



Appeal Decision

Site visit made on 14 October 2026

by Richard Snow BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2026

Appeal A: Ref: 6013595

Pavement opposite 50 Cheapside, Barnsley S70 1RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Nathan Still on behalf of In Focus Public Networks against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref is 2026/0310.
 - The development proposed is the installation of a multifunctional communication hub including defibrillator and advertisement display.
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Appeal B: Ref: 6013596

Pavement opposite 50 Cheapside, Barnsley S70 1RU

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Nathan Still on behalf of In Focus Public Networks against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref is 2026/0311.
 - The advertisement proposed is the installation of a multifunctional communication hub including defibrillator and advertisement display.
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Decision: Appeal A: 6013595

1. The appeal is allowed and planning permission is granted for the installation of a multifunctional communication hub including defibrillator and advertisement display at Pavement opposite 50 Cheapside, Barnsley S70 1RU in accordance with the terms of the application, Ref 2026/0310, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the drawings included in the document "Barnsley Town Centre Communication Hub Proposal – Site 1 – Pavement Opposite 50 Cheapside, Barnsley S70 1RU".
 - 3) The multifunctional communication hub hereby permitted shall receive bi-weekly inspections, cleaning and maintenance to ensure it remains in good working order. This shall include inspections of the defibrillator, ensuring that it remains in situ and in good working order. The defibrillator or any consumables shall be replaced when required.

Decision: Appeal B: 6013596

2. The appeal is allowed and express consent is granted for the installation of a multifunctional communication hub including defibrillator and advertisement display at Pavement opposite 50 Cheapside, Barnsley S70 1RU in accordance with the terms of

the application, Ref 2026/0311. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and the following additional conditions:

- 1) The advertisement display hereby permitted shall not exceed the proposed maximum illuminance levels of 600 cd/m.
- 2) The display shall be turned off between 11:59pm – 06:00am.

Preliminary Matters

3. Appeal A relates to the refusal of planning permission for a multifunctional communication hub. Appeal B relates to the refusal of express consent for the advertising display which would be an integral part of the hub. I have dealt with the appeals on their own merits, however as the two proposals are intrinsically linked and raise similar issues, I have combined both decisions into a single decision letter.
4. With regard to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) ('the Regulations'), state that control may only be exercised in the interests of amenity and public safety. The development plan policies are not determinative to this appeal, but I have had regard to the policies as cited by the Council in so far as they are a material consideration relevant to the matters before me.
5. In respect of Appeal B, the Council has not raised an objection in relation to public safety and from the available evidence, I find no reason to reach an alternative view.
6. On 17 August 2026 a new National Planning Policy Framework ('the Framework') was issued replacing the version of the Framework published in December 2024. The parties have been given the opportunity to comment on the Framework in relation to the proposed development and I have taken those received into account in the determination of the appeals.

Main Issues

7. The main issues in respect of Appeal A are the effects of the proposal on the character and appearance of the area and whether the proposal would cause obstruction to pedestrians and delivery vehicle traffic.
8. The main issue for Appeal B is the effect of the proposal on the visual amenity of the area.

Reasons

Character and appearance / visual amenity

9. The appeal site occupies a prominent position on a bend along Cheapside, a principal retail and commercial street within Barnsley town centre. The surrounding area comprises a wide pedestrianised street framed by substantial buildings, including the Alhambra and Glassworks shopping centres, which are dominant features within the streetscape. The public realm has been subject to environmental enhancement works and is characterised by paving in varying grey tones, gentle changes in level, occasional steps and low retaining walls.

10. In the vicinity of the appeal site, the streetscape contains a range of street furniture and infrastructure, including lighting columns, seating, communications cabinets, CCTV equipment and a telephone kiosk. Owing to the width of the pedestrianised street and the spacing between these features, the public realm retains a generally uncluttered appearance. Street trees make a positive contribution to the quality of the environment. The character of the area is distinctly commercial, with a variety of advertisements and signage displayed on surrounding buildings, reflecting its town centre setting.
11. The proposal comprises a contemporary communications hub measuring approximately 2.63 metres by 1.34 metres, incorporating a digital advertisement display on its north-facing elevation together with communications equipment and a defibrillator on the opposite side. It would be introduced into a streetscape where items of street furniture are already a common feature. Its relatively slim form and siting at the edge of the pedestrianised area, adjacent to a low retaining wall, would assist its integration into the public realm. In this context, both the kiosk and its advertising display would sit comfortably within the street scene, complementing the established mix of street furniture, signage and illuminated displays present in the locality.
12. The existing street furniture in the vicinity of the appeal site is generally limited to slim, vertical features such as bollards, lighting columns and CCTV equipment. In this context, I am not persuaded that the proposal would introduce visual clutter to such an extent that it would materially harm the quality or character of the public realm. Whilst the Council refers to other approved communications hubs, my site inspection identified only one comparable structure within the wider area, located some distance to the north-west on Queen Street. That structure was not visible from the appeal site and therefore does not materially influence the appearance of the immediate street scene.
13. Having regard to all of the above, I find that, in relation to appeal A, the proposed structure would not appear visually harmful or lead to unacceptable clutter in the context of the commercial shopping street. The development would therefore comply with Policies BTC3 and D1 of the Barnsley Local Plan (2019) (the BLP) which collectively seek, amongst other things, to ensure that development be of a high quality design which provides for high quality public realm and make a positive contribution to the character of public places, and the objectives of the Barnsley Town Centre Public Spaces Strategy (2010).
14. With regard to Appeal B, the proposed advertisement screen would, for the same reasons as those given above, not have a harmful effect of the amenity of the areas.

Obstruction to pedestrians and delivery vehicles

15. The proposal would be located at the edge of a wide pedestrianised street where ample space exists for pedestrian movement. Its position would maintain clear north-south pedestrian routes along Cheapside and, having regard to its relationship with existing street furniture and the adjacent retaining wall, would not impede the safe and convenient movement of pedestrians.
16. The Highway Authority's concerns relate principally to the cumulative impact of similar installations across the town centre. However, no site-specific evidence has been provided to demonstrate that this proposal would harm pedestrian or vehicular movement. I therefore attach limited weight to the objection.

17. Given the width of Cheapside, adequate space would remain for servicing and delivery vehicles to pass and manoeuvre. In the absence of substantive evidence to the contrary, I am not persuaded that the proposal would obstruct the safe and efficient operation of the highway network.
18. Taking these matters into account, and with regard to Appeal A, I find that the proposal would not impede pedestrian or delivery vehicle movement and would therefore accord with Policy T4 of the BLP which seeks to ensure safe, secure and convenient access and movement.

Other Matters

19. In the officer report, the Council refers to a number of applications for similar forms of development. However, precise details have not been provided regarding their locations. In the absence of such information, I am unable to assess their proximity to the appeal site or any potential cumulative effects arising from them. Consequently, I can attach little weight to these cases in reaching my decision.
20. Reference is made to several appeals concerning similar proposals, including those on Queen Street¹, elsewhere on Cheapside², and on May Day Green³. In those cases, the Inspectors concluded that the developments would be compatible with their surroundings and would not result in unacceptable harm to visual amenity. By contrast, the appeals relating to Midland Street⁴ were dismissed on the basis that the proposal would unduly narrow the footway and contribute to visual clutter. For the reasons set out above, I am satisfied that those concerns do not arise in this case. One further appeal cited in the officer report was incorrectly referenced and I have therefore been unable to take it into account.
21. The appellant advances several benefits in support of the proposal relating to the contributions made to communications and emergency health and I have afforded these moderate positive weight in my decision.

Conditions

22. I have had regard to the conditions proposed by the Council, Policy DM6 of the Framework and the Planning Practice Guidance. In respect of Appeal A, in addition to the time limit condition [1], and for clarity, I have added a plans condition [2]. In the interests of maintaining an acceptable appearance, I have added the suggested requirement that the proposal be subject to inspection and maintenance [3] given the evidence of the inclusion of an identical condition in a comparable appeal case⁵ and noting that the appellant has not expressed any concerns in respect of its requirements. The Council's suggested condition requiring paving to be made good following installation works is imprecise and does not meet the tests of Policy DM6 of the Framework. The requirements could be better achieved through highway licensing, and I have therefore not included this condition.
23. Appeal B would be subject to the 5 standard conditions as set out in the Regulations. In addition, I have included conditions to restrict the maximum illuminance of the display [1] and requiring the screen to be turned off during the night [2] in the interests of visual amenity.

¹ APP/R4408/W/25/3371275 and APP/R4408/W/25/3371277

² 6006392 and 6006393

³ 6000389 and 6000390

⁴ 6009866 and 6009867

⁵ APP/R4408/W/25/3371275

Conclusion

24. I have found that the proposal would not cause unacceptable harm to the character and appearance of the area, nor lead to unacceptable clutter in the street scene. Further, for the reasons outlined above, the development would not cause obstruction to pedestrian or vehicular traffic.
25. In relation to appeal A, the proposal accords with the development plan as a whole and there are no other considerations that indicate I should take a decision other than in accordance with it.
26. For the reasons set out above, Appeals A and B are allowed.

Richard Snow

INSPECTOR