



Appeal Decision

Site visit made on 29 April 2025

by **S Pearce BA(Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 June 2025

Appeal Ref: APP/D2510/W/24/3351284

Phase II, Main Street, Mareham le Fen PE22 7RW

- 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 Miss Megan Scarisbrick of Gleeson Homes against the decision of East Lindsey District Council.
 - The application Ref is S/114/01809/22.
 - The development proposed is described as the “erection of 27 no. dwellings and construction of a vehicular access”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the application, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and amended on 7 February 2025. Those parts of the Framework most relevant to the appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the Framework, and I am satisfied that no parties interests would be prejudiced by my taking this approach.
3. The quantum of development proposed differs between the application form and the decision notice. Prior to the determination of the planning application, a number of amendments were sought, including the reduction in the number of dwellings to 27. The appellant has adopted the wording from the decision notice in their appeal documentation. Therefore, in the interests of clarity, I have used the wording from the appellant’s appeal form to describe the proposed development in the banner heading above.
4. The appellant has submitted a signed planning obligation in the form of a signed Unilateral Undertaking (UU) dated 4 December 2024. I deal with this later in my decision.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the area, and
 - the living conditions of the occupiers of Sheraton, with regard to outlook.

Reasons

Character and appearance

6. As defined in the East Lindsey Landscape Character Assessment 2009 (LCA) the appeal site lies within landscape character area H1, Mareham to Little Steeping Fenside Woodland and Farmland. The LCA states that this area is characterised by rolling landscape at the foot of the Wolds with wide open views extending to landmark churches and windmills towards the south of the character area. Away from the A155 the area is noted to be a very tranquil and idyllic rural landscape. The LCA advises that new developments should be concentrated around existing settlements to prevent further loss of the remaining rural landscape. The character area has a moderate sensitivity to change.
7. Mareham le Fen is a relatively small village, surrounded predominantly by open fields. While there is a variety of building sizes, layouts and density, the built form at the edge of the village is typically more spacious and interspersed with vegetation and open spaces. The appeal site comprises a largely open piece of land, described in the planning application form as an arable field, which represents a transitional point where the village meets open countryside. As such, it contributes towards the rural setting of the village.
8. The appeal scheme seeks to erect 27 properties, with a mix of single and two storey, semi-detached and detached properties. The proposed development would be located adjacent to, and accessed from, a neighbouring housing site. During consideration of the planning application, amendments were made to the proposed development, which included the removal of plots, an increase in public open space, additional bungalows and the provision of parking to the side of selected plots, which reflects a development on Field Side.
9. The appeal site is a narrow, elongated plot of land, located at the edge of the village and close to other housing sites¹. The evidence indicates that the appeal proposal would not be visible in longer distance views. However, the appeal scheme would be visible when approaching the village along Main Street. While it would be viewed in the context of Sheraton and Kaywill Cottage, a large section of the westerly boundary of the appeal site would be visible from this vantage point, as evidenced in the Design Statement dated August 2024. There would also be views of the development from Field Side.
10. While the appellant asserts that the overall density of the proposed development mirrors that of the neighbouring housing site, the appeal scheme seeks to concentrate the majority of the proposed properties along the more prominent northerly and westerly boundaries of the appeal site.
11. Although there is no dispute that the site, in purely land use terms, is suitable for residential development, such a layout would result in a tight-knit and regimented form of development, that would create a harsh boundary with the adjacent countryside. This would be in stark contrast to the variety in the alignment of buildings within the neighbouring housing site. Consequently, the proposal would

¹ Including allocation MLF305 (Moat Farmyard, Watery Lane) and planning application references: S/114/00355/20 and S/114/02220/21

significantly diminish the contribution that the appeal site makes to the rural setting of the village.

12. It is noted that the layout of the neighbouring housing site includes some properties which front the open countryside. While the appeal scheme seeks to site the proposed built form with rear elevations facing the adjacent open countryside, such an arrangement is not uncommon within the village.
13. The majority of the proposed properties along the northerly and westerly boundaries of the appeal site would be two storey in height. Therefore, Sheraton, a single storey dwelling, and the proposed landscaping would only partially screen and soften the appeal scheme. As such, the presence of this nearby property and the landscaping would not sufficiently mitigate against the harm identified.
14. A housing development, located on the south side of Main Street, has been drawn to my attention. While noting the height of the glazing serving the living rooms, the development comprises single storey properties only. Moreover, the size and shape of the housing development site differs to that of the appeal site. As a result, it is not directly comparable.
15. For the reasons outlined, the proposed development would have an unacceptable harmful effect on the character and appearance of the area. It would conflict with Policy SP10 of the East Lindsey Local Plan 2018, which seeks to ensure development proposals reflect the character of the surrounding area.

Living conditions

16. Sheraton is a single storey property, orientated with its front elevation facing towards the appeal site. It is separated from the appeal site by an access road, which also provides access to Sheraton. Having regard to the open nature of the appeal site, the occupiers of Sheraton have a good level of outlook at present.
17. The appeal scheme proposes an area of open space which would be located broadly opposite Sheraton. In addition, several properties would be located adjacent to this open area, which would largely comprise single storey bungalows. These properties would be sited at oblique angles to Sheraton.
18. Having regard to the proposed layout, scale of nearby plots and the distance between Sheraton and the appeal site, there would be no material loss of outlook for the occupiers of Sheraton as a result of the appeal scheme.
19. Consequently, the appeal scheme would not materially affect the living conditions of the occupiers of Sheraton, with regard to outlook. This accords with the Framework, which seeks to ensure a high standard of amenity for existing users.

Planning Balance and Conclusion

20. It is noted that the appellant sought to work with the Council and amended the proposal prior to the Council's decision in an attempt to address concerns raised. However, while the appeal scheme would not harm the living conditions of the occupiers of Sheraton, it would, nevertheless, harm the character and appearance of the area. Consequently, it would conflict with the development plan as a whole.
21. The proposal would deliver 27 additional dwellings of a range of sizes, in an accessible edge of settlement location. It would therefore contribute towards

housing supply in the area and the aim to increase housing delivery, in order to achieve the target to build 370,000 homes annually. Moreover, it would also support the Government's objective to significantly boost the supply of homes.

22. The Framework supports the development of windfall sites. The proposal would lead to some social and economic benefits. These would include direct and indirect employment through the construction of the appeal site, generation of tax revenue, including Council Tax, and the activities of the future residents of the scheme, through spending in local shops and services.
23. The appellant highlights that the proposal would comprise low cost housing and would increase the housing choice and mix in the village, from smaller homes for first time buyers, to larger family homes. Moreover, the appeal scheme would meet all current sustainability requirements, would be built to last and has been designed with reference to secured by design principles.
24. The UU intends to secure 9 affordable housing units. Which is a benefit of the scheme. The UU also intends to secure a financial contribution towards healthcare, education and play equipment in line with the amount indicated to be necessary by the Council. However, these are neutral considerations, as the contributions would be needed to address the increase in demand for healthcare, education and play areas arising from the occupiers of the development.
25. The proposed details in relation to highways, drainage, archaeology, noise, contamination and ecology are all acceptable subject to the imposition of conditions. Similarly, no harm has been identified in respect of the design and materials of the proposed development. An absence of harm in respect of these matters are neutral considerations.
26. Taking the benefits of the appeal scheme together, these are not sufficient to outweigh the conflict identified in respect of the character and appearance of the area. Consequently, the appeal scheme would conflict with the development plan as a whole. There are no material considerations, including the Framework, that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR