DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H16-0879-26** | **Applicant:** | **BKUK** |
| **Proposal:** | Proposed Pole Signage | | |
| **Location:** | Land At Corner Of Holbeach Road Roundabout Spalding | | |
| **Terminal Date:** | 9th November 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 August 2026**

Section 2 - Plan-making policies (PM1 - 17)
Section 3 - Decision-making policies (DM1 - 10)
Section 7 - Building a strong, effective economy (E1 - 4)
Section 12 - Making effective use of land (L1 - 3)
Section 14 - Achieving well-designed places (DP1 - 4)
Section 15 - Promoting sustainable transport (TR1 - 8)
Section 17 - Pollution, public protection and security (P1 - 6)

**Representations:**

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

CASE OFFICER ASSESSMENT

**Description of Proposal**

The application seeks advertisement consent for a pole sign next to a drive-through unit that was granted permission under application H16-0079-25 on 08th August 2025.

The pole was granted approval under planning permission H16-0183-26; however, the approved position of the pole was a few metres to the south-west of its position as proposed in the current application. The position of the pole has been revised to ensure the pole does not conflict with the public bridleway route.

## 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

H16-0183-26: (Advertisement) Proposed Signage - approved 15 April 2026

H16-0207-26: (Discharge of Conditions) Details of construction management (Condition 3 of H16-0079-25) - approved 22 April 2026

H16-0235-26: (Discharge of Conditions) Details of surface water disposal (Condition 12 of H16-0079-25) - approved 23 April 2026

H16-0757-26: (Non-Material Amendment) Erection of two single storey drive thru units with associated car parking, cycle parking, landscaping and access - Approved under H16-0079-25. Amendments to style of EV charging equipment & installation of CCTV column - approved 07 September 2026

H16-0789-26: (Discharge of Conditions) Details of proposed litter bins (Condition 13 of H16-0079-25) - approved 09 September 2026

H16-0821-26: (Non-Material Amendment) Erection of two single drive thru units with associated car parking, cycle parking, landscaping and access - approved under H16-0079-25. Amendments to include update of bridleway & associated landscaping to PWoW Officers comments & minor change of cladding colour to Unit 2 - approved 25th September 2026

H16-0891-26: (Advertisement) Proposed Signage - 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 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.

Cllr R A Gibson: No response received.

Cllr G P Scalese: No response received.

Environmental Protection: No response received.

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, 3 representations have been received from members of the public. The matters raised within the representations are summarised below:

-The pole would be excessively tall and visually intrusive.
-The pole would contribute to nocturnal light pollution.
-If the council approves the application, then there should be a requirement for the pole to be switched off at a certain point at night.

## 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, August 2026 (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

Policy DP3 (Key principles for well-designed places) of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

Policy P3 (Living conditions and pollution) of the NPPF sets out that development should provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution. The policy also sets out that proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.

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.

Planning permission H16-0079-25 allows for the construction of two drive-through units and associated infrastructure and landscaping. The permission has been implemented, and the totem pole would be closest to the Burger King drive-through unit within the site.

The proposed pole would be 12m in height and 2.8m in width at its widest point. The pole would be located to the north-east of the Burger King unit. The site context 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 pole would not be overtly out of character for the area. Therefore, whilst the concerns set out within the public representations regarding the visual impact of the proposals have been noted, it is considered that the visual impact of the pole would be acceptable.

Furthermore, as set out previously, the pole was granted approval under planning permission H16-0183-26; however, it was proposed to be positioned a few metres to the south-west of its current position. The position of the pole has been revised to ensure the pole does not conflict with the public bridleway route.

The totem would feature an illuminance level of 300cd/m2. This is the same illuminance level that was approved for the previous pole under planning permission H16-0183-26. During the determination of that application, it was considered that the illuminance level would be acceptable. For example, there are no dwellings located next to the site and the nearest dwellings are located approximately 200m to the west of the site. Whilst the concerns set out within the public representations regarding light pollution have been noted, 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 14 and Policy P3 of the NPPF and Policies 2 and 3 of the Local Plan in visual and amenity terms.

Highway Safety

Policy TR6 (Assessing transport impacts) of the NPPF sets out that development proposals should only be refused on highways grounds if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.

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 15 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 the identified sections 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.