



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: 14 October 2026

Appeal Ref: 6010622

Rear of The Beeches, Horseshoe Road, Spalding PE11 3JA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant details required by a condition of a planning permission.
 - The appeal is made by Mrs M Firth against the decision of South Holland District Council.
 - The application Ref H16-0976-25 sought approval of details pursuant to condition No 3 of a planning permission Ref H16-0615-22, granted on 10 October 2022.
 - The application was refused by notice dated 18 December 2025.
 - The development proposed is Residential development.
 - The details for which approval is sought are access, appearance, landscaping, layout and scale.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 17 August 2026 a new National Planning Policy Framework (the Framework) was published. My decision reflects the latest version of the Framework, and the responses received on it.

Background and Main Issue

3. The site benefits from outline permission for residential development. The current proposal is an application for the approval of reserved matters pursuant to that permission.
4. The main issue is the effect on character and appearance.

Reasons

5. The appeal site relates to an irregular shaped plot wherein sits a single storey dwelling set in a large spacious plot. Dwellings in the vicinity of the site are generally set back from the road in generous plots with large gardens. Dwellings along Horseshoe Road comprise an eclectic mix of architectural design, age and scale.
6. The proposed layout would introduce four dwellings within a relatively constrained backland site. Owing to their height, the dwellings roof forms would project above the bungalow and be readily apparent from the street. Their visual prominence would be further accentuated by the modest scale of the existing frontage bungalow. The prominence arising from their height, when combined with the limited spacing between buildings and relatively small plot sizes, would give rise to a dense form of development. Consequently, the proposal would appear cramped.

7. I acknowledge that the National Design Guide and Policy 3 of the South East Lincolnshire Local Plan 2019 (SELLP) require a contextual and non-prescriptive assessment of design.
8. I recognise the intentional graduated height of the proposed dwellings and the separation distances that would be maintained between the respective plots and the existing bungalow. Nevertheless, these factors would not overcome my concerns regarding the overall quantum, scale and intensity of development proposed. Accordingly, I find that the proposal would represent an overly intensive, visually prominent form of development that would be materially harmful to the character and appearance of the locality.
9. Whilst the Appellant's analysis suggests that the plot coverage would be comparable to that of some nearby developments and therefore would not represent an unusually intensive form of development, numerical comparisons do not, in themselves, determine the effect on character and appearance. The acceptability of a development depends upon its specific context. Here, the combination of four dwellings, their height and their arrangement within a confined backland site would create an undue concentration of built form that would appear cramped and out of keeping with the prevailing character of the area, irrespective of any similarity in plot coverage ratios.
10. The proposed dwellings would be contemporary in design and external finish, not dissimilar to dwellings immediately to the east of the appeal site. I therefore do not concur that the development fails to respect existing design within the wider area. However, this is a neutral matter that would not overcome the harms identified.
11. The Appellant refers to developments further along Horseshoe Road¹, which it is submitted demonstrates that larger detached dwellings within relatively compact plots already form part of the local character. Whilst I acknowledge the existence of such development, they do not persuade me that the quantum and form of development proposed in this case would avoid appearing cramped or incongruous within its particular setting.
12. My attention has been drawn to a nearby site allocated for residential development² for 88 dwellings. Whilst the allocation of a site in the development plans indicates that residential development is anticipated in this location, no detailed scheme has been approved. Consequently, there is no certainty regarding the form, layout and character that such development may ultimately take. This matter is therefore of limited relevance in my consideration of this appeal.
13. For the reasons stated, I conclude that the proposal would be materially harmful to the character and appearance of the area. This draws the proposal into conflict with Policies 2 and 3 of the SELLP. Amongst other things, these policies seek to ensure that development creates a sense of place by responding positively to local character and historic street patterns, and by respecting the prevailing density, scale, visual enclosure, massing and built form of neighbouring development and the surrounding area

¹ Maddison/Douglas House development and the H160715-16 and H16-1198-22

² Mon005

Other Matters

14. I acknowledge that the outline permission was accompanied by an informative note suggesting that one dwelling may be acceptable on the site. However, an informative is advisory only and does not constrain the scope of future proposals. As such, I do not regard it as determinative of the number of dwellings that could be accommodated. Even so, it demonstrates that the Council considered some form of backland residential development to be capable of acceptance in principle.
15. The Council did not find harm or development plan conflict in relation to several other matters, including the highway safety, parking, flood risk and living conditions. Nonetheless, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposed scheme.

Planning Balance

16. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise.
17. The revised Framework sets out a presumption in favour of sustainable development under National Decision Making Policies (NDMPs) S3-5. NDMP S4 relates to development within settlements which sets out that proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.
18. Although the Council is able to demonstrate a Framework compliant housing land supply, the proposal would nonetheless make a positive contribution to housing delivery through the provision of four additional dwellings and the efficient use of land within the settlement boundary. As the housing requirement is not a ceiling, this benefit weighs in favour of the proposal. The proposal would also generate some economic benefits during the construction phase and through future expenditure of occupiers, although these benefits would be modest.
19. The Framework also seeks to make efficient use of land, with NDMP L3 stating that proposals for residential development within settlements should contribute to an increase in the density of the area in which they are situated. However, in considering the potential to increase densities, the existing character of an area should be taken into account.
20. Set against these benefits, the proposal would result in an overly intensive and visually prominent form of development that would fail to respond positively to the site's context. Consequently, it would conflict with NDMP DP3, which seeks to ensure that development responds appropriately to its surroundings and is suitable for its location. The proposal would also conflict with NDMPs L2 and L3 due to its harmful effects on the street scene and the character and appearance of the area. Taking these matters together, I find that the benefits of the proposal would not substantially outweigh its adverse effects/ The proposal therefore fails to satisfy the requirements of NDMP S4.

Conclusion

21. For the reasons given above, the proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it.
22. The appeal is therefore dismissed.

R. Gee

INSPECTOR