DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0486-25**	**Applicant:**	**Transported**
Proposal:	Proposed ceramic and mosaic mural to external boundary wall adjacent to the public highway		
Location:	The Limes 12 Double Street Spalding		
Terminal Date:	18th July 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework December 2024

Sections 12 and 16 of the National Planning Policy Framework (2024)
The Planning (Listed Buildings and Conservation Areas) Act 1990

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent application is for the proposed erection of a ceramic and mosaic mural to an existing boundary wall at The Limes, 12 Double Street, Spalding.

Site Description

The Limes is a Grade II listed historic residential property. Historic England describes the property like so:

"Early C18. 2 storeys in local brick with rusticated quoins to main section. Good moulded stone cornice along whole building, the main part only having brick parapet and moulded stone capping with centre panel of balusters. 3 dormers with moulded segmental heads. 5 windows, moulded stone frames, hung sashes with glazing bars. Wide stone band between storeys. 3 good brick stacks. Central door of 6 panels in moulded case with semi-circular traceried fanlight, moulded open pediment with modillions, on console brackets. Slate roof. Left-hand section has a window of 3 lights to each storey, hung sashes with glazing bars, pilaster mullions. Moulded surrounds to windows. Modern garden wall."

The property is also within a highly prominent Conservation Area location, situated directly on the central riverfront, forming perhaps one of the most sensitive locales within the local historic environment. The property is adjacent to the also grade II* listed 13 Double Street, as well as the separately listed 13a. The application site boundary wall is also directly opposite the Grade II listed former Lincolnshire Poacher pub, in addition to a number of other Grade II residences along Herring Lane.

History

H16-0890-07

Erect one pair of semi-detached cottages. Approved 01-11-07

H16-0891-07

Residential development including demolition of wall fronting Herring Lane and removal of trees within grounds of Listed Building. Approved 01-11-07

H16-0379-08

Proposed rebuilding of wall. Approved 29-05-08

H16-1145-08

Details of brickwork, mortar mix design and pointing (Condition 2 of H16/0379/08). Approved 16-12-08

H16-0448-10

Erect one pair of semi-detached cottages - Renewal of H16-0890-07. Approved 21-07-10

H16-0449-10

Residential development including demolition of wall fronting Herring Lane and removal of trees within grounds of Listed Building (Renewal of H16-0891-07). Approved 21-07-10

H16-0196-15

Rear addition of single-storey glazed conservatory, side addition of small glazed porch and internal alterations. Approved 23-06-15

H16-0197-15

Rear addition of single-storey glazed conservatory, side addition of small glazed porch and internal alterations. Approved 23-06-15

Consultation Responses

Lincolnshire County Council Historic Places Team

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, considering the proposal is within the Spalding Conservation Area and that "the mural will be fixed to a modern curtilage wall associated with The Limes at 12 Double Street, which is a Grade II* listed building where it will be accessible and visible to the public on the highway," the SHDC Conservation Officer must be consulted before a decision is made in relation to any potential indirect (setting) impact.

Planning Considerations

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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess as well as the desirability of preserving or enhancing the character or appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (2024) (NPPF). The NPPF advises 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 (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".

As such, the NPPF sets out that where proposals could lead to 'less than substantial harm' to a designated heritage asset, the consideration of such an application must be weighted against the public benefit.

Finally, Policy 29 of the South East Lincolnshire Local Plan (2019) (SELLP) confirms that in order to respect South Holland's historical legacy all proposals shall conserve and enhance the character and appearance of designated heritage assets. Additionally, Section A of that policy confirms that proposals that affect the setting of a Listed Building will only be supported where they preserve or better reveal the significance of the Listed Building, and that proposals that seek to alter a listed building shall be granted where the LPA is satisfied that the proposal is in the interest of the building's preservation and does not involve alterations that are prejudicial to the special architectural or historic interest of the Listed Building or its setting.

In this instance, the proposed mural is to be positioned upon a wall that is of clearly lesser significance to The Limes as an independent heritage asset. The wall in question appears to be of a mid C20th construction, although it is formed from the rear wall of an original outbuilding, in a manner that indicates that the boundary wall was either installed, or reconstructed within the last century. In that way, it is not considered that the erection of the proposed mural on the external will have a harmful effect upon the appreciation of the asset, as it is featured on an external boundary that of clearly lesser value to the significance of the asset, and actually distanced from the asset itself by some margin, meaning it's effect upon the overall character of the site would be negligible.

Given that the proposed mural holds some culturally significant links to the history of the town, it can be validly argued that this artwork would have some effect in helping to better reveal the history of the town and thereby of the conservation area. This comes additionally as a result of the positive

aesthetic impact that the erection of new public art in a prominent town centre public location would have upon that designated asset.

For these reasons, the proposal is considered to have a positive effect upon the wider historic environment and therefore to pass all tests set forth under Policy 29 of the SELLP and Section 16 of the NPPF.

Other Matters

The Local Planning Authority must consider the impact/harm the proposal has on the significance of the heritage asset as outlined above. It is not the requirement of the Local Planning Authority to assess other matters, such as residential amenity impacts or highway safety within a Listed Building Consent submission or matters that do not relate to the host listed buildings.

The assessment of these other matters and additional elements of a proposal would take place within the Full Planning Permission, should this be required.

Notwithstanding the above, legal acts independent from planning, serve to protect matters outside planning control. Any legal requirements or independent acts that governs these matters must still be followed and are not superseded by the Local Planning Authority grant of listed building consent

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 29 of the SELLP, as well as Sections 12 and 16 of the NPPF. The recommendation, therefore is to approve.

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.