



Appeal Decision

Site visit made on 24 February 2026

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2026

Appeal Ref: 6001518

Land off Fen Gate, Moulton Chapel, Spalding, Lincolnshire PE12 0XL

- 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 & Mrs L Smith against the decision of South Holland District Council.
 - The application Ref is H13-0261-25.
 - The development proposed is the erection of a self-build/custom build 2 storey dwelling, annexe and garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It became apparent during the appeal that the Council had published new data in January 2026 on the provision of self-build and custom dwellings, indicating that there was no longer a shortfall in supply. Both parties were given the opportunity to comment on this matter and I have taken into account the responses received.

Main Issues

3. The main issues in this appeal are i) the effect of the proposal on the character and appearance of the area and ii) whether the proposal would accord with the spatial strategy of the development plan for housing development.

Reasons

Character and Appearance

4. The appeal site comprises a small section of a much larger field outside of the settlement of Moulton Chapel. The land is flat, devoid of features and has no existing boundary treatments. It therefore has an open and undeveloped character and in combination with the wider field, makes a positive contribution to the spacious, pastoral character and appearance of the countryside.
5. A group of recently constructed dwellings exist to the south of the appeal site. The timber fence that marks the northern boundary of the nearest dwelling reads as a natural continuation of the remaining southern field boundary formed by a hedgerow. This provides a clear and defensible edge to the settlement on this side of Fen Gate, particularly when viewed from the north.
6. Even though the proposed dwelling would align with the dwellings to the south and it would front onto Fen Gate, a retained access track would form an intervening feature. This would result in a physical and visual separation between the pre-

existing and the proposed development. This would be exacerbated by the proposed domestic style featherboard fencing to the southern boundary. As such, the proposal would result in a discordant and arbitrary incursion into an otherwise unspoilt and simply formed rectangular field.

7. The proposed two-storey, five-bedroom dwelling would be substantial in scale, including an attached triple garage and annexe. Together with the associated hardstanding, domestic garden areas and boundary treatments, the development would harmfully urbanise the appeal site. Its scale and massing would accentuate the perception of built development in an otherwise open landscape. Visible in public views from Fen Gate, the proposed dwelling would significantly erode the site's openness and diminish the positive contribution it currently makes to the rural character of the area. Rather than improving the approach into the village, the development would clearly be perceived as an encroachment into the countryside.
8. I find that the proposed development would harm the character and appearance of the area. It would therefore be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP) 2019, which seek to ensure that new development is appropriate to the site, achieves a high quality of design and responds to the character and distinctiveness of the surrounding area.

Spatial Strategy

9. The description of development and information accompanying the planning application consistently describe the proposal as a self/custom build dwelling¹. Although the appellants are associated with a farming business, they have confirmed that it is not a proposal for a rural workers' dwelling². For the purposes of Policy 1 of the SELLP, the proposal thus amounts to an open market dwelling.
10. Policy 1 sets out the spatial hierarchy for the district. It seeks to focus new development to the most sustainable locations including but not limited to sub-regional and main service centres. It simultaneously seeks to protect the countryside, identified as those areas outside the defined settlement boundaries. Development within countryside locations will only be permitted where it is necessary to that location or where it can be demonstrated that it meets the sustainable development needs of the area, in terms of economic, community or environmental benefits.
11. Although the appeal site is close to existing housing and would not amount to an isolated dwelling for the purposes the National Planning Policy Framework (the Framework), it lies approximately 80m outside of the Moulton Chapel settlement boundary³. During my visit I observed that it sits beyond the village sign and that most of the appeal site would lie outside of the relocated 30mph speed limit zone.
12. I acknowledge the appellants view that the inset maps defining the settlement boundaries of the district may be out of date. However, I have no evidence that they have been revoked, reviewed or replaced. They therefore remain part of the development plan. For the purposes of Policy 1, the appeal site is located within the countryside.

¹ With reference to the Planning, Design and Access Statement by Seven 22 Architecture Ltd dated March 2025.

² As referred to in the appellants' Final Comments document dated 5 January 2026.

³ As cited by the Council in its officer report.

13. Moulton Chapel is identified as a minor service centre (MSC) in the SELLP. It contains a restrained number of existing facilities including but not limited to a pub, village store and community centre. The proposed dwelling would have accessibility credentials comparable to existing homes within the settlement boundary and would therefore support the settlement's limited service role. However, the supporting text to Policy 1 explains that some MSC's are identified because of their proximity to larger service centres for a wider range of services and facilities. As a result, developments within MSC's are expected to be limited to allocations made within the plan, existing commitments, changes of use and infill development. None of these circumstances would apply to the proposal.
14. The nearest settlements of Cowbit and Moulton are also classed as MSC's. To access supermarkets, employment areas, or leisure facilities, future occupants would need to travel to larger centres. Given that bus services are limited to 'ring and ride' and school services, such journeys are likely to be undertaken by private car. While the site has some positive accessibility characteristics, future occupiers would still be car dependant for many everyday needs.
15. This however, is not the sole consideration when assessing whether the development meets the sustainable needs of the area under Policy 1. I have explained above how the proposal would harm the character and appearance of the countryside. The absence of a national landscape designation does not diminish the importance of the site's contribution to local rural character. I do not agree with the appellants' assertions that the appeal site does not benefit from any policy protection, given that Policy 1 limits development in the countryside to very specific circumstances, and the proposal does not fall within them. Environmental harm would occur through the urbanisation and encroachment of built development beyond a clear and consistent boundary line, whether or not the recent houses could be considered as part of the settlement. As it fails this environmental element of sustainability, the proposal cannot be regarded as sustainable development and as such, it would conflict with Policy 1 of the SELLP.
16. A similar proposal was dismissed on appeal in 2019 when conflict was found with the same local plan policy⁴. Since that time the dwellings to the south have been completed, but this change does not, in my assessment, materially alter the essential relationship between the site and the countryside. The spatial strategy remains unchanged and the appeal site continues to form part of open land beyond the defined settlement boundary and the perceived edge of the built-up area. The earlier decision therefore remains a relevant material consideration and aligns with my own conclusions.
17. For these reasons, the proposal would not accord with the spatial strategy of the development plan for housing development. It would conflict with Policy 1 of the SELLP as set out above. It would also be contrary to paragraph 15 of the Framework which confirms that the planning system should be genuinely plan-led.

Other Matters

18. The appellants are understood to be on the Council's self-build housing register and a unilateral undertaking has been supplied to ensure the proposal would

⁴ Appeal decision APP/A2525/W/18/3212261.

accord with the legal definition of a self-build dwelling as set out in the Act⁵. Consequently, the proposal would contribute towards a specific form of housing.

19. However, the Council can demonstrate a 5-year supply of deliverable housing land. It also states that it has exceeded the registered demand for self-build housing over the prerequisite period⁶. The appellants dispute this and have raised concerns directly with the Council about the accuracy of its Self and Custom Build Register (the Register)⁷. These concerns relate to the possible double counting of permissions, the inclusion of plots consented under other regimes such as prior approvals and the removal of people from the register. Although the Register does not contain a clear date of production or adoption, the text shows that it has been amended in response to concerns raised. These appear to have been those brought to the Council's attention by the appellants' agent.
20. As of the 30 January 2026, the Council maintains that following the update to the Register, it can demonstrate a surplus of 4 plots over the decade and a surplus of 16 in a rolling 3-year period, even if 83 people had not been removed from the register. The appellants in their email dated 10 March 2026 suggest that additional evidence points to *'the possibility that the true surplus is less.'* However, in their email of the 17 March 2026 they state that the *'number of genuinely available self-build plots in the district is more likely to be proven as 4.'* I have not been provided with alternative calculations or analysis to demonstrate what I should consider the level of supply to be. Either way, it seems to me that the appellants confirm that there is a surplus and therefore, there is not an unmet demand for self and/or custom build housing in the District.
21. Even so, Policy 1 establishes a clear expectation that development, including self-build housing, should principally occur within settlement boundaries. The Act does not provide a basis for the approval of self-build plots as an exception to the provisions of the development plan. Furthermore, I have no substantive evidence that alternative, more suitable self-build sites within the defined settlement boundaries are unavailable. The provision of one self-build dwelling therefore attracts no more than limited weight in favour of the proposal.
22. I understand that the appellants' current home is no longer suited to their evolving family needs, which includes the desire to care for their relatives in the future. However, it is not unusual for people to move when a home becomes unsuitable or circumstances change, and even if land is owned by the appellants, it does not indicate that it is suitable for housing. Although it has been suggested that there are no other available plots within the vicinity of the appellants' land, no detailed evidence has been provided regarding the farm business, any associated land or properties and why the proposed dwelling would better serve its needs. To the contrary, the appellants have confirmed that the farming enterprise is not of an intensive horticultural or livestock type which would require a 24 hour, 7 days a week on-site presence to justify the provision of a rural workers dwelling. Neither has it been demonstrated that there are no other existing dwellings available within Moulton Chapel or outlying areas that could not meet, or be adapted to meet, the needs of the appellants. These matters attract limited weight.

⁵ As set out in the Self-build and Custom Housebuilding Act 2015 as amended by the Housing and Planning Act 2016.

⁶ With reference to the Self and Custom Build Register (as at 30 October 2025).

⁷ As evidenced in the letter from Seven22 Architecture to the Council dated 9 January 2026.

23. The appellants refer to 4 self-build housing permissions granted elsewhere outside settlement boundaries. 2 of the examples⁸ relate to development considered as infill which is not the case here. The permission at Ravens Bank appears to have been granted contrary to officer recommendation but the Planning Committee's reasons for doing so, are not before me. The proposal south of 103 Quadring Road was approved due to specific material considerations, including its design merits, low-carbon features, and limited visual impact. I am satisfied that the circumstances of these cases are sufficiently different to those before me. Moreover, my findings in respect of the application of Policy 1 are consistent with those made by other Inspector's in this authority area⁹.

Planning Balance and Conclusion

24. The proposal would provide one new self-build dwelling that would boost housing land supply in a location that has some positive accessibility attributes. Economic and social benefits would flow from the construction of the dwelling, as well as from future occupiers supporting local services and facilities. It is also likely, that as the initial occupants, the appellants would continue contributing to the farming business. However, only one dwelling is proposed and I do not have any detailed information regarding the family business. Taken together the benefits attract limited weight.
25. Set against the benefits, the proposal would conflict with the Council's spatial strategy for housing by introducing a new dwelling in the countryside outside defined settlement limits, contrary to the established housing strategy. The proposal would therefore undermine the integrity of the development plan and ability of the Council to deliver a plan-led approach to development. The harm carries significant weight. In addition, I have found harm to the character and appearance of the area.
26. Where a proposal conflicts with an up-to-date development plan, permission should not normally be granted unless material considerations indicate otherwise. In this case, the limited weight attributed to the benefits of the proposal would not outweigh the significant harm to the housing strategy and the character and appearance of the area. Accordingly, the appeal is dismissed.

M Clowes

INSPECTOR

⁸ Referred to in the appellants' submissions as land south-east of Broad Gate, Weston and adjacent Bracken Barn, Nutts Lane, Whaplode St Catherine's.

⁹ APP/A2525/W/25/3359058, APP/A2525/W/25/3362446, APP/A2525/W/24/3343297, APP/A2525/W/23/3319481 and APP/A2525/W/22/3313330.