



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Statement of Case

Planning Inspectorate Reference:	6001313
LPA Reference:	S25/1033
Description of Development	Outline application for up to 4 detached dwellings. All matters reserved except access.
Appellant:	Hilltop Ltd
Site Address:	Land West of Doddington Lane, Stubton, NG23 5BX

Report Author

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Corporate Priority:

Growth

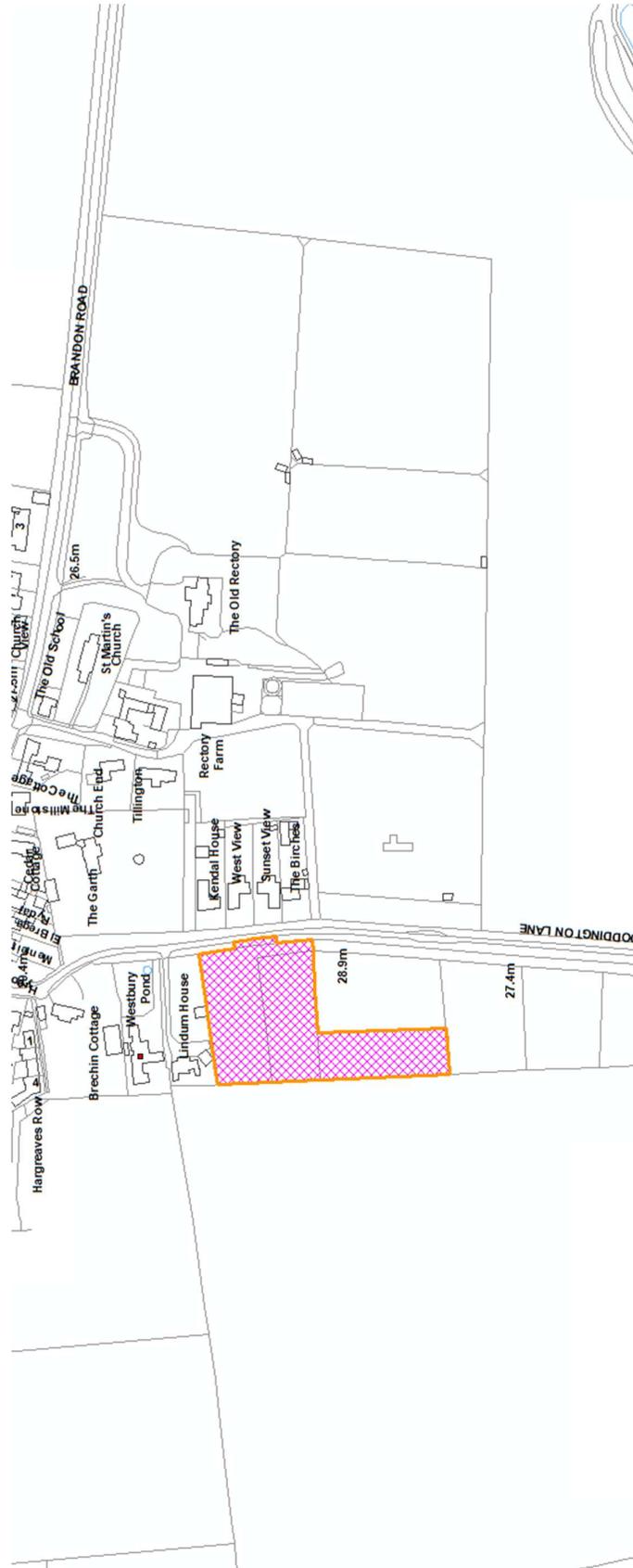
Decision type:

Regulatory

Wards:

Loveden Heath

S25/1033 - Land West of Doddington Lane, Stubton, NG23 5BX



Key



Application Boundary



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1 Introduction

- 1.1 The Local Planning Authority are in receipt of an appeal by Hilltop Ltd (“the Appellant”) against the decision of the Local Planning Authority to refuse planning permission (LPA Ref: S25/1033) for the “Outline application for up to 4 detached dwellings. All matters reserved except access.” at Land West of Doddington Lane, Stubton, NG23 5BX (“the appeal site”).
- 1.2 The planning application subject to this appeal was received and valid from 4 June 2025. The application was refused planning permission, contrary to the officer recommendation on 26 September 2025 following a resolution of the Planning Committee at its meeting on 25 September 2025.
- 1.3 Copies of the relevant policies, representations received, Officer Report to Committee, Minutes of the Committee meeting and Decision Notice were submitted with the Council’s Questionnaire.
- 1.4 The application was refused planning permission for the following reason(s):
 - 1.4.1 ***The application proposals would result in the total loss of an area of ridge and furrow, which is defined as a non-designated heritage asset and is recognised as a key character of the rural landscape character identified in the made Stubton Neighbourhood Plan. As a result, the application proposals would result in substantial harm to the significance of a non-designated heritage asset and the public benefits of the scheme, including the provision of housing, which is identified as a significant benefit, would not outweigh the identified harm, due to the limited weight attributed to the provision of 4 dwellings. As such, the application proposals are contrary to Policy EN6 of the adopted South Kesteven Local Plan 2011-2036 (Adopted January 2020), Policy NE2 of the Stubton Neighbourhood Plan and Section 16 of the National Planning Policy Framework.***
The development proposed would conflict with the development plan when taken as a whole, and material considerations are insufficient to indicate that the decision should be otherwise than in accordance with it, including the presumption in favour of sustainable development contained in the Framework.
- 1.5 The main issues in relation to this appeal are:
 - 1.5.1 The loss of ridge and furrow as a non-designated heritage asset;
 - 1.5.2 The effect of the proposal on the character and appearance of the area;
 - 1.5.3 Whether there are sufficient public benefits to outweigh the harm that would arise.

2 Planning Application History

2.1 The appeal site has not been subject to any relevant previous planning applications.

3 Council's Statement of Case

Policy Context

- 3.1 Local Plan Policy EN6 states: *"The Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework.*
- 3.2 *Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm. Proposals which would conserve or enhance the significance of the asset shall be considered favourably. Substantial harm or total loss will be resisted.*
- 3.3 *Proposals will be expected to take Conservation Area Appraisals into account, where these have been adopted by the Council.*
- 3.4 *Where development affecting archaeological sites is acceptable in principle, the Council will seek to ensure mitigation of impact through preservation of the remains in situ as a preferred solution. When in situ preservation is not practical, the developer will be required to make adequate provision for excavation and recording before or during development."*
- 3.5 Stubton Neighbourhood Plan Policy NE2 states: *"New development must be appropriate to the character, natural historic and cultural attributes and features of Stubton's landscape. Developments must respect and retain the landscape character of Stubton Parish and incorporate features which contribute to the conservation, enhancement or restoration of these features.*
- 3.6 *In particular, new development should, wherever possible:*
- 3.7 • *Maintain existing hedgerows, trees and woodland and encourage the planting of new trees and hedgerows. Where new trees are proposed, these should wherever possible, be appropriate disease resistant and native species.*
- 3.8 • *Protect and enhance the existing landscape character and the important features that define the character, setting and views of the Parish (as set out within the Stubton Landscape Character Assessment). In particular, development which would impact on Stubton Neighbourhood Plan Map showing key views from Stubton Parish towards surrounding areas and the escarpment slopes (shown in orange) views into and, where appropriate, out of the village should demonstrate that these features have been sensitively and appropriately considered and incorporated/mitigated as necessary."*
- 3.9 National Planning Policy Framework paragraph 207 states: *"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."*
- 3.10 NPPF Paragraph 208 states: *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when*

considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

- 3.11 NPPF Paragraph 216 states: "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Loss of ridge and furrow

- 3.12 The site retains prominent ridge and furrow features which can be seen at both ground level and through aerial photography. This is recorded as a non-designated heritage asset in the Lincolnshire Historic Environment Record (MLI99366). This is a defining feature of the local landscape and is of historic significance in understanding medieval agricultural practices. The ridge and furrow earthworks on the site are illustrative of the nature of open-field farming to the south of the village of Stubton.

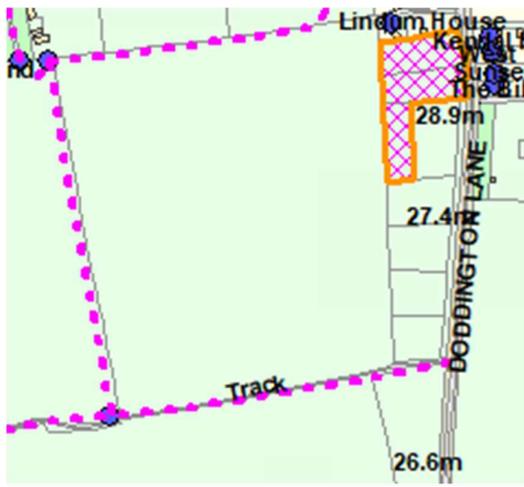


- 3.13 The Heritage Impact Assessment (HIA) (Locus, October 2025) submitted with the appeal agrees that the ridge and furrow on the appeal site is a non-designated heritage asset, which it considers to be of low local significance.
- 3.14 While it is agreed that the ridge and furrow is of local heritage significance, as supported by the Council's conservation officer comments, there is evidence to support this being a locally important historic feature of the landscape. Page 17 of the Stubton Neighbourhood Plan states: "The village is surrounded by farmland and there are numerous examples of original ridge and furrow fields." Further reference to well preserved ridge and furrow is made at paragraph 3.10 of the Stubton Parish Landscape Character Assessment.

- 3.15 The significance of the ridge and furrow derives from being closely associated with medieval villages and provides an understanding of their historic agricultural practices. It is clear, as discussed in the HIA, that large parts of ridge and furrow in this area have already been lost and therefore the Council's position is that an important contributor to the significance of the appeal site is that the remaining ridge and furrow has survived into the twenty-first century.
- 3.16 The proposed development would result in the total loss of 0.5 hectares of ridge and furrow. While it is agreed that there would remain undeveloped land to the south of the site that contains ridge and furrow, the part of the site proposed to be developed for four dwellings would be completely lost. The HIA asserts that a proportion of the earthworks could be retained in open garden space. This is disputed by the Council, as it is difficult to understand what enforceable mechanism could be used to achieve this and even if it were to be achieved, the legibility of the ridge and furrow would be completely lost through the construction of boundary treatments and built form. The Council's position is therefore that the proposed development would result in substantial harm to this non-designated heritage asset and is therefore contrary to Local Plan Policy EN6.

Effect of the proposal on the character and appearance of the area

- 3.17 The site has a verdant quality which contributes positively to the rural setting of the village. The site is rural in character and, as above, the ridge and furrow is a defining characteristic of the historic agricultural practices that would have taken place at the site. The current site is surrounded by mature hedgerow which limit visibility into the site, however there are public rights of way to the north, west and south that provide public views towards the site.



- 3.18 The proposed development would introduce a new vehicular access of Doddington Lane in order to provide access to the site. The proposed development, as a result of the introduction of four dwellings and their associated residential curtilages, would erode this rural setting and result in significant harm to its existing rural character. Given the loss of ridge and furrow and the removal of a significant part of the hedgerow to facilitate the new access, this harm to the existing historic, rural character of the site is considered to be contrary to Stubton Neighbourhood Plan Policy NE2.

Benefits associated with the scheme

- 3.19 The scheme would deliver four market dwellings which would make a modest contribution towards the current shortfall in housing supply and is recognised as a benefit. However, the provision of four market dwellings in the context of the overall housing needs of the District (895 dwellings per annum) is only afforded limited weight. There would also be some economic benefits associated with the construction and occupation of the dwellings which are also afforded limited weight. The scheme would result in a Biodiversity increase of 10.97% of onsite habitat units and 16.67 % of hedgerow units, which would be secured on a parcel of land to the south of the site. Given the relatively minor scale of the site, this is a benefit that is afforded minor weight.

Heritage Balance

- 3.20 Taking account of the substantial harm that would be caused to the ridge and furrow within the appeal site, the public benefits above would not outweigh this harm. The proposed development would therefore be contrary to Local Plan Policy EN6 and the National Planning Policy Framework paragraph 216.

4 Planning Balance and Conclusions

- 4.1 In accordance with the definition in paragraph 78 of the NPPF, South Kesteven currently has an identifiable and deliverable housing supply of 3,827 homes expected to be deliverable in five years between 1 April 2024 and 31 March 2029. This equates to a housing land supply of 4.07 years.
- 4.2 In such cases it is necessary to engage paragraph 11 d) of the framework. This establishes a presumption in favour of sustainable development unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework when taken as a whole.
- 4.3 As outlined above, it is the Local Planning Authority's assessment that the appeal proposals are contrary to Local Plan Policy EN6, Stubton Neighbourhood Plan Policy NE2 and the NPPF para 216.
- 4.4 In respect of material considerations, it is acknowledged that there are a number of public benefits associated with the appeal proposals, as detailed at para 3.19.
- 4.5 Taking all of the above into account, it is the Council's assessment that the material considerations in this case, including the public benefits associated with the proposed development, do not outweigh the harm identified by virtue of the conflict with the adopted Development Plan.
- 4.6 The Council therefore request that the appeal is dismissed.

5 Suggested Conditions

- 5.1 If the Inspector is minded to allow the appeal, and grant planning permission, the following conditions are suggested.

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the latter.

Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i. layout;
- ii. scale
- iii. appearance
- iv. landscaping

Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 3 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
- i. Existing Site Plan received 11 July 2025
 - ii. Proposed Site Plan received 11 July 2025 in so far as it relates to the position of the access

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Prior to Commencement

- 4 Before any development is commenced, including any site clearance works, a scheme for biodiversity mitigation and enhancement for must have been submitted to and agreed in writing by the local planning authority. The scheme must secure a biodiversity enhancement of at least 10% for habitats and hedgerows.

The scheme shall include a plan identifying the location of any mitigation and enhancement measures, along with a detailed schedule (and technical details as relevant) for each of the measures proposed. The required biodiversity mitigation and enhancement measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwelling hereby approved.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy EN2 of the adopted South Kesteven Local Plan.

- 5 Before the development hereby permitted is commenced, a written scheme of archaeological investigation must have been submitted to and approved in writing by the Local Planning Authority. This must include a topographic survey of the site including all upstanding ridge and furrow.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policies EN6 of the adopted South Kesteven Local Plan and Paragraph 205 of the NPPF.

- 6 Before the development hereby permitted is commenced, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

- 7 Notwithstanding the submitted preliminary ecological appraisal submitted within this application, as part of any application for reserved matters details relating to layout and landscaping a revised Biodiversity Mitigation and Enhancement plan must be submitted to and approved in writing by the Local Planning Authority. The submitted report must be in broad accordance with the submitted Preliminary Ecological Appraisal, unless otherwise agreed in writing by the Local Planning Authority.

Thereafter, the development must be carried out in accordance with the approved details.

Reason: To ensure the proposal does not result in any unacceptable adverse impacts on ecological assets and protected species, as required by Policy EN2 of the Local Plan.

During Building Works

- 8 The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:-

- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;

- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Construction works would be carried out in accordance with the approved details.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

Prior to the development being occupied

- 9 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

Ongoing Conditions

- 10 No development above damp-proof course shall take place until details demonstrating how the proposed dwelling would comply with the requirements of Local Plan Policy SB1 and SD1 must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the building; details of water efficiency. The approved sustainable building measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwelling hereby permitted.

Reason: To ensure the development mitigates and adapts climate change in accordance with Local Plan Policy SB1 and SD1

- 11 This permission relates to a maximum of 4 dwellings on the site.

Reason: To define the permission and for the avoidance of doubt

