DECISION DELEGATED TO HEAD OF PLANNING

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Application No:	**H16-1050-24**	**Applicant:**	**Better Decisions Group Ltd.**
Proposal:	Proposed minor work to repair flat roof to the side of the building, and also replace/repair the internal rainwater drainage		
Location:	Better Decisions Group Ltd 16 High Street Spalding		
Terminal Date:	9th June 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

National Planning Policy Framework (2024) (NPPF)

- Section 12
- Section 16

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This Listed building Consent application for proposed minor work to repair flat roof to the side of the building, and also replace/repair the internal rainwater drainage at 16 High Street, Spalding.

This application includes the removal of the existing rooflight, to be replaced with a solid roof.

Site Description

16 High Street is a Grade II listed property. Historic England describes the property like so:

" House of circa 1768, probably by William Sands, Junior, altered circa 1845. Brick. Centre, with 3 storeys and modillion pediment, is between 2 2-storey canted bays with balustraded parapets and modillion cornice, 3 windows with keystones and moulded surround, no glazing bars, to each. Stone bands between storeys and capping to plinth. Centre has modillion pediment over 2 round-headed windows with triple keystones and centre window in rectangular moulded surround with keystone. Venetian window to 1st floor. Ground floor has 2 round-headed windows with pilasters and triple keystones. Open pediment on brackets to doorway, plain pilasters and panelled reveals and door. 4 steps. Interior has some good C19 marble mantelpieces. Later wing to right of 2 storeys in brick with panelled parapet and modillion cornice. 4 windows, moulded surrounds with keystones, hung sashes with glazing bars, on 2 storeys. Band between storeys. Capped plinth. Round-headed doorway to right with keystone.

Nos 12, I4, 15, Warehouse occupied by G W Plowman and Son and Holland House form a group."

The property is now split into 2 separate units, with the application site, specifically, being the later wing to the right of Holland House referred to in the quote above. Most specifically, this application is for the flat roofed element to the right of this wing, with the round-headed doorway facing the street. Away from public view on the flat roof, the covering is felt, and features an attractive domed, segmented rooflight.

More broadly, this property is set upon the Spalding riverfront and is therefore amongst the most prominent historic properties in the Spalding Conservation Area. Furthermore, the provenance of the building having been designed originally as the product of an extremely prominent local C18th architectural dynasty.

The area in general is characterised by a number of C18th and C19th former residential buildings, variously retaining residential use of being utilised as commercial offices.

History

H16-1245-06

Erection of bracket sign to front elevation. Approved on 16-01-07

Consultation Responses

Cllr Ashby - Local Ward Member

Supports the application

Planning Considerations

Heritage Impact

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, Para. 213 of the NPPF sets out that where proposals could lead to 'substantial harm' to a grade II listed designated heritage asset, clear and convincing justification should be necessary and that this justification should be exceptional.

Para. 214 of the NPPF then goes on to confirm that where a proposal would lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or that all of the following apply

"a) The nature of the heritage asset prevents all reasonable uses of the site; and
b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonsttrably not possible; and
d) The harm of loss is outweighed by the benefit of bringing the site back into use."

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 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.

With the above in mind, the Local Planning Authority considers the proposal to represent a neutral effect upon the appearance of the site, with a positive effect in terms of retaining the existing roof lantern whilst preventing moisture ingress and pooling upon the flat roof. In that sense the proposal is thoroughly in the interest of the conservation of the asset without presenting a risk to the character and appearance of the asset.

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 Policy 29 of the SELLP, as well as Section 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.