

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0801-25 **Applicant:** Castle Events Limited

Proposal: Installation of two exterior illuminated signs on the front railings - Retrospective

Location: The Sessions House Sheep Market Spalding

Terminal Date: 13th July 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

Section 16

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
SPALDING & DISTRICT CIVIC SOCIETY	1	0	0	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent Application is for the retrospective installation of two exterior illuminated signs on the front railings at The Sessions House, Sheep Market, Spalding.

The signage would comprise a 1770mm (width) by 1180mm (height) sign which is attached to the metal railings and is internally illuminated. It features a white background with gold lettering as well as aluminium materials. It should be noted that only the letters would be internally illuminated.

Site Description

The site is located within the defined settlement boundary of Spalding as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP), and occupies the building known as The Sessions House. The building is located within the Spalding Conservation Area.

The Sessions House is a Grade II listed building, described like so:

"by Charles Kirk. Massive stone structure in the form of a castle. 2 crenelated side towers and recessed centre of 2 storeys, of 3 bays divided by buttresses, centre heraldic beast finials. 3 windows between buttresses with 'Perpendicular' tracery. Central 4-centred doorway. Royal Arms to centre of crenelated parapet. Side towers of 3 storeys, with oriels to 1st floor, 4-centre doorways, carved spandrels. Clock to left tower. Side elevation in pale brick. See also Police Station."

The Sessions House is situated on the sheep market, which forms one of the principle character areas of the Spalding Conservation Area. The site is also adjacent to the similarly Grade II listed former police station, and is considered to form part of a character group of local interest buildings with that site in addition to Nos 32 and 33 The Crescent.

Within its setting, The Sessions House is the most prominent building and defines the area's character.

Specifically, the proposed advertisements are attached to the railings bounding The Sessions House. These railings are physically adjoining the predominant building of The Sessions House and are listed by nature of this attachment.

History

H16-0166-95 - Re-slating (Welsh Slate) of main south facing roof slope - Refused

H16-0426-09 - Reinstatement of wall and cast iron railings and entrance gate to front of courthouse - Approved

H16-1018-16 - Change of use of Sessions House to residential, including internal alterations - Approved

H16-1017-16 - Change of use of Sessions House to residential, including internal alterations - Approved

H16-1166-17 - Removal of wooden court dock - Approved

H16-0512-18 - Change of use of part of residential dwelling to D2 use (assembly and leisure) - Approved

H16-0154-19 - Removal of disused painted stone fireplace, removal and bricking up of kitchen serving hatch and dismantling of wood and glass entrance way. Works to the exterior front of the building including installation of an external light and replacement of a doorbell - Approved

H16-0034-20 - Change of use of part of residential dwelling to D2 use (assembly and leisure) - approved under H16-0512-18. Modification of Condition 3 to allow more versatility and offer a wider range of uses - Approved

H16-0209-25 - Removal of tiered benching viewing gallery in the old courtroom - Approved

H16-0923-25 - Erection of a freestanding, fully reversible outdoor servery unit to function as a coffee/bar area within the courtyard - Retrospective - Approved

H16-0008-26 - Partial change of use of the ground-floor to form a commercial cafe/bar (Sui Generis) and retail unit, and change of use of existing first floor magistrates retiring room to restaurant - Approved

H16-0807-25 - Installation of two exterior illuminated signs on the front railings - Retrospective - Approved

Consultation Responses

South Holland District Council Conservation Officer

We understand the need to advertise the business and its use of the building. However, we are unable to support the proposal in its current form and therefore submit this objection.

The signage does not complement the character or special interest of the Sessions House. Its design is overly simplistic and contemporary when compared with the building's highly decorative architecture and the ornate railings behind it.

The positioning of the sign is not considered to be inherently harmful. It does not require the removal of any historic railings and appears to be easily reversible. However, the sign is excessively large and out of proportion, particularly given the limited amount of text it contains. This could be addressed by reducing the overall scale of the signage to achieve a more balanced relationship with the host building.

Furthermore, the white background is visually intrusive and appears out of keeping with the historic character of the building. Its stark appearance draws unnecessary attention to the sign itself, rather than allowing it to sit comfortably within its surroundings. Effective signage should attract attention through high-quality design that complements and enhances the character of the heritage asset and its setting, rather than competing with it.

Additionally, the site lies within the Spalding Conservation Area, and we are unable to support the proposed internally illuminated signage, as it is considered to be out of character with the historic nature of the area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The proposed signage fails to preserve or enhance the character and appearance of the Conservation Area for the reasons set out above. Furthermore, the inclusion of internally illuminated lettering introduces an unnecessarily prominent and modern feature that detracts from the historic significance and visual quality of the area. The illumination itself is particularly conspicuous, with the harsh white light drawing undue attention to the signage rather than allowing it to sit comfortably within its historic surroundings. A more sympathetic design would better preserve and enhance the character and appearance of both the Conservation Area and the setting of the Sessions House.

The sign could be metal or timber and hang over the existing railings, with a painted cream background to provide a softer, more traditional appearance. The lettering could either be hand-painted or formed from individually cut letters. If illumination is necessary, this could be achieved through discreet, warm-white lighting around the border of the sign rather than internally illuminated lettering (para.208 NPPF). Such an approach would achieve a high-quality design that meets the operational needs of the business, including the provision of illumination where required, while also enhancing the setting of this prominent listed building and preserving the character and appearance of the Conservation Area. It would better reflect the architectural quality and significance of the heritage asset and represent a more sensitive response to its historic context.

In summary, whilst we support the principle of providing signage to advertise the business, we are unable to support the proposal in its current form. The scale, design, colour and internal illumination fail to preserve or enhance the character and appearance of the Conservation Area or the setting of the listed Sessions House. A more sympathetic, traditionally designed sign would better balance the operational needs of the business with the statutory duty to conserve and enhance the significance of these important heritage assets.

Policy:

Planning (Listed Building and Conservation Areas) Act 1990:

16(2): "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

72(1)((2)): "Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

National Planning Policy Framework (NPPF,2024):

Para.208: "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)... to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Para.212: "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."

Para. 213: "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."

Para. 215 "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."

Para. 219: "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."

South East Lincolnshire Local Plan 2011-36:

Policy 29: The Historic Environment

Part A(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."

Part B: "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."

Lincolnshire County Council Historic Environment

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.

Spalding & District Civic Society

The Sessions House is a grade II listed building within the Spalding conservation area. As such the listed building consent application needs to be considered taking into account paras 202-214 of the National Planning Policy Framework, in particular para 210 and 212. Whilst it is noted that the applicant, states that the signage is fixed to the railings in a non-invasive way, they do detract from the visual amenity of the site as a whole.

The Sessions House has been used as a Wedding Venue for several years, and the building is of a design that could not be confused with any other building in the vicinity. When illuminated at nights, if anyone was looking for the venue, there would be no doubt that it is The Sessions House. The

applicant's website and advertising also provides all that any potential user of the building would need to know to identify the building when visiting it for the first time. Therefore, signage stating that it is The Sessions House does not appear to be justified.

Despite the assertion of the applicant, the use of the white board does not represent a harmonious presentation. Instead, it represents an intrusion, for which the applicant has not offered any justification. Paragraph 215 of the NPPF requires the planning authority to consider whether the proposal provides a public benefit including whether it secures an optimum viable use of the building. In this case, we contend that the proposal does not make the usage of the building any more viable.

Policy 29 of the South & East Lincolnshire Local Plan requires the planning authority to consider whether a proposal better reveals the significance of a listed building. We do that feel that in this case that is achieved. If anything, the use of the words "Wedding & Events Venue" detracts from the significance of the listed building. Policy 29 also requires proposals within the conservation area to preserve and where appropriate enhance features that contribute positively to the area's character, appearance and setting. In this case the signs do not contribute to the areas setting. They detract from it, particularly at night. The Sessions House is not some modern replica that might be found in Las Vegas. It is a building that is of great historical significance to Spalding and its residents.

The Control of Advertisement Regulations 2007 cover the conditions for which consent for advertisements should be given. Illuminated advertisements in conservation areas are specifically prohibited with the Classes included within Schedule 3, Part 1. Furthermore, the dimension of each board at 2.088 sq metres exceeds the maximum of 1.55 sq metres set out within class 5 of the regulations.

In this case for the reasons given, we feel that the applicant has not offered any justification for the signage and has put forward proposals that detract from the visual amenity of the building and its setting and the conservation area. We therefore urge that listed building consent and advertising consent is refused.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

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 application site comprises a grade II listed building, which itself lies within Spalding Conservation Area.

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 across the railings which bound the site, and are situated to the front boundary of the grade II listed building and as such, lie within the most prominent and important view of the grade II asset.

As such, the advertisements are highly visible when travelling along Sheep Market and the surrounding area; which itself forms a prominent and important character historically. As outlined above, the signs feature a white background with gold lettering, with the lettering in particular being internally illuminated. The signs themselves are prominent within the street scene, as outlined above, being fixed directly onto the railings towards the principal elevation of the building, within close proximity to the footpath.

It is considered that the white background would introduce a unsuitably stark and unsuitably contrasting addition, which is visually intrusive and appears out of keeping with the historic character of the building; particularly when viewed against the black railings to which they would be fixed. This is supported through the objection raised by the Council's Conservation Officer, who outlined that the white background appears *"visually intrusive"* and *"out of keeping with the historic character of the building"*.

It is considered that the advertisements are unsuitable and detrimental to the appreciation of the asset, with the aforementioned drawing unnecessary attention to the sign itself, rather than introducing a sympathetic and well integrated signage that would comfortably sit within its surroundings.

As such, it is considered that the colouring and overall nature of the signage would introduce an unacceptable, detrimental and harmful addition, which fails to either preserve or enhance the significance of the heritage asset.

In addition, it is also considered that the design, through the overall proportion and sizing illustrated, would introduce a harmful and detrimental addition. The advertisements are of an excessively large scale failing to appear proportionate for its context, with the text including on such further exacerbating and highlighting the unnecessary scale of the advertisement board itself.

Not only are there significant design concerns, there are also concerns relating to the internal illumination aspects featured within the lettering. Internal illumination is considered to be wholly unacceptable within such a heritage setting, resulting in a juxtaposing nature, which is even more pertinent when taking into consideration the listed nature of The Sessions House.

On this matter, the Conservation Officer makes it clear that the sign fails to preserve or enhance the heritage asset, and also give attention to the fact that *"the inclusion of internally illuminated lettering introduces an unnecessarily prominent and modern feature that detracts from the historic significance and visual quality of the area"*.

Overall, it is considered that the signs would draw attention through the illuminated aspects and would therefore take away from the listed asset, rather than appropriately assimilating with the historic character or significance of the asset. In line with this, the signs fail to take the relevant policy into consideration and are therefore deeply contradictory.

Whilst the sign has been fixed in a non-invasive method with a long metal strip being placed across the back of the signs and secured using metal clips with the Conservation Officer discussing that it does not require the removal of any historic railings and could be easily reversible, the lack of physical harm does not neglect the evident harm arising from the proposal as discussed above.

This harm is considered to comprise less than substantial harm, and is considered to carry significant weight in the assessment of this case, with Section 16 of the National Planning Policy Framework (December 2024) being clear 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".

In this case, the advertisements would not give rise to such public benefits, that would outweigh the harm identified in this case.

As such, the proposal is considered to cause harm to the significance of the Listed Building and as such is considered to directly conflict with Policy 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Section 12 and 16 of the National Planning Policy Framework (December 2024).

Planning Balance

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 fails to take this into consideration and the proposal is considered to cause harm to the significance of the Grade II Listed Building due to the reasons outlined above. The advertisements would not give rise to such public benefits, that would outweigh the harm identified in this case.

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 conflict 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), and and section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Recommendation

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