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| <b>Application Reference Number:</b> | 2025/0861 |
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| <b>Application Type:</b> | <i>Full.</i> |
|--------------------------|--------------|

|                              |                                                                                                                                                                              |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal Description:</b> | <i>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).</i> |
| <b>Location:</b>             | <i>Pavement o/s 66 Market Street, Barnsley, S70 1SN.</i>                                                                                                                     |

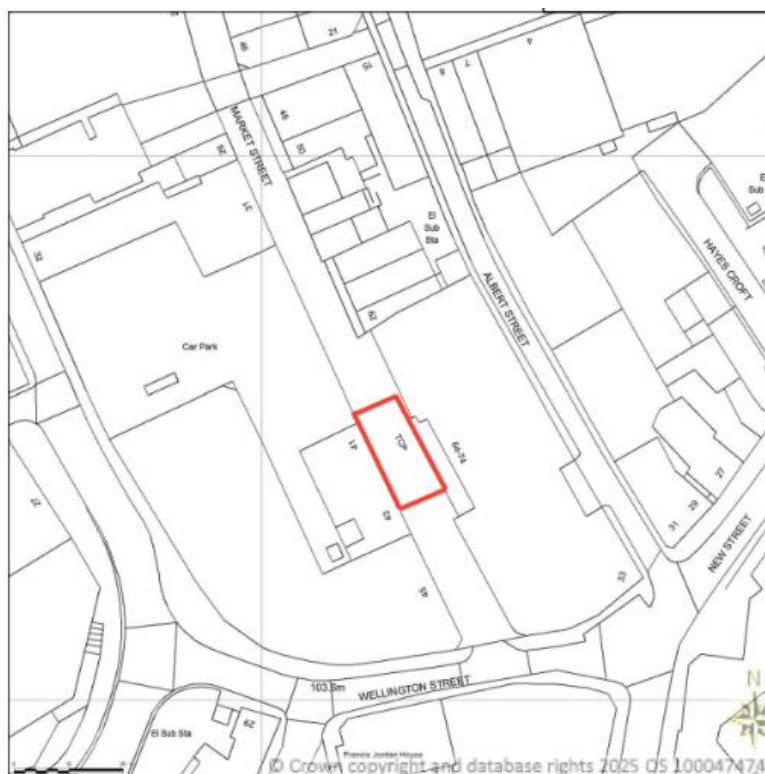
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| <b>Applicant:</b> | <i>BT Telecommunications PLC.</i> |
|-------------------|-----------------------------------|

|                                     |              |                |                 |
|-------------------------------------|--------------|----------------|-----------------|
| <b>Third-party representations:</b> | <i>None.</i> | <b>Parish:</b> |                 |
|                                     |              | <b>Ward:</b>   | <i>Central.</i> |

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| <b>Summary:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>The applicant is seeking planning permission and advertisement consent to remove two existing BT payphones 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 visual amenity, residential amenity, and highway safety, and is considered acceptable in policy terms. The proposal is therefore 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>APPROVE subject to conditions.</b></p> |

## Site Description

This application relates to one existing BT payphone and ATM 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. There are two grade II-listed buildings located to the south at the junction with Wellington Street.



## Planning History

The most recent and relevant applications are:

|           |                                                                                                                                                                            |                                |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| 2008/1111 | Erection of 1 replacement BT Kiosk with integral advertising panel.                                                                                                        | Approved.                      |
| 2008/1193 | Replacement of two existing BT Payphone kiosks with one new BT Payphone kiosk (Prior Notification by Telecommunications).                                                  | Prior Approval – Not Required. |
| 2012/1209 | Replacement and upgrade of existing public telephone kiosk with kiosk combining public telephone service and ATM service.                                                  | 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). | Under consideration.           |

# 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 2025/0862 for advertisement consent.



## 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 HE1: The Historic Environment.*
- *Policy HE3: Developments affecting Historic Buildings.*
- *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.*
- *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 66: General duty as respects listed buildings 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).*

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).

This application has been advertised on the Council website. A site notice was utilised, expiring 31<sup>st</sup> October 2025. A press notice was also used, expiring 7<sup>th</sup> November 2025.

No representations were received.

## **Consultations**

|                                          |                                                 |
|------------------------------------------|-------------------------------------------------|
| Urban Design Officer                     | <i>No objection(s) subject to condition(s).</i> |
| Conservation Officer                     | <i>No objection(s).</i>                         |
| Highways Development Control             | <i>No objection(s).</i>                         |
| Pollution Control                        | <i>No objection(s).</i>                         |
| South Yorkshire Mining Advisory Service. | <i>No objection(s).</i>                         |
| Mining Remediation Authority.            | <i>Acknowledgement received.</i>                |
| Local Ward Councillors.                  | <i>No comments 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 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 pedestrianised street to the north of two grade II-listed buildings located at the junction of Market Street with Wellington Street.

During the application process, the Council's Conservation Officer initially provided comments which stated that the development site lies within the setting of two grade II-listed buildings of architectural and historic interest. The buildings were constructed in the late c19 and early c20 as part of Barnsley British Co-operative Society. While the buildings are of significant interest, the proposed placement of the BT Smart Hub is considered sympathetic to their setting. However, as with similar proposals, it was recommended that further clarification be sought as to whether there was potential for rotating the smart hub to direct the digital displays away from the listed buildings. An alternative colour would also better complement the surrounding area. Notwithstanding this, the proposed BT Street Hub is viewed as a positive enhancement offering improved services and accessibility.

Following further clarifications from the applicant regarding potential adaptations to the appearance of the proposed BT Street Hub in that none could be accommodated, and subsequent discussions with the Council's Conservation Officer, it was confirmed that there were no further objections.

The Barnsley Town Centre Public Spaces Strategy aims to create calming, cohesive and clutter free spaces. Market Street is an older pedestrianised street that does not necessarily align. Nevertheless, 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.

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 and ATM 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. Market street accommodates outdoor seating for businesses and features a variety of street furniture comprising blue metal benches, black streetlighting, black and blue bollards, and light grey litter bins which contribute to a busy environment. The existing BT payphone and ATM is an older, bulkier structure that has been vandalised with graffiti. The existing unit does not contribute positively to the character of the street scene or the setting of nearby listed buildings.

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.

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 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 conserve or enhance the character and appearance of the nearby grade II-listed buildings in accordance with Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would comply with Local Plan Policies BTC3: Public Spaces, D1: High Quality Design and Placemaking, HE1: The Historic Environment, HE3: Developments affecting Historic Buildings, 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 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.*

#### 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 is exempt from BNG under the de minimis exemption.

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 BIO1: Biodiversity and Geodiversity and is considered acceptable.*

#### 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 conforms with the relevant local and national planning policies and supplementary guidance and planning permission should be granted subject to necessary conditions.

**RECOMMENDATION: Approve subject to conditions.**

#### **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:

- Clarification regarding potential amendments to external appearance.

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.

### Conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**

2. The development hereby approved shall be carried out strictly in accordance with the approved plans:

001 Rev. A Site Location Maps.

002 Rev. A Proposed Site Plan.

003 Rev. A Existing and Proposed Elevations.

Street Hub Product Statement V2.1 dated February 2025.

Planning, Design and Access Statement ref. 3-BNY007 and dated 24<sup>th</sup> September 2025.

Street Hub Anti-Social Behaviour Management Plan Version 3.

and specifications as approved unless required by any other conditions in this permission.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy HE1: The Historic Environment.**

3. The BT Street Hub hereby permitted shall receive bi-weekly inspections, cleaning and maintenance to ensure it remains in good working order.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy HE1: The Historic Environment.**

4. Prior to the BT Street Hub hereby permitted coming into use, any pavement surrounding the Street Hub or affected by the removal of existing BT payphones shall be made good to the same condition as the adjacent land.

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1: High Quality Design and Place Making and Local Plan Policy BTC3: Public Spaces and Local Plan Policy HE1: The Historic Environment.**

5. Construction or demolition-related activity shall only take place between the hours of 08:00am – 18:00pm Monday to Fridays, 09:00am – 14:00pm Saturdays and at no time on Sundays and Bank Holidays.

**Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1: Pollution Control and Protection.**

### Informative(s):

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.

2. The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking this work you must enter into a highway agreement with the Council under S278 of the Highways Act, 1980, specifying the extent of works, the works, and the terms and conditions under which these are carried out. Fees

are payable for the drafting of the agreement, approval of the highway details and inspection of the works. For more information or to apply, please contact Highways Development Control at email [HighwaysDC@barnsley.gov.uk](mailto:HighwaysDC@barnsley.gov.uk) or call to 01226 773555.

3. Planning permission does not infer any other consent is given and it is the responsibility of the applicant to ensure that all other permissions are in place before development commences. The developer must contact Highways, Engineering & Transportation on 01226 773555 prior to any work commencing on site, to gain all necessary technical and legal approvals relating to the creation/alteration/reinstatement and removal of vehicular accesses to the highway.
4. It is recommended that measures are taken to prevent a nuisance/ or effect the quality of life of local residents. Please note that the Council's Pollution Control Team have a legal duty to investigate any complaints about noise, smoke or dust. No waste should be burnt. If a statutory nuisance is found to exist, they must serve an Abatement Notice under the Environmental Protection Act 1990. Failure to comply with the requirements of an Abatement Notice may result in a fine of up to £20,000 upon conviction in Magistrates' Court. It is therefore, recommended that you give serious consideration to the steps that may be required to prevent a noise, dust or smoke nuisance from being created.
5. The applicant/contractor should note that to deposit mud/debris on the public highway, or anything which may cause a nuisance or possible danger to road users, is an offence under provisions of the Highways Act 1980.
6. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)  
What is a permit and how to get one? - GOV.UK ([www.gov.uk](http://www.gov.uk))

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be

required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)