

<b>Parish:</b>	<b>Upwell</b>	
<b>Proposal:</b>	<b>SELF-BUILD: Proposed barn conversion and extensions and continued temporary occupation of a mobile home/caravan plus shed and decking.</b>	
<b>Location:</b>	<b>Barns At Old Farm Horsehead Drove Lott's Bridge Three Holes Norfolk PE38 0BY</b>	
<b>Applicant:</b>	<b>Mr Oliver Hartley</b>	
<b>Case No:</b>	<b>25/01697/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination:</b> <b>25 December 2025</b> <b>Extension of Time Expiry Date:</b> <b>16 January 2026</b>

**Reason for Referral to Planning Committee** – Referred to the Planning Committee at the request of Cllr Vivienne Spikings due to issues of wider concern.

**Neighbourhood Plan:** Yes

### **Case Summary**

The application site lies in open fenland approx. 3km from Three Holes, 2.4km from Lakes End and 3.6km from Nordelph. It is accessed via an agricultural track (approx. 800m long) leading off the junction of Horsehead Drove, Cock Fen Road and Flint House Drove – all single width carriageways, some considerable distance from classified roads.

It lies within an area classed as countryside and within Flood Zone 2 and mostly within Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment. It contains a traditional brick-built barn with some rustic character/merit, and a more contemporary corrugated sheet metal open fronted machinery building with a curved roofline.

The proposal seeks to demolish the open store, convert the existing traditional barn and construct additional accommodation in the form of mostly single storey extensions.

Retrospective permission is also sought for the continued temporary occupation of a 3 bedroomed caravan, plus shed and decking sited to the south of the pond.

### **Key Issues**

Principle of development  
Appearance and character  
Impact on amenity  
Highway issues  
Flood risk  
Any other matters requiring consideration prior to determination of the application

### **Recommendation:**

**REFUSE**

## THE APPLICATION

The application site lies within an area classed as countryside and within Flood Zone 2 and mostly within Flood Zone 3a of the Council-adopted Strategic Flood Risk Assessment. It contains a traditional brick-built barn with some rustic character/merit, and a more contemporary corrugated sheet metal open fronted machinery building with a curved roofline.

The site is accessed via an agricultural track (approx. 800m long) leading off the junction of Horsehead Drove, Cock Fen Road and Flint House Drove – all single width carriageways, some considerable distance from classified roads.

The proposal seeks to demolish the open store, convert the existing traditional barn and construct additional accommodation in the form of mostly single storey extensions.

Retrospective permission is also sought for the continued temporary occupation of a 3 bedroomed caravan, plus shed and decking sited to the south of the pond. This has been occupied since August 2025.

## SUPPORTING CASE

The following statement is submitted by the agents in support of this proposal:

“This statement summarises the key matters relevant to the proposed full planning application for the proposed self-build barn conversion and extensions and continued temporary occupation of a mobile home/caravan plus shed and decking.

The site comprises of a redundant brick-built agricultural building of clear architectural merit, set in open countryside and surrounded on all sides by agricultural land. It has no formal planning history, though rounds of pre-application advice have previously confirmed that the structure possesses realistic potential for conversion under Class Q of the General Permitted Development Order. This represents a credible fall-back position, recognised in established case law as a material consideration of significant weight where its implementation constitutes a real prospect.

The proposal seeks to convert the existing building into a high-quality single dwelling, supplemented by a sensitively designed single-storey extension and a 1.5-storey attached garage. The design retains and repairs the original brickwork, introduces carefully proportioned new openings, and adopts a contemporary vernacular for the extension that respects the rural character of the barn.

The NPPF makes clear that local planning authorities should take proactive steps to meet the needs of those wishing to build or commission their own homes. Given the limited supply of plots across the borough, this proposal represents a valuable and deliverable opportunity to expand housing choice, promote self-reliance, and foster high-quality, individually designed homes tailored to local needs. These are clear social and economic benefits that weigh substantially in favour of the development

Access will be taken from the existing entrance onto Horsehead Drove, with sufficient on-site space for vehicles to enter and exit in forward gear. The Local Highway Authority has indicated that the surrounding road network is suitable for a single dwelling, and the site benefits from reasonable proximity to the services and facilities of Upwell, Downham Market and Wisbech.

While the site lies within Flood Zones 2 and 3 according to the Environment Agency mapping, a detailed Flood Risk Assessment accompanies the application, and its recommendations will be fully adhered to.

The Local Planning Authority's position is to recommend refusal on the application due to the scale of the proposed extensions to the building however it is our belief that due to the isolated location of the site there would be negligible harm to any surrounding residents whilst providing the applicant with an appropriate home for their growing family. This contributes toward meeting the Council's statutory self-build duty to decisively outweigh any limited harm. The planning balance therefore lies firmly in favour of granting planning permission."

## PLANNING HISTORY

21/00164/PREAPP: Possibility of Approval: 15/06/22 - PRE-APPLICATION ADVICE WITH CONSULTATION AND A MEETING: Proposed Barn Conversion and Extensions

## RESPONSES TO CONSULTATION

**Parish Council: SUPPORT** - Whilst there is some concern over the scale of the development, and that the existing barn will be consumed within the extensions, the Planning Group is of the view that the proposal will not impact on anyone due to its remote location and predominantly single storey height. It is noted that the appropriate EPS Licence must be applied for (especially with regards to the owl roost) & granted before work commences.

**Local Highway Authority: NO OBJECTION** - The proposed development site is however remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

It is the view of the Highway Authority that the proposed development is likely to conflict with the aims of sustainable development and you may wish to consider this point within your overall assessment of the site.

**Norfolk Environment Services: NO OBJECTION** - There are no known archaeological implications.

**Environmental Quality: NO OBJECTION** subject to condition relating to unexpected contamination and an informative note regarding asbestos-containing materials added to any permission.

**Community Safety & Neighbourhood Nuisance:** No response to consultation at the time of writing this report.

**Senior Ecologist: NO OBJECTION** subject to conditions relating to mitigation measures and CSB Biodiversity Net Gain exemption/tenure.

**Environment Agency: NO OBJECTION** subject to flood risk mitigation measures being secured via condition.

**Emergency Planner: NO OBJECTION** - Due to the location of the site being in an area at risk of flooding, it is suggested that the occupiers should sign up to the Environment Agency flood warning system and a flood evacuation plan should be prepared.

## REPRESENTATIONS

None received at the time of writing this report.

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

**LP04** - Presumption in Favour of Sustainable Development Policy (Strategic Policy)

**LP06** - Climate Change (Strategic Policy)

**LP13** - Transportation (Strategic Policy)

**LP14** - Parking Provision in New Development

**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)

**LP23** - Green Infrastructure (Strategic Policy)

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

**LP27** - Habitats Regulations Assessment (HRA) (Strategic Policy)

**LP31** - Custom and Self-Build Housing (Strategic Policy)

## NEIGHBOURHOOD PLAN POLICIES

**Housing Policy H1:** Scale and Location

**Housing Policy H3:** Design

**Policy H4:** Residential Car Parking Standards

## NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## PLANNING CONSIDERATIONS

The main issues for consideration in determining this proposal are as follows:

- Principle of development
- Appearance and character
- Impact on amenity
- Highway issues
- Flood risk
- Any other matters requiring consideration prior to determination of the application

### **Principle of development:**

*Proposed conversion of the existing barn to be used as a separate dwelling:*

The recently adopted Local Plan is silent upon the matter of conversion of rural buildings into dwellings, therefore reference is made to the provisions of the NPPF (2024) which states:

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
  - i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

Taking these criteria in order:

- a) The applicant owns the farm on which the site lies, however the proposal is not for an agriculturally tied dwelling in conjunction with Policy LP36 of the Local Plan;
- b) The old barn is not a heritage asset but is of architectural and historic merit;
- c) The barn is a redundant agricultural building and its re-use and removal of the adjacent open storage barn would enhance its setting;
- d) N/A;
- e) To be addressed later in this report.

The principle of the development is therefore acceptable given compliance with criteria c).

There are however other considerations which will need to be addressed including Policy LP31, as this is a self-build proposal which states: "Proposals for self-build and custom housebuilding will be supported where they respect local character and comply with other relevant policies in the plan."

*Use of a mobile home/caravan for residential purposes:*

The residential use of this part of the site would in practicality be larger than shown on the plans especially with children residing there.

This site is in the countryside, remote from service provision and within a zone at high risk of flooding (Flood Zone 3A) – the latter issue will be addressed in more detail in this report. The principle of having a permanent dwelling of this type is not acceptable, but it may be suitable for a limited period to coincide with construction works.

**Appearance and Character:**

The design of the proposal and its impact upon the character of its countryside setting is an important factor in determining this application. Relevant policies are as follows:

Policy LP18 of the Local Plan states *inter alia*:

*Policy LP18 – Design and Sustainable Development*

1. *All new development in the borough must be of high-quality design.*
2. *Where relevant new development will be required to demonstrate its ability to:*
  - a. *conserve and enhance the historic and natural environment and reduce environmental risks;*
  - b. *enrich the attraction of the borough as an exceptional place to live, work and visit;*
  - c. *respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout, materials and access will enhance the quality of the environment;*
  - d. *where possible, enhance the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character), gaps between settlements, landscape setting, distinctive settlement character, landscape features and ecological networks;*
  - e. *optimise site potential, making the best use of land including the use of brownfield land;*
  - f. *enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles (see Policy LP38 Community & Culture);*
  - g. *achieve high standards of sustainable design.*

Policy LP21 of the Local Plan applies which states:

*Policy LP21 – Environment, Design and Amenity*

1. *Development must conserve and enhance the amenity of the wider environment including the historic environment.*
2. *Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:*
  - a. *impact on the historic environment;*
  - b. *overlooking, overbearing, overshadowing;*
  - c. *noise;*
  - d. *odour;*
  - e. *air quality;*
  - f. *light pollution;*
  - g. *contamination and soil quality;*
  - h. *water quality;*
  - i. *sustainable drainage; and*
  - j. *visual impact.*

3. The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.
4. Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.
5. Development proposals should demonstrate that safe access can be provided, and adequate parking facilities are available.
6. Proposals for development adjacent to, or in the vicinity of, existing uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site, taking account of the criteria above.

Housing Policy H3: Design of the Upwell Parish Neighbourhood Plan also applies which states:

*All development will be designed to a high quality, reinforcing and complementing local distinctiveness and character, as captured in Appendix A (and any conservation area character statement where relevant). Design which fails to have regard to local context and does not preserve, complement or enhance the character and quality of its immediate area and the wider Parish will not be acceptable. Proposals should therefore be of an appropriate density, height, variety, scale and layout. This is not intended to discourage innovation, which will be welcomed.*

The site lies within a landscape character area identified as The Fens – Open Inland Marshes (E7 Welney River) in the Landscape Character Assessment produced by Chris Blandford Associates to inform the Local Plan.

Inherent Landscape Sensitivities are:

- Wide open skies and strong sense of openness throughout the area.
- Wetland habitat and other ecologically important features (including wind break trees and other tall vegetation).
- Scarce settlement pattern.
- Strong recognisable sense of place.
- Moderately strong sense of tranquillity throughout the area.

Planning guidelines inter alia:

- Seek to conserve the generally undisturbed, undeveloped character and related strong sense of remoteness and tranquillity.
- Seek to conserve open views across the area.
- Seek to ensure that potential new small-scale development within the area is consistent with existing settlement pattern, density and traditional built form.
- Seek to promote the use of local materials, including flint, chalk clunch, pebbles and pantiles.
- Seek to conserve and enhance strongly recognisable sense of place within the area.

Whilst not specifically related to conversion and extension schemes, the sentiment regarding design in the countryside is contained in Policy LP35 which states:

*Policy LP35 – Enlargement or Replacement of Dwellings in the Countryside*

1. Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits.

2. *Schemes should reflect the scale and character of their setting and contribute to enhancing the local natural and built environment, recognising the intrinsic character and beauty of the surrounding countryside, and minimising potential adverse impacts of development.*

This proposal seeks to retain the historic barn which is a 4-bay traditional 2-storey building, with a projected full height SE-facing entrance feature, of multi-red brick construction under a profiled sheet roof. Whilst lacking maintenance for some time, a structural report accompanying the application concludes that the building is structurally sound and capable of conversion for residential use.

The alterations proposed are sensitive utilising existing openings and limited new ones. It would accommodate a living/dining room plus a store. This element is considered to be acceptable.

The extensions consist of a single storey flat-roofed asymmetric addition to the SE elevation providing a pantry, kitchen/living area plus seating area. There are two 26m long single storey wings to the rear/SE off either end of the aforementioned – one containing 3no. substantial double bedrooms all en-suite (one with a walk-in wardrobe), the other 2no. similar bedrooms with en-suites, plus two offices with a shared kitchen and wc. SW of the kitchen/living room is a boot/utility room and wc, gym, sauna and integral double garage with a store above within a pitched roof accessed by an external staircase.

Whilst not definitive, the materials indicated for the extensions are to be rendered walls above low brick plinths for the majority of the single storey flat-roofed additions with pitched elements at the end of the wings and above the garage in roof tiles and the garage walls in horizontal timber cladding.

Windows are full height arched openings along the sides of the wings and standard glazed openings plus almost fully glazed gables to the end pitched elements. There are sliding glazed panels to the kitchen/dining area into the central courtyard.

The existing barn has a footprint of 120m<sup>2</sup> and the proposed additions extend to some 855m<sup>2</sup> which equates to approx. a 700% increase of new-build.

Whilst the principle and design of the conversion of the current barn is acceptable, the extensions by virtue of their size, scale, appearance and fenestration style, fail to respect the rustic character and appearance of the existing barn and its countryside setting. The proposal is therefore contrary to the provisions of paragraph 84 of the NPPF, Policies LP18, LP21 & LP35 of the Local Plan and Policy H3 of the Upwell Parish Neighbourhood Plan.

It will be noted from the History section above, that this scheme was the subject of pre-application advice – initially submitted as a dwelling and annexe – advice given was that care would need to be taken in relation to the design, scale and appearance of the extensions proposed in order to maintain and respect the rustic character of the site and buildings.

### **Impact on Amenity:**

There are no immediate neighbours to the proposed development – the nearest (Neatmoor Hall off Silt Road) lying some 335m away to the NNE. Noise and disturbance emanating from the proposed dwelling would not be significant in comparison with the existing agricultural activity. Lighting details could be controlled via condition. So, the development would not adversely affect residential amenity of neighbours.

The proposed dwelling does however lie adjacent to a substantial grain store/agricultural building. Caution was expressed at the pre-application stage regarding the proximity of the building in terms of amenity. This could be acceptable if the proposed residents farm the surrounding land. However, this would require an agricultural occupancy restriction to be imposed on the new dwelling, as unrelated occupiers may find this relationship untenable/problematic in terms of noise, odour, vermin etc.

The applicant has clarified that this is not a dwelling to be occupied in connection with, or tied to, the existing farm/rural enterprise. For an unrelated open market dwelling as proposed, this close to an operational agricultural building, it would create adverse implications on residential amenity, given its unrestricted use potentially at unsociable hours plus odour and vermin.

The development therefore fails to accord with paragraph 200 of the NPPF and Policy LP21 of the Local Plan.

#### **Highway issues:**

The site is accessed via an agricultural track (approx. 800m long) leading NE off the junction of Horsehead Drove, Cock Fen Road and Flint House Drove – all single width carriageways. So, the site lies some 2km from the A1101 and 1.7km from the B1094/Silt Road respectively.

The Local Highway Authority have not raised an objection to the proposal but opine that the proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

There is ample parking and turning facilities contained within the site to meet current NCC and Neighbourhood Plan standards. Further the principle of a barn conversion in this location is acceptable and in accordance with the NPPF.

#### **Flood risk:**

The application site lies with Flood Zones 2 & 3A of both the Council-adopted SFRA plus Environment Agency mapping.

The Environment Agency strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA), submitted as part of this application, are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 0.3 m above surrounding ground levels.
- Flood resilient measures will be incorporated into the development up to 0.3 m above finished floor levels.

This could be secured via condition if the application was to be approved.

The caravan is in a 'highly vulnerable' category and Planning Policy Guidance indicates that this form of development should not be permitted in FZ3A for permanent occupancy. However, the proposal is for a temporary period of occupation during construction of the proposed dwelling. This could be secured via condition.

However, if planning permission is refused, then enforcement action must be considered for cessation of its occupation and removal within a reasonable timeframe.

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

*Contamination* – Given the former agricultural uses on this site a condition relating to unexpected contamination and an informative note regarding asbestos-containing materials are requested by Environmental Quality to be added to any permission.

*Foul and Surface Water Drainage* – Foul water is proposed to be disposed of via package treatment plant (already serving the caravan?). Surface water is proposed to be disposed of via soakaways.

*Ecology* – The application is accompanied by a shadow HRA and an Ecological Impact Assessment produced by Glaven Ecology which identifies implications for barn owls and bats in the old barn. Our Senior Ecologist has no objection to the proposed development. However, mitigation measures are required for those protected species and must be secured via condition. A bat licence is also required to facilitate the development.

Natural England (NE) will only grant a licence if satisfied that the three statutory tests have all been met.

The tests are:

1. The activity is for a certain purpose, for example it's in the public interest to build a new residential development;
2. There are no satisfactory alternatives that will cause less harm to the species; and
3. The development does not harm the long-term conservation status of the species.

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the regulations.

In this case, The Ecological Impact Assessment accompanying the application concludes that protected species (bats and owls) are present on the site and that if development were to proceed there is the possibility of a breach of the Directive.

LPA consideration of the tests:

1. NE's guidance advises that a public interest can be to build new residential developments. In this case, the site would convert the existing barn into part of a new dwelling which would contribute to the Council's deliverable supply of CSB housing.
2. No satisfactory alternatives – this is a site-specific proposal which would provide a family home, on land associated with an agricultural enterprise. No other alternative buildings within the holding have been identified as being available/suitable for residential use.
3. Population maintenance - it appears to be unlikely that development of this barn, subject to mitigation measures specified will affect the conservation status of the protected species.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development.

The proposal will result in the increase in overnight accommodation which triggers GIRAMS payment of £304.17 and has been paid.

This is a self-build proposal so it does not attract Biodiversity Net Gain provision.

*Archaeology* – There are no archaeological interests in this proposed development as confirmed by Historic Environment Services.

#### **Specific comments and issues:**

In assessing this application, it appears that unauthorised works to re-profile, manicure and clear vegetation around the former pond has been undertaken. This has been brought to the attention of the applicant with the prospect of a further retrospective application being submitted to regularise the situation.

In the absence of an acceptable scheme for a new dwelling, then enforcement action may be instigated to secure cessation of the use and removal of the residential mobile home/caravan, shed and decking within an appropriate timescale.

#### **CONCLUSION**

This is a self-build project to convert an existing traditional barn into part of a new dwelling and attracts considerable weight given the current shortfall for Custom & Self-Build (CSB) properties in the borough.

However, the size of the proposed extensions (over 700% larger footprint compared to the retained barn) and their appearance fail to respect the rustic character of the traditional barn and its rural/countryside setting.

The proposed dwelling also lies adjacent to a substantial grain store/agricultural building. The applicant has clarified that this is not a dwelling to be occupied in connection with, or tied to, the existing farm/rural enterprise. For an unrelated open market dwelling as proposed, this close to an operational agricultural building, it would create adverse implications on residential amenity, given its unrestricted use potentially at unsociable hours plus odour and vermin.

The harm identified above outweighs the benefit associated to a single CSB property; the proposal is therefore contrary to the provisions of paragraphs 84 & 200 of the NPPF, Policies LP18, LP21 & LP35 of the Local Plan (2021-2040) and Policy H3 of the Upwell Parish Neighbourhood Plan (2015-2036).

#### **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 Whilst the principle and design of the conversion of the current barn is acceptable, the extensions by virtue of their size, scale, appearance and fenestration style, fail to respect the rustic character and appearance of the existing barn and its countryside setting. The proposal is therefore contrary to the provisions of paragraph 84 of the NPPF, Policies LP18, LP21 & LP35 of the Local Plan (2021-2040) and Policy H3 of the Upwell Parish Neighbourhood Plan (2015-2036).
- 2 The proposed dwelling lies adjacent to a substantial grain store/agricultural building. The applicant has clarified that this is not a dwelling to be occupied in connection with, or tied to, the existing farm/rural enterprise. For an unrelated open market dwelling as

proposed, this close to an operational agricultural building, it would create adverse implications on residential amenity, given its unrestricted use potentially at unsociable hours plus odour and vermin.

The development therefore fails to accord with paragraph 200 of the NPPF and Policy LP21 of the Local Plan.