DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0198-26**	**Applicant:**	**M Rashid**
Proposal:	Fascia Signage & Barbers Pole - Retrospective		
Location:	50 Westlode Street Spalding Lincolnshire		
Terminal Date:	28th April 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment
33	Delivering a More Sustainable Transport Network

National Guidance

National Planning Policy Framework December 2024

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

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	1	0	0	0
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	2	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks advertisement consent for the erection of a fascia sign and two barber poles. The application is made retrospectively.

The fascia sign measures 6m (width) by 0.6m (height), set 2.6m from the ground. It is constructed of acrylic. The sign is comprised of a black background with A1 Barbers written in red and white. A logo showing white scissors crossing a comb on a red field sits between the two words.

The barber poles are located either side of the fascia sign. They are also acrylic in construction. Each pole has a width of 0.2m with a height of 0.5m. The design is a typical red, white and blue stripe.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is within Spalding Conservation Area, although this building itself is not listed. The Grade II listed Friends Meeting House is located approximately 15m to the west.

Relevant History

H16-1015-25 - Adv - Fascia Signage & Barbers Pole - Retrospective - Refused 13-01-26

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

"The proposal is for fascia signage & barbers pole - retrospective and it does not have an impact on the Public Highway or Surface Water Flood Risk."

Conservation Officer

This latest application appears to make no substantive changes compared to the previous attempt to gain retrospective consent under H16-1015-25 which was refused. The applicant's only change appears to be that the same signage will be retained but that the internal illumination shall simply be not used. This does not matter, as the capability for the sign to be illuminated remains. Internally illuminated signs are deemed mostly to be inappropriate in Conservation Area settings not only due to the illumination itself, but also the design of sign that it in most cases (including this case) necessitates - thick, box sectioned fascias and pronounced, thick acrylic lettering and logo work. Moreover, this application does not address any of the other concerns raised in the objections to the previous case; namely the basic inappropriate nature of the design of the signage and the unsightly box-shutters installed as part of the same works.
This application, therefore, fundamentally fails to address any of the previous reasons for refusal, and consequently, I must advise that I recommend this application be similarly refused due to harm to the conservation area setting, based in Policy 29 of the SELLP, as well as S16 of the NPPF

Spalding and District Civic Society

We wish to object to this application. The location is within Spalding Conservation area and as such the internally lit barbers poles are inappropriate as is the back lit signage. Class 4 of the The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out what is permissible.

This is reinforced by policy 3 of the south East Lincolnshire Local Plan. The design of the shop frontage including the interior lighting and LED rotating barbers pole is also poor and detracts from the character of the conservation area. The overall design and appearance fails to maximise opportunities for improving the character and quality of an area. The external barbers poles result in an unacceptable visual intrusion to the facade of the building. Policy 25 also applies as does policy

29B. The changes made have not enhanced the appearance of the building or the character of the area. Paragraph 135 of the National Planning Policy Framework also applies.

There are four listed buildings within the immediate area, namely the Quaker Meeting House at 54-56 Westlode Street, 64 and 65 Westlode Street and 5-9 Albion Street and 44 Double Street around the corner.

We therefore ask that the application is refused, that the applicant is requested to remove the internally lit barbers poles on the inside and the outside of the premises and replace the back-lit external external signage by a design that is more sympathetic to the character of the conservation area.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, two letters of support have been received.

These can be summarised as:

-Lack of variety of shops in town
-Outdated and poor quality frontages in town
-Previous signage on the site was illuminated, box sectioned plastic sign
-Sign helps sustain a business in the town.

Key Planning Considerations

Evaluation

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

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

Policy Context - Design

Section 12 of the NPPF, "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 NPPF, 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.

Paragraph 141 of the NPPF states: "The quality and character of places can suffer when

advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

Likewise, Policy 2 of the SELLP 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 SELLP 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 NPPF 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, within a reasonable proximity of numerous Grade II listed buildings.

In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

In assessing proposals of this nature, the Local Planning Authority must also ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The NPPF 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 NPPF 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 220 expands upon this, in relation to Conservation Areas, stating:
"Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole"

Policy 29 (The Historic Environment) 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 NPPF. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets. Policy 29 is broken into five interrelated sections, with parts A, and B relevant here.

Policy 29A, 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."

Policy 29B, relating to conservation areas, states: "Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as

appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:
1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;"

To this end, all proposals in the Conservation Area or which affect listed buildings should preserve or enhance their settings.

Assessment

The materials proposed are atypical of a Conservation Area. Acrylic is not a vernacular material, nor one which would be typically expected in an historic area. Their use here, in connection with the more modern box lettering used, creates a distinctly modern feature which fails to respect the historic character of the Conservation Area. On this basis, the proposed materials are considered to detrimentally impact upon the historic environment, thereby failing to meet the requirements of Policy 29B of the SELLP.

H16-1015-25 cited the materials and overall design as a reason for refusal. As this has not been addressed, bar the removal of internal illumination, it is considered that these considerations still stand. This is consistent with the comments of the Conservation Officer, who has identified harm to the Conservation Area. It is the view of the Conservation Officer that the proposed design is inherently contrary to the expected standards of the Conservation Area.

The comments of the Civic Society regarding internal illumination are noted; however, as these are internal works, beyond the scope of this application, they have not been assessed here.

As the proposal would be contrary to Policy 29 of the SELLP, regardless of the assessment of harm against Section 16 of the NPPF, the proposal would be unacceptable. Nevertheless, in line with Paragraphs 212, 215 and 220 of the NPPF, less than substantial harm has been identified.

On this basis, less than substantial harm has been identified, in line with Paragraphs 212 and 220 of the NPPF. In these circumstances, Paragraph 215 is relevant, which states:
"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 proposal represents an advertisement which would not impact upon the viable use of an asset. Therefore, the proposal should be assessed against the public benefits from this proposal. As an advertisement for a private business, there would be no public benefits. Letters of support have stated that the signage supports a business; however, this is an inherent benefit of all signage, not the specific design, and therefore one could anticipate the same benefits from a more appropriate design.

Heritage and Character Conclusion

The choice of materials and design fundamentally conflict with the expectations for designs in the Conservation Area. The result is an atypical feature, which fails to preserve or enhance the historic environment. The process is therefore contrary to Policies 29 of the SELLP and Section 16 of the NPPF, which would not be outweighed by public benefits.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing

development and land uses is a main consideration when making planning decisions.

The proposal would have no unacceptable amenity impact. No overshadowing or overlooking would occur. There would be no overbearing effect or light pollution, when the relevant conditions are considered.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

The proposal would have no impact highway safety or accessibility.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, and 33 of the SELLP, as well as Section 9 of the NPPF.

Planning Balance

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

The proposal would represent an inappropriate design within the Conservation Area. The materials and overall design are both considered to be inappropriate in this setting. There would be no wider benefits emerging from this application to outweigh this perceived harm.

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 contrary to Policies 2, 3, and 29 of the SELLP, as well as Sections 2 and 16 of the NPPF.

Recommendation

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