Swann Edwards Architecture Limited
Black Barn
Fen Road
Guyhirn
Wisbech
PE13 4AA

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990
PRIOR NOTIFICATION

Reference:	H20-0575-26	**Date of Decision:**	13th August 2026
Applicant:	Mr S Almey C/O Swann Edwards Architecture Limited Black Barn Fen Road Guyhirn PE13 4AA		
Location:	Agricultural Barn West Of Birds Drove Sutton St James Spalding		
Description:	Conversion of existing agricultural barn to form 3 No. residential units		

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been REFUSED (or equivalent) for the development referred to above, for the following reason(s):

1 As a result of inadequate information having been submitted with regard to the structural soundness of the barn, the Local Planning Authority are unable to accurately determine the plausibility of the proposed conversion. On this basis, coupled with the information before the Local Planning Authority and the visual standard of the existing building, it cannot be ensured that the building can be converted without the need for building works to the barn, which would go beyond that which could be reasonably described as a 'conversion'.

On this basis, it is not considered that the existing building is capable of being converted to a residential dwellinghouse without the resultant building operations amounting to such extensive works as to go beyond the scope of the operations permitted by Class Q and as such would go beyond that which can be reasonably described as a 'conversion'. Therefore, the proposed works required would amount to 'rebuilding' of the existing structure or, in effect, the creation of a new building.

The survey itself was conducted via a visual inspection only, due to limited access caused by the externally overgrown vegetation and internal agricultural machinery. The roof was only viewed from ground level, with no intrusive investigation being undertaken, and no structural calculations were carried out.

The submitted Structural Survey Report (WECE-26-755) concluded, within the main assessment, that there is the potential need for further investigation to confirm certain aspects of the existing buildings structural components which were not visible through the survey. In addition, the survey details that overall, it is subject to suitable and detailed structural design, including a load assessment. As such, the structural report provided lacks clarity and confirmation regarding its current form.

The proposal is not therefore considered to comply with Schedule 2, Part 3, Class Q of the General Permitted Development Order, failing to comply with Q.(c), along with Q.1(j). The proposal is not therefore Permitted Development under Class Q of the General Permitted Development Order, 2015.

Notes:

The determined plans are:

- 100 - Existing Site Plan & Location Plan
- 200 - Existing Plans - Floor Plan, Elevations & Sections
- PP1000 - Proposed Site Plan & Location Plan
- PP1100 - Proposed Plans
- SE-2475 - March 2026 - Design & Access Statement
- WECE-26-755 - Structural Survey Report
- ECL1830/SWANN EDWARDS ARCHITECTURE - Flood Risk Assessment - June 2026

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR **the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: **https://appeal-planning-decision.service.gov.uk/before-you-start**. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.