

Application Reference Number:	2026/0312		
Application Type:	Full		
Proposal Description:	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Planning Consent).		
Location:	Street Opposite 36-38 Eldon Street, Barnsley.		
Applicant:	In Focus Public Networks.		
Third-party representations:	None.	Parish:	
		Ward:	Central.

Summary:

The applicant is seeking planning permission and advertisement consent for the installation of a new multifunctional communication hub including a defibrillator and an advertisement display.

This proposal is considered acceptable regarding its impacts upon residential amenity, contaminated and unstable land, and biodiversity and geodiversity. However, within the context of the character of the street scene and nearby street furniture, it is considered that the proposed hub would introduce additional unnecessary clutter within an otherwise open area of high-quality public realm and could contribute to harmful cumulative impacts arising from the over-proliferation of similar development within Barnsley Town Centre that could give rise to an increasingly aggressive commercial character to the detriment of visual amenity contrary with the principles of the Public Spaces Strategy, Local Plan Policy BTC3, Local Plan Policy D1, the Advertisements SPD, and paragraph 141 of the NPPF.

Additionally, it is considered that this proposal could introduce an obstruction on a busy pedestrian route and that the cumulative impacts of the over proliferation of similar development throughout the town centre could present unacceptable impacts affecting the safe, secure and convenient access and movement of all users contrary to Local Plan Policy T4.

Consequently, for the reasons given above, and taking all other matters into consideration, planning permission and advertisement consent should be refused.

Recommendation: **Refuse.**

Site Description

This application relates to a section of pedestrianised street in Barnsley Town Centre and opposite to 36-38 Eldon Street (Gee-Vee Travel) and to the north of The Lightbox (Library). The immediate surrounding area is principally commercial characterised by illuminated and non-illuminated signage to shopfronts. This part of the street is relatively open with limited street furniture comprising bollards, streetlights, bins and benches. There are existing telecommunications kiosks within the immediate vicinity located approximately 30 metres to the south-east and to the east of The Lightbox adjacent to The Glass Works Square. There are further telecommunications kiosks located within the broader locality throughout the town centre. The development site is located adjacent to the south boundary of the Regent Street, Church Street and Market Hill Conservation Area.



Planning History

There are several planning applications associated with the development site. There are also other relevant planning applications associated with the broader locality (Town Centre):

2018/0279	Erection of permanent structures and associated public realm works.	Approved.
2025/0216	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.	Approved.
2025/0217	Installation of 1 no. new communications Kiosk with integrated defibrillator and	Approved.

	advertising display (Amended Address and Plans).	
2025/0218	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Amended Address).	Appeal Allowed APP/R4408/W/25/3371275.
2025/0219	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.	Refused. Appeal 6009866 under consideration.
2025/0220	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Amended Plan).	Approved.
2025/0291	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Advertisement).	Approved.
2025/0292	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Advertisement Consent) (Amended Address and Plans).	Approved.
2025/0293	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Advertisement Consent) (Amended Address).	Appeal Allowed APP/R4408/Z/25/3371277.
2025/0294	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Advertisement Consent).	Refused. Appeal 6009867 under consideration.
2025/0296	Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display (Advertisement Consent) (Amended Plan).	Approved.
2025/0854	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).	Approved.
2025/0856	Removal of associated BT payphones and the installation of 1no. BT Street Hub 2no. digital 75" LCD display screens, one on each side of	Approved.

	the Street Hub unit. (Advertisement Consent).	
2025/0857	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. (Advertisement Consent).	Approved.
2025/0858	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).	Approved.
2025/0859	Removal of associated BT payphones and the installation of 1no. BT Street Hub with 2no. digital 75" LCD display screens, one on each side of the unit. (Advertisement Consent).	Approved.
2025/0860	Removal of associated BT payphones and the installation of 1no. BT Street Hub with 2no. digital 75" LCD display screens, one on each side of the unit. (Planning Consent).	Refused.
2025/0861	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).	Approved.
2025/0862	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. (Advertisement Consent).	Approved.
2025/0863	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).	Refused.
2025/0864	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. (Advertisement Consent).	Refused.
2025/0876	Removal of associated BT payphones and the installation	Refused.

	of 1no. BT Street Hub with 2no. digital 75" LCD display screens, one on each side of the unit. (Advertisement Consent).	
2025/0878	Removal of associated BT payphones and the installation of 1no. BT Street Hub with 2no. digital 75" LCD display screens, one on each side of the unit. (Planning Consent).	Approved.
2025/1012	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Planning Consent).	Refused. Appeal 6006389 under consideration.
2025/1013	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Advertisement Consent).	Refused. Appeal 6006390 under consideration.
2025/1014	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Planning Consent).	Refused. Appeal 6006392 under consideration.
2025/1015	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Advertisement Consent).	Refused. Appeal 6006393 under consideration.
2026/0191	The removal of associated BT payphone and installation of 1no. BT Street Hub (Full Planning Consent).	Approved.
2026/0192	Removal of associated BT payphones and the installation of 1no. BT Street Hub with 2no. LCD display screens, one on each side of the unit (Advertisement Consent).	Approved.
2026/0193	Installation of 1no. BT Street Hub and removal of associated BT payphones (Full Planning Consent).	Approved.
2026/0194	Removal of associated BT payphones and the installation of 1no. BT Street Hub with 2no. digital LCD display screens, one on each side of the unit. (Advertisement Consent).	Approved.
2026/0310	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Planning Consent).	Under consideration.
2026/0311	Installation of a multifunctional communication Hub including	Under consideration.

	defibrillator and advertisement display. (Advertisement Consent).	
2026/0313	Installation of a multifunctional communication Hub including defibrillator and advertisement display. (Advertisement Consent).	Under consideration.

Proposed Development

The applicant is seeking planning permission and advertisement consent for the installation of a new multifunctional communication hub including a defibrillator and an advertisement display.

The proposed hub would measure approximately 2.6 metres (H) x 1.3 metres (W) x 0.92 metres (D) and would be constructed of steel and powder coated aluminium with tempered and laminated glass for the LCD digital display panel and touchscreen.

The digital display panel would be internally illuminated with a proposed maximum illuminance level of 600cd/m². It is proposed that the display would be turned off between 11:59pm – 06:00am.

The proposed hub would also feature an integrated defibrillator, USB charger and wireless charging shelf, phone handset, accessible touchpad, emergency call button, all partially enclosed by a curved canopy with solar panel top and glazed sides.

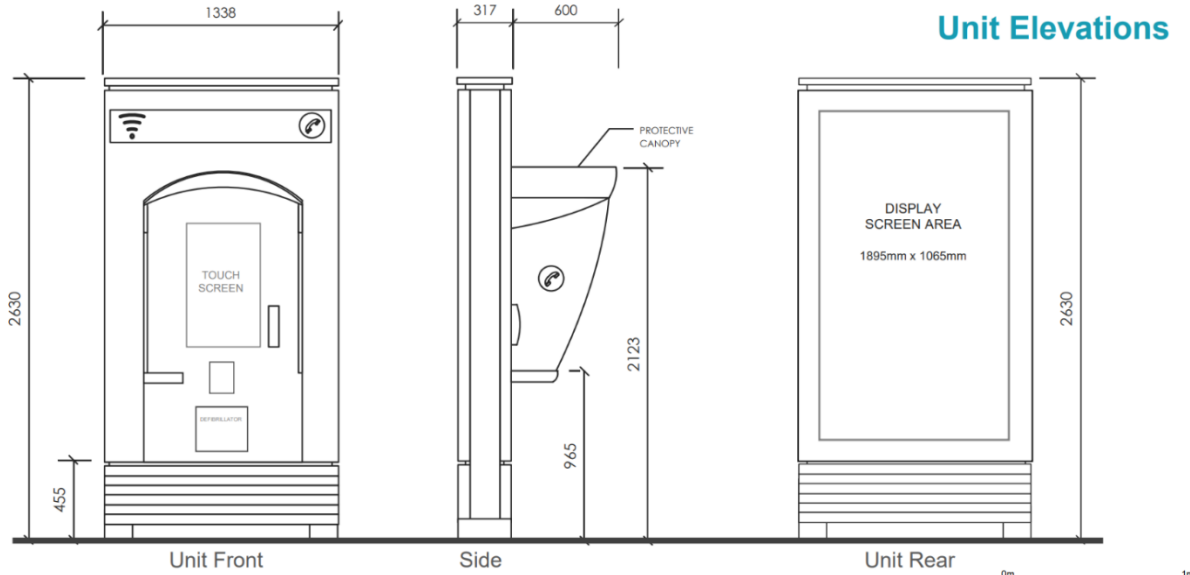
This application should be read in conjunction with application 2026/0313 for advertisement consent.



JCDecaux

Communication Hub

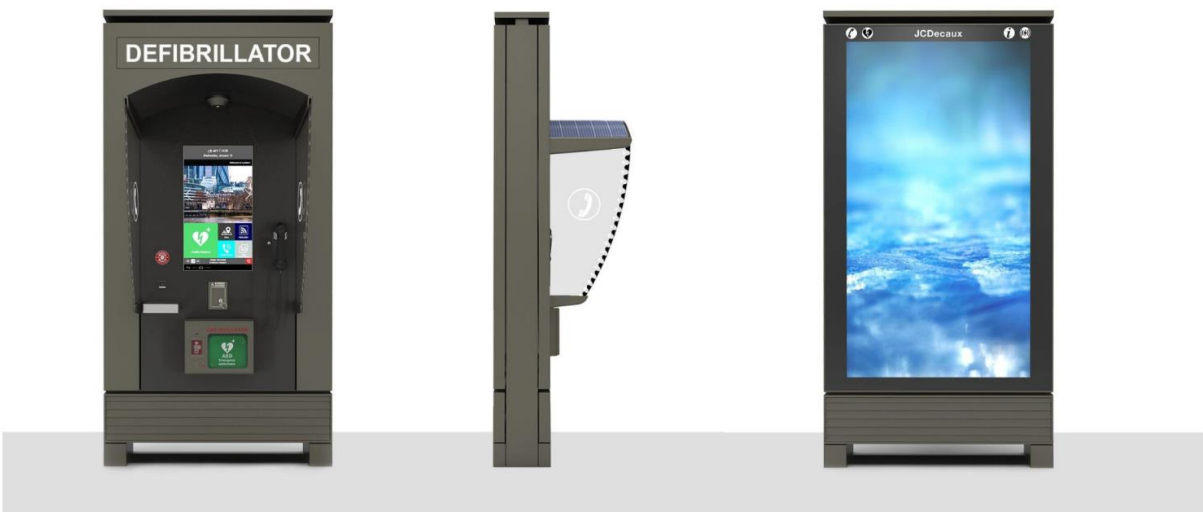
Unit Elevations



JCDecaux

Communication Hub

Visual Imagery



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 allocated as a priority site for public space improvement within the adopted Local Plan and is located within Barnsley Town Centre and adjacent to the Regent Street, Church Street and Market Hill Conservation Area. 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 HE1: The Historic Environment.*
- *Policy HE4: Developments affecting Historic Areas or Landscapes.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy T4: New Development and Transport Safety.*
- *Policy CL1: Contaminated and Unstable Land.*
- *Policy BIO1: Biodiversity and Geodiversity.*

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 10: Supporting high quality communications.*
- *Section 12: Achieving well designed places.*
- *Section 15: Conserving and enhancing the natural environment.*
- *Section 16: Conserving and enhancing the historic environment.*

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.

Planning (Listed Buildings and Conservation Areas) Act 1990

- *Section 16: Decision on application.*
- *Section 72: General duty as respects conservation areas in exercise of planning functions.*

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).*
- *Biodiversity and Geodiversity (Adopted March 2024).*

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, and site notices were posted nearby, expiring 01st June 2026.

No representations were received.

Consultations

Local Ward Councillors	<i>No comment(s) received.</i>
Conservation Officer	<i>No objection(s).</i>
Highways Development Control	<i>Objection(s).</i>
Urban Design Officer	<i>No comment(s) received.</i>

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 National Planning Policy Framework (NPPF) establishes 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 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.

Impact on Design, Heritage and Visual Amenity

The Barnsley Town Centre Public Spaces Strategy aims to create calming, cohesive and clutter free spaces. Eldon Street and the surrounding streets have been refurbished with works undertaken to improve the public realm. This work was aligned with the principles of the strategy which includes a section dedicated to street furniture. It states that street furniture will be a key feature in Barnsley and will have a functional role helping to create a distinctive sense of place. A single style of furniture will unite the inner and outer core areas creating a cohesive town centre. Within this style it may be appropriate to vary the quality of finish depending on location (i.e. stainless steel vs. powder coated).

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 a section of pedestrianised street in Barnsley Town Centre and opposite to 36-38 Eldon Street (Gee-Vee Travel) and to the north of The Lightbox (Library). The development site is located adjacent to the southern boundary of the Regent Street and Church Street and Market Hill Conservation Area

The immediate surrounding area is principally commercial in nature characterised by illuminated and non-illuminated signage to shopfronts. This part of Eldon Street is relatively open with limited street furniture comprising bollards, streetlights, bins and benches. There are existing telecommunications kiosks within the immediate area located approximately 30 metres to the south-east of the site, and to the east of The Lightbox (Library) and adjacent to The Glass Works Square. A replacement of this existing telecommunications kiosk was approved under applications 2025/0854 (Planning Consent) and 2025/0856 (Advertisement Consent). There are more telecommunications kiosks located within the broader locality throughout the town centre.

Works have been undertaken to refurbish parts of Eldon Street and the surrounding area to provide high quality public realm, approved under application 2018/0279. As part of the refurbishment works new paving and new street furniture was installed. The pedestrianised street is now relatively open with minimal street furniture which comprises streetlighting, bollards, bins and benches that adopts a relatively slim profile and a materiality intended to complement and lift the cool tones of surfacing materials. The works undertaken were aligned with the principles of the Barnsley Town Centre Public Spaces Strategy (2010).

The proposed hub would measure approximately 2.6 metres (H) x 1.3 metres (W) x 0.92 metres (D) and would be constructed of steel and powder coated aluminium with tempered and laminated glass for the LCD digital display panel and touchscreen.

The digital display panel would be internally illuminated with a proposed maximum illuminance level of 600cd/m². It is proposed that the display would be turned off between 11:59pm – 06:00am.

The proposed hub would also feature an integrated defibrillator, USB charger and wireless charging shelf, phone handset, accessible touchpad, emergency call button, all partially enclosed by a curved canopy with solar panel top and glazed sides.

The Council's Conservation Officer was consulted because of the proximity of the development site to the Regent Street, Church Street and Market Hill Conservation Area. It was noted the site is within the setting of the Conservation Area but not within the Conservation Area itself and is an area which sits alongside existing modern development. Considering this site context alongside the anticipated public benefits of the proposal the Officer concluded that this proposal is considered acceptable from a conservation perspective. This is attributed moderate weight in favour of the proposal.

The proposed hub would adopt a scale and appearance similar to other existing hubs within Barnsley Town Centre including one located approximately 30 metres to the south-west. As such, the design of the proposed hub could be viewed favourably. However, the LPA has experienced a recent influx of applications for similar development and while it is acknowledged that some have resulted in grant of planning permission, approvals have generally been for replacement hubs or a limited number of new hubs in more strategic locations located away from the main core of the town centre such as to serve the newly-constructed Base71 Youth Zone and activity park on Schwabisch Gmund Way. This proposal for a new hub would introduce additional unnecessary clutter within an otherwise open area of high-quality public realm, and given that several approved schemes within the locality for similar development remain capable of being implemented, it is felt the proposal could contribute to harmful cumulative impacts and an over proliferation of such development within Barnsley Town Centre that could give rise to an aggressively commercial character to the detriment of visual amenity.

Furthermore, it is acknowledged that appeals were recently allowed (APP/R4408/W/25/3371275 and APP/R4408/Z/25/3371277) for similar development in the town centre located on land outside of 23 Queen Street. However, all applications must be considered on their own merits, and these appeal outcomes do not set a precedent for other similar schemes to be allowed.

Notwithstanding the above, there are also several undetermined appeals for similar development in the town centre which include: 6009866 (2025/0219), 6009867 (2025/0294), 6001133 (2025/1012), 6006390 (2025/1013), 6006392 (2025/1014) and 6006393 (2025/1015).

Consequently, it is considered the proposal would introduce additional unnecessary clutter within an otherwise open area of high-quality public realm and could contribute to harmful cumulative impacts and an over proliferation of similar development within Barnsley Town Centre that could give rise to an aggressively commercial character to the detriment of visual amenity contrary with the principles of the Public Spaces Strategy, Local Plan Policy BTC3, Local Plan Policy D1, and paragraph 141 of the NPPF.

It is acknowledged that several benefits of the proposed development have been put forward by the applicant such as a defibrillator, improved wayfinding and access to telecommunications equipment amongst others. However, Barnsley Town Centre is well-served by existing defibrillators which are available 24/7 and evidenced online: <https://www.defibfinder.uk/>.

It is also acknowledged that submitted details indicate that the proposed hub would receive bi-weekly inspections, cleaning and maintenance to ensure the hub remains in good working order. Anti-vandal measures are also incorporated. While these are welcome elements, the anticipated public and other benefits of the proposal are attributed limited weight in this instance due to existing provisions within

the locality. Such benefits are also not considered to outweigh the anticipated harm regarding visual amenity should this proposal be allowed.

Considering the above, on balance, this is considered to weigh significantly against the proposal.

The proposal is therefore considered to be contrary to paragraph 141 of the NPPF, the Advertisements SPD, Local Plan Policies BTC3: Public Spaces and D1: High Quality Design and Placemaking and the principles of the Barnsley Town Centre Public Spaces Strategy and is considered unacceptable regarding visual amenity.

Impact on Highways

This application relates to a section of pedestrianised street in Barnsley Town Centre and opposite to 36-38 Eldon Street (Gee-Vee Travel) and to the north of The Lightbox (Library).

The proposed digital display that is incorporated into the design of the proposed telecommunications kiosk would face oncoming traffic travelling southbound along Eldon Street.

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

Highways Development Control colleagues were consulted on this proposal; and it was stated there have been multiple applications previously submitted by BT to replace existing telecommunications kiosks, and the view has been taken that each of these were a less onerous obstruction than existing structures. This application represents a new kiosk within a busy town centre. Highways colleagues have stated that they would not wish to see a proliferation of such kiosks throughout the town centre and beyond, that could add to street clutter and cause obstructions on busy pedestrian routes, and as such, Highways Development Control have objected.

Notwithstanding the above, the Council's Highway Network Co-ordination team would also require a street works permit application for the installation and may raise their own concerns at this stage.

While the LPA shares the concerns of the Highways Development Control colleagues regarding the over proliferation of this type of development within the town centre and beyond, the NPPF provides clear policy on instances where development should be prevented or refused on highways grounds. In this instance, the LPA does not consider that the proposal would result in unacceptable impact on highway safety, or severe residual cumulative impacts on the road network following mitigation that would otherwise justify the refusal of this application under Paragraph 116 of the NPPF.

Notwithstanding the above, Local Plan Policy T4 establishes that new development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Highways Development Control colleagues have raised concerns regarding this proposal in that it is considered that it could add to obstructions on a busy pedestrian route. It is also considered that the cumulative impacts of the over proliferation of similar development throughout the town centre could also present unacceptable impacts.

Considering the above, this is considered to weigh modestly against the proposal.

The proposal is therefore considered to be contrary with Local Plan Policy T4: New Development and Transport Safety and is considered unacceptable regarding highway safety in terms of achieving safe, secure and convenient access and movement for all users.

Impact on Residential Amenity, Health, Safety and Pollution Control

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

This application relates to a section of pedestrianised street in Barnsley Town Centre and opposite to 36-38 Eldon Street (Gee-Vee Travel) and to the north of The Lightbox (Library). The immediate surrounding area is principally commercial characterised by illuminated and non-illuminated signage to shopfronts. This part of the street is relatively open with limited street furniture comprising bollards, streetlights, bins and benches. There are existing telecommunications kiosks within the immediate vicinity located approximately 30 metres to the south-east and to the east of The Lightbox adjacent to The Glass Works Square. There are further telecommunications kiosks located within the broader locality throughout the town centre. Within this context the proposed illumination levels and potential noise impacts would unlikely be detrimental to residential amenity.

The proposal includes an integrated defibrillator. While normally welcome, Barnsley Town Centre is well-served by several existing defibrillators and therefore, this element is considered to present a limited public benefit. It is acknowledged that submitted details indicate that the proposed hub would receive bi-weekly inspections, cleaning and maintenance to ensure the hub remains in good working order. This should also extend to the defibrillator to ensure the equipment remains in good functional order and in date. This could be secured by condition should this application be approved.

The proposed hub would include an integrated LCD digital display panel, which would be internally illuminated with changeable static images. The display would adopt a relatively restrained maximum illuminance level of 600cd/m² and would be turned off between 11:59pm – 06:00am. The maximum illuminance level could be conditioned 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. Nevertheless, a scheme that is considered acceptable regarding residential amenity does not justify the approval of a scheme that is considered unacceptable regarding visual amenity and highway safety.

Impact on Contaminated and Unstable Land

Paragraph 196(a) of the NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination, including risks that arise from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

Paragraph 196(c) of the NPPF establishes that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 197 of the NPPF states where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The development site is within a development high risk area as identified by the Mining Remediation (Coal) Authority.

This application is not supported by a Coal Mining Risk Assessment (CMRA). However, the proposal would be an exempt form of development under Part A (Advertisement Consent) and Part B where potential foundations or groundwork are expected to be minimal with minimal disturbance of ground.

As such, it was not necessary to consult either the Mining Remediation Authority (MRA) or the South Yorkshire Mining Advisory Service (SYMAS) in this instance.

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 CL1: Contaminated and Unstable Land and is considered acceptable. Nevertheless, a scheme that is considered acceptable regarding its impacts on contaminated and unstable land does not justify the approval of a scheme that is considered unacceptable regarding visual amenity and highway safety.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. This proposal falls within the de minimis exemption and is therefore not subject to BNG in this instance.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable.

Planning Balance and Conclusion

In accordance with the provisions of paragraph 11 of the NPPF (2024), the proposed development is considered in the context of the presumption in favour of sustainable development.

This proposal is considered acceptable regarding its impacts upon residential amenity, contaminated and unstable land, and biodiversity and geodiversity. However, within the context of the character of the street scene and nearby street furniture, it is considered that the proposed hub would introduce additional unnecessary clutter within an otherwise open area of high-quality public realm and could contribute to harmful cumulative impacts arising from the over-proliferation of similar development within Barnsley Town Centre that could give rise to an increasingly aggressive commercial character to the detriment of visual amenity contrary with the principles of the Public Spaces Strategy, Local Plan Policy BTC3, Local Plan Policy D1, the Advertisements SPD, and paragraph 141 of the NPPF.

Additionally, it is considered that this proposal could introduce an obstruction on a busy pedestrian route and that the cumulative impacts of the over proliferation of similar development throughout the town centre could present unacceptable impacts affecting the safe, secure and convenient access and movement of all users contrary to Local Plan Policy T4.

Consequently, for the reasons given above, and taking all other matters into consideration, planning permission and advertisement consent 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 referred to above, despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application, in this instance this has not been possible due to the reasons mentioned above.

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.

Reason(s) for Refusal:

1. In the opinion of the local planning authority, it is considered that within the context of the character of the street scene and nearby street furniture, the proposed hub would introduce additional unnecessary clutter within an otherwise open area of high-quality public realm and could contribute to harmful cumulative impacts and an over-proliferation of similar development within Barnsley Town Centre that could give rise to an increasingly aggressive commercial character to the detriment of visual amenity contrary with the principles of the Public Spaces Strategy (2010), Local Plan Policy BTC3: Public Spaces, Local Plan Policy D1: High Quality Design and Placemaking, the Advertisements SPD, and paragraph 141 of the NPPF.
2. In the opinion of the local planning authority, it is considered that this proposal could introduce an obstruction on a busy pedestrian route and that the cumulative impacts of the over proliferation of similar development throughout the town centre could present unacceptable impacts affecting the safe, secure and convenient access and movement of all users contrary to Local Plan Policy T4: New Development and Transport Safety.