



Appeal Decision

Hearing held on 18 November 2025

Site visit made on 19 November 2025

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 2 March 2026

Appeal Ref: APP/E2530/W/25/3368333

Fulbeck Heights, Pottergate Road, Fulbeck, Lincolnshire NG32 3HW

- 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 David Sayer against the decision of South Kesteven District Council.
 - The application Ref is S24/1418.
 - The development proposed is single occupancy new build dwelling of 2 stories not exceeding 9m in height.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the heading above is taken from the application form. This differs from the description in the Council's decision notice and the appellant's appeal form which is, 'Erection of a single dwelling with associated access, landscaping and engineering works'. The latter is agreed by the main parties¹ and I have determined the appeal on this basis.
3. Prior to the hearing the appellant submitted an Ecology Technical Note², which the Council did not object to being accepted as part of the appeal evidence. Also, at the hearing, interested parties presented images illustrating views into and out of the appeal site (the site); and of flora and fauna stated to be within and around the site.
4. Having regard to guidance³ and caselaw⁴ concerning late evidence in the appeal process, the Ecology Technical Note merely updates existing assessments submitted with the application⁵ and introduces no new issues for consideration. Whilst some of the images are new evidence, they support existing representations already submitted. In addition, for both the Ecology Technical Note and the images, all parties have had the opportunity to comment on them as part of the appeal and hearing process. Given the above, and as confirmed at the hearing, I exceptionally accept them and have taken them into account in the determination of the appeal.

¹ In the agreed and signed Statement of Common Ground and confirmed at the hearing.

² Ecology Technical Note, by BWB, dated October 2025.

³ Section 16: Procedural Guide: Planning Appeals – England, dated 18 February 2026.

⁴ *Holborn Studios Ltd v The Council of the London Borough of Hackney* (2018), which refined the 'Wheatcroft principles' set out in *Bernard Wheatcroft v Secretary of State for the Environment* (1982).

⁵ Ecological Impact Assessment, by BWB, dated October 2023; and Biodiversity Net Gain Assessment, by BWB, dated October 2023.

5. The Council is in the process of preparing a new local plan, South Kesteven Local Plan Review 2021 – 2041 which is scheduled for adoption in November 2027⁶. The main parties agree that, at this stage, any relevant policies of the emerging Local Plan carry little weight for decision making purposes. I have no reason to take a different view.

Main Issue

6. The main issue is whether the quality of the proposed design would be exceptional so as to accord with national policy concessions to the presumption against new homes in this location; and the proposed development's effect on the character and appearance of the area.

Reasons

Policy context

7. The main parties agree that the site is located in the open countryside, and that the proposal comprises an isolated dwelling in the open countryside. Policy SP5 of the South Kesteven District Council Local Plan 2011- 2036 (adopted January 2020) (the Local Plan) is therefore relevant. Policy SP5 confirms that development in the open countryside will be limited to that which has an essential need, and sets out the types of development which will be supported. The 'types' listed do not include new dwellings in the open countryside not serving an essential need.
8. It is common ground between the main parties that the proposal would not accord with Policy SP5 and the overall spatial strategy for the District, which seeks to direct development towards sustainable locations. Therefore, the proposal would be in conflict with the development plan when taken as a whole. In such circumstances, the decision maker is directed to refuse planning permission, unless material considerations indicate otherwise.
9. However, there is also no dispute between the main parties that Policy SP5 is not consistent with the National Planning Policy Framework (the Framework), in that it does not allow for isolated homes in the countryside of exceptional design quality. Paragraph 84 of the Framework advises that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more specific circumstances apply. These include part (e) that the design is of exceptional quality, in that it: i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The provisions of Paragraph 84(e) are therefore a material consideration.
10. Also cited in the Council's reason for refusal and therefore relevant, are Local Plan Policies DE1 Promoting Good Quality Design, and EN1 Landscape Character. Respectively and amongst other things, Policies DE1 and EN1 seek to ensure high quality design is achieved throughout the District, including making a positive contribution to the local distinctiveness, vernacular and character of the area; and that development must be appropriate to the character, attributes and features of the landscape within which it is situated and contribute to its conservation, enhancement or restoration.

⁶ Paragraph 1.14 of the agreed and signed Statement of Common Ground.

11. These policies are generally reflected in Framework Paragraph 139 which, in summary, states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
12. Consequently, in determining the appeal, I have assessed the proposed development against the two limbs of Paragraph 84(e) of the Framework in the context of the parties respective cases, as well as against Policies DE1 and EN1 of the Local Plan and Paragraph 139 of the Framework.

The site and proposal

13. The site is located approximately 1.5km to the south-east of the Village of Fulbeck. It straddles the upper edge of the 'Cliff' running north-south as part of the Southern Lincolnshire Edge⁷, which forms the base of a distinctive spine of limestone that extends north from Grantham beyond South Kesteven, eventually to Whitton on the Humber Estuary.
14. The site comprises a roughly rectangular-shaped area of about 2.52 hectares of undeveloped and unmanaged grassland, which sits within a wider, sparsely populated, expansive and eminently rural landscape. It is bordered to the east by a timber clad office building and associated hardstanding⁸, and Pottergate Road; to the south by a stone wall and scrub/scattered trees; to the west by a hedge; and to the north by a combination of open land, and hedges with tall conifer trees, beyond which is Holy Well Farm. Access to the site is gained from Pottergate Road. A public right of way (PRoW) runs from Pottergate Road, through Holy Well Farm and immediately north of the site down towards Fulbeck⁹.
15. Across the site there is a significant change in levels, sloping down from east to west, and also from south to north, forming what is described by the appellant as a 'ridge and bowl' feature. The total height difference between the entrance on Pottergate Road to the western edge of the site is approximately 30m. This dramatic topography and largely open landscape permit extensive views from the site to the west.
16. The proposed dwelling is described as a bespoke 'forever home' for the appellant and his family, the design of which is advanced as being a contemporary interpretation of the local vernacular. It would be positioned towards the western part of the site, slightly low on the ridge, with a roughly north-south axis. There would be two floors of accommodation being effectively 'built into' the site, with a single storey facing east and two storeys facing west. The accommodation would be formed from a series of connected buildings of differing scale, mass and height with pitched roofs, arranged in a shallow-curved cluster. Its structure would be formed from a hybrid of timber and hempcrete, along with the primary materials of local limestone walls, clay pantile roofs and timber doors and windows.

⁷National Character Area Profile 47: Southern Lincolnshire Edge; and South Kesteven Landscape Character Assessment, 2007: Landscape Character Area – Southern Lincolnshire Edge.

⁸ The appellant's business.

⁹ Public Right of Way: FP Fulb/12/1.

17. The upper ground floor would comprise an entrance hall, bedroom accommodation, offices, studio space, toilet, storage and a triple garage. The lower ground floor would comprise a kitchen and dining area, formal and informal living areas, gym and master bedroom suite, with direct access to outside amenity areas.
18. The access from Pottergate Road would be in the form of a gravel drive with central grass strip, leading to a gated entrance to the residential curtilage and then to a gravelled forecourt. Hard and soft landscaping are proposed around the dwelling, including paved terraces, lawned gardens, a vegetable garden, a wildflower meadow, new tree planting, new hedgerows and ponds.
19. Sustainability measures would be incorporated into the proposal including, low carbon materials; high performance materials and mechanical ventilation with heat recovery; energy efficient building systems, such as LED lighting; low and zero carbon energy sources, such as ground mounted photovoltaic panels; water efficient fixtures and fittings; and electric vehicle charging points.

Truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas

20. At the hearing, the Council confirmed that its concerns are related mainly to the second limb of Paragraph 84(e). Even so, the matters raised do overlap with the consideration of the paragraph's first limb and, crucially, both limbs need to be assessed and met in determining whether the quality of the proposed design would be exceptional.
21. In applying the ordinary meaning of the words, to be 'truly outstanding' the proposal requires to be clearly very much better than what is usual. There are obvious challenges in relation to integrating a dwelling and associated amenity space into this site in this location, which the appellant has sought to address. In this regard, I acknowledge the collaborative, detailed and iterative design process undertaken, and note the key design drivers of studies in stone; curation of materials; timeless and of our time; harmony with site and landscape; and views.
22. The siting of the dwelling further down from the ridge of the Cliff and built into the topography of the site, would lessen its prominence on the skyline, as well as allow it to take full advantage of the extensive views to the west. However, in doing so, the east facing elevation, and main entrance to the property, would be very much secondary in form and function to the west facing elevation. This would give rise to an undue dominance of the west facing elevation, as well as weaken the sense of arrival to the building. In this respect, I note the comment of Design:Midlands Design Review Panel (Design:Midlands DRP)¹⁰ about an emphasis of the design being to the west.
23. The arrival forecourt would be well proportioned, and a circular theme would be continued through from the entrance doorway to an aligned large oculus window and circular rooflight above. This form would be supplemented by arches and recessed curved reveals to fenestration as part of the dwelling's design. However, although these forms would provide some relief to the prevailing orthogonal character of the composite parts of the dwelling, their design reference, is not clear, and I am not wholly persuaded that they sit comfortably alongside each other.

¹⁰ Design:Midlands Design Review Panel – Thursday 26 October 2023. Design Review of Fulbeck Heights – Fulbeck (Our Ref: DMDR2334). Response dated 9 November 2023.

24. I recognise the 'architectural journey' of the dwelling's design, having 'observed' and 'borrowed' elements from vernacular and historic environments resulting in, amongst other things, the breaking up of its overall massing into modest pitched-roof volumes, with a splayed frontage and 'banding' of the two levels. Additionally, some balance and symmetry would be achieved in the building's fenestration.
25. Nevertheless, in taking design inspiration from a mix of local built typologies, primarily that of Fulbeck Village as well as from country houses and agricultural farmsteads, I find that the composition of the 'cluster' with juxtaposed gables and elevations, incorporating pitched pantile roofs with heavy stone framing, would have a somewhat contrived appearance. As a result, the dwelling would not possess a strong identity and narrative of its own as a 'new country house'.
26. In terms of layout, although the separation out of the smaller buildings and uses within them would allow for parts of the house to be shut down when not in use, this plan form has the potential to give rise to a lack of connectivity within the building in both form and function.
27. The studies in stone and curation of materials are key aspects of the design process, and I accept that, given the appellant's links to the area, there is no interest or reason for them to desire a building which would be of poor quality. Moreover, the limited palette of materials of local stone in both light buff and grey colours to articulate the banded levels, along with clay pantile roofs in a familiar red/orange colour would provide some coherence to the cluster of buildings and dwelling as a whole.
28. However, there is no substantive evidence before me which demonstrates that the stated use of advanced digital design tools and multiple stone masonry techniques, both traditional and contemporary, in the design and construction of the dwelling, would be truly outstanding in any way.
29. The building would have sustainability principles and measures embedded into its design. However, many of these are fairly standard, and I am not persuaded that they are clearly over and above what would normally be expected or incorporated into a bespoke high-quality dwelling in any other rural location.
30. The proposed hard landscaping around the dwelling would be fairly limited in extent, and would blur into the comprehensive soft landscaping proposed, including new blocks of trees, meadows and hedgerows intended within and to border the site. These would soften the effect of built form within the open space, frame the elements of the cluster and not disrupt the important curated views to the west.
31. However, as such an integral element to both the holistic approach undertaken and the overall success or otherwise of the scheme, I am cognisant that it would take between 8 to 10 years for the soft landscaping to establish itself. Moreover, the drawings provided do impart a sense of concealment rather than a celebration of the building and its architecture, which feels somewhat counterintuitive to what is being advanced as a dwelling of exceptional design quality.
32. I agree with the appellant that a pastiche of any local typology or a 'Teletubby' house would not be appropriate design responses to the site. Even so, as proposed and as acknowledged by the appellant, the dwelling 'embraces multiple

contradictions'¹¹. I find that these 'contradictions' create tensions in the dwelling's overall form which have not been resolved through the design process. In addition, the written and oral evidence does not demonstrate what makes the design clearly very much better than what is usual when compared to other high-quality rural dwellings.

33. For the reasons set out above, I am not persuaded that the proposed dwelling would be truly outstanding, reflecting the highest standards in architecture. I also do not find that it would help to raise standards of design more generally in rural areas.

Significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area

34. The terms 'significantly enhance' and 'immediate setting' are not described or defined within the Framework. Using their ordinary meaning, it could reasonably be concluded that they refer to a conspicuous degree or element of physical and/or visual improvement in the quality, value, or extent of the area which is directly adjacent to the proposed dwelling.
35. The site is currently an open area of undeveloped and unmanaged grassland. As set out above, the proposed soft landscaping is comprehensive and well-considered. The reinstatement and/or enhancement of historic hedge boundaries and additional tree planting, echoing the 'Ings', are important aspects of this. The implementation, maintenance and associated ecological/biodiversity improvements of the landscaping would, over time, bring about a significant change to the site as well as a degree of physical and/or visual enhancement in the quality of the land. It is reasonable to conclude that, of itself, this would constitute a significant enhancement to the proposed dwelling's immediate setting.
36. In terms of the defining characteristics of the local area, the site and surrounding land clearly display the majority of the 'key characteristics' of the Southern Lincolnshire Edge landscape character area, as set out in the National Character Area Profile 47 (NCA), and the South Kesteven Landscape Character Assessment, 2007 (LCA). These include large-scale open arable landscape; dominant western scarp slope known as the 'Cliff'; large rectilinear fields with some fragmented hedgerows and shelterbelts; and sparse settlement pattern on top of the escarpment. As noted on my site visit, the geology, topography, flora, fauna and remote tranquillity of the area combine to create a distinctive character and strong sense of place. Justifiably, the LCA confirms that the landscape sensitivity to residential proposals is likely to be medium to high¹².
37. I agree with the appellant's assertion that 'sensitivity is not always passive'. From the evidence provided, the proposal would reflect the position and sparse pattern of built development along the escarpment, albeit slightly lower than the majority¹³.
38. Even so, for the reasons alluded to above, I am not persuaded that the design and form of the proposed dwelling would be sensitive to the characteristics of other typologies of built form along the Cliff. Although elements from country houses and farmsteads are referenced in its composition and details, the design of the dwelling draws heavily from the characteristics of vernacular buildings in Fulbeck Village. The breaking up of the built form into smaller components with multiple pantile

¹¹ Page 80, Design and Access Statement, by Kevin Kelly Architects, dated September 2023.

¹² Paragraph 4.75, South Kesteven Landscape Character Assessment, 2007.

¹³ Of those shown in Figure 48, page 48, Design and Access Statement, by Kevin Kelly Architects, dated September 2023.

pitched roofs and fenestration in the way proposed, would more reflect the character of a small domestic settlement.

39. In this regard, I also note that Design:Midlands DRP highlighted the risk of the scheme being perceived as 'Little Fulbeck'. Although the appellant refers to the landscape featuring a variety of existing developments scattered along the escarpment, typically characterised by multiform clusters nestled among trees and bushes, the examples referenced do not satisfactorily demonstrate this.
40. Of themselves, the individual buildings forming the 'cluster' would be fairly modest in size and volume. However, the overall footprint, scale and massing of the dwelling, as a sum of its parts, would be considerable, and would represent a sizeable intervention into the space. This would not only impact on the Cliff, requiring ground works to accommodate the building and hard landscaping, but also diminish to a degree the intrinsic remote rural character of the site and its related tranquillity. In any event, whilst the building may read as a pattern of smaller forms from afar, I am not convinced how successful this approach would be when viewed at close range, particularly from the adjacent PRoW.
41. The use of limestone in the construction of the dwelling would reflect this material's predominant use in the locale, as well as the 'management objectives' for the character area. However, the elevated and exposed position of the site combined with the cumulative size of the dwelling and the light buff colour of the upper band of the stone, are likely to result in the dwelling being unduly prominent when viewed from public routes. This would be particularly so in short range kinetic views from the adjacent PRoW, and lesser so in medium to long range views from Pottergate Road, South Heath Lane and Fulbeck recreation ground. Moreover, even though the fenestration would be recessed, given its extent, there would be potential for light pollution and/or reflection at different times of the day and months of the year.
42. Taking the above into account, whilst by virtue of its comprehensive soft landscaping, it could reasonably be concluded that the proposal would significantly enhance its immediate setting; I find that it would not be sensitive to the defining characteristics of the local area.

Design of exceptional quality – Conclusion on Paragraph 84(e)

43. The Framework allows for isolated homes in the countryside. However, under Paragraph 84(e) the design is required to be of 'exceptional quality'. I have found that the proposal would not meet this high bar. To conclude on this issue, the quality of the proposed design would not be exceptional so as to accord with national policy concessions to the presumption against new homes in this location. As such, it would conflict with Paragraph 84(e) of the Framework referred to above.

Character and appearance

44. As set out above, the site is located within the Southern Lincolnshire Edge landscape character area, which has a medium to high landscape sensitivity to new residential development.
45. The proposal would introduce substantial residential development into a remote, rural and tranquil location, undermining the inherent undeveloped and unmanaged characteristics of the site and surrounding area. Although it would incorporate sustainable measures, it has not been satisfactorily demonstrated that the

dwelling's form and design would be particularly outstanding or innovative; or that it would reflect the main typologies of development found along the escarpment. Moreover, the light buff colour of the stone to be used in the upper level along with the extent of fenestration, with the potential for light pollution and/or reflection, are likely to increase its prominence on the slope. These factors would result in the building appearing as an unduly conspicuous new component within the landscape.

46. The site and its immediate context benefit from some enclosure and screening due to hedgerow/tree boundaries to fields. Having regard to the findings of the appellant's Assessment of Potential Landscape and Visual Impacts of Proposals for a New Country House¹⁴ (LVIA) and my observations on site, it is clear that the building and its effects on the character and appearance of the area would be perceptible and keenly felt when experienced and viewed from public routes. This would mainly be in short range kinetic views from the adjacent PRow, but also in medium to long range views from Pottergate Road, South Heath Lane and Fulbeck recreation ground, albeit to a much lesser degree.
47. As advanced by the appellant at the hearing, visibility does not necessarily equate to harm, and I am mindful of the comprehensive soft landscaping scheme proposed including trees/hedges and scrub to provide a natural buffer to 'shield' the house. Nonetheless, for the reasons set out above, I am not convinced that the scheme would be fully compatible with the identified qualities of this sensitive context. Moreover, the landscaping would take 8 to 10 years to establish itself, during which time the dominance of the building on the Cliff would be apparent.
48. Drawing the above together, the proposed development would have a harmful effect on the character and appearance of the area. As such, it would conflict with Policies DE1 and EN1 of the Local Plan and Paragraph 139 of the Framework, referred to above.

Other Matters

49. The application was refused by Members of the Council's Planning Committee against an officer recommendation for approval and, as highlighted by the appellant, in respect of matters that were not raised during its determination.
50. The proposal is clearly the result of a comprehensive design process which included detailed and prolonged dialogue between the appellant and the Council¹⁵. It was also considered by Design:Midlands DRP and I am mindful of the requirements of Paragraph 138 of the Framework in this regard¹⁶. However, Members are not bound to agree with officer recommendations. Additionally, the presentation to Design:Midlands DRP was some way through the design process and did not confirm full support for the proposal. Rather, it set out a number of 'comments and recommendations', some of which, as set out above, I find still relevant and unresolved.
51. Whilst not forming part of the Council's reason for refusal, representations by interested parties raised matters of ecology and biodiversity; designated heritage assets; and drainage. These were discussed at the hearing.

¹⁴ Assessment of Potential Landscape and Visual Impacts of Proposals for a New Country House, by Ibbotson Studios, dated October 2023.

¹⁵ Including its Urban Design Officer and Design PAD.

¹⁶ Paragraph 138 of the Framework: In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.

52. Evidence on ecology and biodiversity matters presented by interested parties prior to and at the hearing highlight flora and fauna which they submit would be impacted by the proposal. These include deer, badgers, owls, buzzards, red kites, kestrels, sparrow hawks, woodcocks, grass snakes, bee orchids, and common spotted orchids. However, the information to substantiate any of the claims is limited and, with reference to the images, without date and location information cannot be fully verified as recent and/or pertaining to the site.
53. The appellant's Ecological Impact Assessment and Ecology Technical Note concluded that, subject to the implementation of recommended mitigation measures, 'significant ecological issues are not anticipated' as a result of the proposal. I acknowledge the practical limitations of the desk-based study and a site survey, as highlighted by interested parties. However, the reports provide a comprehensive professional assessment of the site, which I have no reason to doubt the validity of.
54. Moreover, from the oral evidence presented at the hearing, I am satisfied that, had I been minded to allow the appeal, this matter could have been adequately addressed by the imposition of pre-commencement conditions¹⁷, pertaining to the preparation and submission of a Construction Environmental Management Plan (including an Ecological Management Plan), and Protected Species Mitigation¹⁸.
55. In relation to heritage matters, the listed buildings of Bleak House (Grade II)¹⁹; Caythorpe Court (Grade II*)²⁰; Fulbeck Hall (Grade II*)²¹; and St Nicholas Church (Grade I)²² lie within the wider surroundings of the site, with Bleak House being the closest. In line with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), I have had special regard to the desirability of preserving the buildings or their settings or any features of special architectural or historic interest which they possess. I am also mindful of the requirements of the Framework in this regard, in particular Paragraph 212, in when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
56. From the information before me, the special interest and significance of these assets mainly stem from their archaeological, historic and/or architectural interests, but also, in part, from their mostly spacious and verdant wider rural settings, which includes the site.
57. Given the location and extent of the proposed scheme in relation to these listed buildings and their settings, it would not undermine the authenticity of how the assets are experienced; nor alter the ability to appreciate their special interest and significance. I therefore find that the settings of these designated heritage assets would be preserved and their significance would not be harmed.
58. The site also lies within the wider setting of Fulbeck Conservation Area (the CA). There is no statutory duty in this respect. However, I have had regard to the

¹⁷ As set out in the updated list of suggested conditions agreed by both main parties, received via email on 21 November 2025.

¹⁸ Which the Office of the Deputy Prime Minister Circular 06/2005 and BS 42020: 2013 Guidance allows for in exceptional circumstances.

¹⁹ National Heritage List for England, List Entry Number: 1360291.

²⁰ National Heritage List for England, List Entry Number: 1062429.

²¹ National Heritage List for England, List Entry Number: 1166164.

²² National Heritage List for England, List Entry Number: 1270291.

requirements of the Framework concerning designated heritage assets and development within their settings.

59. The CA's distinctive character and appearance and thus special interest and significance are primarily derived from its organic street pattern and dramatic topography; the fairly modest scale and form of its traditional domestic properties, combined with landmark buildings of country houses and the church; and use of a harmonious palette of materials of stone, brick, pantile and slate, which provide a pleasing consistency to the street scene. In addition, as referenced in the CA Appraisal and Management Plan, 2014 Review, the wider landscape setting of Fulbeck, particularly the Lincolnshire Cliff edge to the east, makes a significant contribution to the character and appearance, and thus special interest and significance of the CA.
60. The elevated position combined with the form and materiality of the proposal would mean that it would be visible in some long-range views out of the CA, particularly in autumn and winter months, when leaf cover would be reduced. However, in considering the site and extent of the proposed scheme relative to this part of the expansive landscape setting of the CA, I am satisfied that it would not undermine the ability to appreciate the key qualities of the CA, nor diminish the contribution that this part of the CA's setting makes to its character and appearance. I therefore find that the proposal, as development within the wider setting of the CA, would not harm its significance as a designated heritage asset.
61. On the matter of drainage, representations highlight the siting of the proposed development over a network of natural springs, and the potential for these, and the water courses they feed, to be adversely affected. The application/appeal was accompanied by a detailed professional Flood Risk Assessment and Drainage Strategy²³. This confirms that surface water from the proposed buildings, and surrounding hardstanding areas would be drained via gravity through a below ground drainage network for conveyance before discharge to a proposed soakaway. Whilst I note the concerns of interested parties, there is no substantive evidence before me which demonstrates that the natural springs or associated water courses would be at risk from the proposed development. Moreover, I am satisfied that, had I been minded to allow the appeal, this matter could have been adequately addressed by the imposition of pre-commencement conditions pertaining to the preparation and submission of a Construction Environmental Management Plan, and Surface Water Drainage Strategy²⁴.
62. In addition to the matters raised above, there were no technical objections to the proposal by the Council in respect of any other matters, including access, residential amenity, archaeology and parking. From the evidence before me, I have no reason to take a different view.
63. Nonetheless, in all of the above respects, a finding of a lack of harm weighs neither for nor against the appeal.
64. Other homes stated to have been granted permission under Paragraph 84(e) of the Framework are briefly cited in the appellant's evidence. However, I do not know the details of these schemes, nor the circumstances within which they were permitted. Therefore, I cannot make any meaningful comparisons with the scheme before me.

²³ Flood Risk Assessment and Drainage Strategy, by Cundall, dated October 2023.

²⁴ As set out in the updated list of suggested conditions agreed by both main parties, received via email on 21 November 2025.

65. Fulbeck Parish Council agreed its support of the application by a majority vote. Nonetheless, I note that this was with reservations, expressing concerns in respect of environmental issues.
66. The other matters raised, individually or collectively, do not alter my conclusions on the main issue.

Overall Planning Balance

67. The proposed development would provide a single, self-build, dwelling to the local housing supply and mix. The Council is currently unable to demonstrate a five-year housing land supply, with its position stated as 4.07 years²⁵. Additionally, the Council confirmed at the hearing that there is a considerable deficit in the provision of self-build and custom housebuilding plots in the District.
68. Consequently, this proposal would help to address both of these shortfalls and accord with the Government's aims of boosting the housing supply and mix for different groups, including those wishing to commission or build their own homes. Taking into account the extent of the deficits and the single unit of self-build housing proposed, this carries little weight in respect of overall housing delivery and moderate weight in respect of self-build delivery.
69. There would be some temporary economic benefits generated by the construction of the dwelling and landscaping. As agreed by the main parties, these benefits carry little weight.
70. Environmental benefits would arise from the use of sustainability measures which would be embedded into the scheme to achieve net-zero or low-carbon outcomes. Additionally, the proposal would maintain and/or enhance existing soft landscaping. This would deliver biodiversity net gain, stated as a 23.78% net gain in habitat units and 132.62% net gain in hedgerow units²⁶. This would considerably exceed the 10% mandatory biodiversity net gain requirements. Together, these environmental benefits carry significant weight.
71. Conversely, the proposed development would conflict with Policy SP5 of the Local Plan. In assessing material considerations, whilst Paragraph 84(e) of the Framework allows for isolated homes in the open countryside, this requires them to be of exceptional design quality. This is a high bar, which I find has not been met in this instance. Additionally, the proposal would harm the character and appearance of the area, giving rise to conflict with Policies DE1 and EN1 of the Local Plan and Paragraph 139 of the Framework. The harms that would arise from this conflict each carry significant weight against the appeal.
72. As set out above, the Council is unable to demonstrate a five-year housing land supply, with its position stated as being 4.07 years. Having regard to footnote 8 of the Framework, Paragraph 11(d) is engaged.
73. An overall planning balance is not a mathematical equation and I am very aware of the high bar set by the requirements of Paragraph 84(e) of the Framework. In this context, I find that the adverse impacts of granting permission for the proposed development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular

²⁵ Five Year Housing Land Supply Statement for the period 1 April 2024 – 31 March 2029, dated March 2025.

²⁶ Biodiversity Net Gain Assessment, by BWB, dated October 2023; and Ecology Technical Note, by BWB, dated October 2025.

regard to, in this instance, key policies for directing development to sustainable locations and securing well-designed places.

Conclusion

74. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, for the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr D Sayer	Appellant
Ms J Harris	Planning Consultant, Smith Jenkins Planning & Heritage
Mr K Kelly	Architect, Kevin Kelly Architects
Mr M Ibbotson	Landscape Architect, Ibbotson Studios

FOR THE LOCAL PLANNING AUTHORITY:

Councillor Ms C Morgan	Chairman, Planning Committee
Mr P Jordan	Development Management and Enforcement Manager
Ms M Beavers	Planning Officer

INTERESTED PARTIES

Cllr Ms P Milnes	South Kesteven District Council
Ms A Fane	Local Resident
Mr S Croson	Local Resident

ADDITIONAL DOCUMENTS SUBMITTED PRIOR TO, AT, OR AFTER THE HEARING

1. Ecology Technical Note, BWB, dated October 2025.
2. Copy of South Lincolnshire Edge Character Area, as set out in the South Kesteven Landscape Character Assessment (2007).
3. Map of Fulbeck Conservation Area and copy of Fulbeck Conservation Area Appraisal and Management Plan (2014 Review).
4. National Heritage List for England entries for Bleak House; Caythorpe Court; Caythorpe Court Park and Garden; Fulbeck Hall and St Nicholas Church.
5. Images illustrating views into and out of the site; and of flora and fauna stated to be within and around the site.