
Appeal Decisions

Site visit made on 29 June 2026

by **T Burnham BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2026

Appeal A Ref: 6004163

Pavement O/S 30 John William Street, Huddersfield HD1 1BG

- 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 Ben Porte (New World Payphones) against the decision of Kirklees Council.
 - The application Ref is 2025/62/93134/W.
 - The development proposed is installation of 1no. black digital communications kiosk, defibrillator and ancillary advertisement.
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Appeal B Ref: 6004165

Pavement O/S 30 John William Street, Huddersfield HD1 1BG

- 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 Ben Porte (New World Payphones) against the decision of Kirklees Council.
 - The application Ref is 2025/64/93135/W.
 - The advertisement proposed is digital advertising display integrated within digital communications kiosk.
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Decisions

1. The appeals are dismissed.

Preliminary Matters

2. The appeals relate to an application for planning permission and advertisement consent for a black digital communications kiosk, defibrillator and ancillary advertisement which would be positioned within the pavement on John William Street. The site is within the Huddersfield Town Centre Conservation Area (the Conservation Area).
3. As set out above, there are two appeals on this site. In the interests of avoiding duplication, I have dealt with the proposals together. With regard to Appeal B, my assessment is confined to the issues of amenity and public safety.

Main Issues

4. The first main issue is the effect of the proposal on the character and appearance of the Conservation Area and the effect of the proposal on the character and appearance of the town centre. The second is the effect of the proposal on the setting of grade II listed buildings at No. 22, No. 24, No. 26, No. 28, No. 30, No. 32 and No. 34 John William Street.

Conservation Area

5. The significance of this part of the Conservation Area sits largely with the form, scale, detailing and layout of its historic buildings on a wide street pattern. The buildings are broadly of significant scale and incorporate high quality stone finishes with much of the buildings on this section of the street at three storeys in height incorporating repeated attractive detailing.
6. Whilst some of the premises incorporate modern shopfronts at ground floor level, within this section of the Conservation Area these are somewhat recessive given the scale and prominence of the building from first floor and above. The street retains a traditional appearance overall and the pavement where the proposal would be located has substantial width. Street furniture is generally limited, which affords prominence to the fine surrounding buildings.
7. Within this setting, the communications kiosk which would have a modern appearance including its integrated digital screen would be out of place with the traditional and historic appearance of John William Street and would subsequently harm the significance of the Conservation Area. The proposal would subsequently fail to preserve the character and appearance of the Conservation Area. There would be no significant harm to the wider character and appearance of the town centre.
8. The harm to the significance of the Conservation Area would be less than substantial. The harm would however be towards the higher end within the less than substantial category given that the kiosk would be extensively visible along a stretch of John William Street which forms part of a well-used public thoroughfare within a central and prominent location within Huddersfield Town Centre. This harm should be weighed against the public benefits of the scheme.

Listed Buildings

9. 22 - 34 John William Street would be set immediately behind the kiosk in some views whilst on the street. The building forms a cohesive, attractive and long established stone building with substantial detailing dating from the mid 19th Century. Its significance broadly sits with its layout and cohesive appearance from John William Street along with its substantial scale, form and detailing.
10. The application site which is currently laid to pavement makes a broadly neutral contribution to the setting of the building. However, the introduction of a modern communications kiosk in modern materials would jar with the traditional and historic appearance of the building, detracting from its setting and harming its significance.
11. The harm to the significance of the listed building would be less than substantial. The harm would be towards the lower end within the less than substantial category given that the kiosk would often be viewed against some of the more modern shopfronts on this section of John William Street at No.30 and No. 28. This harm should be weighed against the public benefits of the scheme.
12. To conclude in terms of Policy on the main issues, there would be conflict with policies LP17, LP24 nor LP35 of the Kirklees Local Plan (2019) which amongst other things seek to as a minimum preserve the architectural heritage of Huddersfield, respect heritage assets and at a minimum preserve their significance.

Planning Balance

13. There would be public benefits to the scheme. These would include the provision of public telephony services including free calls to emergency numbers and key charities, a touchscreen providing access to local information, capacity for small cell 4G/5G/wifi as well as the provision of AED equipment.
14. The most direct and tangible benefits appear to be the provision of AED equipment, but the benefits of that would be somewhat limited given that the Council indicate there is already extensive provision of such equipment within Huddersfield Town Centre.
15. The proposal would fail to preserve the character and appearance of the Conservation Area. There would also be harm to the setting of the grade II listed 22 - 34 John William Street. With regard to the Conservation Area, the harm would be less than substantial, although at the upper end within that scale of harm. With regard to the listed building, the harm would again be less than substantial but at the lower end within that scale of harm.
16. I must give considerable importance and weight to the desirability of preserving or enhancing the character or appearance Conservation Areas and must give considerable importance and weight to the desirability of preserving the setting of listed buildings. The benefits of the proposal do not outweigh the harm and there would be conflict with development plan policy.
17. With regard to Appeal A, the proposal would fail to preserve the character and appearance of the Conservation Area and would harm the setting of the grade II listed 22 - 34 John William Street. With regard to Appeal B, given my findings above, there would be a significant adverse impact with regard to amenity.

Conclusion

18. It is therefore my conclusion that both Appeal A and Appeal B should be dismissed.

T Burnham

INSPECTOR