

2024/0937

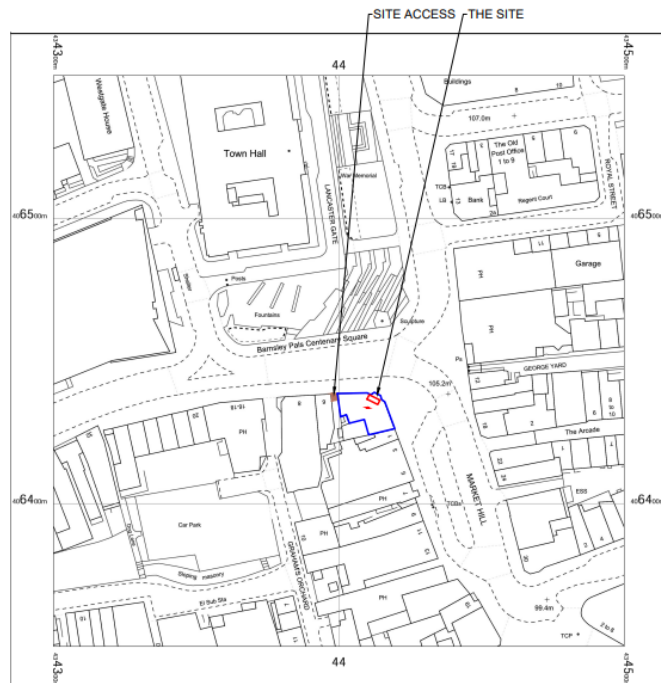
Cellnex UK Ltd

Rooftop of 1 Market Hill, Barnsley, S70 2PU

Removal and replacement of existing flagpole antenna structure, equipment cabinets and associated ancillary equipment, and additions to existing base station installation (Amended Description).

Site Description

The application relates to an existing base station installation located on the roof of Soul Lounge - a prominent Town Centre bar in the Regent Street, Church Street and Market Hill Conservation Area, and within the setting of several nearby grade II-listed buildings, including the Town Hall to the north and 12-14 Market Hill and 16 Market Hill to the east. The building is constructed of Portland Stone with a large, glazed façade facing the highway. The existing base station installation includes visible elements comprising an antenna in the guise of a flagpole located centrally on the roof and smaller adjacent gantry support poles. The building's parapet conceals other ancillary equipment from public view.



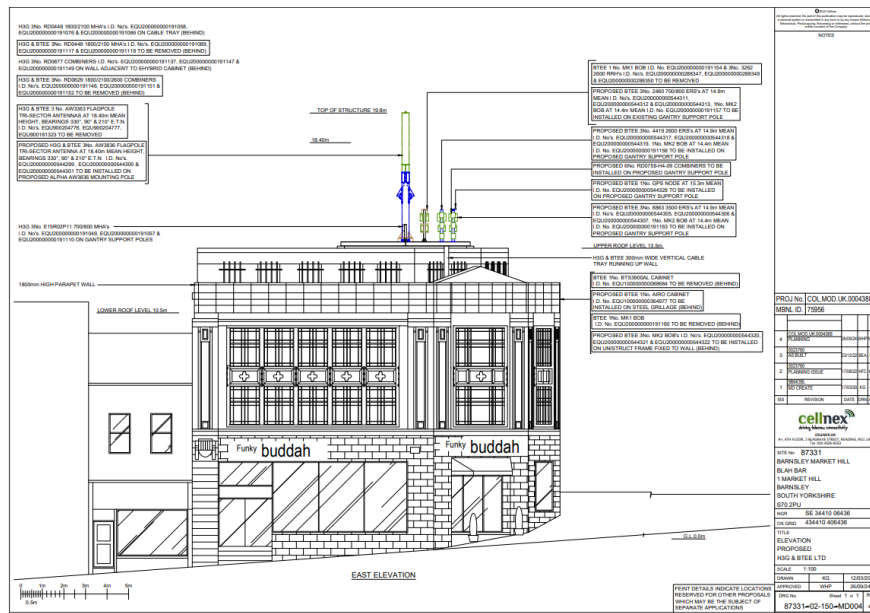
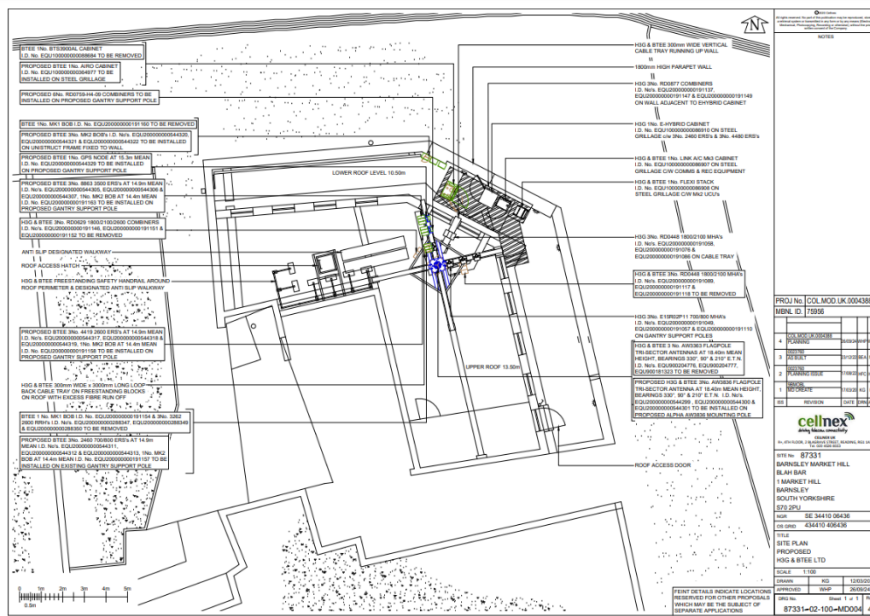
Planning History

There is an extensive planning history associated with the application site. However, the most recent and relevant applications are as follows:

1. 2008/1044 – Proposed installation of a telecommunication apparatus on roof of a building. – Approved.
2. 2012/1319 – Upgrade of the existing telecommunications installation. – Approved.
3. 2014/1446 – Upgrade of existing equipment to 4G (Prior Notification Telecommunications). – Prior Approval Not Required.

Proposed Development

The applicant is seeking permission for the removal and replacement of an existing flagpole antenna structure, equipment cabinets and associated ancillary equipment, and the installation of additions to existing base station installation.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering 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. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan Allocation – Town Centre

The application site is in the Westgate/Churchfields District of Barnsley Town Centre. The application building is within the setting of several nearby grade II-listed buildings and is in the Regent Street, Church Street and Market Hill Conservation Area. The following policies are therefore relevant:

- **Policy SD1: Presumption in favour of Sustainable Development.**
- **Policy HE1: The Historic Environment.**
- **Policy HE3: Developments affecting Historic Buildings.**
- **Policy HE4: Developments affecting Historic Areas or Landscapes.**
- **Policy D1: High quality design and place making.**
- **Policy GD1: General Development.**
- **Policy POLL1: Pollution Control and Protection.**
- **Policy TC1: Town Centres.**
- **Policy BTC5: Landmark Buildings.**
- **Policy BTC18: Westgate/Churchfields.**
- **Policy T4: New Development and Transport Safety.**

National Planning Policy Framework (December 2024)

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant sections include:

- **Section 10: Supporting high quality communications.**

Paragraph 119. Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

Paragraph 120. The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Paragraph 122. Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or

c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 123. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

- **Section 12: Achieving well-designed-places.**
- **Section 16: Conserving and enhancing the historic environment.**

Paragraph 215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 219. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

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

Consultations

Conservation Officer	No objections.
Local Ward Councillors	No responses.

Representations

Neighbour notification letters were sent to surrounding properties. A site notice was placed nearby, and a press notice was utilised, both expiring 6th December 2024. No representations were received.

Assessment

Principle of Development

The National Planning Policy Framework (NPPF) promotes development comprising advanced, high quality and reliable communications infrastructure as it is recognised as being essential for economic growth and social well-being. Notwithstanding this, the overriding policy remains to ensure that the number of radio and electronic communications masts, and the sites for such installations, is kept to a minimum and consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. The continued utilisation of existing installations and sites is therefore actively promoted. In accordance with the NPPF, the proposals would involve upgrades to an existing installation, providing coverage for multiple operators, and is considered to represent the most efficient use of a single telecommunication base station as it lessens the overall proliferation of further equipment within the Town Centre. The principle of development is therefore considered acceptable subject to other considerations.

Development should not detrimentally affect the amenity afforded to adjacent properties, including visual amenity and highway safety, and should also respect, conserve and enhance the significance and setting of the borough's heritage assets and should not significantly alter or detract from the character of the street scene, and local planning authorities should look for opportunities for new development in conservation areas and within the setting of heritage assets, to enhance or better reveal their significance. Development that would preserve those elements of setting that make a positive contribution to the asset, or which better reveal its significance, should be treated favourably, in accordance with the NPPF.

Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which could otherwise unacceptably affect or cause nuisance to the natural and built environment or to people.

Barnsley Town Centre is the dominant urban centre in the borough, and to ensure that it continues to fulfil its sub-regional role, support will be given to development that would maintain and enhance the vitality and viability of the town centre.

Design, Heritage and Visual Amenity

Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the listed building and conservation area or its setting or any features of special architectural or historic interest which it possesses.

The proposed flagpole antenna structure would replace an existing structure of the same height and similar appearance on the roof of Soul Lounge – a prominent Town Centre bar in the Regent Street, Church Street and Market Hill Conservation Area, and within the setting of several nearby grade II-listed buildings, including the Town Hall to the north and 12-14 Market Hill and 16 Market Hill to the east. An adjacent ancillary gantry support pole would be retained with two new gantry support poles installed. The new support poles would be similar in scale and appearance as existing. The proposed installation of replacement equipment cabinets and other associated ancillary equipment would also replace existing structures of a similar scale and appearance positioned behind the existing parapet of the building. Whilst elements of the proposed development would be visible from the surrounding public realm, and a degree of change would be introduced because of additional structures, the proposals are not considered to contribute to any additional meaningful substantial harm that would otherwise be detrimental to the character and appearance of the conservation area group value or the setting of nearby listed assets, especially as the existing structures have been in situ for several years. The Council's Conservation Officer was consulted on this application and no objections were received. This weighs significantly in favour of the proposed development.

The Town Hall is located to the north of the application site with Barnsley Sixth Form College to the north-west. These buildings are identified as landmark buildings within the Local Plan. The proposals are unlikely to be significantly more impactful than existing structures and views of these landmark buildings are likely to be safeguarded, in accordance with Policy BTC5. This weighs moderately in favour of the proposed development.

Additionally, the anticipated public benefits of the telecommunications upgrades would outweigh any potential harm and weighs significantly in favour of the proposed development.

The proposals are therefore considered to conserve or enhance the character and appearance of the Regent Street, Church Street and Market Hill Conservation Area and nearby grade II-listed buildings in accordance with Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is considered to comply with Local Plan Policy HE1: The Historic Environment, Local Plan Policy HE3: Developments affecting Historic Buildings, Local Plan Policy HE4: Developments affecting Historic Areas or Landscapes, and Local Plan Policy D1: High Quality Design and Placemaking and would be acceptable regarding visual amenity.

Residential Amenity

The proposals would not contribute to significantly increased levels of overshadowing, overlooking and loss of privacy or reduced levels of outlook. However, there could be some potential disturbance and disruption because of construction works, and although any potential impact is anticipated to be temporary, a condition will be used to control construction hours. Subject to conditions, this weighs moderately in favour of the proposed development.

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

Highway Safety

The proposed development would not be prejudicial to highway safety. Limited weight is attributed in favour of the proposed development in this instance, given that the development is located on the roof of a building.

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

Planning Balance and Conclusion

The application relates to an existing base station installation located on the roof of Soul Lounge - a prominent Town Centre bar in the Regent Street, Church Street and Market Hill Conservation Area, and within the setting of several nearby grade II-listed buildings, including the Town Hall to the north and 12-14 Market Hill and 16 Market Hill to the east. The building is constructed of Portland Stone with a large, glazed façade facing the highway. The existing base station installation includes visible elements comprising an antenna in the guise of a flagpole located centrally on the roof and smaller adjacent gantry support poles. The building's parapet conceals other ancillary equipment from public view.

The proposed development relates to the removal and replacement of an existing flagpole antenna structure, equipment cabinets and associated ancillary equipment, and the installation of additions to the existing base station installation.

The key considerations are the impact on the historic environment and visual amenity.

The principle of development is established by development approved under previous applications, and by the National Planning Policy Framework which promotes development comprising advanced, high quality and reliable communications infrastructure provided that the total number of radio and electronic communications masts, and the sites for such installations, are kept to a minimum. Such development should also be consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. This development is recognised as being essential for economic growth and social well-being.

The proposed development works would be carried out at an existing base station installation on the roof of Soul lounge - a prominent Town Centre bar in the Regent Street, Church Street and Market Hill Conservation Area, and within the setting of several nearby grade II-listed buildings, including the Town Hall to the north and 12-14 Market Hill and 16 Market Hill to the east. Significant weight is therefore attributed to any potential harmful impact on the historic environment and visual amenity. The proposals would involve the replacement of existing structures of a similar scale, appearance and positioning, and an existing parapet would continue to screen some of the installations. The proposed installation of additional equipment has been kept to a minimum and would closely reflect the scale and appearance of existing equipment. The proposal is therefore considered acceptable regarding design, heritage and visual amenity. The proposal is also considered acceptable regarding residential amenity and highway safety. The planning balance therefore tilts in favour of the proposed development and this application is recommended for approval.

**Recommendation -
Approve with Conditions**