



Appeal Decision

Site visit made on 8 July 2025

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2025

Appeal Ref: APP/A2525/W/25/3361876

Blue Bell Inn, Main Road, Hop Pole, Spalding PE11 3HL

- 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 Lawrence Cunningham against the decision of South Holland District Council.
 - The application Ref is H03-02600-24.
 - The development proposed is Redevelopment of site to include demolition of a C3 residential dwelling (former Public House), erection of 4 two bedroom dwellings, 5 residential static homes, conversion and extension of village hall to provide supermarket, restaurant and associated car parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council appears to have concluded that the residential static homes would add to the number of permanent dwellings on the site but in the event that the appeal was upheld, occupancy could be controlled by condition. As such, the development would be for four permanent dwellings only.
3. There is an extant permission for nine touring caravans on land which straddles the site boundary. Six pitches would be outwith the appeal site. The touring caravan park would be accessed from the access road serving the static caravans.

Main Issues

4. The main issues are:
 - The effect of the development on the Blue Bell Inn, a non-designated heritage asset (NDHA);
 - Whether the development would accord with the local development plan with regard to location;
 - Whether the development would accord with the local development plan with regard to town centre uses;
 - Highway safety; and,
 - The effect of the development on the living conditions of future and existing

occupiers, with particular regard to noise and disturbance.

Reasons

Heritage

5. The appeal site sits within the context of sporadic pockets of linear development of unremarkable appearance, within a flat agricultural setting. It includes the former Blue Bell Inn (the Inn) which now has residential use.
6. The Inn is a 19th century rendered one and a half storey brick building with a steeply pitched gabled tile roof, dormers and chimney stacks, formerly used as a public house serving travellers on this main route between Market Deeping, Spalding and the coast. Although somewhat dilapidated, and notwithstanding the side extensions that appear to date from a later period, its original range is identifiable. Its overall form illustrates the vernacular of the time, and the Inn also has social and cultural value arising from its former function and geographical position. It is identified and listed in the local Historic Environment Record. I see no reason to disagree that it is a non-designated heritage asset (NDHA). Whether the Inn is the same as that listed in the 1872 Trade Directory or not, I see no reason to reach a different conclusion with regard to its NDHA status.
7. I conclude that the Inn's significance arises from the original range's overall form and design, such intact historic fabric as remains, its spatial relationship with the road, and its former social and cultural value.
8. The Inn is currently in residential use and there is nothing before me to substantiate the claims that repairs would not be viable. The fact that its former use as a public house was deemed not viable is not determinative, as in planning terms it is now a residence. I agree that repairs are needed, but there is nothing before me to indicate how extensive or costly this might be.
9. The Inn would be replaced by a terrace of four modest dwellings, with parking and small rear gardens. The overall form of the terrace would reflect the steep gabled roof of the Inn as well as including dormer windows. I see no reason to find harm in relation to the overall design or use of materials which in any case could be controlled by condition. However, Policy 29 requires development affecting NDHAs to be informed by proportionate environment assessments and evaluations. These have not been provided.
10. Moreover, a former permission for the use of adjoining land as a car storage lot does not indicate that the Inn is of no inherent value. In any case, the Council notes that that permission was conditional upon hedge planting to provide screening and that this has not been undertaken. Notwithstanding the evident dilapidation, it remains that there is nothing before me that provides compelling evidence that the Inn should be demolished.
11. The development would result in the total loss of the Inn. Although I give low to moderate weight only to its overall significance, there would nonetheless be conflict with Policy 29 of the Local Plan (LP) which is concerned with the safeguarding of heritage assets, and which requires development proposals to provide a clear explanation or justification for proposals which affect the significance of a heritage asset. The policy also requires development to demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses or mitigate the

extent of harm amongst other considerations. There would also be conflict with Paragraph 207 of the National Planning Policy Framework (the Framework)¹ which requires applicants to describe the significance of heritage assets.

12. The Council has cited Section 12 of the Framework in relation to the omission of a historic environment assessment. Although Section 12 is concerned with high quality design it is unclear to me how this section weighs against this main issue. Paragraph 216² sets out the requirement for a balanced judgement when considering the effect of an application of the significance of an NDHA. This for the decision maker. Section 12 and Paragraph 216 of the Framework, as cited by the Council, weigh neither for nor against the appeal in this regard.

Location

13. The site is a roadside plot and comprises a former public house and large garden, a car storage lot, a former village hall and land to the rear, part of which is used for touring caravans. For planning purposes, it is designated countryside. LP Policy 1 sets out *areas where development is to be directed*. With regard to the countryside, it states that *development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits*. The supporting text sets out that recreation and tourism can meet the Council's broad sustainable objectives, and this is addressed in the planning balance.
14. There is a bus stop outside the site that provides a limited service with buses approximately each hour, running between Stamford and Spalding. There does not appear to be an evening or early morning service. For such a rural area this seems to be a fairly good provision, although it probably would not provide a realistic alternative to private vehicles for people needing to access employment, schools or other amenities on a regular basis. It seems therefore very likely that there would be a reliance on the private car for future occupiers.
15. LP Policy 22 sets out that replacement dwellings in the countryside will be permitted subject to six criteria. The reasoning behind the policy is that the area has a very rural character, and it is necessary to adopt an approach that does not cause harm. One of the criteria listed under this policy concerns the architectural or historic merit of the building to be replaced. There are also criteria restricting the footprint and floor area of the replacement dwelling compared to the original building.
16. The Council has taken the view that when LP Policy 22 refers to a replacement dwelling, it means one for one replacement. This is in line with general meaning of the word replacement. There is nothing in the policy text that leads me to reach a different conclusion. I am referred by the appellant to page 97 of the policy document but there are only two paragraphs relating to LP Policy 22 on this page and these are concerned with protected species and permitted development. In any case, there is nothing in any of the reasoning text that leads me to conclude that replacement means anything other than one for one.
17. As such, this proposal would provide four dwellings as a replacement which would fail to meet the policy criteria. Moreover, irrespective of the Inn's current condition,

¹ Paragraph 200, December 2023 edition

² Paragraph 209, December 2023 edition

it has historic merit and as set out above, the argument that it is incapable of repair or that repairs are not viable, has not been demonstrated.

18. I acknowledge that the dwellings would sit broadly on the Inn's existing footprint. The overall bulk of the structure would be increased compared to the Inn, but the increase in floor area would fall within the parameters set out in the policy.
19. There appears to be a varied typology in the area with little underlying consistency in the building pattern. The terrace would be set back from the road, and separated from it by a large hardstanding, as is the case now. The Council notes that there is insufficient information regarding improvements to the character and appearance of the area but fails to identify specific concerns. The underlying feeling of big open skies and overall spaciousness would not be affected by the replacement of the Inn with four small dwellings of the proposed design. I have no particular concerns in relation to the proposed design.
20. The village hall has little architectural merit. The proposals would increase its overall footprint and bulk by a significant degree, but it would remain as a single storey structure, and would have a quasi-agricultural appearance which would not be incongruous in this setting.
21. The development would represent a considerable intensification of use in a rural location and in what the LP sets out is an unsustainable location. I see no reason to disagree with the Council on either of these points.
22. As such, the development would not accord with local policies with regard to location, and would be contrary to LP Policies 1 and 22, both as set out above. The benefits arising from recreation and tourism are considered later in the planning balance.

Town centre uses

23. LP Policy 24 promotes individual local shops which meet the day-to-day needs of local residents within settlement boundaries. The supporting text to LP Policy 24 sets out that local corner shops are particularly important for residents in areas relatively remote from town centres and those without access to a car. However, this site is outside the settlement boundary.
24. LP Policy 27 notes that proposed new shops that serve day to day needs to serve residents without the need for a car, will be limited to a maximum 100 sqm unless there is a qualitative need to remedy a geographical deficiency. However, even allowing for four small dwellings to be built on the site, there are not many dwellings within walking or cycling distance of the site. Moreover, the store will exceed 100 sqm and there is nothing before me to demonstrate that a shop is needed in this location.
25. The development would include a local convenience store and a restaurant. Both are town centre uses as set out in the glossary to the Framework. LP Policy 24 sets out the importance of maintaining the viability of centres in the retail hierarchy. Where not provided for under LP Policy 27, LP Policy 24 requires that town centre uses outside the retail hierarchy will be required to demonstrate their suitability through a sequential test in line with the Framework. Paragraph 91 states that a sequential approach should be considered for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Paragraph

94 of the Framework sets out that for retail development outside town centres, which are not in accordance with an up to date plan, local authorities should requires an impact assessment if the development would be above a proportionate and locally set threshold. Neither a sequential test nor an impact assessment has been provided.

26. In any case, there is a supermarket in Market Deeping some 4 miles away, as well as a BP garage with a Budgens that sells convenience goods at the junction of the A15 and A1175, situated on the edge of Market Deeping. There is also a farm shop outlet about a mile from the appeal site, which has a large selection of high end goods.
27. Whilst I recognise that there is a right to have a choice, this is a rural location. It seems to me that people living in this rural context would expect to travel and that the combination of the farm shop, the supermarket and the BP/Budgens provide a reasonable offering in this regard. Moreover, there is nothing to substantiate the assertion that the combination of the site's residents and holiday makers could support the shop and restaurant. In any case, it is clear from the evidence that passing trade would be expected to contribute to the development's overall income. As such there is nothing before me that leads me to conclude that the development meets a geographical deficiency or would not adversely affect the viability of the aforementioned existing business outlets.
28. The village hall has not operated as a community facility since 2014, but I acknowledge that a restaurant could provide a local social hub. However, given the very low population density of the area, it is unclear to me that this is a realistic proposition. As such I give little weight to the argument that the development would accord with LP Policy 30, which is concerned with the creation of socially cohesive communities. In any case, lack of harm does not outweigh harm in relation to other policies.
29. As such, the development would not accord with local policies or the Framework with regard to town centre uses. There would be conflict with LP Policies 24 and 27 as set out above, as well as Paragraphs 91 and 94 of the Framework with regard to sequential tests and impact assessments.

Highways

30. LP Policy 36 states that all new development, including change of use, should provide vehicle and cycle parking in accordance with the minimum parking standards set out in Appendix 6, unless high quality design can demonstrate that a lower standard of provision can deliver the requirements also set out in the policy. Using Appendix 6, the Council has identified that 37 parking spaces would be required for the restaurant and the shop. The appellant has proposed that 33 parking spaces³ would be required according to Appendix 6, but as only 18 bays are to be provided, the development would fail to meet either parties' understanding of Appendix 6 and there would be a considerable shortfall in parking provision..
31. A concern is also raised by interested parties that there would be no parking provision for workers at the shop and restaurant. Given the limited bus service, it seems highly likely that staff would use private transport and require parking spaces. This reinforces my concerns in relation to parking bay provision.

³ Transport statement states 8 for retail and 25 for the restaurant.

32. The argument is advanced by the appellant that Appendix 6 is guidance only. However, it is specifically referred to in the policy text.
33. I acknowledge that the shop and restaurant would not necessarily be open at the same time, and their busiest periods might not coincide. However, there is no business plan before me, or any indication of how the busiest times for the shop or the restaurant has been assessed. Both outlets might well be used by occupiers of the caravan site who would not require parking spaces, but again, there is no objective evidence to support this assertion or to analyse the custom likely to be generated by the caravan park. Nor does it seem realistic to me that a restaurant would decline bookings on the basis that there was no available parking. In any case, it seems unlikely that the occupiers of five static caravans with temporary occupancy only, four dwellings and a maximum of nine touring caravans would provide sufficient business to support a restaurant throughout the year.
34. There is no indication where vehicles would park if the car park was full, and as such, I conclude that this could lead to issues with on-street parking and obstruction, leading to highway safety issues.
35. The appeal statement argues that there is no requirement to meet the Appendix 6 standards as the site is not major development. However, LP Policy 36 requires all new development to provide vehicle and cycle parking. It is not conditional upon the development being major development. In any case, the Framework defines major development as a site larger than 0.5 hectares and the application form indicates that this site is larger than 0.5 hectares.
36. The transport statement provides an estimate of existing vehicle movements to and from the site, estimating that 62 daily trips are generated for the car storage lot. However, the base data is derived from a warehouse with Class B8 permission and the Council has confirmed that the site does not have full Class B8 permissions. It is unclear to me why the cars being stored but I am not satisfied that there is a genuine comparison between the site's car lot and the warehouse listed in the TRICS base data. It seems likely that the existing vehicle movements have been over-estimated.
37. The transport statement also uses TRICS data to estimate daily vehicle movements associated with the development. However, the estimated 213 trips per day is between 0700 – 1900 hours only. The restaurant will remain open until 2200 – 2300 hours for five days each week. In any case, the estimate trips are for weekdays only. As such the estimated vehicle movements do not provide a realistic assessment of vehicle movements and are likely to be an underestimate.
38. I conclude that the development would represent a significant increase in vehicle trips to and from the site compared to the existing situation. The transport statement also notes that not all passing trade is included in the trip generation figures. Even this is a reasonable assumption to make, passing trade would leave and join the existing traffic flow. The effects of the development on overall highway flow, particularly at peak periods, do not appear to be considered in the transport statement. Nor do the layout drawings show visibility splays.
39. I acknowledge that the site is already used for touring caravans but one of the reasons advanced for the development is that business has dropped off. As such, I am unable to give very much weight to the existing situation with regard to touring caravan movements.

40. Interested parties have advised that there have been two serious accidents on the main road, and that there is a 50 mph speed limit. The accidents are not considered in the transport statement.
41. In the light of the above I conclude that the development would have an adverse effect on highway safety and would conflict with LP Policy 36 and Appendix 6 which are concerned with vehicle and cycle parking.
42. There would also be conflict with Paragraph 109 of the Framework which is concerned with highway safety, and the need to ensure patterns of movement, understanding impacts of development on transport networks, and actively managing patterns of growth.
43. Paragraph 110 recognises that transport options are limited in rural areas. However, this does not alter my conclusions in relation to the lack of parking provision and highway safety.

Noise and disturbance

44. The terrace would be set back from the road. Nonetheless the four dwellings would have modest rear gardens and there would be frontage activity associated with the caravan park, the shop and restaurant beyond those rear gardens as well as on the side of the end dwelling. This would be likely to generate noise and disturbance to a degree that could have an adverse effect on the living conditions of occupiers of the dwellings. Even if opening hours were restricted, the businesses would need regular deliveries and refuse services which are often out of normal opening hours.
45. With regard to existing dwellings, the nearest dwellings are on the other side of the road and set back from the carriageway. Although there would be an increase in vehicle movement on the site, the increase in noise and disturbance would have a lesser impact on the living conditions of those occupiers than I have identified in relation to the proposed occupiers.
46. As such, I conclude that there would be an adverse effect on the living conditions of future occupiers, and to a lesser extent of existing occupiers. This would be contrary to LP Policies 2, 3, 30, 36 and Appendix 6, insofar as these are concerned with the amenities of existing and future occupiers, and Paragraph 135 of the Framework which requires a high standard of amenity for existing and future occupiers.
47. The Council has cited LP Policy 31 in this regard, but this is concerned with climate change and weighs neither for nor against the appeal.

Previously developed land

48. An argument is advanced by the appellant that the site is previously developed land (PDL) and that redevelopment would be in line with LP Policy 7 which supports applications that contribute to economic growth and employment.
49. At my visit areas of stone had been laid to provide vehicular access to the land designated for touring caravans. Large areas of hardstanding would fall within the PDL definition, but it is unclear to me whether this is lawful development, as the Council describes that part of the site as a field. However, the hardstanding of the car lot would be PDL. I also noted large glasshouses to the rear of the Inn. Even if I conclude that the glasshouses are within the Inn's garden, this is not a built-up area

and as such, residential gardens can be included within the PDL definition. On balance I consider that at least part of the appeal site is PDL.

50. The development would also give a new use to the redundant village hall, and although the site frontage as shown on the plans detracts from the proposals, boundary treatment could be controlled by condition.
51. However, there is nothing in LP Policies 22, 24 or 27 that suggests that classification of the site as PDL would give exemption from the parameters set out in those policies. Nonetheless, this is considered further in the planning balance.

Policy 9 – Promoting a stronger visitor economy

52. LP Policy 9 promotes tourism and visitor development. In the countryside, small scale development will be supported provided that proposals do not conflict with neighbouring land uses, are in keeping with the character of the locality and demonstrate a functional link with an existing rural attraction or farm enterprise.
53. The proposals include several different types of residential and commercial enterprise, hard up against each other and the main road. The site layout plan shows that each element of dwellings, retail outlet and the static and touring caravan areas appear somewhat cramped with no buffer between any of the contrasting uses. This would be incongruous with the underlying character of the area, which is defined by big open spaces.
54. As such, there would be inherent conflict between neighbouring land uses as set out in my reasoning above. Moreover, the degree of intensification of land use would be out of character with the locality. Nor would there be any functional link to an existing rural attraction or farm enterprise. As such, the development would not comply with LP Policy 9, as outlined above.

Other Matters

55. The Council's housing supply figure update of March 2025 indicates that there is 6.4 years supply of housing land. The appellant considers the figures to be incorrect but has not identified which sites have been delayed or which should not be included. Copying sections of the Framework in this regard does not identify alleged errors in the Council's housing supply figures. The latest housing delivery test also indicates that the Council's housing delivery figures are well above the requirements.
56. The appellant has highlighted other appeals where the Inspector concluded that the benefits arising from the demolition of an NDHA outweighed the loss of that heritage asset. However, notwithstanding that each case is in a different council area, all that these appeals demonstrate is that the Inspector applied the planning balance based on their planning judgment and the merits of the individual cases. I have applied my planning judgement in the context of the LP, the Framework and the weight given to the evidence before me. Those appeals are not comparable and carry no weight in my reasoning.
57. The appellant has also highlighted court judgments in relation to the sequential tests but these judgments emphasise the need for flexibility. There is nothing to suggest that the sequential test does not apply. In any case, I have found harm in relation to local policies which specifically promote and allow small scale retail outlets in rural situations under specified criteria.

58. The appellant argues that the businesses would provide local employment but there is no evidence before me to indicate that there is a local demand for retail and catering employment in this location.
59. The Council's inward investment notes that the positive benefits from the proposal outweigh the negative. However, given that they understood that the Inn was still operational as an Inn, which it has not been since 2010, it is unclear whether sufficient consideration has been given. In any case, this is one consultee only.
60. There is a baseline Biodiversity Net Gain calculation before me. However, an assessment of the baseline appears to show that the identified native hedgerow with trees is not included in the baseline figure. Moreover, the area of grassland of the touring caravan park is identified on the key as artificial unvegetated unsealed surface. As such, it appears that the baseline figure of 0.6 units is an underestimate and consequently I am unable to conclude that there would be a 10.70 per cent increase in habitat units. I give this no weight in the planning balance. Furthermore, the layout, with specific regard to proposed hedges, does not accord with the site layout.

Planning balance

61. The provision of four dwellings would be a public benefit and although there is no evidence to suggest that the Council cannot meet its housing targets, there is no upper limit on housing provision. I give no weight to the lack of mechanism for affordable housing as the appellant argues that these would be small dwellings at the lower end of the price range, which is not necessarily the same thing as affordable housing in planning terms. However, it remains that the dwellings would be in an unsustainable location.
62. The building housing the shop and the restaurant would be attractive and consistent with the design of other amenities I have noticed in very rural areas, including in Lincolnshire. The visual appearance of the site's road frontage in relation to the village hall and the car park, would be considerably improved and the redundant village hall would be given a new use.
63. However, part of the site and the adjacent land is a touring caravan site. There is no business information before me and at my visit, which was at the height of the summer, there was only one caravan on the site. This is attributed to the lack of facilities, but whilst I can understand that a small shop and washing facilities would improve the campsite offering, it is unclear to me that having a fairly large restaurant and car park directly next to touring caravan pitches would necessarily be attractive to potential tourists.
64. Whilst I acknowledge that there could be a positive impact on local tourism and recreation, as well as a modest economic boost with council and business tax, and short term period of construction, the evidence base is lacking. In the absence of objective assessments, rather than assumptions, I am unable to give these benefits any more than minor weight.
65. In addition, even if I had sufficient information to conclude that demolition of the Inn if considered in isolation would be outweighed by other benefits, the overall quantum of harm identified in relation to the other main issues leads me to conclude that the public benefits arising from the development would not outweigh that harm.

Conclusion

66. The development would be contrary to the local development plan and the Framework and there are no material considerations of such weight to lead me to conclude otherwise. The appeal is dismissed.

A Edgington

INSPECTOR