

|                                      |           |
|--------------------------------------|-----------|
| <b>Application Reference Number:</b> | 2025/0860 |
|--------------------------------------|-----------|

|                          |              |
|--------------------------|--------------|
| <b>Application Type:</b> | <i>Full.</i> |
|--------------------------|--------------|

|                              |   |
|------------------------------|---|
| <b>Proposal Description:</b> | Removal of associated BT payphones and the installation of 1no. BT Street Hub 2no. digital 75" LCD display screens, one on each side of the unit. (Planning Consent). |
|------------------------------|---|

|                  |   |
|------------------|---|
| <b>Location:</b> | Pavement o/s 42 Cheapside, Barnsley, S70 1RU. |
|------------------|---|

|                   |                           |
|-------------------|---------------------------|
| <b>Applicant:</b> | BT Telecommunications PLC |
|-------------------|---------------------------|

|                                     |       |                |     |
|-------------------------------------|-------|----------------|-----|
| <b>Third-party representations:</b> | None. | <b>Parish:</b> | N/A |
|-------------------------------------|-------|----------------|-----|

|              |          |
|--------------|----------|
| <b>Ward:</b> | Central. |
|--------------|----------|

|  |
|--|
| <p><b>Summary:</b></p> <p>The applicant is seeking planning permission and advertisement consent to remove one existing BT payphone and the installation of one replacement BT Street Hub with two 75" LCD digital displays, one on each side of the unit.</p> <p>The proposed development would have no adverse impact on residential amenity and highway safety, but would be harmful to visual amenity and is therefore not considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).</p> <p>Recommendation: <b>REFUSE.</b></p> |
|--|

## Site Description

This application relates to a paved area surrounding one existing BT payphone located on Cheapside, a pedestrianised street in Barnsley Town Centre and in an area which is principally commercial characterised by various uses and illuminated signage to shopfronts.

The improvements to the public realm as part of significant investment in the town centre include a seating area to the rear and to one side of the existing payphone.



## Proposed Development

The applicant is seeking planning permission and advertisement consent to remove one existing BT payphone and the installation of a replacement BT Street Hub with two 75" LCD digital displays, one on each side of the unit.

The proposed BT Street Hub would measure approximately 2.98 metres (H) x 1.24 metres (W) x 0.4 metres (D). The BT Street Hub would be constructed of a galvanised mild steel frame with a black powder coated external grade aluminium exterior. The digital displays would be made of tempered and toughened laminated glass.

The digital display panels would be internally illuminated with a proposed maximum illuminance level of 5000cd/m<sup>2</sup> but would automatically dim to 600cd/m<sup>2</sup> at night.

This application should be read in conjunction with application 2025/0876 for advertisement consent.

The BT Street hub is proposed to be sited adjacent to the existing payphone. The upgrades to the urban realm of the town centre include street furniture that appears to have been planned around the existing siting of the payphone, including a seating area to the rear and one side of the payphone. The proposed siting of the BT Street Hub is therefore immediately in front of the seating area in a manner which appears to be unplanned and would make the seating area a less pleasant place to sit. The applicant has been invited to consider re-siting the proposal in a more sensitive location but has not responded.



## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is located within Barnsley Town Centre. The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy TC1: Town Centres.
- Policy BTC3: Public Spaces.
- Policy D1: High quality design and place making.
- Policy GD1: General Development.
- Policy POLL1: Pollution Control and Protection.

- Policy T4: New Development and Transport Safety.

### National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- Section 2: Achieving sustainable development.
- Section 4: Decision-making.
- Section 8: Promoting healthy and safe communities.
- Section 9: Promoting sustainable transport.
- Section 10: Supporting high quality communications.
- Section 12: Achieving well designed places.

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take this guidance into account when taking decisions.

### Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty-eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The following SPDs are relevant in this case:

- Advertisements (Adopted May 2019).

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

### Other Material Considerations

- Barnsley Town Centre Public Spaces Strategy (September 2010).

## **Representations**

Whilst there is no statutory requirement for local planning authorities (LPA) to publicise applications for advertisement consent, an LPA should consider whether any application would affect the amenity of neighbours. Where it would affect them, it is good practice for the views of neighbours to be sought before determining an application. Both applications have been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

The applications have been advertised on the Council website. A site notice was displayed with a final date for comments of 7 November 2025. No representations were received.

## Consultations

|                              |  |
|------------------------------|--|
| Urban Design Officer         | No objection(s) subject to condition(s). |
| Highways Development Control | No objection(s).                         |
| Pollution Control            | No objection(s).                         |
| Local Ward Councillors.      | No comments received.                    |

## Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development

Paragraph 141 of the NPPF: the quality and character of places can suffer when advertisements are poorly sited or designed. A separate consent process within the planning system controls the display of advertisements. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Policy BTC3: Public Spaces, establishes that new development must make a positive contribution to public spaces through its design, siting and use of materials.

Advertisements are acceptable in principle if proposals would be appropriate in scale and respectful of local character and would demonstrate that it would not be likely to result, directly or indirectly, in an increase in light or other pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

Considering the above, the proposal is considered acceptable in principle subject to an assessment of the matters discussed below.

### Impact on Design and Visual Amenity

The development site is located on a pedestrianised street. The proposed BT Street Hub is viewed as having the potential to be a positive enhancement offering improved services and accessibility.

The Barnsley Town Centre Public Spaces Strategy aims to create calming, cohesive and clutter free spaces. The strategy also includes a section dedicated to street furniture that states it will be a key feature in Barnsley and will have a functional role and help to create a distinctive sense of place. A single style of furniture will unite the inner core and outer core areas creating a cohesive town centre. Within this style it may be appropriate to vary the quality of finish subject to location. Local Plan Policy BTC3: Public Spaces establishes that new development must make a positive contribution to public spaces through its design, siting and use of materials.

This application relates to one existing BT payphone located on a pedestrianised street in Barnsley Town Centre and in an area which is principally commercial characterised by various uses and illuminated signage to shopfronts. Cheapside accommodates outdoor seating adjacent to the application site which has clearly been carefully planned in relation to the siting of the existing BT

payphone. The existing BT payphone does not contribute positively to the character of the street scene.

The proposed BT Street Hub would measure approximately 2.98 metres (H) x 1.24 metres (W) x 0.4 metres (D). The BT Street Hub would be constructed of a galvanised mild steel frame with a black powder coated external grade aluminium exterior. The digital displays would be made of tempered and toughened laminated glass.

Within the context of the character of the street scene and surrounding street furniture, the proposed BT Street Hub would not appear bulky or overtly dominant. The proposal would result in no change to amount of street furniture present. The BT Street Hub to be installed would adopt a scale similar to the existing unit albeit with a slightly increased width and height. The BT Street Hub would also adopt a slimmer profile and would adopt a placement within the street similar as existing.

However, the BT Street Hub would be sited immediately in front of a seating area that has clearly been planned in relation to the siting of the existing BT payphone. The proposed siting appears awkward in relation to the existing seating area, making it less attractive to use. This is contrary to the Local Plan Policy BTC3: Public Spaces which establishes that new development must make a positive contribution to public spaces through its design, siting and use of materials.

The applicant has been invited to amend the siting of the application but has not responded.

In other respects, with the use of suitable conditions to control the illumination and maintenance of the Street Hub and to require reinstatement of the public realm, the application could be considered acceptable.

However, considering the awkward siting of the proposal, on balance, this is considered to weigh significantly against the proposal.

The proposal is therefore considered to not comply with Local Plan Policies BTC3: Public Spaces and D1: High Quality Design and Placemaking, and is considered unacceptable regarding visual amenity.

#### Impact on Residential Amenity, Health and Safety and Pollution Control

The proposed BT Street Hub would not contribute to significant increased levels of overshadowing, overlooking and loss of privacy or reduced outlook.

Potential anti-social or criminal behaviour is not a material planning consideration. Nevertheless, this application is supported by an anti-social management plan which is welcome. The submitted details could be conditioned should this application be approved.

The proposed BT Street Hub would be installed in an area of Barnsley Town Centre that is principally commercial with limited residential properties within the immediate locality. As such, the illumination and potential noise impacts is not considered to be detrimental to residential amenity. Nevertheless, this application is supported by a planning, design and access statement that includes a dedicated section to noise management. It states that the Street Hub would include controllable volume levels with average volume settings being 65dB within three meters which is standard for conversational speech. While volume could be increased or decreased based on the preference of the user during the day, volume cannot be increased to greater than 60% of the maximum volume during the night. Potential noise complaints can be raised to BT, and the maximum volume level of the Street Hub could be adjusted to address any potential issues. The maximum illumination levels could also be conditioned. Pollution Control were consulted, and no objections were received.

Radiofrequency electromagnetic fields (EMFs) enable a number of modern devices, including mobile telecommunications infrastructure and phones, Wi-Fi, and Bluetooth. The requirements for the radio frequency public exposure guidelines are set out in the International Commission on Non-Ionizing

Radiation Protection (ICNIRP) and the European Union (EU) Council recommendation dated 12 July 1999 (Ref: 1999/519/EC).

This application is supported by a declaration of conformity with the ICNIRP guidelines.

There could be some potential disturbance and disruption because of construction works, and while any potential impact is anticipated to be temporary; a condition could be used to control construction hours should this application be approved.

Considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity.

#### Impact on Highways

Paragraph 116 of the NPPF states development should only be prevented and refused on highways grounds if there would be an unacceptable impact on highway safety or the cumulative impacts on the road network, following mitigation, would be severe, considering all reasonable future scenarios.

Highways Development Control were consulted, and no objections were raised given the proposal would not result in an overall increase in street furniture and that the proposed BT Street Hub would be positioned away from the road edge on a wide section of pavement without impeding pedestrian movements with amply footway width being retained. While the proposal is considered acceptable from a Highways Development Control perspective, it should be noted that the proposal would also require a Streetworks permit. Separate concerns could be raised at this time. As such, the proposal is not considered to be prejudicial to highway safety.

Considering the above, this is considered to weigh modestly in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.

#### Planning Balance and Conclusion

In accordance with the provision of paragraph 11 of the NPPF (2024), the proposal is considered in the context of the presumption in favour of sustainable development. For the reasons given above, and taking all other matters into consideration, the proposal does not conform with development plan as a whole, conflicting also with national planning policy relating to design and it is concluded that planning permission should be refused.

**RECOMMENDATION: Refuse.**

**Justification**

**Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- The applicant has been invited to amend the application to address the awkward siting but has not responded.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.