



Appeal Decision

Site visit made on 22 December 2025

by **S Hubbard BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 January 2026

Appeal Ref: 6001027

Decoy Farm, Fen Gate, Moulton Chapel, Spalding 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 Ms Anneka Riley against the decision of South Holland District Council.
 - The application Ref is H13-0475-25.
 - The development proposed is conversion of existing stable block into 2No. units to provide assisted living accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) Whether conversion of the stable block accords with policies in the development plan governing the re-use of buildings in the countryside; and
 - ii) Whether there are other material considerations sufficient to outweigh any conflict identified.

Reasons

Re-use of buildings in the countryside

3. The stable block is a modest single-storey structure of a functional design arranged in a L-shaped layout with a pitched roof. It sits within the corner of the plot and is reasonably screened from the wider landscape by surrounding vegetation.
4. The stable block is located in the 'countryside' and outside of a settlement boundary as defined by Policy 1 of the South East Lincolnshire Local Plan (SELLP). In these locations Policy 23 of the SELLP permits the conversion of existing buildings, provided specified criteria are met. Criterion 2 of Policy 23 requires that the building is of architectural or historic merit or makes a positive contribution to the character of the landscape, which justifies conversion in order to ensure its retention.
5. The building has limited architectural merit by virtue of its functional design and lack of architectural detailing. Nor does the evidence suggest it has historic merit. The building does not provide a positive contribution to the character of the landscape by virtue of its lack of architectural merit and its limited visibility from the wider landscape due to existing landscaping.

6. Representations in support of the proposal suggested that the Council's application of Policy 23 was too rigid and that the principal considerations should be whether the re-use of the buildings is sensitive, sustainable and beneficial to the community, rather than whether the building possesses heritage value. However, that is not the test set by the development plan. My duty is to apply the policy as written. The assertion that the Council have taken an inflexible approach is not justified.
7. Supporting representations assert that there have been many other conversions of modest, modern structures locally. However, no specific detail has been provided on these to assess whether they are comparable to this proposal.
8. The appellant has stated that the planning history demonstrates a pattern of residential development in the area and establishes the acceptability of sensitive infill or conversion proposals. The only new residential dwellings permitted on the site date back to the early 1980s when a different policy context would have been in place. As such no precedent is established for further residential development in conflict with the current development plan.
9. Accordingly, the conversion of the stable block does not accord with policies in the development plan governing the re-use of buildings in the countryside. There is conflict with the development plan as the proposal is not in accordance with Policy 23 of the SELLP, which provides for conversion of existing buildings outside of defined settlement boundaries in defined instances.

Other material considerations

10. The proposed development would provide two units of assisted living accommodation. One of the units is proposed to be occupied by an adult in the care of the appellant. I have paid due regard to the protected characteristics as set out in Section 149, of the Public Sector Equality Duty (PSED), contained in the Equality Act 2010. The PSED sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
11. As such, I am obliged to have due regard to this consideration in my assessment of the potential positive effect of the proposed development on wellbeing through the provision of independent living space. The proposal may also have a potential benefit in providing accommodation for others with protected characteristics. Section 5 of the National Planning Policy Framework seeks to ensure that the needs of groups with specific housing requirements are addressed.
12. Whilst the appellant indicates that other families have expressed an interest in a family member occupying the second unit, no evidence of local need for assisted living accommodation has been put forward. Nor is there a suggested mechanism before me aimed at securing the units for their intended use in perpetuity.
13. Whilst I sympathise with the position of the individuals concerned, on the basis of the evidence presented, the potential benefits to those with protected characteristics do not justify the development plan conflict identified. The provision of two units of assisted living accommodation is also not a material consideration which would outweigh the identified conflict with the development plan.

Other Matters

14. The Council's statement of case refers to potential conflict with Policy 17 of the SELLP. As this was not part of their initial reason for refusal I have not concluded on this matter, in fairness to the Appellant and because doing so would have no overall effect on the outcome of the appeal.
15. In addition to the benefits referred to above, the proposal would also contribute to the housing supply of the District through the re-use of buildings rather than new-build. However, given that the Council confirm they have a five-year supply and the contribution is small, this provides only a modest benefit. The proposal would also provide minor economic benefits during the construction phase through provision of employment. These benefits do not outweigh the conflict with the development plan identified above.
16. The proposal would not result in harm to the character of the surrounding area or living conditions of neighbours. The site would also provide adequate parking and limited additional traffic and is not at risk of flooding. However, an absence of harm in these respects is a neutral factor.

Conclusion

17. The proposal conflicts with the development plan as a whole. Material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. Therefore, I conclude that it is proportionate and necessary to dismiss the appeal.

S Hubbard

INSPECTOR