle of Development' section

A total of 4 letters of objection were received from residents of New Drove.

Objecting Comments	Officer Response
To close to existing dwellings	See 'Amenity impact' section
Site in Flood Zone 3	See 'Flood Risk and Drainage' section
Impact on character and appearance of new drove	See 'Character and appearance' section

A total of 1 letter of representation was received from a resident of Spalding.

Comments	Officer Response
Applicant works in local agriculture/horticulture	See 'Principle of Development' section

## 6 STATUTORY DUTY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).
- 6.2. The Council has a duty Under the Equality Act 2010, Section 149, to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## 7 POLICY FRAMEWORK

## **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

## **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

## **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Uses

Homes and Buildings

## **Planning Policy for Traveller Sites December 2024**

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

## **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

## **Cambridgeshire Flood and Water SPD 2016**

## **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan.

Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP14: Gypsies and Travellers and Travelling Showpeople  
LP18: Development in the Countryside  
LP20: Accessibility and Transport  
LP22: Parking Provision  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP27: Trees and Planting  
LP28: Landscape  
LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Principle of Development**
- **Flood Risk and Drainage**
- **Character and appearance**
- **Amenity Impact**
- **Parking Provision and Highway Safety**
- **Biodiversity Impact**
- **Biodiversity Net Gain (BNG)**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1. The application seeks planning permission for the change of use of land to create 1no. gypsy traveller pitch, including the siting of a mobile home and 2no. touring caravans.
- 9.2. The submission detail advises that there are personal circumstances for the applicant in respect of health and family circumstances that presents the need for the development (A confidential report on the applicant's personal circumstances is available should Members wish to view this).
- 9.3. Whilst the site is located within the parish limits of Wisbech St Mary, it is situated outside of the continuous built area of the settlement. As such, the application should be considered as Rural/Open Countryside development under Policy LP12 of the Fenland Local Plan, rather than the settlement-specific Policy LP3.
- 9.4. Notwithstanding the requirements of Policy LP12, it is recognised that many traveller pitches will be located outside of settlements and in rural locations such as this.
- 9.5. Furthermore, Policy LP5 concerns meeting housing needs in the district. Part D of this policy is particularly relevant to the consideration of this application as it relates to the assessment of development proposals for Gypsy and Travellers and Travelling Showpeople.
- 9.6. Due regard has also been given to Planning Appeal APP/D0515/W/23/3332133 (F/YR22/1029/F – Land North of the Spinney, Gall's Drive, Guyhirn), which was allowed in March 2024 for the use of land for the stationing of caravans for residential purposes and dayroom ancillary to that use.

- 9.7. The appeal found that the Council are unable to identify and demonstrate the current need for Gypsy & Traveller plots within the district. As such, the Inspector concluded that the Council were unable to demonstrate a five-year land supply in this regard. In the absence of an adequate supply, significant weight in favour of the proposal must be given as a means of helping to meet the need in the district.
- 9.8. Since the determination of the application, an updated Accommodation Needs of Gypsies, Travellers, Travelling Showpeople, Boat Dwellers and Bargees (GTANA) was issued by Fenland Council in May 2025. The report concluded that there is a net need for 66 residential pitches within the district from 2024/25-2038/39, with 47 pitches required in the immediate term (up to 2028/29).
- 9.9. In the period from 1<sup>st</sup> April 2024 – which correlates with the start of the needs assessment period for the GTANA – a total of 21 pitches has been provided as set out in the latest FDC Five-year housing land supply report (June 2025). As such, there is a remaining need for 26 pitches up to March 2029.
- 9.10. Given that there is still a shortfall of pitches, it is considered that the conclusion of the aforementioned appeal decision remains relevant and applicable in this instance. When having due regard to the outcome of the appeal, the provision of additional Gypsy & Traveller plots in this development proposal weighs in favour of the application, notwithstanding any harm identified and conflict with Fenland Local Plan policies arising from the location of the site.
- 9.11. Therefore, when considering the principle of development in this instance, it is considered to be acceptable when having regard to the identified need for additional Gypsy & Traveller pitches in the district and acknowledging that this development would offer a small contribution towards meeting this.

### **Flood Risk and Drainage**

- 9.12. The developable area of the site is located within Flood Zone 1, although the frontage of the site and access is located entirely within Flood Zone 3, along with much of the surrounding area. The Environment Agency maps identify areas of flood defences approximately 850m to the south of the site. National Planning Policy does not prohibit the granting of planning permission for developments in areas at high risk of flooding. While guidance exists to ensure that flood risk is appropriately assessed and mitigated, there are no absolute legal restrictions preventing development in such locations.
- 9.13. Policy LP14 of the Local Plan as well as Paragraph 175 of the NPPF seek new developments to adopt a sequential approach to flood risk, where new developments are steered to areas with the lowest probability of flooding.
- 9.14. The Planning Practice Guidance (PPG) advises that a Sequential Test is required for planning applications in areas at risk from flooding from any source. In the case of river and sea flooding, this specifically includes land within Flood Zones 2 & 3. The fundamental objective of the Sequential Test is to steer new development to areas with the lowest risk of flooding (i.e. Flood Zone 1), in line with the risk-based approach advocated by paragraph 172 of the National Planning Policy Framework (2024).
- 9.15. The application site lies within an area of identified flood risk and, as such, the Sequential Test is engaged. The submitted sequential test fails to provide a detailed analysis and assessment of alternatively available sites that could accommodate the development, and simply states that *“there are no available,*

*suitable, acceptable, affordable, alternative sites within the district known to GPS or the applicant. There are no reasonably available sites in areas with a lower probability of flooding than the application site; therefore, the sequential test is met”.*

- 9.16. As previously identified, there is an outstanding need by the Council to provide 26 G&T pitches up to March 2029. As the proposal would make a contribution towards this, this weighs in favour of the proposal. However, it is not considered that the benefits would outweigh the harm caused by the development in respect of the flood risk associated with the development.
- 9.17. It is therefore considered that the sequential test is failed and there is a conflict with Policy LP14 of the Fenland Local Plan (2014) due to the location of the site access within Flood Zone 3 and therefore being unable to provide a safe means of exiting the site in the event of flooding.
- 9.18. Further to this, the Environment Agency have considered the proposal and raised an in-principle objection to the scheme as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located.
- 9.19. As the sequential test has not been met, it would not normally be necessary to consider the exception test. However, in the interests of completeness, this is considered below.
- 9.20. The exception test has two parts, which are as follows:
- a) That the development provides wider community benefits which outweigh the flood risk, and;
  - b) That the development can be made safe for its lifetime without increasing flood risk.
- 9.21. In respect of criteria a), the development will provide a new gypsy traveller pitch that would mean an identified district-wide need. However, the contribution towards this need would be modest at a single plot, and therefore it is not considered that these benefits would outweigh the harm in respect of flood risk.
- 9.22. In respect of criteria b), the Environment Agency have raised objection to the scheme, notwithstanding the mitigation measures set out in the Flood Risk Assessment prepared by Ellingham Consulting, on the basis that the proposal would introduce a highly vulnerable use into an area with a high probability of flooding, thereby rendering it incompatible. Further to this, the submitted FRA outline that in the event of a breach of the nearby flood defences, the site lies in an area with a depth of up to 0.5m. As such, the required mitigation as set out in the conclusion of the FRA is that the finished floor level of the mobile home is not less than 0.6m above ground level and that the structure is restrained by ground anchors. It is considered that this further reinforces the comments of the Environment Agency in that the proposed development will introduce an incompatible and unsafe use into an area of flood risk.
- 9.23. As such, it is not considered that the development can be made safe for its lifetime. Therefore, the exception test is considered to be failed.
- 9.24. The proposal is therefore considered to be at unacceptable risk of flooding, with the benefits not outweighing the harm caused, and is therefore contrary to Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the NPPF.

## **Character and appearance**

- 9.25. The site is located in a rural area with a generally flat topography with fairly open views, although the orchards and dwellings on adjoining parcels of land do provide some means of screening from wider vantage points. It is considered that the presence of existing dwellings nearby and the presence of the orchard to the rear of the application site provide sufficient screening and mitigation to ensure that views from wider vantage points remain acceptable. Furthermore, Planning Policy for Traveller Sites Policy C accepts the principle of Gypsy and Traveller sites in the countryside.
- 9.26. Whilst noting the generally rural character of the surrounding area, the site does lie within a pocket of development. It is considered that the presence of this existing development ensures that the development in question is not alien nor incongruous on the landscape character of the area.
- 9.27. It is not considered that the scale of development on site, the provision of 1no. mobile home and 2no. touring caravans, would be out of keeping with the scale of development seen on nearby sites.
- 9.28. When considered on balance, it is acknowledged that the development would have some visibility on the landscape. However, it is not considered that this impact is significant when considered in the overall context of the wider landscape. As such, it is considered that the proposal, on balance, complies with Policy LP16 of the Fenland Local Plan (2014) in terms of character and appearance impact.

## **Amenity Impact**

- 9.29. When considering the impact of the development on residential amenities, it is important to note that the site is located immediately adjacent to a residential dwelling. The nearest property, Oak Meadow, is approximately 25m away from the western boundary of the site.
- 9.30. It is not considered that the use of the site for residential purposes would generate significant levels of noise that would result in disturbance to the nearest neighbours. The proposal is for a residential use which would be generally compatible with adjacent residential uses.
- 9.31. Notwithstanding the relatively close proximity of the adjacent residential property, due to the modest scale of the development proposed, it is not considered that the development would result in any adverse impacts on residential amenity.

## **Parking Provision and Highway Safety**

- 9.32. The Highway Authority have considered the proposal and have raised no objections to the development in respect of parking provision or highway safety. The geometry of New Drove is such that sufficient visibility can be achieved in both directions. Further to this, there is sufficient space identified on site for adequate parking provision.
- 9.33. It is considered that the modest scale of development would not result in a material increase in traffic movements on the highway network. As such, the proposal is considered to satisfy the requirements of Policy LP15 of the Fenland Local Plan (2014) in respect of parking provision and highway safety impact.

## **Biodiversity Impact**



- 9.34. The application is supported by the submission of a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment. The submitted details have been considered by Natural England and the Council Ecologist.
- 9.35. No objections have been raised in respect of the impact on protected sites or species. It is therefore considered that the proposal is acceptable in respect of its biodiversity impact having regard to Policy LP19 of the Fenland Local Plan (2014).

### **Biodiversity Net Gain (BNG)**

- 9.36. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.37. In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

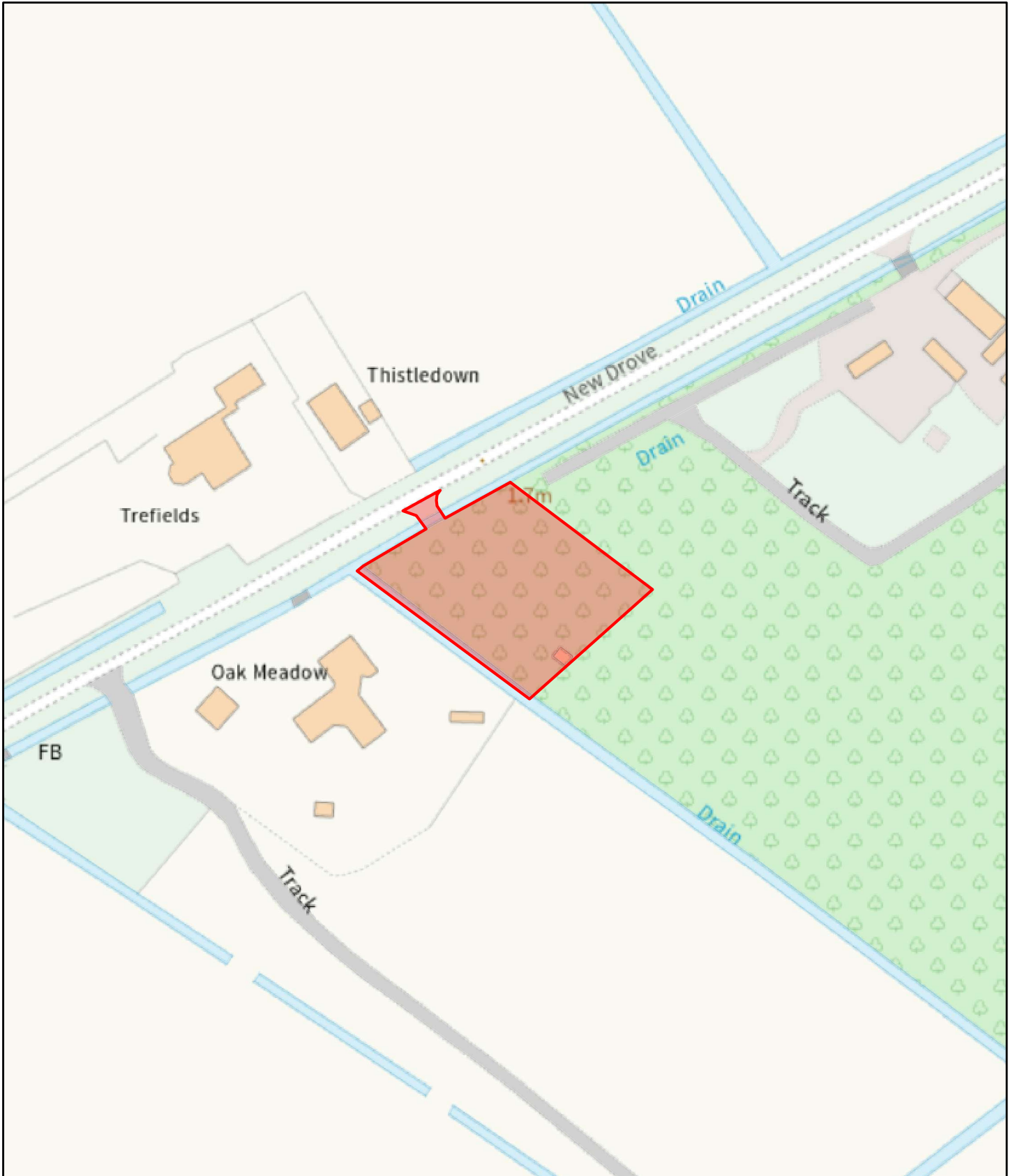
## **10 CONCLUSIONS**

- 11.1. The application seeks the change of use of land to provide 1no. gypsy traveller plot including the siting of 1no. mobile home and 2no. touring caravans. The submitted drawings identify a new access to be created onto New Drove.
- 11.2. Whilst it is acknowledged that the District currently has an identified need for additional gypsy & traveller plots, the application site is located in Flood Zone 3. The proposal is not supported by an adequate sequential test and does not pass the exception test.
- 11.3. It is not considered that the modest benefits from a scheme of this size would outweigh the harm caused by the development due to its location in a zone of high flood risk.
- 11.4. It is therefore considered that the proposal is contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF in terms of flood risk.
- 11.5. Notwithstanding the submitted information in respect of the applicant's personal circumstances, these are not considered to outweigh harm arising from the development as already identified.
- 11.6. Accordingly, it is recommended that planning permission is refused in this instance.

## **11 RECOMMENDATION**

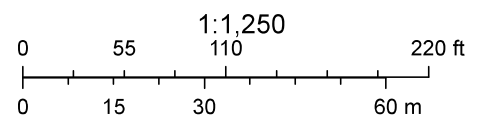
**Refuse;** for the following reasons:

1.	The site access and frontage to the application site is located within Flood Zone 3 and fails to meet the sequential or exception test. It is considered that the proposal is at an unacceptable risk of flooding that would fail to be suitably mitigated against. The proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024), and The Cambridgeshire Flood and Water SPD (2016).
----	---



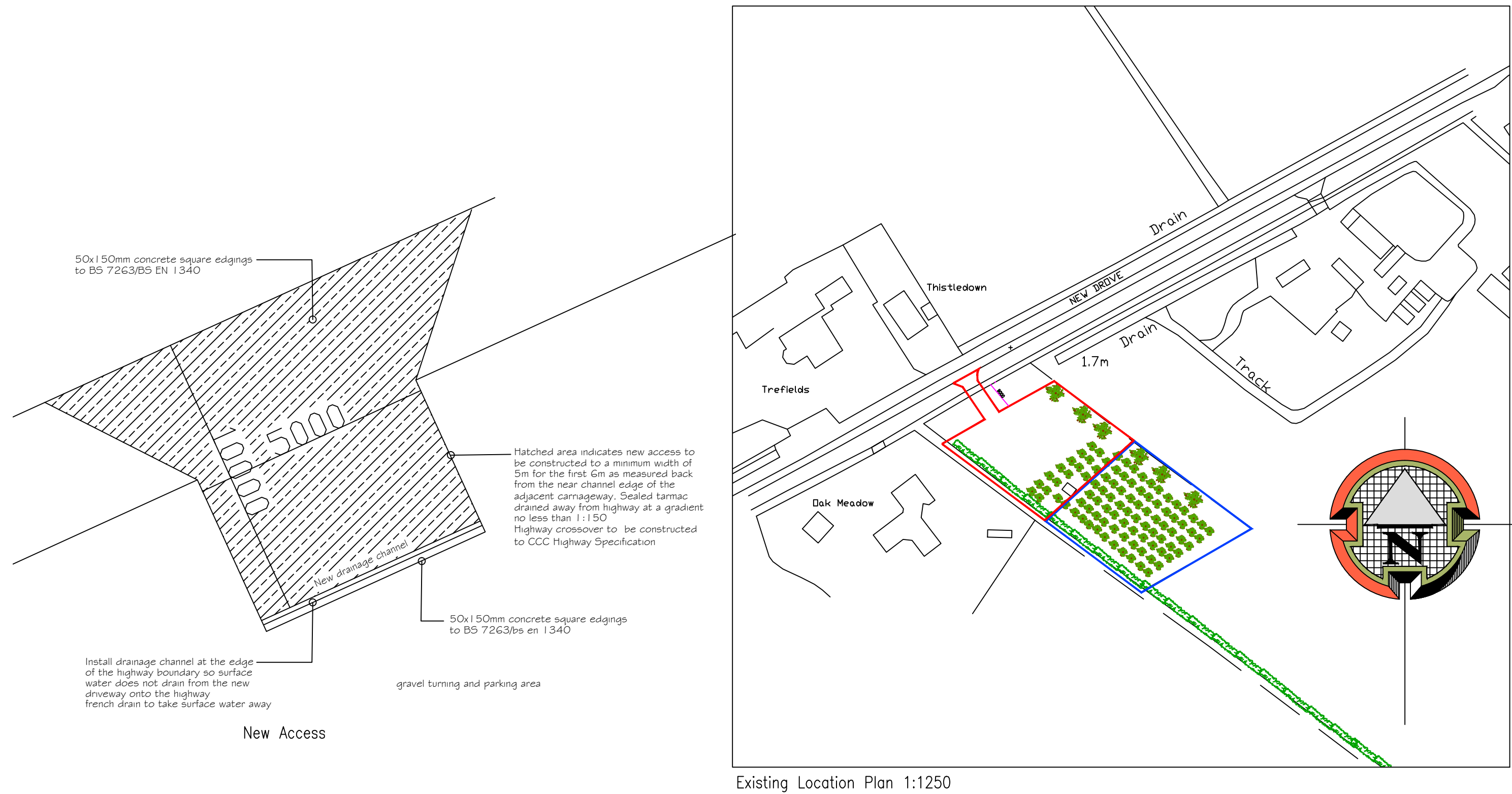
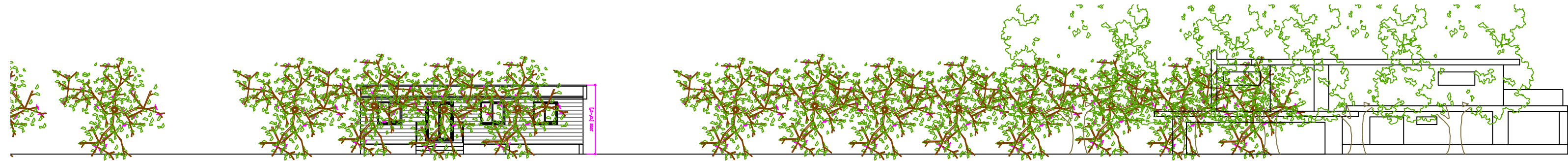
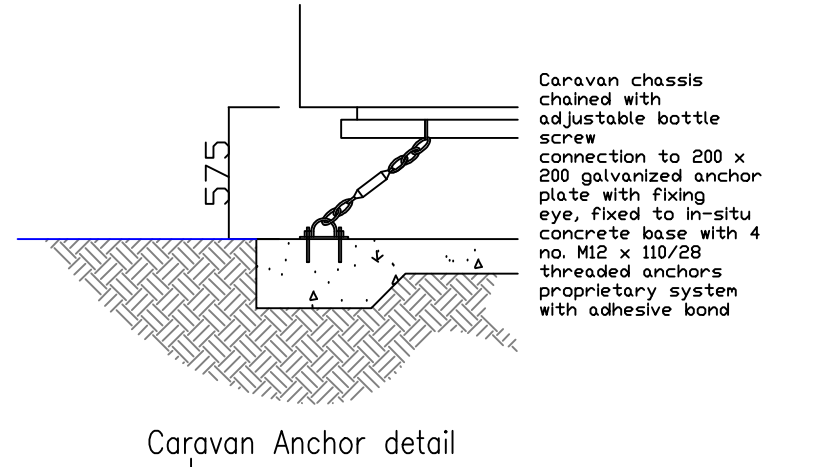
7/14/2025, 10:40:14 AM

 Fenland District Boundary

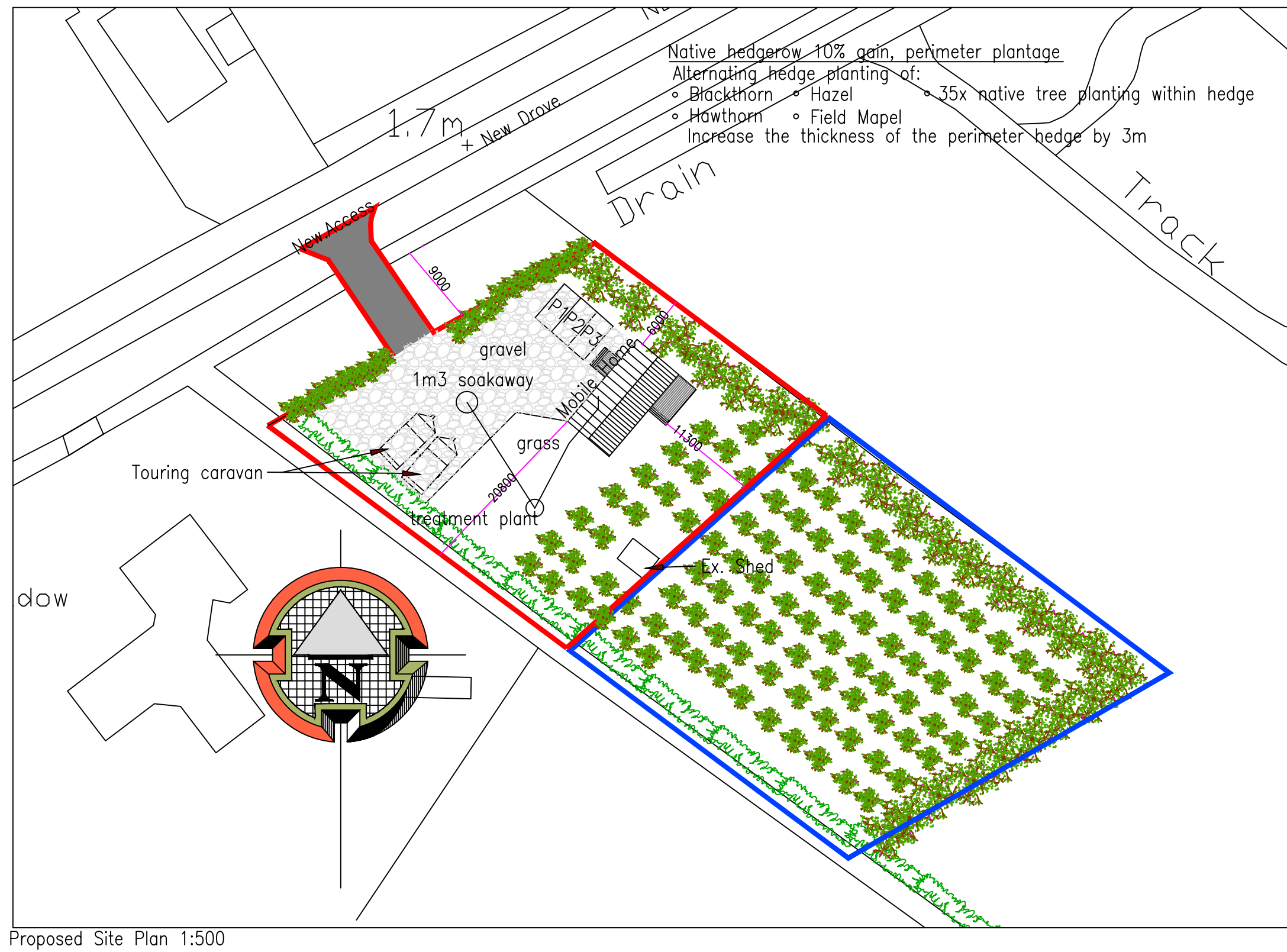
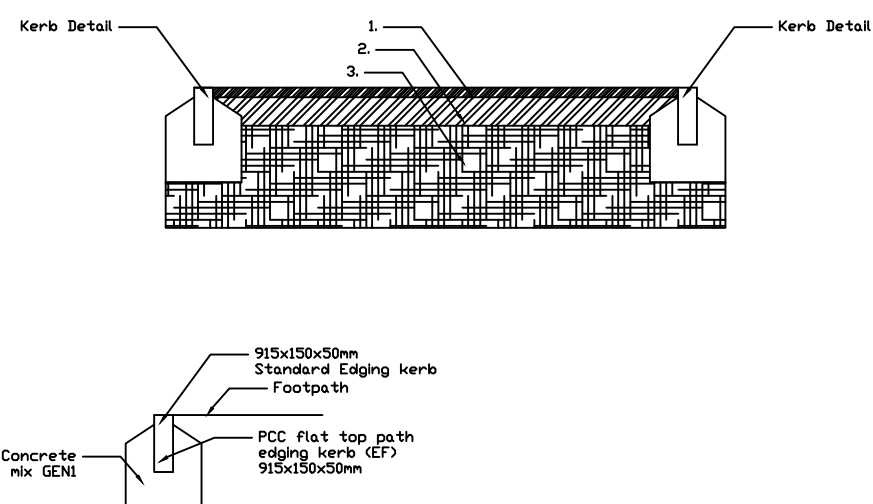


Fenland District Council








LAYER		SPECIFICATION	THICKNESS
ACCESS	1. surface course	SMA 6 surf 40/60 to section D3 of PD 6691(4)(5)(11), min PSV50 to give texture depth of 0.6–0.1 SHW clause 921 table 9/3. (measured by sand patch method)	25mm
	2. binder course	AC 20 dense bin to BSEN13108–1 and PD6691 with 50 pen binder.	90mm
	3. sub–base	Granular sub–base type 1 to clause 803(1) certified as nonfrost susceptible, spread evenly on the foundation and compacted. compact to clause 802(1) to achieve a min CBR value of 30%. formation to be treated with an approved weed killer prior to laying sub–base.	365mm



General Notes:

- Dimensions on all drawings are shown in "mm".
- The contractor, sub-contractor and supplies must verify all dimensions before commencement of any works on site.
- This drawing is to be read in conjunction with any relevant engineers and specialist sub-contractor drawings and specifications.

Landscaping Key (hard and soft)

Lawn area	Gravel
	
Driveway/Parking/Courtyard permeable loose gravel or similar to aid	
	

Native hedgerow retention

Hedgerow planted with a balanced mix of:

- Black thorn

Native hedgerow 10% gain, perimeter planting

- Blackthorn
- Hazel
- Hawthorn
- Field Maple

### Asphalt Access Area construction detail

1. Refer to BS EN 13108-1 for material spec for asphalt concrete.
2. Refer to BS EN 13108-4 for material spec for hot rolled asphalt.
3. Refer to BS EN 13108-5 for material spec for stone mastic asphalt.
4. Refer to BS 594987 for transport, laying and compaction of all asphalts.
5. Bond coats to be used in accordance (no.4) to be applied on all kerb and edging faces along with gully and cover frames. Bond coats to be applied on top of base and binder courses. Joints in binder and base course to be over banded.
6. Construction thicknesses based on CBR value. CBR testing must be undertaken.
7. If CBR value is less than 2.5% special engineer measurements will be required.
8. If sub-grade is deemed to be frost susceptible sub-base thickness to be thickened to provide min. construction depth of 450mm.
9. Footpath sub-base to be thickened to 150mm under vehicular crossings.
10. SMA to be gritted whilst material is hot-1-2kg per m<sup>2</sup> applied by roller mounted hopper.

Revisions:

Reference: 187/PL01/Rev B	Pages: 1
Scale: as shown	
Project: Proposed Traveller Plot	
Site Address: Appletree farm New Drove Wisbech PE13 4UA	
Client: Mr S Taylor	

**ALEXANDRA**  
Design

Southfork Farm  
Seadyke Bank  
Murrow  
Cambridgeshire  
PE13 4SD

T: 07891175649  
E: [info.alexandradesign@gmail.com](mailto:info.alexandradesign@gmail.com)