Planning Inspectorate

Appeal Decision

Site visit made on 15 June 2026

Hearing held on 16 June 2026

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2026

Appeal Ref: 6007437
Land off Northgate, Pinchbeck, Spalding PE11 3SB

- 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 Glenn Harris against the decision of South Holland District Council.
- The application Ref is H14-0765-25.
- The development proposed is described as a single-storey, 3 bedroom self-build innovative dwelling.

Decision

1. The appeal is allowed and planning permission is granted for a single-storey, 3 bedroom self-build dwelling at Land off Northgate, Pinchbeck, Spalding PE11 3SB in accordance with the terms of the application, Ref H14-0765-25, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by the appellant against the Council. This is the subject of a separate decision.

Procedural Matters

3. The application description refers to the proposed dwelling as “innovative”. As this is a qualitative characterisation rather than a descriptor of the development, I have not included it in the formal description for the purposes of this decision.

4. With my agreement, a signed and dated Unilateral Undertaking (UU) was submitted by the appellant shortly after the hearing to secure the self-build nature of the development. I am satisfied that the obligation meets the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), and I have taken this into account in determining the appeal.

Main Issues

5. The main issues are:

   - whether the appeal site is a suitable location for the proposal having regard to the local development strategy for the area;
   - whether the appeal site represents an accessible and sustainable location for residential development, having regard to the opportunities for travel other than by private car;
   - whether the Council has demonstrated it has made adequate provision for the delivery of self-build dwellings in its area; and

- The design quality of the scheme, including whether it attracts significant positive weight having regard to the National Planning Policy Framework (the Framework).

Reasons

Spatial Strategy

6. Policy 1 of the South East Lincolnshire Local Plan 2011-36 (2019) (the Local Plan) establishes a settlement hierarchy to direct new development to the most sustainable locations. The appeal site lies outside of any defined settlement boundary and is therefore within the countryside for the purposes of Policy 1. Criterion (d) of the policy allows for development in such locations where a countryside location is necessary and/or where the proposal demonstrably meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

7. The appellant contends, first, that self-build housing is a form of development that must be located in the countryside due to potential difficulties of securing such development in settlements by condition or planning obligations. Secondly, it is argued that, in any event, the proposal satisfies Policy 1(d) through the benefits it would deliver.

8. In relation to whether the development is necessary to a countryside location, Policy 1(d) requires an assessment of whether the development proposed on the appeal site itself demands such a location. Even if self-build schemes frequently come forward on sites outside settlement boundaries, that general pattern does not demonstrate that such development must do so. The policy test is concerned with land-use necessity rather than trends. It does not establish a functional requirement for self-build development to be located in the countryside. To conclude otherwise would create an exception to the spatial strategy for self-build housing, which is not supported by the wording of the policy.

9. I acknowledge that there is no requirement within the development plan or national policy for a sequential assessment of alternative sites within defined settlements before development in the countryside can be justified. However, this does not assist in demonstrating compliance with Policy 1(d), which requires that the development is necessary to a countryside location. That necessity must be established on the merits of the proposal itself, and for the reasons set out above, I am not persuaded that it has been.

10. The appellant's broader proposition that the Council cannot realistically meet its statutory self-build duty without permitting development in the countryside raises wider issues about delivery, but does not demonstrate that the appeal proposal itself requires a countryside location for the purposes of Policy 1(d).

11. The development plan, read as a whole, makes provision for self-build and custom housebuilding within the overall housing strategy, including through opportunities within settlements. Policy 17 recognises that such needs will be addressed as they arise. In those circumstances, the development plan cannot reasonably be regarded as silent on the matter and paragraph 11(d) of the Framework is not

engaged. This distinguishes the present case from the appeal decision in Wychavon District[1], which arose in a different policy context.

12. With regard to the second limb of Policy 1(d), the policy requires that the benefits of the proposal demonstrably meet the sustainable development needs of the wider area. It is not simply an internal balancing exercise.

13. The proposal would generate some economic benefits through construction activity. I have had regard to the evidence suggesting that self-build development can generate greater local economic benefits than mainstream housebuilding. Nevertheless, for a single dwelling, such benefits would be limited in scale and short-term. Moreover, there is no mechanism before me to ensure that local labour or materials would be used.

14. As regards community benefits, the provision of an additional dwelling would in principle contribute to the number of households supporting local services. However, the effect of a single dwelling would be very modest. Whilst I recognise the appellant's desire to remain in the local area, the proposal would primarily meet the needs of an individual household and would not materially influence the provision or viability of local services, community infrastructure, or overall housing supply.

15. In respect of environmental considerations, the scheme incorporates a range of sustainability measures, including a high standard of energy efficiency, on-site renewable energy generation and voluntary biodiversity enhancements. These are positive attributes, but largely confined to the site and not of a scale that demonstrably meet the needs of the wider area.

16. I have had regard to the numerous appeal decisions cited by the parties in support of their respective positions. Those decisions provide context as to how Policy 1(d) and similar countryside policies have been applied in other cases. However, they turn on their own facts, including the nature, scale and benefits of the particular proposals under consideration. The assessment of whether development is necessary to a countryside location, and whether it demonstrably meets the sustainable development needs of the area, is inherently proposal-specific. Accordingly, whilst I have taken those decisions into account, they do not alter my conclusions.

17. Drawing these matters together, I conclude that the proposal is not necessary to a countryside location and that the identified benefits are not of sufficient substance to justify development in this location under Policy 1(d) of the Local Plan. The proposal therefore conflicts with the spatial strategy of the development plan.

Accessibility and Sustainable Travel

18. The site is not remote in the strict sense, and the evidence indicates that a range of day-to-day destinations can be reached within a modest distance. Even so, the Framework seeks realistic and convenient opportunities to use sustainable transport modes and to reduce the need to travel generally, although it is recognised that solutions will vary between urban and rural areas.

19. The surrounding roads are rural in nature, typically unlit and lacking continuous footways. While it may be physically possible to walk along these routes and use

[1] APP/H1840/W/19/3241879

grass verges for refuge, this would not provide a safe, convenient or attractive option for regular journeys, particularly during periods of poor weather or in hours of darkness. These limitations would likely discourage walking for day-to-day purposes for most occupiers, especially those with mobility constraints, young children, or carrying shopping and other goods.

20. A similar position arises in relation to cycling. Although the distances involved and low traffic volumes mean that cycling would be feasible in principle, the rural characteristics of the highway network would be likely to deter regular cycle use by many occupiers. As such, cycling cannot reasonably be relied upon as a main mode of transport in this case.

21. The site does have access to the Call Connect bus service. This long-established service is operated by the County Council and offers a degree of flexibility and convenience, including the ability to book journeys in advance, and to be collected from and dropped off directly at the site and anywhere along the route rather than at fixed locations. This provides a level of accessibility that is not typically available in rural areas. However, it still operates within defined hours, requires pre-booking, and does not offer the same spontaneity or convenience as a conventional high-frequency bus service or private car. Its absence on Sundays and limited evening provision further constrain its usefulness for a full range of day-to-day activities. Whilst it would provide a realistic and important alternative for some journeys, it would be unlikely to function as a primary mode of transport for most occupiers when compared with the convenience and flexibility of private car use.

22. I have noted the absence of objection from the local highway authority. However, that position clearly relates to matters of highway safety and the suitability of the vehicular access. There is no clear evidence that wider accessibility considerations formed part of that assessment. Accordingly, the lack of highway authority objection does not influence my findings in respect of the limited opportunities for travel by sustainable modes.

23. Drawing these matters together, I find that future occupiers would have limited realistic alternatives to the private car. This weighs against the proposal, although that harm is moderated by the modest scale of the development and the presence of the Call Connect service.

Self-build and Custom Housebuilding

24. The Council is subject to duties under the Self Build and Custom Housing Act 2015, as amended by the Housing and Planning Act 2016 and the Levelling Up and Regeneration Act 2023, to maintain a register of those seeking to acquire a self-build or custom-build plot and to grant sufficient suitable development permissions to meet that demand.

25. At the time of the decision, the Council did not have a clearly evidenced position demonstrating compliance. The officer's report acknowledged this and afforded positive weight to the self-build nature of the proposal but noted uncertainty over the scale of shortfall. This reflects an exercise of planning judgement in circumstances where the available evidence was uncertain. However, it was agreed at the hearing that the burden of demonstrating compliance rests with the Council. In such circumstances, I consider that uncertainty as to whether the statutory duty is being met attracts full weight in favour of the delivery of a qualifying permission.

26. The Council has produced subsequent evidence on compliance, but there remains uncertainty regarding unmet demand from previous base periods, the number of qualifying permissions, and the removal of a large number of register entries following a Council-initiated e-mail contact exercise. These matters go to the reliability of the overall assessment. As a result, I have not found it necessary to carry out a detailed analysis of the competing figures. What is clear from the evidence is that there is no consistent and robustly evidenced assessment which demonstrates, with sufficient clarity, that the statutory duty is now being met. In those circumstances, I am not persuaded, on the evidence before me, that the Council has demonstrated compliance with the duty.

27. The proposal would deliver a self-build dwelling, secured by UU, and would therefore make a direct and identifiable contribution towards meeting demand. In circumstances where compliance with the statutory duty has not been demonstrated by the Council, I attach significant weight to that benefit.

Design Quality

28. Paragraph 139 of the Framework states that significant weight should be given to development which reflects local design policies and government guidance on design, and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area. This provision sets a high bar.

29. The proposal represents a well-considered and acceptable design. However, this is expected of good design and forms part of normal policy compliance. It does not in itself elevate the scheme into the category of being outstanding or innovative for the purposes of paragraph 139.

30. The appellant's position relies primarily on innovation resulting in both high levels of sustainability and raising design standards. The proposal incorporates an extensive solar thermal and photovoltaic system with the intention to achieve a zero-carbon dwelling. It was explained at the hearing that the system has been designed and over-specified to meet both space heating and energy demands. Based on the evidence before me, I am satisfied that the scheme has been carefully considered in technical terms and would likely achieve a high standard of environmental performance.

31. However, paragraph 139 is concerned with innovation in design rather than the incorporation of advanced or ambitious engineering solutions. The sustainability credentials would be achieved largely through use of established technologies and, whilst the solution may be tailored to the circumstances of the site in technical terms, the evidence does not demonstrate that this represents a clearly distinct or novel approach in design terms. Nor is the objective of achieving a zero-carbon dwelling novel. The relationship between the energy strategy and the architectural design is also limited. Whilst orientation and layout have been influenced by the solar installation, there is little evidence to suggest that the system has fundamentally dictated or informed the architectural form of the dwelling.

32. For these reasons, the proposal is more accurately characterised as applying established technologies and approaches to achieve a high standard of performance within a conventional design approach, rather than advancing a clearly innovative design solution.

33. It follows that the question of whether the proposal would raise design standards becomes less determinative, but I consider the matter for completeness. At the hearing, the appellant submitted that the project would act as a demonstrator scheme, informing future projects through incremental lessons learned and promotion through different media. Whilst such intentions are noted, the evidence before me indicates that the approach is bespoke and reliant on a particular combination of site characteristics, land availability and investment. There is limited evidence that the design approach could be readily transferred or applied more generally, and that it would be likely to raise design standards more widely in the area.

34. I have had regard to the appeal decisions at Great Halls and Ashby St Mary[2]. However, those cases were determined on their own facts and involved a combination of factors, including broader architectural quality and independent design review scrutiny, which are not present here. They do not serve as precedent or indicate that the proposal before me satisfies the requirements of paragraph 139 on its own merits.

35. Taking all these matters together, I conclude that the proposal does not meet the elevated threshold of being either outstanding or innovative design in the sense intended by paragraph 139 of the Framework. Nor is there clear and demonstrable evidence that it would raise design standards more generally. Accordingly, the proposal does not attract significant weight on the basis of its design quality. This is therefore a neutral matter in the overall planning balance.

Other Matters

36. I have considered the remaining matters raised by neighbouring residents. However, the expectation that development would not occur is not a material consideration and each case must be determined on its own merits. No unacceptable harm to living conditions or biodiversity has been identified. On the evidence before me, I am not persuaded that the development would result in unacceptable harm in these regards. Accordingly, these matters do not alter my overall conclusion.

37. I have also had regard to the appellant's submissions regarding consistency in decision-making, including the Council's recent approval of a self-build dwelling at Quadring Road and the comparisons drawn with the appeal proposal. However, that decision relates to a different site and design. My conclusions in this case are based on the evidence before me and my own findings on the main issues. The existence of that permission does not alter my conclusions.

Conditions

38. I have had regard to the conditions suggested by the Council and have assessed them against the tests set out in the Framework and Planning Practice Guidance. Where necessary I have amended the wording in the interests of clarity and precision, and I have only imposed conditions where they meet the relevant tests.

39. A condition specifying the approved plans is necessary to provide certainty. Archaeological conditions are necessary as the site lies within an area of identified

[2] APP/U1105/W/24/3353886 & APP/L2630/W/24/3356503

archaeological potential. In the absence of a prior assessment, the conditions secure appropriate investigation, recording and, where necessary, mitigation.

40. A condition relating to the energy strategy is necessary to secure the environmental performance of the development as promoted, including details of how a low or net zero-carbon outcome is intended to be achieved. The requirement for submission of a verification report prior to occupation is reasonable and necessary in order to ensure that the development is delivered as assessed. I have had regard to the Council's suggestion that a monitoring mechanism should be included to ensure the long-term performance. However, such an approach would extend beyond what is necessary to make the development acceptable in planning terms and would raise difficulties in respect of enforcement, so it has not been included.

41. A landscaping condition is necessary to secure an appropriate scheme of hard and soft landscaping, including the establishment and ongoing management of the wildflower meadow, in the interests of visual amenity and biodiversity. A further condition requiring the installation and retention of biodiversity enhancement features is necessary to ensure that the full ecological benefits of the scheme are delivered and maintained over the lifetime of the development.

42. A drainage condition is necessary to ensure the satisfactory disposal and management of foul and surface water, while a water efficiency condition is necessary to secure sustainable water use.

43. However, a condition relating to external materials is not necessary as these are already clearly defined within the approved plans and application form.

Planning Balance and Conclusion

44. The proposal conflicts with the spatial strategy set out under Policy 1 of the Local Plan. It would also result in a pattern of development where private car use would be the dominant mode of travel for occupiers, contrary to the Framework's sustainable transport objectives. These are important considerations, not minor or technical breaches. However, the harm from accessibility is moderated by the modest scale of the development and the presence of the Call Connect bus service, which would provide a convenient option for some journeys.

45. Set against this, the proposal would deliver a self-build dwelling secured by UU. On the evidence before me, the Council has not demonstrated compliance with its statutory self-build duty, and I attach significant weight to this benefit. Additional benefits include modest economic activity, a contribution to local services, and environmental gains, although these are limited in scale.

46. This is a finely balanced case. However, having regard to all considerations presented, I find that the benefits, and in particular the provision of a secured self-build dwelling, outweigh the identified harm. Accordingly, material considerations justify a decision other than in accordance with the development plan, and the appeal should therefore be allowed.

A Caines

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Jason Parker	Planning Consultant
Kris Baxter	Studio 11 Architecture
Rebecca Baxter	Studio 11 Architecture

FOR THE LOCAL PLANNING AUTHORITY:

Oscar Patman	SHDC
Dan Allen	SHDC
Ruben Lopez Catalan	Historic Environment Officer Lincolnshire County Council

DOCUMENTS SUBMITTED AFTER THE HEARING:

Signed Unilateral Undertaking, dated 19 June 2026

SCHEDULE OF CONDITIONS

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following drawings and documents:

644.PD.01 Rev B - Location Plan

644.PD.02 Rev C - Site Layout

644.PD.03 - Floor Plan & Elevations

644.GPD.01 - Garage - Floor Plan, Elevations & Typical Section

644.LMP.01 Rev B - Landscape Master Plan

644.DSP.01 Rev B - Drainage Strategy Plan

644.SMP.01 Rev B - Sustainable Measures Plan

644.BEP.01 Rev B - Biodiversity Enhancement Plan

644.SP.01 - Photovoltaic Panels and Evacuated Tube Solar Panel Details

Flood Risk Statement for proposed innovative self-build home on Land off Northgate, Pinchbeck, by Studio 11 Architecture

3) No development shall take place until a written scheme of archaeological investigation (WSI), for the archaeological evaluation phase, has been submitted to and approved in writing by the local planning authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the local planning authority:

i) An assessment of significance and proposed strategy for evaluation
ii) A methodology and timetable of site investigation and recording
iii) Provision for site analysis
iv) Provision for publication and dissemination of analysis and records
v) Provision for archive deposition
vi) Nomination of a competent person/organisation to undertake the work
vii) The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved WSI.

Note: This WSI applies solely to the evaluation phase. If evaluation identifies the need for mitigation, a separate WSI covering mitigation works will be required.

4) No development hereby permitted shall be carried out, other than those works detailed in accordance with the WSI approved under Condition 3, until a separate Archaeological Mitigation Strategy for the mitigation phase, has been submitted to and approved in writing by the local planning authority; unless the evaluation undertaken under Condition 3 explicitly demonstrates that archaeological mitigation is not required.

The Archaeological Mitigation Strategy shall set out:

i) The scope and methodology of the mitigation (e.g. strip, map and record, excavation, monitoring)

ii) Provision for analysis, reporting, publication and dissemination

iii) Provision for archive deposition

iv) Nomination of a competent organisation to undertake the work

v) Compliance with the Lincolnshire Archaeological Handbook

The archaeological mitigation shall be undertaken in accordance with the approved Archaeological Mitigation Strategy, and shall be completed in its entirety prior to the first occupation or use of the development hereby permitted.

5) The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Conditions 3 and 4 above, in order to facilitate adequate monitoring arrangements.

6) The development hereby permitted shall not be occupied until a copy of the final report required in connection with the WSI, as required by Conditions 3 and 4, is submitted to the local planning authority. This final report shall also be submitted to the Lincolnshire Historic Environment Record within three months of completion of the work.

The material and paper archive required as part of the WSI shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

7) No development above ground level shall take place until details of the proposed energy strategy for the dwelling have been submitted to and approved in writing by the local planning authority. The details shall include the predicted energy demand, energy generation, and carbon emissions of the development, including how a net zero operational carbon outcome will be achieved. The development shall thereafter be carried out and maintained in accordance with the approved details.

8) Prior to first occupation, evidence shall be submitted to and approved in writing by the local planning authority demonstrating that the dwelling has been constructed in accordance with the approved energy strategy and achieves the approved energy carbon performance.

9) Notwithstanding details on the approved plans, no development above ground level shall take place until a scheme of hard and soft landscaping, including the wildflower meadow, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

i) all existing trees, hedges, and other planting to be retained;

ii) a planting specification to include numbers, size, species, and spacing of any new planting, and the measures to ensure their successful establishment;

iii) post planting maintenance of the wildflower meadow;

iv) all boundary treatments;

v) any changes to ground levels;

vi) the location and materials of the hard surfaced areas.

vii) a programme for implementation.

The landscaping scheme shall be carried out in accordance with the approved details and programme of implementation; and if any trees or plants die, are removed, or become seriously damaged or defective, they shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

10) The development hereby permitted shall not be occupied until the biodiversity enhancement features shown on drawing 644.BEP.01 Rev B have been installed. The features shall thereafter be retained and maintained in accordance with the approved details.

11) The development hereby permitted shall not be occupied until the foul and surface water drainage strategies shown on drawing 644.DSP.01 Rev B have been implemented. The scheme shall thereafter be retained and managed in accordance with the approved details.

12) The water consumption of the dwelling hereby permitted should not exceed the requirement of 110 litres per person per day. A notice confirming the requirement for the water consumption has been met shall be submitted to the local planning authority prior to first occupation.

End of Conditions