

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1013-25 **Applicant:** BT Telecommunications PLC

Proposal: Installation of 1 BT Street Hub

Location: Pavement Outside Of Boots 12-14 Hall Place Spalding

Terminal Date: 18th December 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
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 10 - Supporting high quality communications
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
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	0	0	0	1
SHDC INTERNAL	1	0	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This is a full planning application for the erection of a BT Street Hub within Spalding town centre.

The structure would measure 1236mm (width) by 250mm (depth) by 2980mm (height). It would appear as a black obelisk, with two LED advertising hoardings on either side, containing various telecommunication and monitoring equipment.

The applicant states that the BT street hub provides:

- Ultra-fast free Wi-Fi and small cell 4 G/5 G capabilities for residents, tourists and local businesses
- Improved connectivity
- Mobile infill
- Real time information sharing
- Safer streets
- Enhanced wayfinding for tourists
- Digital phonebook
- Sharing of local/council services
- Emergency 999 call button
- Quick charging points
- Talk Back and Relay UK functions for people with hearing/vision impaired users
- Hearing induction loop
- Reduced street clutter
- Potential for environmental air, noise and traffic monitoring.

The agent states that the Street Hub unit will be funded through the display of advertising in conjunction with other council and community content, via sponsorship from companies who will utilize the digital HD display screens on both sides of the unit. These displays would have a maximum brightness of 5000cd/sqm.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019.

The site is within the defined Primary Shopping Area, within the Conservation Area, placing it at the centre of the town, and lies within close proximity to a number of listed buildings.

Relevant History

H16-1014-25 - Advertisement Consent - Installation of 1 BT Street Hub - ongoing

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Conservation Officer

"We do not support the application to install a BT Street Hub in the centre of Spalding. The proposed location lies within the Spalding Conservation Area, where internally illuminated signs or advertisement boards are generally not considered appropriate. The nature of this type of signage is at odds with the character of the surrounding historic buildings and established streetscape. Within a 50 metre radius of the proposed site there are four listed buildings, and within a 100 metre radius there are 12 listed buildings all of which contribute to the area's special architectural and historic interest.

Policy 29, part B paragraph 4 of the South East Lincolnshire Local Plan 2011-2036 states that

proposals within a Conservation Area should 'Retain and reinforce local distinctiveness'. Spalding has a strong record of resisting internally illuminated signage and advertisements within the conservation area, as such additions are considered a detraction from the towns traditional character and historic appearance."

Highway and Lead Local Flood Authority

"The proposal is for Installation of 1 BT Street Hub and it does not have an impact on the Public Highway or Surface Water Flood Risk."

Requests an informative condition relating to utility connections.

Spalding and District Civic Society

Considerable discussion has ensued on this application as it contravenes the Conservation Area regulation regarding illuminated signs. However, the general consensus is that we have to move with the times if we are wanting to bring back the footfall to our town centre and help businesses grow.

We will therefore support the application but would make the following observations - - -

The sign should be either switched off or a very low illumination at night.

The information and advertising shown should be at least 50% local.

There should be no flashing images.

If after 2 years of trial it is felt it has not been of benefit to the community then it should be removed.

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.

Key Planning Considerations

Evaluation

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 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.

Principle of Development

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Spalding which is classed as a sub-regional centre within Policy 1. As such development will be permitted that supports Spalding's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

Where a proposal would involve development in the defined town centre, Policy 1 is supported by Policy 25 "Supporting the Vitality and Viability of Boston and Spalding Town Centres". This policy offers broad considerations to enable the regeneration and growth of the town centres of sub-regional centres. The broadness of this policy means that not all provisions are relevant to this case; however, point 3 is relevant here. This states the following:

"The Councils will promote appropriate opportunities to support and extend the offer of the town centres as destinations through Enhancing the public realm through improvements to public spaces, accessibility and signage".

To a certain extent, the addition may help with accessibility, as it is stated by the applicant that the Hub can be used to provide directions. That being said, as explored in greater detail in the "Layout, Design, Scale and Consideration of the Character of the Area and Heritage and Conservation" section of this report, the proposal would introduce additional clutter and would fail to enhance the public realm.

Notwithstanding this, when taken in respect of the broad principle of the proposal, in introducing a Hub within the public realm, the proposal would be in accordance with the broad principles of Policy 1.

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

Policy Context - Design

Section 12 of the National Planning Policy Framework (December 2024), "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 National Planning Policy Framework (December 2024), 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 National Planning Policy Framework (December 2024) 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 South East Lincolnshire Local Plan (2019) 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 South East Lincolnshire Local Plan (2019) 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 National Planning Policy Framework (December 2024) 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 site is within Spalding Conservation Area, within a line of sight of numerous Grade II listed buildings.

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.

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.

The National Planning Policy Framework (December 2024) 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 National Planning Policy Framework (December 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".

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"

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 National Planning Policy Framework (December 2024). 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

Whilst the aim of the Conservation Area is not to prevent modernisation, in considering the impact of development upon the historic environment, there is a clear need for proposals to respect the historic significance of place and to prevent the introduction of inappropriate features. Whilst modern features are apparent within the Primary Shopping Area, there are a number of valuable, listed buildings which contribute significantly to the importance of the character of the area and which can be seen as an embodiment of the architectural and cultural history of the town.

The Hub is relatively tall when compared to existing street furniture. It is within a highly visible and dominant position within the town centre, particularly when viewed from the main directions of foot traffic within the town. Currently, street furniture within the setting is minimal, and what furniture which is present is fairly low lying. This contributes to a sense of openness and regularity within the setting. As a result of this placement, scale and brightness the proposed screen would appear unduly dominant within the setting.

Fundamentally, the introduction of bright LED screens would detract from the existing historic character of the area. The contemporary design and brightness of the structure would juxtapose with the nearby heritage assets in a harmful and unacceptable manner. Policy 29B of the South East Lincolnshire Local Plan (2019) would require the proposals to conserve or enhance the Conservation Area, which this proposal would fail to do.

Policy 29B of the South East Lincolnshire Local Plan (2019) is explicit that developments should retain existing street patterns. Historic imagery of the location shows that openness and minimal street clutter has been a consistent aspect of Hall Place throughout its history. As such, the introduction of additional clutter here would directly fail to retain existing patterns of development in the Conservation Area.

As the proposal would be contrary to Policy 29 of the South East Lincolnshire Local Plan (2019), regardless of the assessment of harm against Section 16 of the National Planning Policy Framework (December 2024), the proposal would be unacceptable. Nevertheless, in line with Paragraphs 212, 215 and 220 of the National Planning Policy Framework (December 2024), less than substantial harm has been identified.

On this basis, and as also stated by the Conservation Officer, less than substantial harm has been identified, in line with Paragraphs 212 and 220 of the National Planning Policy Framework (December 2024). In these circumstances, Paragraph 215 is relevant, which states:

"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 proposal represents new development which would not impact upon the viable use of an asset. Therefore, the proposal should be assessed against the public benefits from this proposal.

The benefits have been outlined within this report. There are clear merits to this proposal, through enhancements to the telecommunications network, potential to operate as a navigation point, and through the use as a phone. However, these benefits are not considered to outweigh the identified harm to the historic environment.

Heritage and Character Conclusion

To summarise the above, the proposal is considered to constitute an unacceptable design which would negatively impact upon the character of the area and the historic environment. The overall scale, brightness, and placement would all result in an incongruous feature at odds with its setting. This in turn would cause less than substantial harm to the Conservation Area.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would cause an adverse impact to the character and appearance of the area, resulting in harm to the significance of the aforementioned assets, and would therefore be contrary to Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 16 of the National Planning Policy Framework (December 2024).

Impacts Upon Resident Amenity

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.

Policies 2 and 3 of the 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 level of illumination proposed is significant. However, within the town centre, residential dwellings are chiefly confined to the first floor. As a result, the proposal is of unsubstantial enough height to cause a disturbance to residential amenity.

As detailed above, 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, when also taking account of the conditions recommended. 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 Local Plan in terms of impact upon residential amenity.

Highway Safety

Section 9 of the National Planning Policy Framework (December 2024) 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".

In respect of highway matters, Policy 2 of the of the South East Lincolnshire Local Plan (2019) 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 of the of the South East Lincolnshire Local Plan (2019) 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 of the South East Lincolnshire Local Plan (2019) further reinforces the need for developments to be accessible via sustainable modes of transport.

The proposal would, to a certain extent, reduce the ability for pedestrians to move through the town centre. That being said, this degree of obstruction would be so minimal as to not be harmful.

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 (2019), as well as Section 9 of the National Planning Policy Framework (December 2024).

Flooding Considerations

Section 14 of the National Planning Policy Framework (December 2024) requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the National Planning Policy Framework (December 2024) states "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The strategic flood risk assessment provides the basis for applying this test.

Paragraph 175 of the National Planning Policy Framework (December 2024) states that "the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

If, following the application of the Sequential Test, it is not possible, consistent with wider

sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the National Planning Policy Framework (December 2024). Paragraph 178 states "to pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall"

The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA, the site is outside of an identified hazard zone.

Whilst the proposal would not fall within any of the exemptions to the sequential test outlined in the National Planning Policy Framework (December 2024), the nature of the development means that it could not reasonably be located elsewhere.

Applying the exceptions test, the proposal would not be vulnerable to the impacts of flooding by virtue of its nature. The sustainability benefits of the proposal are minimal, however, they outweigh the negligible onsite flood risk.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) with regards to flood risk.

Supporting high quality communications

Paragraph 119 of the National Planning Policy Framework (December 2024) states: "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections".

On this basis, weight is given in favour of the proposal.

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.

In line with Section 10 of the National Planning Policy Framework (December 2024), weight is given in favour of proposal's which enhance telecommunications equipment. Likewise, there would be wider benefits through the potential use of the Hub for making telephone calls.

That being said, these benefits are not considered to outweigh the identified harm to the character of the area and the historic environment. Less than substantial harm to the Conservation Area has been assessed, which is not outweighed by the minimal public benefits.

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). There are no significant factors in this case that would outweigh the harm of the proposal; therefore, the planning balance is against the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under Delegated Authority.