DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0807-25**	**Applicant:**	**Mr A Blach**
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

01	Spatial Strategy
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 9 - Promoting sustainable transport
Section 12 - Achieving well-designed 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

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks advertisement consent for the installation of two exterior illuminated signs on the front metal 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.

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

H16-0801-25 - 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 Highways & SUDS

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The advertisement proposals will not present a danger or distraction for road users therefore the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to Highway Safety.

Lincolnshire County Council Environmental Protection

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.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):
- Layout, Design, and Impact on the Character of the Area
- Impact upon the significance of heritage assets
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking

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

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.

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.

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".

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) 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 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. In this regard, the siting of the advertisements lie within a prominent location within the area, which can be considered to be provide an overall openness and visibility along Sheep Market. Furthermore, the signs themselves would be visible from No. 1 Sheep Market and 18-19 Hall Place which are Grade II and Grade II* Listed Buildings, further expressing the important historic nature of the site and its surroundings.

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.

When assessing the proposal solely on the signs, it can be considered that it has an element of a modern design. The design appears visually intrusive and out of keeping within its historic character, and as such detracts form the important views from the wider area, including the historically sensitive Sheep market, towards the grade II listed building. This would result in an unacceptable detrimental impact upon the setting of the asset, causing harm to its significance.

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 and conservation area; particularly when viewed against the black railings to which they would are fixed and the historically sensitive context in which the site lies. 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 heritage assets, 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; failing to either preserve or enhance to significance of both the host listed building and Spalding Conservation Area.

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.

The design as such fails to respect the historic character of the Conservation Area and Listed Building in which it is sited on. The harm caused as a result of this would adversely impact upon the historic environment and as such fails to meet the requirements of Policy 29b of the SELLP, or Section 16 of the NPPF.

Beyond this, it should also be noted that Paragraph 141 of the NPPF states that "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." The proposal in this instance introduces unacceptable advertisement's that cause a detrimental impact.

Not only are there significant design concerns, there are also concerns relating to the internal illumination aspects featured within the lettering. Internal illumination is ordinarily strongly resisted within Conservation Areas such as this due to the juxtaposition they create; a matter that is more

relevant when taking into consideration that The Sessions House is Grade II listed and the site lies within a historically sensitive area.

On this matter, the Conservation Officer makes it clear that the proposal *"fails to preserve or enhance the character and appearance of the Conservation Area... 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 and conservation area, rather than appropriately assimilating with the historic character or significance of the assets.

In regard to specific policy context, 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 of appearance of that area". In line with this, the signs fail to take the relevant policy into consideration and are therefore deeply contradictory.

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, by virtue of its impact upon its setting, and is considered to cause harm to the significance the conservation area, contrary to 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).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) 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 be such that there would be 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 the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) 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 fails to take the relevant policy into consideration and the proposal is considered to cause harm to the significance of the Grade II Listed Building and conservation rea, 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 sections 66 and 72 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.