Planning Inspectorate

Appeal Decision

Site visit made on 30 October 2025

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2025

Appeal Ref: APP/A2525/W/25/3371740
The Firs, Coronation Avenue, Throckenholt, Spalding, Lincolnshire PE12 0QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Matthew Baker against the decision of South Holland District Council.
- The application Ref is H19-0249-25.
- The development proposed is erection of 4no. bungalows following removal of existing outbuildings on existing garden land.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - whether the site would be in a suitable location for housing; and,
   - whether the site would be a suitable location for housing with regard to flood risk.

Reasons

Location

3. The appeal site comprises part of the garden associated with the host property, The Firs. The built form of The Firs, along with its immediate rear garden, lies within the defined settlement boundary of Throckenholt. The site currently accommodates a large static caravan, a substantial corrugated metal structure, and a truck body. Vehicular access to the proposed development would be via Old South Eau Bank (B1166).

4. Policy 1 of the South East Lincolnshire Local Plan 2019 (LP) establishes the spatial strategy and identifies the locations where development is to be directed. Throckenholt is designated as an "Other Service Centre" and is an area subject to development restraint. The settlement comprises three distinct clusters of built form situated along the B1166, each separated by expanses of open countryside. Critically, the appeal site lies outside the defined settlement boundary of Throckenholt and is therefore classified as countryside. However, consideration has been given to its specific locational context.

5. It is situated immediately adjacent to the central cluster of the three distinct built-up areas that comprise Throckenholt. Therefore, built up areas which do make up Throckenholt are located further along the B1166 in each direction. The site forms part of the rear garden of The Firs, a property located within the defined

settlement boundary. Although the proposed development would be positioned to the south of the B1166, where built form is currently absent in this central grouping, it would directly face existing development to the north of the B1166. Moreover, the eastern grouping of Throckenholt includes a significant number of dwellings located to the south of the B1166. The proposed scheme would therefore align with the established linear pattern of development along the B1166 overall, occupying a central location within the broader extent of Throckenholt, without resulting in a visual departure from the settlement. Accordingly, it is concluded that the appeal site exhibits a stronger functional and visual relationship with the settlement boundaries of Throckenholt than with the surrounding countryside, despite its designation.

6. In this circumstance, it is important to return to Policy 1 of the LP. Policy 1 notes that within the settlement boundaries of other service centres, such as Throckenholt, a criterion must be met. A defining feature of Throckenholt is its absence of services. It is a residential settlement. As an application for market dwellings, it would not help to meet the service needs of the local community. It would not help to sustain any existing facilities. The appeal proposal would not support Throckenholt as a service centre. The appeal site would be bound by the host property, The Firs. However, it would be located next to the expanse of the open countryside which encompasses Throckenholt to the east. As such, this would not suggest that this is an infill development plot. Therefore, the proposed development would conflict with Policy 1 of the LP. The current use of the appeal site as garden land would not overcome this overarching policy conflict.

7. Policy 19 of the LP notes that for housing proposals outside of, but adjoining the defined settlement boundary will be permitted where a listed criteria is met. The scheme would not meet an identified local need for affordable housing, starter homes or specialist housing. As the proposed development has failed this first criteria, I have not explored its adherence to Policy 19 of the LP further.

8. The appellant has brought several examples of planning decisions made by the Council to my attention. These examples are limited to a brief summary and several accompanying images. As such, there is no evidence before me which convincingly explains as to the reasoning behind these decisions. Nevertheless, the Council have rebutted these examples during the appeal. It follows that the alleged reasons for granting permission in these examples relate to the location within a minor service centre, an established fall back position, the inability to demonstrate a 5-year housing land supply at the time that a decision was made and the determination prior to the adoption of the current LP. In the absence of any other convincing evidence to the contrary, I find no reason to disagree that some of these examples are not immediately comparable to the circumstances of this appeal.

9. Nevertheless, my attention is particularly drawn to the example of the Land adjacent to Rose Cottage. The Council note that this example is located within an infill plot in Throckenholt, and met the policy requirements of Policy 1 of the LP. In my assessment of the specific locational context of the appeal site, I have found that the appeal site exhibits a stronger functional and visual relationship with the settlement boundaries of Throckenholt than the surrounding countryside. This example is located opposite the appeal site, to the north of the B1166. Therefore, due to the location of appeal proposal and this example, it is

relevant to this appeal. However, the key difference between this example and the appeal proposal is its location as an infill site between two other built forms.

10. It is contended that the appeal site benefits from sustainable transport connections. The evidence before me suggests that this service is extremely limited. Therefore, it would not offer a comprehensive service which would encourage the occupants of the proposed development to utilise this service regularly. It is also suggested that local services, amenities and employment opportunities are located a short distance away. However, Throckenholt is a rural settlement, with no services or facilities. The nearest town of Wisbeach is a significant distance away. For these reasons, I find that the future occupants of the development would be heavily reliant on the use of a personal vehicle.

11. Therefore, the proposed development would conflict with Policies 1 and 19 of the LP, the requirements of which have been explored above. The proposed development would also conflict with Policies 11 and 17 of the LP. These policies set out the distribution of new housing across settlements to maintain and provide sustainable communities.

Flood Risk

12. The appeal site is located within Flood Zones 1, 2 and 3. Therefore, there is a medium to high probability of a risk of flooding. As a proposal for housing, the proposed development would be classed in the 'more vulnerable' category of flood risk vulnerability classification. Such a proposal would require both the sequential and exception test to be passed.

13. Paragraph 172 of the National Planning Policy Framework (the Framework) requires all plans to apply a sequential, risk-based approach to the location of development, followed by an exception test as appropriate. Paragraph 174 of the Framework notes that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source.

14. Planning Practice Guidance (PPG) notes that the sequential test should be applied proportionately, focusing on realistic alternatives in areas of lower flood risk that could meet the same development need. The Council noted at the appeal stage that, in light of this guidance, it is considered that the sequential test should be applied to the area within Throckenholt. The PPG states that the search area should not extend beyond an individual village and its immediate neighbouring settlements.

15. The submitted Flood Risk Assessment (FRA) lacks a robust demonstration of the undertaking of a sequential test. While it asserts that the test has been considered and satisfied, no supporting evidence or detailed analysis has been provided. As a result, the proposal fails to demonstrate that no alternative sites at a lower flood risk are available within Throckenholt, or within immediate neighbouring settlements. In this regard, I note the Council's statement that there are sites within Flood Zone 1 that it considers could or should have been explored. Consequently, the undertaking of an appropriate sequential test has not been addressed.

16. It is contended that the land which surrounds the Throckenholt settlement boundary lies within Flood Zone 3. However, the PPG advises that the sequential test search area should not extend beyond the confines of an

individual village and its immediate neighbouring settlements. It is noted that plot 3 within the appeal site would be within Flood Zone 1. However, other plots within the appeal site would be located in Flood Zones 2 or 3. The site is described as partially developed. However, during my site visit, I observed a static caravan that had been stripped of its interior. There is no evidence before me to suggest that its siting is lawful. This was alongside a large, corrugated metal structure and a truck body used for storage purposes. These structures do not share the same flood risk vulnerability classification as the proposed residential development. As such, the associated flood risk is not directly comparable.

17. It is asserted that the exception test has been satisfied. However, the requirements of the sequential test have not been adequately demonstrated and, as such, cannot be considered to have been passed. In accordance with the Framework's approach to decision-making, the sequential test must be successfully completed prior to consideration of the exception test. Therefore, there is no requirement for me to undertake an assessment of the exception test.

18. A range of mitigation measures have been proposed, including raised finished floor levels, the use of flood-resilient construction materials, and permeable surfacing, among other interventions. However, PPG emphasises that the preferred approach to decision-making is to avoid flood risk altogether, first through the application of the sequential and exception tests, and only thereafter through mitigation to ensure flood resilience. In this case, the sequential test has not been adequately demonstrated. As such, it has not been established that there are no reasonably available sites within Throckenholt or within immediate neighbouring settlements at lower risk of flooding that could accommodate the proposed development. Consequently, it has not been demonstrated that flood risk could be avoided in accordance with the Framework.

19. In summary, I am not satisfied that the requirement to provide a sequential test that evaluates potential alternative sites, either within Throckenholt or within immediate neighbouring settlements, has been demonstrated. The proposal would conflict with the procedure in assessing flood risk, as set out in Framework and the PPG. The proposal would also conflict Policy 4 of the LP. This policy requires a demonstration that there are no other sites available at a lower risk of flooding, through the passing of the sequential test.

Planning Balance and Conclusion

20. I have found harm on matters relating to location and flood risk. Therefore, there is conflict with Policies 1, 4, 11, 17 and 19 of the LP and the Framework. On this basis, it must be concluded that the proposal is in conflict with the development plan when considered as a whole. The Council are able to demonstrate a five-year supply of deliverable housing sites. The evidence indicates that a supply of 5.5 years is available.

21. Nevertheless, the requirement to deliver a five-year supply of deliverable housing sites is not a ceiling. The Framework refers to significantly boosting the supply of housing. The provision of four dwellings would contribute to the supply of housing within South Holland. I apply moderate weight to this benefit. The proposal would provide a biodiversity net gain slightly beyond the national

requirement. This attracts limited, but positive weight. The proposal would be of an appropriate design and would provide smaller households to contribute to the mix of housing, as per the requirements of the LP. However, this is an absence of harm.

22. Having considered all relevant matters, it is acknowledged that the appeal scheme presents certain benefits. These must be weighed against the identified conflict with the development plan. Whilst the benefits are acknowledged and afforded moderate and limited, but positive weight, the harm arising from its location and flood risk is considered to be unacceptable. This harm would significantly and demonstrably outweigh the benefits highlighted in this appeal. This attracts significant weight in my assessment of this scheme.

23. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

J Smith

INSPECTOR