DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-1129-25**	**Applicant:**	**Mr N Burton**
Proposal:	Display of 2 x Non-Illuminated Advertisements - Retrospective		
Location:	39 Market Place Long Sutton Spalding		
Terminal Date:	12th January 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well designed places
Section 16 - Conserving and enhancing the historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent Application is for the display of two non-illuminated advertisements at 39 Market Place, Long Sutton.

The sign is currently in situ with the application being made retrospectively. It measure 610mm by 880mm and has a depth of 50mm. Finally, it is set either side of the entrance door to the property and reads 'House of Glow Tanning Studio'.

Site Description

No. 39 Market Place is a Grade II listed building, known as National Westminster Bank and Brenchley House, the buildings are located within the settlement boundary and Long Sutton Conservation Area.

The list description for the buildings read:

Flat, bank and house. Mid C18, remodelled early C19. Stucco and red brick. Slate roof. Single red brick ridge stack. Gables coped with blue brick. Moulded eaves. Chamfered plinth with chamfered rustication to the ground floor. The top 2 storeys with bays defined by fluted giant order pilasters. First floor band. Two and a half storeys, 8 bays, each property being 4 bays, the right 4 bays being set at a slight oblique angle and with basement. Basement opening to left of far right doorway. Doorway with C20 door and overlight. Either side are single tripartite sashes each sash divided by a band of rustication and topped with a single keystone, some now obliterated by C20 sign. Further left is a single similar doorway and door with keystone. To the right are 2 glazing bar sashes, further right is a doorway with panelled door and overlight and on the far right a single similar sash. All openings with keystones. Above are 4 glazing bar sashes with 4 smaller glazing bar sashes to the right. On the top floor are 4 smaller glazing bar sashes, to the right is a single blind window opening, a single smaller glazing bar sash, a single similar blind opening and on the far right a single similar small sash. All first and second floor sashes with moulded architraves.

The building is three storeys and prominently located, fronting West Street within the town centre. The buildings have been significantly altered to the rear, with replacement of original windows and the construction of flat roofed extensions and an external staircase. The curtilage and associated land is hard surfaced.

History

H11-0388-25 - Proposed change of use of existing buildings to form 2 HMO's and 1 bedsit - Refusal

Consultation Responses

Long Sutton Parish Council

The council once again raise their objections to any retrospective applications as it is to the detriment of those who apply correctly.

Officer Note - Whilst the concerns of the Parish Council are noted, this does not represent a material planning ground or objection to this application. As such, the application does not need to be put before the Members of the Planning Committee and instead can be determined under delegated powers in accordance with the Council's constitution and scheme of delegation.

South Holland District Council Conservation Officer

No Objections.

Proposed signage is small in scale, utilises an appropriate colour scheme. Both of these factors combined are such that I do not feel this proposal would bear a risk of harming the character or setting of the LB.

Lincolnshire County Council Historic Places

Thank you for consulting us on this.

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Finally, as the proposal includes external alterations to 39 Market Place; one of a pair of Grade II listed buildings (National Westminster Bank and Brenchley House) within the Long Sutton Conservation Area; the SHDC Conservation Officer must be consulted before a decision is made, given the potential direct and setting impacts.

Public Representation

- Sought clarification that the site is along Market Place and not West Street.

Planning Considerations

Evaluation

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Layout, Design, Scale and Consideration of the Character of the Area and Heritage and Conservation Considerations

Policy Context - Design

Section 12 of the National Planning Policy Framework (December 2024), "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the South East Lincolnshire Local Plan (2019) requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December

2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Policy Context - Heritage

The site is within Spalding Conservation Area as well as being Grade II listed.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

The National Planning Policy Framework (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2024) states that "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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 213 of the National Planning Policy Framework (December 2024) outlines that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." In other words, should a proposal result in harm to an asset, this should be weighed against the public benefits arising from the proposal. Paragraph 215 expands upon this, stating that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The above assessment of harm should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Paragraph 207 of the National Planning Policy Framework (December 2024) outlines that 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".

Policy 29 (The Historic Environment) of the South East Lincolnshire Local Plan (2019) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December 2024). Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets. Policy 29 of the South East Lincolnshire Local Plan (2019) is broken into five interrelated sections, with parts A, relevant here.

Policy 29A of the South East Lincolnshire Local Plan (2019), relating to listed buildings, states: "Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building." This section is discussed in greater detail later in this report.

Section A of Policy 29 of the South East Lincolnshire Local Plan (2019) outlines criteria which applications relating to listed buildings should conform to. These are as follows:

"1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special

architectural or historic interest of the Listed Building or its setting.
2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy.
3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Assessment

The signs are located on the front elevation and therefore visible when travelling along Market Place and West Street, notwithstanding this, it is considered that due to the relatively minor scale and size of the signs it would cause minimal impact upon the building. Furthermore, the design and use of black and white lettering is one that is representative to what has previously been sited on this elevation as well as advertisements on neighbouring properties as well. Not only this, they are largely akin to much of the signage featured within the historic Conservation Area and would reflect this in an appropriate manner.

Alongside this, the sign has been fixed using existing holes and the original fixing methods to avoid any new alterations or damage to the listed building. This ensures minimal physical intervention and does not risk causing further harm. Overall, the LPAs opinion that the signs would not cause harm to the listed building has been supported by the Conservation Officer's comments which state that *'Proposed signage is small in scale, utilises an appropriate colour scheme. Both of these factors combined are such that I do not feel this proposal would bear a risk of harming the character or setting of the LB'*.

As such, the proposal is not considered to cause any harm to the Listed Building and is considered to be in accordance with Policy 29 of the South East Lincolnshire Local Plan (2019) and Section 16 of the National Planning Policy Framework (December 2024).

Planning Balances

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

The proposal would not cause harm to the Grade II Listed Building due to the reasons outlined above and is representative of similar advertisements within the wider area of the Conservation Area.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse

impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 2, 3, and 29 of the South East Lincolnshire Local Plan (2019), as well as Sections 12 and 16 of the National Planning Policy Framework (December 2024). There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.