Planning Inspectorate

Appeal Decision

Site visit made on 29 September 2026

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2026

Appeal Ref: 6011146
Compact Car Corner, Wisbech Road, Long Sutton, Spalding PE12 9AG

- 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 Melvin Upton against the decision of South Holland District Council.
- The application Ref is H11-0148-26.
- The development proposed is described as barn/storage building converted to living accommodation & proposed storage containers - part retrospective.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 17 August 2026 a new National Planning Policy Framework (the Framework) was published. As this could affect the issues and matters in this case, the Council and the Appellant were invited to make further comments. My decision reflects the latest version of the Framework, and the responses received on it.

3. My attention has been drawn to several dismissed appeals[1] relating to the site. Whilst I recognise similarities between the proposals insofar as they sought a residential use previous schemes related to a different description of development, relating to a mobile home. Furthermore, the policy context differs materially, as one of the decisions was determined under a different development plan and both were made under an earlier version of the Framework. Consequently, the weight that can be attached to those decisions is limited. In any event, I have determined this appeal on its own merits, having regard to the particular circumstances of the case before me.

4. The Council confirms no objections to the proposed storage containers and having considered the evidence before me I have no reason to reach a different view. The main issue therefore relates to the proposed residential use.

Main Issues

5. The main issue is whether a suitable location for development having regard to local and national planning policies.

Reasons

6. The appeal site comprises an irregular shaped parcel of land used for commercial purposes. At the time of my site visit I observed the storage of vehicles and the

[1] APP/A2525/W/22/3293142 - 2 November 2022 and APP/A2525/W/18/3206837 - 15 January 2019

siting of storage containers on the land which is bound by tall metal security fencing. The site is outside a defined settlement boundary and lies within the countryside. Nevertheless, it is adjacent to a cluster of commercial uses at the junction of Wisbech Road with the A17 and therefore is not isolated.

7. Policy 1 of the South East Lincolnshire Local Plan 2019 (LP) seeks to direct housing to existing settlements and permits limited forms of development in the countryside where it can be demonstrated that they meet the sustainable development needs of the area in terms of economic, community or environmental benefits.

8. The revised Framework introduced a presumption in favour of sustainable development for certain proposals outside settlement boundaries through National Decision-Making Policies (NDMPs) S3 to S5, replacing the presumption contained within the previous Framework.

9. Policy 23 of the LP supports the re-use of buildings in the countryside, subject to a number of criteria, including a requirement that the building is of architectural or historic merit or makes a positive contribution to the character of the landscape to justify retention and would lead to the enhancement of the immediate setting of the building. However, the Framework contains no equivalent expectation that a building proposed for re-use must possess architectural or historic significance, make a positive contribution to the landscape, or result in an enhancement of its setting. Accordingly, I afford only limited weight to conflict with these particular elements of Policy 23 of the LP.

10. There is an extensive planning history to the site. The Appellant states that he moved into the barn on 19th May 2018. It is understood that the last approved use for the site was for an office[2] to be used as part of the wider car sales use within the site. However, the plans before me do not accord with this permission. In the absence of clear evidence demonstrating that the appeal proposal reflects development authorised by any previous permissions, I am unable to attach significant weight to it in my assessment.

11. Although I accept that the building is of permanent and substantial construction, insufficient evidence has been provided to demonstrate that it is lawful in planning terms. As such, I cannot conclude that the proposal satisfies criterion (c) of Policy S5 of the Framework, which supports the re-use of existing buildings provided they are both lawful and of permanent and substantial construction.

12. If the appellant considers that an existing use or development is lawful, it remains open to them to seek formal confirmation through an application for a Certificate of Lawful Existing Use or Development under section 191 of the Town and Country Planning Act 1990. The potential for such an application does not alter my assessment of the appeal on the evidence before me.

13. The Appellant advances a need for the proposed residential unit to support the established business. However, only limited evidence has been provided in this regard. Whilst an on-site presence would undoubtedly be of personal and operational convenience to the Appellant, no robust evidence is before me to demonstrate that a dwelling at the appeal site is essential to the day-to-day operation of the business. Furthermore, conditions restricting occupancy of the dwelling or requiring the building to revert to storage use should the residential use

[2] reference H11-0092-14

cease would not overcome the identified policy conflict. Consequently, I attach limited weight to this consideration.

14. The proposal conflicts with Policies 1 and 23 of the LP. Moreover, the Framework is a material consideration and, for the reasons given above, I am not persuaded that the appeal site is an appropriate location for the proposed dwelling. Accordingly, the proposal also conflicts with the Framework, and I therefore conclude that the proposal would not represent an appropriate form of development in this location.

Other Matters

15. Although not forming a reason for refusal, the Council has raised concerns regarding the provision of amenity space for future occupiers. I am satisfied that the site provides sufficient space for a modest outdoor area capable of accommodating activities such as sitting out and clothes drying. Furthermore, as the barn is located towards the rear of the site, it is not highly prominent within the street scene. Having regard to the commercial character of the surrounding area, the domestic use of the proposal would not result in unacceptable harm to the character or appearance of the locality. be that as it may, these matters weigh neither in favour of nor against the proposal.

16. A grade II listed milestone[3] is proximate to the appeal site, located to the west of the appeal site on the opposite side of Wisbech Road. The significance of the milestone marker post lies in its value as a surviving historic roadside feature that illustrates the development of the transport network and the historic pattern of movement through the area. It also contributes to local character and distinctiveness as a relatively rare remnant of historic wayfinding infrastructure. Having regard to the relationship between the appeal site and the asset, the appeal site makes no meaningful contribution to the significance of the designated heritage asset. I am therefore satisfied that the proposal would not adversely affect its setting or the way in which its significance is experienced.

Planning Balance and Conclusion

17. The Framework indicates that decisions on development proposals should be made in accordance with the development plan unless material considerations strongly indicate otherwise. Furthermore, due weight should be given to relevant policies of the development plan according to their degree of consistency with the Framework.

18. I have found that the proposal conflicts with Policies 1 and 23 of the LP. Whilst those policies are not wholly consistent with the Framework, the proposal would also fail to accord with Policy S5(c) of the Framework. In particular, it would not comprise one of the limited forms of development that may be appropriate outside settlements. Consequently, I find conflict with both the development plan and the Framework.

19. I have considered the other matters advanced in support of the proposal, including its positive, albeit limited contribution to housing land supply and personal desire for a dwelling. However, these considerations attract only limited weight and do not outweigh the conflict identified with the development plan and the Framework.

[3] list entry number 1359228

20. Drawing all matters together, there are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Accordingly, the appeal is dismissed.

R Gee

INSPECTOR