DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0183-26**	**Applicant:**	**BKUK**
Proposal:	Proposed Signage		
Location:	Land At Corner Of Holbeach Road Spalding Lincolnshire		
Terminal Date:	22nd April 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RESIDENTS	2	0	1	0

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks advertisement consent for various signs on a drive-through unit that was

granted permission under application H16-0079-25 on 08 August 2025. The proposals include the following (Ref numbers are listed on the submitted site plan):

-Various signs on the elevations of the approved unit (Ref 12, 13, 14, 15, 16, 18, 19, 21, 22, 24, 25)
-Freestanding advertisement totem pole (Ref 01),
-Gantry Style Height Restrictor for start of Drive Thru Lane (Ref 02);
-Drive Thru Single Screen Pre-Reader Menu sign (Ref 3a and 3b);
-Drive Thru Two-Screen Menu sign (Ref 5a and 5b);
-Illuminated OCU Drive Thru signage (Ref 4a and 4b);
-Free standing Kerbside Pick-Up pole signs (Ref 10a and 10b);
-Illuminated Traffic Management, wayfinding sign (Ref 09); and
-Free standing Banner Frame Sign (Ref 41).

Site Description

The site comprises a parcel of land located to the west of the A16 and the south of the A151. The site is located to the south of a tyre shop, and to the north of a factory building (David Wood Baking). The nearest residential dwellings to the site are located to the west of the site, on the opposite site of Fulney Lane North.

The site is outside the settlement boundary of Spalding, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map. The nearest part of the settlement boundary to the site is located on the opposite side of the Coronation Channel, approximately 150m to the west of the site. There are large areas of development outside the settlement boundary on the eastern side of Spalding. Most of the areas are designated within the Local Plan for development, including the application site, which is identified as an 'Established Employment Area' (Site SP003) by Policy 7 of the Local Plan.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

There is a Public Right of Way that runs through the site, along the northern and eastern edges of the site.

Relevant Planning History

H16-1220-01: (Full Application) Extension to existing factory to create engineers workshop - approved 23 November 2001

H16-0730-09: (Full Application) New entrance reception/security lobby including improvements - approved 03 November 2009

H16-1185-18: (Full Application) Erection of a single storey drive thru restaurant for KFC with associated car parking, cycle parking, landscaping and access - approved 23 January 2019

H16-0630-19: (Full Application) Erection of a single-storey drive thru restaurant for coffee shop with associated car parking, cycle parking, landscaping and access - approved 21 August 2019

H16-0079-25: (Full Application) Erection of two single storey drive thru units with associated car parking, cycle parking, landscaping and access - approved 08 August 2025

H16-0173-26: (Discharge of Conditions) Details of biodiversity gain plan, flood warning and evacuation plan (Conditions 7 and 10 of H16-0079-25) - approved 08 April 2026

H16-0207-26: (Discharge of Conditions) Details of construction management (Condition 3 of H16-0079-25) - pending determination

Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below; however, the responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: The signs are all to be erected on private land and will not have an adverse impact on the public highway.

Cllr R A Gibson: No response received.

Cllr G P Scalese: No response received.

Environmental Protection: No response received.

Public Representations

2 representations have been received from members of the public:

-Please confirm the locations of the planned pole signs.
-Please provide a clearer version of the access points and expected volume of cars per hour, as presumably all vehicles will have to pass our entrance gate on entry and exit.
-The current signage proposalÃ¢??specifically the scale and illuminationÃ¢??will have a detrimental impact on my residential amenity and the local environment.
-The proposal includes an 8-meter-high pole sign (Ref: 1) and high-level illuminated branding on the south-facing elevation. A totem of this height is excessively dominant and overbearing due to its proximity to dwellings. It introduces an industrial, high-intensity commercial character that directly overlooks residential curtilages, leading to a significant loss of visual amenity.
-The application features extensive internal illumination, including digital menu boards and large LED-lit logos. As my property is positioned to the south, I am particularly concerned about "light spill" and "glare" during hours of darkness. The 8m pole sign, in particular, sits well above the height of existing boundary treatments and will create a permanent artificial glow that is inconsistent with a residential evening environment.
-The volume of signage proposed across the siteÃ¢??including illuminated gantries, drive-thru signs, and building-mounted logosÃ¢??represents "advertisement clutter." This intensity of branding is inappropriate for a site that borders a residential entry point to Spalding.
-Should the council be minded to approve the application despite these concerns, I respectfully request that the following conditions be applied to protect neighbouring residents. That the 8m pole sign be reduced in height to a maximum of 5m to mitigate its overbearing impact. That all illuminated signage be turned off outside of the restaurant's operational hours, or no later than 11:00 PM. That the brightness of the south-facing signs be restricted to levels appropriate for "Environmental Zone E2" (Rural/Low District Brightness) as defined by the Institution of Lighting Professionals. That baffles or shields be installed on the rear of the pole sign and south-elevation signs to prevent light trespass into residential windows.

Key Planning Considerations

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, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Visual and Amenity Impact; and
-Highway Safety.

These matters are assessed in turn below.

Visual and Amenity Impact

Paragraph 135 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. Paragraph 135 also 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.

Paragraph 141 of the NPPF sets out 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.

Policy 2 of the Local Plan 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.

Policy 3 of the Local Plan 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.

Policies 2 and 3 of the Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The site is proposed to feature a Burger King drive-through unit and most of the proposed signage includes Burger King branding. As set out previously, the proposals include the following:

-Various signs on the elevations of the approved unit (Ref 12, 13, 14, 15, 16, 18, 19, 21, 22, 24, 25)
-Freestanding advertisement totem pole (Ref 01),
-Gantry Style Height Restrictor for start of Drive Thru Lane (Ref 02);
-Drive Thru Single Screen Pre-Reader Menu sign (Ref 3a and 3b);
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-Free standing Kerbside Pick-Up pole signs (Ref 10a and 10b);
-Illuminated Traffic Management, wayfinding sign (Ref 09); and
-Free standing Banner Frame Sign (Ref 41).

Planning permission H16-0079-25 allows for the construction of two drive-through units and associated infrastructure and landscaping. If implemented, the character of the site will change to a more commercial character. The site context already includes the A16 which is a busy road located to the east of the site, various industrial buildings to the south and an existing McDonalds to the north-east of the site, on the opposite side of the roundabout that is next to the site. Within this context, the proposed advertisements would not be overtly out of character for the area. The proposed advertisements are considered to be proportionate to the approved building and to be in keeping with the character and appearance of the approved building. As such, the visual impact of the development is considered to be acceptable.

It is noted that concerns have been raised within one of the public representations regarding the visual impact of the proposals, such as the impact of the totem pole sign that is proposed near the eastern boundary of the site. There is a totem pole of a similar scale located within the McDonalds site to the north-east of the site and as such, the visual impact of the pole is considered to be acceptable on balance.

Most of the illuminated signs are proposed to feature an illuminance level of 300cd/m2. Some of the signs are proposed to feature a maximum illuminance of 600 cd/m2.There are no dwellings located next to the site and the nearest dwellings are located approximately 200m to the west of the site. Whilst it is noted that concerns have been raised within one of the public representations that has been received, the proposed illuminance level of the signs is not considered to be harmful to the amenity of the nearest dwellings.

Therefore, the proposed advertisements accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in visual and amenity terms.

Highway Safety

Paragraph 116 of the NPPF sets out 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 would be severe, following mitigation.

Lincolnshire County Council's highways team have set out that they have no concerns with the proposals in terms of highway safety. Therefore, the proposal would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed development is appropriate and would not materially harm the character or appearance of the locality or the amenity of nearby residents. The development is acceptable in terms of highway safety and overall, the proposed development accords with the Local Plan and the NPPF. As such, the planning balance is in favour of the proposals in this instance.

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 comply with Policies 2, 3 and 30 of the Local Plan, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal. Therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.