



Appeal Decision

Site visit made on 10 December 2025

by Ann Veevers BA(Hons) Dip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2026

Appeal Ref: APP/D2510/W/25/3366168

Land to the west of Westmoor Plantation, Scrafield, Mareham on the Hill, Horncastle, Lincolnshire LN9 6PA

- 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 Stuart Russell of W. Russell & Son against the decision of East Lindsey District Council.
 - The application Ref is S/115/01676/24.
 - The development proposed is erection of free range egg production poultry unit with ancillary structures and hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address in the banner heading above from the appellant's appeal form, which is the same as that on the Council's decision notice, as this more accurately reflects the location of the appeal site than that provided on the application form. I am satisfied that no party will be prejudiced by my use of it.
3. The description of development in the banner heading is taken from the application form. Although different to that on the decision notice, no confirmation that a change was agreed has been provided.
4. The proposal was screened by the Council under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The screening opinion determined that an environmental statement was not necessary, and the appeal has been dealt with accordingly.

Main Issues

5. The main issues are the effect of the proposal on:
 - The significance, including the setting, of the Registered Battlefield 'Battle of Winceby 1643'¹ (the Battlefield); and,
 - The character and appearance of the area, with particular regard to the local road known as Scrafield Road.

¹ National Heritage List for England, List Entry Number: 1000041

Reasons

Battlefield

Significance

6. There is no statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act) for registered battlefields but they are a designated heritage asset listed in paragraph 213(b) of the National Planning Policy Framework (the Framework) as an asset of the highest significance.
7. The Battle of Winceby was fought in October 1643. Historic England's Battlefield Report (HEBR)² provides a detailed account of the battle and its strategic historical importance in consolidating Parliamentary reputation in the defeat of a Royalist army during the Civil War. It is also notable as the first occasion that prominent Parliamentarians, Sir Thomas Fairfax and Oliver Cromwell, fought side by side. Evidence indicates the approximate location of the Battlefield shown in the list entry. Whilst it was a short battle, it appears there is still some uncertainty about exactly where within the Battlefield and its immediate environs, the various events, before, during, and after the battle, took place.
8. The Battlefield area itself mainly comprises a series of agricultural fields, Winceby Manor, a farmstead and a small number of other properties along High Barn Lane. It is located outside, but adjacent to the Lincolnshire Wolds National Landscape (LWNL). The Battlefield centres on the hilltop ridge to the west of the hamlet of Winceby, where an information board is located in a layby on Slash Lane, a road which cuts across the Battlefield. From the ridge, land falls away steeply to the east towards the wooded valley of Snipe Dales Country Park. To the north the main A158 road runs east-west with the LWNL beyond; to the west land slopes steeply to a wooded valley known as Westmoor Plantation with Scrafield Road beyond; and to the south the land very gradually declines along the ridge to a tall communications mast, beyond which the village of Hameringham can be reached.
9. From the evidence before me and my own observations, I find that the special interest and significance of the Battlefield is derived from its historical and archaeological interests in relating to a key action in the Parliamentary victory campaign during the Civil War. An important element of the campaign was the topographical location of the Battlefield which, from its hilltop ridge, permits expansive views across the largely undulating agrarian landscape, interspersed with hedgerows, woodland and river valleys. I note the evidence suggests there is some uncertainty about the precise location of the main battle and modern farming practices have potentially altered and enclosed field boundaries. Slash Lane, Church Lane and High Barn Lane with buildings along it have also evolved over time. However, I find the underlying topography and rural agrarian character of the Battlefield is still apparent.
10. Archaeologically, the Battlefield offers potential for archaeological remains to be present which could provide significant insights to support a clearer understanding of the battle, its extent and the contribution it made to events during the Civil War.
11. Special interest and significance are also derived in part, from the setting of the Battlefield. Despite the introduction of some modern features within the wider

² English Heritage Battlefield Report: Battle of Winceby 1643 (Published 1995)

landscape, such as roads, telegraph poles, a steel mast and buildings, these are limited. The area has remained largely undeveloped. The open countryside, ridges and valleys surrounding the Battlefield reflect the context within which events leading to and during the time the battle took place. This allows an understanding of this historical event and the course of the battle to be appreciated.

Proposal and effects on significance

12. The appeal site itself lies directly adjacent to the western boundary of the Battlefield as identified in the list entry and is within its setting. It is part of a large arable field accessed off Scrafield Road enclosed by vegetation to all sides. The topography of the field means that, when viewed from Scrafield Road on its western edge, the eastern part of the field closest to Westmoor Plantation is not visible and vice-versa. The site is separated from the hilltop ridge of the Battlefield by Westmoor Plantation. Nonetheless, insofar as it is part of the surrounding open countryside and is immediately adjacent to the wooded valley, close to an alleged point of conflict at Slash Hollow, the site makes an important contribution to the contextual agrarian landscape and setting of the Battlefield.
13. The proposal would introduce a building of significant footprint to accommodate free-range poultry which would be located on the south-east facing slope of the central-southern part of the existing wider field. A proposed hedgerow would effectively bisect this field from east to west and form the northern boundary of the appeal site. The proposal includes two integrated feed silos and a small array of free-standing ground-mounted photovoltaic panels intended to produce 100kW of electricity to serve the enterprise. The remainder of the field would be used as an outdoor ranging area for approximately 32,000 birds, separated into two zones and incorporating new woodland and meadow areas. Access to the poultry building and its associated vehicle turning and parking area would be from Scrafield Road where an existing field access would be widened and a track across the field created.
14. Although lying outside the appellant's identified 'Zone of Visual Influence'³, which is tightly drawn around the area of Battlefield, I consider the proposal would represent a modern intervention into the Battlefield's setting where the current view is predominantly undeveloped. Even without 'viewshed modelling' recommended by the Battlefields Trust, I observed the appeal site is a considerable distance from the hilltop ridge of the Battlefield and in terms of intervisibility from here, due to topography, the low height of the proposed building and its position within the southern part of the field, the proposal would not be overly visible. Together with the screening and softening afforded by Westmoor Plantation, the existing and proposed hedge, there would be a very limited effect on the setting of this part of the Battlefield even as I saw in December, and during other months when leaves would not be on deciduous trees and hedges.
15. However, while the position of the proposed building, turning area and solar array would be such that they would not be clearly visible from Scrafield Road, they would be located close to the apex of the field facing towards the Battlefield. Views of the proposal from locations close to the eastern edge of Westmoor Plantation would be filtered by existing and proposed tree cover. Design features such as the

³ Appendix 1 of JHG Planning Consultancy 'Statement on Behalf of the Appellants', May 2025

building's green exterior and its recessed siting within the hillside would also be likely to diminish its visual prominence from this viewpoint.

16. Nevertheless, I saw there would be some degree of visibility and spatial awareness of activity between the site and this part of the Battlefield, with some likelihood of light spill in winter months if not from the building, from headlights of vehicles approaching the ridge of the field. Moreover, for users of Public Right of Way 198 that runs along the edge of the plantation, the extent of the Battlefield to the east and an appreciation of the events that occurred upon it would be seen in the same context as the proposal, even after proposed planting has matured. Although agricultural development would not be unusual in this landscape, due to its scale and isolated location facing toward the Battlefield, the proposal would impinge on its setting.
17. I have had regard to comments made by Historic England who identified there would be no visual impact of the proposal upon the significance of the Battlefield. Nevertheless, as a result of the change to the setting of the Battlefield through the loss of some of the current contextualising undeveloped field, I find it would lessen the positive contribution that the Battlefield's wider setting makes to its significance, as well as reduce the ability to appreciate that significance.
18. The appellant claims that the proposed new hedgerow would reinstate the pattern of field enclosures evidenced from the 19th century. The extent to which that would represent a heritage benefit arising from the proposal is unclear since there is nothing before me to suggest this would reflect the field pattern of the 17th century or that the intended hedge would be reliant on the proposed development.
19. Turning to archaeology, although few archaeological artefacts have been found on the Battlefield and the appeal site lies on its periphery, it does not follow that none would not be found on the appeal site. List entries are primarily for identification purposes and do not provide an exhaustive or complete description of a designated asset's special interest. Indeed, the main parties agree that there is the potential for material remains associated with the battle and troop movements to lie in the surrounding area, including the appeal site, which may provide a better understanding of events that unfolded at the battle. Given the ambiguities concerning the exact locations of skirmishes and the movement of advancing/retreating armies that have been expressed in the HEBR, I have no reason to find otherwise.
20. The appellant argues that a field walkover and metal detector survey could be undertaken prior to ground works associated with the proposal. I have considered whether this could be addressed through the imposition of a suitably worded condition in the event the appeal was allowed. However, paragraph 218 of the Framework requires developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact. Furthermore, Planning Practice Guidance requires that where a site has the potential to include heritage assets with archaeological interest, then an appropriate desk-based assessment and where necessary a field evaluation should be submitted⁴. No field evaluation has been undertaken to conclusively confirm the extent of any surviving archaeology within the setting of the Battlefield.

⁴ Paragraph: 041 Reference ID: 18a-041-20190723.

21. Without an archaeological evaluation of the site, I am unable to conclude whether it holds any archaeological interest and thus significance; and without establishing the site's significance in this regard, I cannot determine any potential effects that the proposal may cause. Given the uncertainty about where events at the battle took place, I am of the opinion that it would not be appropriate to leave this matter to be dealt with by condition. In this respect, the proposal fails to comply with the Framework.
22. Drawing the above together, I find that the proposal would harm the setting and thus the significance of the Battlefield, a designated heritage asset.
23. The Framework says that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm to its significance, including from development within its setting, requiring clear and convincing justification⁵.
24. Having regard to my findings relating to the effect of the proposal on the setting of Battlefield referred to above, in view of the localised nature of the appeal site, the harm caused would be 'less than substantial' in this case and at the lower end of the scale of such harm. Even so, as an example of one of a limited number of registered battlefields and having regard to advice at paragraph 213 of the Framework that battlefields are assets of the highest significance, this attracts significant weight against the proposal to this harm. Following the approach in paragraph 215 of the Framework, this harm should be weighed against the public benefits of the proposal.

Public benefits and heritage balance

25. The proposed development would allow for an established local business to expand their operations and increase short-term employment opportunities during construction of the development and tree/hedge planting as well as longer-term employment relating to 2 full-time and 3 part-time jobs. Additional off-site jobs would also be likely to be indirectly created throughout the supply chain where the appellant identifies a supply contract would be made with a large egg producer and supplier. Poor quality cereal crops could be used for poultry feed, supporting a circular economy. These factors would support the rural economy and deliver economic benefits.
26. The Framework explicitly seeks to support a prosperous rural economy through, amongst other things, the development and diversification of agricultural and other land-based rural businesses and the sustainable growth and expansion of businesses including by well-designed new buildings. I accept that the proposal would be likely to continue to allow the family business to diversify and potentially be more financially resilient. However, the significant positive weight afforded to this economic benefit suggested by the Framework is tempered by the fact that no detailed evidence has been presented to substantiate the appellant's claim that the proposal would safeguard existing jobs within the business or enhance its commercial viability. Neither is there anything to suggest that the benefits above can only be delivered by this development in this location. Nonetheless, I still give this benefit moderate weight in favour of the proposal.

⁵ Paragraphs 212 and 213

27. There would be social benefits arising from the proposal insofar as it would contribute towards domestic food security and educational visits from school children. While the proposal would increase the supply of free range eggs, for which evidence suggests demand has risen greatly in recent years⁶, no robust evidence has been provided to substantiate the appellant's claim that this demand is unmet. I see no reason why some of it could not potentially be met from existing caged egg facilities in light of the appellant's suggestion that egg producers must now diversify towards higher welfare poultry farming systems, or in other locations which would not result in harm to the significance of a heritage asset. Nevertheless, I recognise the proposal would be likely to go some way to help reduce the reliance on imports of free range eggs. I therefore ascribe this benefit moderate positive weight.
28. Environmental benefits would arise through the installation of solar PV for the power needs of the enterprise and additional planting, from which there would be some biodiversity net gain. These public benefits are in line with the objectives of the Framework but given the total gain on offer is relatively small, and planting on the agricultural holding is not dependent on the proposal, it attracts only limited positive weight.
29. The appellant has advanced the argument that there would be public benefit arising from better highway safety associated with additional passing places and junction improvement. However, such highway works would not go over and above those required to make the development acceptable in highway terms. Consequently, they would not be a public benefit of the scheme, rather, they carry neutral weight in the overall balance.
30. As set out above, the Framework is explicit in its requirement that any harm to the significance of a designated heritage asset should require clear and convincing justification, which, in the respects outlined above, I find not to be the case in the appeal before me. Overall, the moderate weight that I ascribe to the public benefits that would accrue from the proposal are not sufficient to outweigh the considerable importance and weight I attach to the harm I have found.
31. I therefore conclude that the proposal would harm the setting and therefore the significance of the Registered Battlefield 'Battle of Winceby 1643'. Accordingly, there would be conflict with Policy SP11 of the East Lindsey Local Plan Core Strategy, adopted July 2018 (ELLP). This seeks, insofar as relevant to this main issue, to support proposals that protect and enhance heritage assets and preserve or enhance the quality and experience of the historic landscapes and woodland of the district and their setting. There would also be conflict with the provisions of the Framework which seek to conserve and enhance the historic environment.

Character and appearance

32. From the appeal documentation, the Council's concern in relation to this main issue is focused on the effect that changes to Scrafield Road wrought by traffic and proposed highway works would have on the character and appearance of the road and surrounding area.
33. Scrafield Road is a narrow, winding and undulating rural road which links the main A158 Spilsby Road with Mareham-on-the-Hill. It is generally bound by a narrow

⁶ Correspondence from Head of Strategy and Producer Engagement at the British Free Range Egg Association, January 2025

grass verge and hedging. With the exception of Scrafield House and associated buildings, I saw at my site visit that no other buildings or properties are accessed off Scrafield Road, but there are several field accesses and passing places along its length.

34. Scrafield Road is located outside of, but close to the LWNL which is to the north of the site, beyond the A158. From the limited information before me and my own observations, the LWNL is designated for its rolling hills, ridges and valleys, abundant agricultural fields, woodland, scattered farmsteads, local stone and historic settlements. Being within the foothills of the LWNL, I consider Scrafield Road to be within its setting. Planning Practice Guidance⁷ and paragraph 189 of the Framework places importance on sites within the setting of a national landscape, indicating that development should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. This advice has to be read in the context of the statutory duty under Section 85 of the Countryside and Rights of Way Act 2000 (the CRW Act)⁸ to seek to further the purpose of conserving or enhancing the natural beauty of the LWNL itself.
35. As to the local character type, I am advised Scrafield Road and the immediate area falls within the Hainton to Toynton All Saints Wolds Farmland (area G3) local Landscape Character Area as set out in the East Lindsey Landscape Character Assessment, July 2009 (LCA). Pertinent to the appeal, key characteristics of the area are identified in the LCA as including elevated, undulating and tranquil landscapes with few detractors, views to and from hilltops, mature hedgerows, and a network of winding lanes and drove roads with wide verges. On the basis of the evidence, no party suggests Scrafield Road is a designated Protected Roadside Verge as referred to in the LCA. Nonetheless, it exhibits many attributes of narrow rural roads prevalent in the area, such as grass verges, ditches and hedgerows, with some parts of the road sunken below the level of surrounding landform, which as a setting, contributes to the landscape and scenic beauty of the LWNL. It also makes a locally important, positive contribution to the character and appearance of the area which the LCA concludes has a moderate to high sensitivity to change.
36. The proposal includes modifications to Scrafield Road between the proposed site access and the A158 that were required by the Highway Authority to support safe and efficient access to the appeal site and to minimise physical damage to grass verges. Information from the Highway Authority, including a marked-up aerial plan, identifies the location of 2 proposed formal passing places, an area of localised widening within the existing highway, and 2 existing hardstanding areas that could also be informally used for waiting/passing vehicles. These would equate to a passing place approximately every 200 metres along the road. Minor widening of the junction of Scrafield Road with the A158 is also proposed.
37. Provided such works can be delivered, subject to a suitably worded planning condition which has been agreed with the appellant, the Council raised no objection to the proposal on the basis of highway safety. From the information available to me, I have no reason to disagree. I have in this respect paid particular regard to the consultation responses made by the Highway Authority and that all the proposed highway works would be within the highway.

⁷ Paragraph: 039 Reference ID: 8-039-20250129

⁸ as amended by section 245 of the Levelling Up and Regeneration Act 2023

38. Whilst the proposed alterations to Scrafield Road may well be acceptable in terms of highway safety, the formation of formal passing places and road widening would create additional hard surfaces along this rural road.
39. The area identified for widening would be on a relatively straight and flat stretch of the road which is bound by hedging. Grass verges here are marginally wider than along other sections of the road. One of the areas identified for a formal passing place would be adjacent to an existing field access and almost opposite another, where vehicles turning into the field appeared to have already over-run the grass verge on both sides of the road. The other area identified for a formal passing place would also utilise an existing field access between two mature trees and hedging on level ground. Two other parcels of highway that are already hard surfaced would also provide informal passing places. One is adjacent to agricultural silos and a farm building at Scrafield House, and the other is currently an existing access to a maize clamp. Given the limited number of formal passing places and road widening required, and that they would be located in areas already used or close to field accesses I am satisfied that they would not diminish the overall verdant character of the road.
40. The highway alterations at the junction of Scrafield Road with the A158 would be very minor in nature. Although a greater section of grass verge would be removed at the site access with Scrafield Road, when taken cumulatively, the physical highway works proposed would not be a significant incursion of road surface into the grass verge in the context of the overall length of the road. A considerable amount of grass verge would remain and no hedgerows or trees would be removed. Indeed, the extensive cover of hedging interspersed with trees along the boundaries of the road, would visually contain the highway works and screen the passing places in views taken from the surrounding countryside. The relationship of the rural road with the open countryside and the LWNL beyond would be maintained.
41. Information submitted with the appeal suggests Scrafield Road is generally lightly trafficked and is promoted as a road suitable for pedestrians, cyclists and horse-riding. I saw that some Public Rights of Way intersected with the road.
42. Construction traffic associated with the proposal would use Scrafield Road, but this would be short-term. Once operational, evidence indicates vehicles attributed to the proposal would, on average, lead to approximately 1 large articulated HGV, 2 smaller non-articulated lorries, 2 tractors with trailers and 2 employee vehicles per week using the road. It is likely that some large agricultural vehicles already use the road to access fields and the farm at Scrafield House and would continue to access the field at the appeal site in the event the appeal were to fail. Over-running of grass verges cannot be completely prevented on narrow roads where vehicles passing cannot comfortably be accommodated. Given the limited amount of additional traffic that would arise, and that there would be additional passing places, I am satisfied the overall physical condition of the road, including grass verges, through use by vehicles associated with the proposal, would not be adversely harmed.
43. Overall, I find there would be no discernible negative effect on the experience of those using the road, its character or that of the surrounding area as a result of the limited increase in traffic and the proposed highway works.

44. In reaching this view, I have had regard to evidence submitted by third parties in relation to nearby poultry farms in Hameringham, where the overrunning of grass verges has arisen. While there are some locational similarities between these sites and the appeal site, I do not have full details of these other developments or the considerations at the time of them being given permission, including the type and amount of traffic generated, to make a robust comparison. Moreover, concerns arising from development elsewhere does not represent an appropriate reason to find against a proposal that I have considered on its own merits and found would not cause undue harm in relation to Scrafield Road.
45. To conclude on this main issue, for the above reasons, I find that the proposal would not have a harmful effect on the character and appearance of the area, with particular regard to Scrafield Road. Given the distance involved as well as intervening landscape and topography, neither would there be an adverse effect on the setting of the LWNL. The proposal would not therefore conflict with the CRW Act or Policy SP10 of the ELLP insofar as it requires development to maintain and enhance the character of the countryside. It would also not conflict with that part of Policy SP23 which seeks to ensure the distinctive character of the district's landscape is not compromised and that the highest level of protection is given to the LWNL.

Other Matters

46. I am aware from the evidence that there are several designated heritage assets in the surrounding area. These include the Grade II listed Winceby House Farmhouse to the east of the appeal site at Winceby; Grade II listed Church of All Saints and Grade II listed Thatched Cottage to the south-east at Hameringham; and Grade II* listed Church of All Saints, Grade II listed Mareham Grange Farmhouse, and Grade II listed Cottage to the west/south-west at Mareham-on-the-Hill.
47. From the limited information before me and what I saw, the special interest and significance of these assets primarily stem from their historic and architectural interests. However, they are also derived from their rural village and countryside settings. Given the location and extent of the proposal in relation to these other listed buildings, I find that their settings would be preserved and their significance would not be harmed. This would meet the statutory presumption set out in section 66(1) of the LBCA Act; the provisions in the Framework regarding the conservation and enhancement of the historic environment; and Policy SP11 of the ELLP referred to above. I note the Council raised no concerns in this respect either.
48. I acknowledge the appellant seeks to utilise the latest technology designed to enhance animal welfare and minimise adverse visual and environmental effects rather than implement an egg production facility that would not achieve these aims through the use of permitted development rights. In this respect, the appellant argues a fallback position for development of the site that could result in 11 large mobile units distributed across a larger ranging area without the need for highway improvements. However, there is little evidence before me to support this scenario. Therefore, I cannot be sure that it would have a greater than theoretical possibility of being implemented in order to be a realistic or probable fallback position and as such, does not provide a compelling ground on which to allow the appeal.

49. My attention has also been drawn by the appellant to other farm complexes and solar photovoltaic arrays close to the Battlefield, some of which include modern development of a similar scale. While there may be locational similarities between the sites, I do not have full details of these other developments and the considerations at the time of them being given permission. The circumstances in each case are likely to be different and, from the evidence presented, I cannot be certain that they represent a direct parallel to the appeal proposal. Moreover, it is a well-founded principle of the planning system that each proposal should be considered on its own merits. Therefore, while I have had regard to the other nearby development, it does not outweigh my conclusions based on the circumstances of this particular case, as set out above.
50. I have considered all other matters raised by interested people, including in relation to highway capacity and safety, scale and appearance, water pollution, avian flu, bio-security, noise, odour, vermin, flies, light pollution, ammonia, safety, size of flock, waste storage, condition of plantation, landscaping, precedent, atmospheric monitoring, wildlife and biodiversity, drainage, earth works, inappropriate materials, loss of agricultural land, outlook, effect on local tourism, and lack of a remediation plan. However, based upon the responses from the relevant consultees and upon the information available to me, there is no substantive evidence that harm would arise with respect to these matters. Furthermore, I am satisfied that, where necessary, any additional measures required could be adequately secured by planning conditions.
51. While I note comments in favour of the proposal, this is a neutral matter rather than one that carries positive weight in favour of the development.
52. The proposed development is within 2 kilometres of Winceby Rectory Pit Site of Special Scientific Interest. However, there is no need for me to consider the implications of the proposal upon it because the scheme is unacceptable for other reasons.
53. Concerns regarding the conduct of interested parties or the planning committee are not matters for my consideration as part of the appeal. I appreciate that the application was recommended for approval by officers. Nevertheless, Members ultimately came to a different conclusion. I have dealt with the appeal on its planning merits based on the evidence before me and found it would result in unacceptable harm.

Conclusion

54. The proposal conflicts with the development plan when taken as a whole, and there are no material considerations that warrant taking a decision otherwise than in accordance with it.
55. The appeal is therefore dismissed.

Ann Veevers

INSPECTOR