

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 24 June 2026

(Author: Oscar Patman - Planning Officer)

Purpose: To consider Planning Application H16-0327-26

Application Number: H16-0327-26

Date Received: 01 April 2026

Application Type: ADVERTISEMENT

Description: Proposed Information Board relating to Cattle Sculptures

Location: Pavement Adj. 5 New Road Spalding

Applicant: Spalding & District Civic Society

Agent: Spalding & District Civic Society

Ward: Spalding Castle

Ward Councillors: Cllr G J Taylor

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0327-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application relates to land in which South Holland District Council has an interest.

2.0 PROPOSAL

2.1 This is an advertisement consent application, seeking consent for the installation of an information board relating to the existing cattle sculptures outside 5 New Road, Spalding.

2.2 The sign would be constructed of stainless steel, and would measure 420mm by 297mm. It would be located on an existing planter.

3.0 SITE DESCRIPTION

3.1 The site is within the town centre boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located in front of the Longstaff estate agent building. There are several planters and two large cow sculptures located on the site.

3.2 The site is within a central position of the Spalding Conservation Area (SCA) and is within visual range of a number of listed buildings, including the directly adjacent block of 3-5 New Road, which is group comprising a grade II listing, the grade II listed Black Swan Public House grouping, 39 New Road, 24 Hall Place and the Punch Bowl Inn.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.3 South East Lincolnshire Local Plan, March 2019

Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 29 - The Historic Environment
Policy 33 - Delivering a More Sustainable Transport Network

4.4 National Policy and Guidance

4.5 National Planning Policy Framework (NPPF), December 2024

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

4.6 Planning Practice Guidance (PPG)

5.0 **RELEVANT PLANNING HISTORY**

5.1 Application Site

5.2 H16-0878-24 - Full - Proposed fixed stone cattle sculptures - Approved 18/12/24.

5.3 Related Development

5.4 H16-0328-26 - Advertisement - Proposed Information Board relating to Sheep Sculptures - Ongoing

6.0 **REPRESENTATIONS**

6.1 Conservation Officer

The proposed interpretation signage relating to the sculptures representing the location of the historic cattle market is supported. The size, design, and siting of the board are considered appropriate. To ensure the information is presented in a clear and straightforward manner and can be easily understood by a wide audience, a simplified wording is suggested as follows: The sculptures depict Lincoln Red cattle, represented through the use of red sandstone. This ancient breed was once common in the area and used for milk and beef production; however, numbers have since declined, and the breed is now classified as rare

6.2 Highway and Lead Local Flood Authority

"No objections - 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. This may be subject to a permit from the local authority as it is within the public highway"

Proceeds to recommend the following informative condition:
Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link:
<https://www.lincolnshire.gov.uk/roads-transport/signs-tourist-attractions-facilities/5>.

6.3 Public Representations

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.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Evaluation

7.3 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.

7.4 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.

7.5 The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.6 Layout, Design, Scale and Consideration of the Character of the Area and Heritage and Conservation

7.7 Policy Context - Design

7.8 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.

7.9 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.

7.10 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."

7.11 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.

7.12 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.

7.13 Policy Context - Heritage

- 7.14 The site is within Spalding Conservation Area, within a line of sight of numerous Grade II listed buildings.
- 7.15 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.
- 7.16 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.
- 7.17 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.
- 7.18 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".
- 7.19 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"
- 7.20 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.
- 7.21 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."
- 7.22 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;"

- 7.23 To this end, all proposals in the Conservation Area or which affect listed buildings should preserve or enhance their settings.
- 7.24 Assessment
- 7.25 The sign is small and is located on an existing planter. The small scale means that it would not be overly noticeable when traversing the street, and the positioning on existing street furniture prevents the advertisement from being overly intrusive. The sign reads as a natural addition to the existing street furniture in the area.
- 7.26 The use of stainless steel is appropriate in the Conservation Area. The material is typical of these informative signs and in keeping with wider palette of the immediate area.
- 7.27 The comments of the Conservation Officer with regards to alternative wording are noted; however, it is not for the Planning Authority to dictate the wording of information boards or signage generally.
- 7.28 Overall, the proposed advertisement would not give rise to an adverse impact upon the character of the area, or cause harm to the significance of the Conservation Area or nearby listed buildings. As such, the proposed advertisement is in accordance with policy 2, 3 and 29 of the South East Lincolnshire Local Plan and sections 12 and 106 of the National Planning Policy Framework, December 2024.
- 7.29 Impacts Upon Resident Amenity
- 7.30 Paragraph 135 of the NPPF 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.
- 7.31 Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.32 The small scale of the sign means it would have no impact upon residential amenity. The scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users. As such, the proposal is considered to accord with Section 12 of the National Planning Policy Framework, December 2024 and Policies 2 and 3 of the South East Lincolnshire Local Plan in terms of impact upon residential amenity.
- 7.33 Highway Safety
- 7.34 Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 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".
- 7.35 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.

- 7.36 The small, unobtrusive design means that there would be no impact upon movement along the public highway. 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 South East Lincolnshire Local Plan, as well as Section 9 of the National Planning Policy Framework, December 2024.
- 7.37 **Additional Considerations**
- 7.38 Public Sector Equality Duty
- 7.39 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.
- 7.40 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.41 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.
- 7.42 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.43 Human Rights
- 7.44 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).
- 7.45 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.
- 7.46 **Planning Balance**
- 7.47 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.
- 7.48 The proposal is for a small, unobtrusive sign to provide information relating to an existing feature. It would have no impact upon the significance of the Conservation Area, or the significance of the nearby listed buildings.

7.49 **Conclusion**

7.50 Taking these factors into consideration, the proposal is considered to conform with policies 2, 3, 29 and 33 of the South East Lincolnshire Local Plan, as well as Sections 9, 12 and 16 of the National Planning Policy Framework, December 2024. There are no significant factors in this case that would outweigh the benefits of the proposal.

8.0 **RECOMMENDATIONS**

8.1 It is recommended that consent be granted, subject to the conditions outlined within this report.

9.0 **CONDITIONS**

1. (a) All advertisements displayed and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority;
(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
(c) Where any advertisement is required under the Regulations to be removed, the removals shall be carried out to the reasonable satisfaction of the Local Planning Authority;
(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).
(f) This consent shall be for a period of five years.

Reason: As required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. The works hereby consented shall be carried out in accordance with the following approved plans and/or documents:

- Application Form
- Site Location Plan
- Details of Signage

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials of the advertisement hereby consented shall be carried out in accordance with the details outlined within the application form and approved plans.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4. 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, and subsequently determining to grant planning permission.

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

5. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link:
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Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A - Plan A

MapThat Scale Print Title

