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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H16-0626-26 **Date of Decision:** 17th August 2026

Applicant: CJN Spalding Ltd
Beechfield House
19b High Street
Spalding
Lincolnshire
PE11 1UD

Location: Beechfield House 19b High Street Spalding

Description: Replacement of existing defective timber-framed single glazed windows to the front and rear elevations of building, with new like-for-like uPVC double-glazed window units

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been REFUSED (or equivalent) for the development referred to above, for the following reason(s):

1 The application site comprises a Grade II listed building in Spalding Conservation Area. Policy 29, of the South East Lincolnshire Local Plan, 2019, outlines that development affecting listed buildings, or which are within the Conservation Area, should only be approved where they preserve or better reveal the asset's significance.

Section 16 of the National Planning Policy Framework (December 2024) states that "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".

The proposal is considered to represent the introduction of an anachronistic and incongruous feature, which would harm the appreciation of the listed building and the wider Conservation Area. The UPVC frames, due to their materials, proportions, and

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overall appearance, would fail to reflect the historic or architectural importance of the asset. Moreover, they would remove a vernacular material from the Conservation Area, as explicitly prohibited by Policy 29 of the Local Plan.

No significant benefits have been identified as a result of this application. Therefore, in line with the provisions of Paragraph 215 of the National Planning Policy Framework, December 2024, it is considered that the harm to the heritage asset would not be outweighed by the public benefits arising from the development.

In any event, regardless of the extent of harm, Policy 29 of the South East Lincolnshire Local Plan, 2019, would require all proposals to preserve or enhance the character and appearance of the Conservation Area and/ or listed buildings; and therefore, there would be direct conflict with the development plan arising from this proposal.

Therefore, the proposal is considered to be contrary to the Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019, Sections 12 and 16 of the National Planning Policy Framework, December 2024 and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

The determined plans are:

-Site Location Plan
-Block Plan
-BHEX001 Rev 001 - Existing Floor Plans
-BHEX002 Rev 001 - Existing Elevations
-BHEX003 Rev 001 - Existing Window Schedule - Ground Floor
-BHEX004 Rev 001 - Existing Window Schedule - First Floor
-BHEX005 Rev 001 - Existing Window Schedule - Second Floor
-BHEX006 Rev 001 - Existing Window Schedule - Third Floor
-BHEX007 Rev 001 - Existing Window Elevations
-BHEX008 Rev 001 - Proposed Window Elevations
-Design and Access Statement, incorporating heritage impact assessment, prepared by Divine Property Services, dated June 2026

Phil Norman



Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR **the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: **https://appeal-planning-decision.service.gov.uk/before-you-start**. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.