

Application Reference Number:	2025/0864
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Application Type:	Full.
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Proposal Description:	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).
Location:	Pavement o/s 45 - 47 Peel Street, Barnsley, S70 2RL

Applicant:	BT Telecommunications PLC.
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Third-party representations:	None.	Parish:	n/a
		Ward:	Central.

Summary:
The applicant is seeking planning permission and advertisement consent to remove an 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. The proposed development would have no adverse impact on visual amenity or residential amenity, but would adversely affect highway safety, and is not considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024). Recommendation: REFUSE

Site Description

This application relates to a stretch of pavement located next to 45-47 Peel Street in Barnsley Town Centre and in an area which is principally commercial characterised by various uses and illuminated signage to shopfronts. The existing payphone on Peel Street which is to be removed is located some 45 metres to the east of the proposed BT Street Hub.



Proposed Development

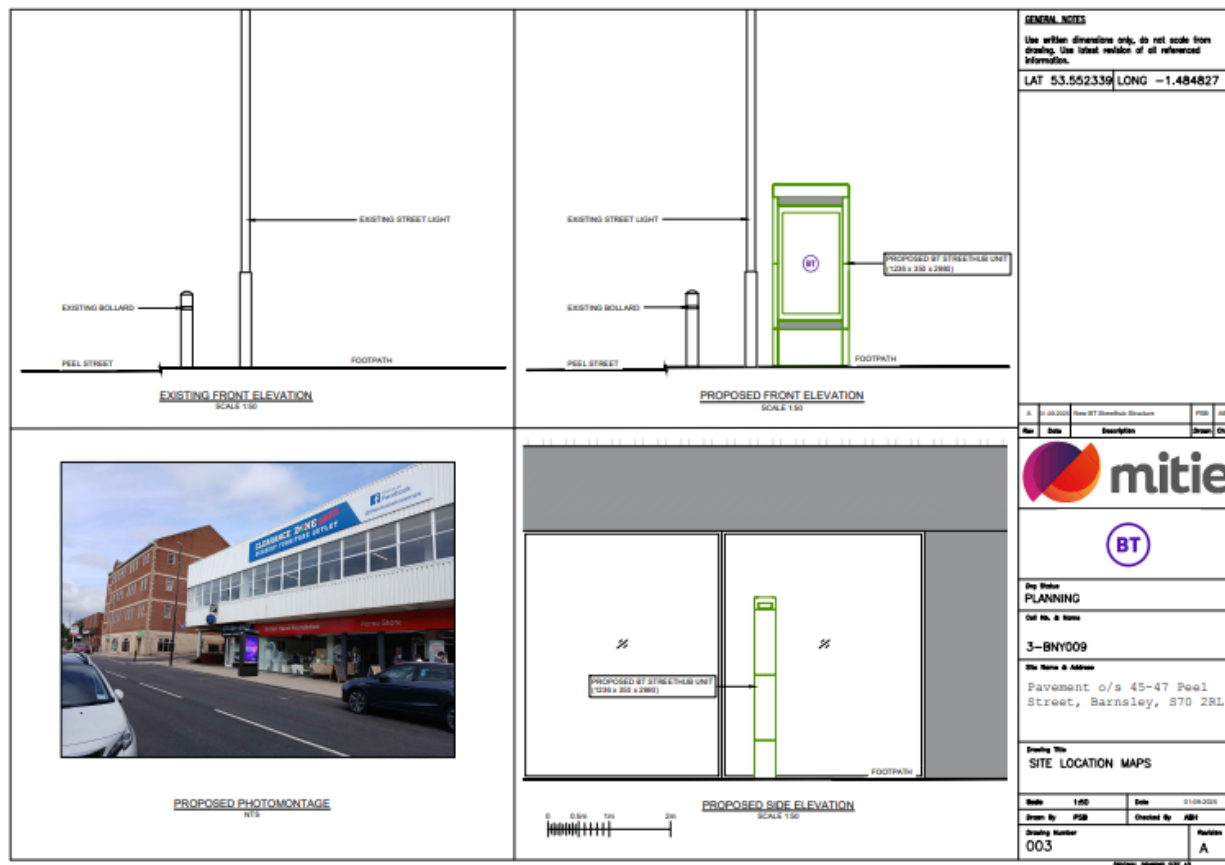
The applicant is seeking planning permission and advertisement consent to remove one existing BT payphone and the installation of a replacement BT Street Hub with two 75" LCD digital displays, one on each side of the unit.

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/m² but would automatically dim to 600cd/m² at night.

This application should be read in conjunction with application 2025/0863 for advertisement consent.

The application indicates that the location of the proposed street hub has been relocated some 45 metres from the existing BT phone box because the pavement at the current location of the phone box is too narrow and does not provide sufficient space in accordance with government guidelines.



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. No representations were received.

Consultations

Urban Design Officer	No objection(s) subject to condition(s).
Highways Development Control	Objection
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, Heritage and Visual Amenity

The development site is located on a busy town centre street.

The proposed BT Street Hub is viewed as a positive enhancement offering improved services and accessibility.

This application includes the removal of one existing BT payphone located on a busy street in Barnsley Town Centre and in an area which is principally commercial characterised by various uses and illuminated signage to shopfronts. The existing unit 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 the amount of street furniture present. The BT Street Hub to be installed would have a scale similar to the existing unit albeit with a slightly increased width and height. The BT Street Hub would also have a slimmer profile and as noted above would be sited some 45 metres away from the existing unit.

While the Council would prefer to avoid new installations of street hubs and other communications kiosks alike, it would be difficult to provide a strong reason for refusal on design grounds in this instance given that the proposal is for a replacement unit and would result in no increase to the street furniture present, and while the new street hub would include additional advertisement displays introducing illumination to the area, this could be reasonably controlled by conditions. The digital displays would also be seen within the context of a well-lit environment comprising various illuminated signage and streetlighting. It is not considered that the proposal would contribute to an aggressively commercial appearance to the detriment of visual amenity. The modern design of the street hub would better reflect the design aims of the Barnsley Town Centre Public Spaces Strategy, specifically its slimmer profile. The colour would reflect the finishes of existing street furniture and would likely better deter potential vandalism.

A submitted product statement states that the BT Street Hub would be inspected weekly and cleaned at least every two weeks. This could be conditioned should this application be approved.

The reinstatement of the public realm following removal could also be secured by conditions should this application be approved.

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

The proposal is therefore considered to comply with Local Plan Policies BTC3: Public Spaces and D1: High Quality Design and Placemaking and is considered acceptable 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 raised objections to the proposal. The applicant has wrongly assumed that the footway extends under the canopy of the adjacent commercial units but this is not the case. The adopted footway runs only from the back edge of the footway to the brick channel in line with the edge of the canopies over the commercial units. As such, the proposal would significantly reduce the footway width to an unacceptable degree and there is no mechanism in place to ensure that the openness of the shop frontages under the canopy is retained in perpetuity. The applicant has been asked to reconsider the location of the Hub to ensure that a minimum width of 2.0m of footway within the public highway is maintained following installation. The applicant has been advised that any new location with a new application site boundary would require a new planning application. They have confirmed that they would not look to withdraw the application and would be keen to receive the refusal to that they can make an assessment of their options moving forward.

It is therefore concluded that the proposal is unacceptable from a highway safety perspective and this is considered to weigh considerably against the proposal

The proposal is therefore considered not to comply with Local Plan Policy T4: New Development and Transport Safety and is considered unacceptable 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 the development plan as a whole, conflicting also with national planning policies and supplementary guidance relating to highway safety and 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 withdraw the application since the highway safety objection could not be resolved within the submitted application site, but has requested a refusal.

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.