

Highway Response

Ref: 25/0419

Date: 16/06/25

PROPOSAL: ADVERTISEMENT CONSENT FOR THE INSTALLATION OF NEW DIGITAL COMMUNICATIONS KIOSK WITH INTEGRATED DEFIBRILLATOR AND ADVERTISING DISPLAY

SITE: Land Adjacent To 33 High Street Newport South Wales

Case Officer: Emma Brinkworth

Highway Officer: Kevin Jackson

Highway recommendation:

Objection on grounds of national technical guidance relating to place and decluttering, disability discrimination act and highway safety.

Highway Comments:

The proposal does not replace an existing phone and is not needed to maintain any telecoms services. It does not establish any need for the various features to be placed on highway in this location and does not provide any benefit that outweighs the consideration of pedestrians.

The site is a pedestrian dominated area, and very much a shopping centre type environment where pedestrians do not follow obvious linear desire lines but move unpredictable across or along this and adjacent roads. Furthermore, they do not simply walk through the area, but stop to talk and undertake other social activities. It is adjacent to a servicing area, so a high percentage of the traffic is commercial, therefore drivers have greater issues with visibility and blind spots etc. and do not mix easily with pedestrians.

The positioning of the advert creates a blind spot between drivers and pedestrians, preventing any inter-visibility and increasing the risk of collisions between any pedestrians crossing and on-coming vehicles. Drivers and pedestrians may not be aware of the other's presence in time to avoid a collision.

It is also likely to interfere with the ready interpretation of road signs at the adjacent junction (specifically the give way sign) creating further safety issues. The advert is approximately 15m from the sign and appears to be in the driver's eyeline.

Nothing should distract or obscure the drivers' vision within 25m of the sign/junction to ensure they have sufficient time to react/stop. (The speed limit requires 25m forward visibility based on the stopping sight distance).

The general principles of balancing highway function and sense of place are presented within Manual for Streets (MfS) and MfS 2.

Section 2.4.10 MfS states:

"2.4.10 This way of looking at streets can be expressed as a two-dimensional hierarchy,¹¹ where the axes are defined in terms of place and movement (Fig. 2.5). It recognises that, whilst some streets are more important than others in terms of traffic flow, some are also more important than others in terms of their place function and deserve to be treated differently. This approach allows designers to break away from previous approaches to hierarchy, whereby street designs were only based on traffic considerations."

The town centre streets must provide for high levels of movement (albeit pedestrian and cycle movements mainly). At the same time, it must provide a strong sense of place to be attractive and have vitality.

The principles of decluttering and presenting an inclusive, coordinated street scene are made clear in MfS and MfS 2 and relevant excerpts can be found here:

<https://assets.publishing.service.gov.uk/media/5a7e0035ed915d74e6223743/pdfmanforstreetts.pdf>

One key point to note is that the highway authority has a duty to ensure that it complies with the Disability Discrimination Act. This is discussed at s2.7 (p21) where the six principles are set out, including taking account of disabled persons' disabilities. Which requires them to consider any impacts of development placed on highway.

The matter of decluttering is addressed in s5.10, (p58) with recommendations to reduce and remove clutter at 9.1.9 (p115/6) and 10.2.1 (p121).

Clearly where the issue of clutter has not yet become critical, it is vital to be mindful to avoid creating the problem. Avoidance is better than cure.

Whilst there is a need for various types of street furniture, it is essential to consider what is necessary and allocate space accordingly. Anything that is not strictly needed should not be placed on highway.

Section 6.1 (p63) states that street design should be inclusive: “providing for all people regardless of age or ability”.

At 6.2 (p63) onwards, MfS discusses the requirements for pedestrians and cyclists. The key prerequisites are sufficient space (6.3.10 (p65) and 6.3.23 (p68)). The guidance includes a visual representation of how pedestrian densities and other activities influence the need for greater space. (refer to Figure 6.8 (p68) and Figure 6.9 (p69)).

We do not have volumetric surveys of pedestrian movements to present but do not consider it appropriate to think in terms of minimum widths for the town centre where service vehicles, pedestrians and cyclists are mixed together, and movement patterns can be complex and growth should be accommodated.

6.3.10 (p65) states that all street furniture is a hazard for various disability groups. We must therefore only accept what is needed to minimise the hazards to disabled persons.

Further guidance for signage is contained within Traffic Signs Regulations 2016, however the only points to make are that signs should be consistent in presentation, located at key points and minimal in number for ease of interpretation.

“Inclusive Mobility, A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure” is published by the Department for Transport (2021) and can be found here:

<https://assets.publishing.service.gov.uk/media/61d32bb7d3bf7f1f72b5ffd2/inclusive-mobility-a-guide-to-best-practice-on-access-to-pedestrian-and-transport-infrastructure.pdf>

It states the following at Section 2.3 (p16):

“Planning for accessibility improvements

The accessibility of infrastructure can be much improved as part of on-going repairs, maintenance and modernisation schedules. Such improvements can be made at a lower cost and with less disruption than if the improvements are made separately. For example, resurfacing a footway may provide the opportunity to clear some of the clutter often found in the pedestrian environment, and so remove barriers to movement. Relevant staff should be made aware of the importance of doing this.

At 3.1 (p17) it goes on to state:

“3.1 Definitions

It is essential that design for disabled people should be to the highest possible standards. This section provides information on the basic human requirements for ease of movement. In designing or modifying facilities the aim should be to be generous in the allocation of space.”

Whilst the first statement does not refer directly to new development, it is clear that the principle of removing clutter is supported and therefore any additional clutter would not be supported. Indeed, it would be considered detrimental to the movement of all not just those with disabilities.

The second statement emphasises the need “to be generous with space”. Indeed, a theme of the document is to avoid working to minimal standards.

At section 4.2 (p28) it discusses the space requirements in more detail. It states:

“4.2 Width and height clearance

Footways and footpaths should be made as wide as is practicable, but under normal circumstances, a width of 2000mm is the minimum that should be provided, as this allows enough space for two wheelchair users to pass, even if they are using larger electric mobility scooters. If this is not feasible due to physical constraints, then a minimum width of 1500mm could be regarded as the minimum acceptable under most circumstances, as this should enable a wheelchair user and a walker to pass each other. Where there is an obstacle, such as lamp columns, sign posts or electric vehicle charging points, the absolute minimum width should be 1000mm, but the maximum length of such a restricted space should be 6 metres.”

It should be noted that the minimum width is quoted for use where there are constraints and not town centre levels of demand. A developer's desire to install advertising is not a constraint. That could go somewhere else. Furthermore, we do not accept that any of the other benefits claimed would be significant enough to justify the narrowing of any pedestrian route (see later comments).

Street furniture is considered further at section 4.7 (p32):

"4.7 Street furniture

Street furniture refers to the many and varied objects located in a typical high street, precinct or footway, including streetlights, sign-posts, traffic signs, waste bins, bollards and seating. These usually have important functions and specific purposes: for example, bollards positioned for reasons of security, or as traffic control measures, electric vehicle charge points, and sign-posts installed to provide public information.

Other items found in the pedestrian environment may have a purely commercial purpose. They include portable objects such as tables and chairs placed on footways adjacent to cafés, bars, pubs and restaurants. Free-standing advertising boards such as "A-boards" might also cause a hazard for pedestrians, particularly if their location is unpredictable and if the route around them is not clear, and can be particularly problematic for vision impaired and other pedestrians who rely on a memorised 'map' of their environment to navigate, for long cane users, and for guide dogs.

Whatever their purpose, objects on routes used by pedestrians can present an obstacle and hazard, particularly wheelchair users and vision impaired people".

Clearly, the benefits of street furniture must be weighed against the disbenefits. Highways do not accept that there are any significant benefits associated with the proposals to outweigh the issues faced by those with disabilities.

To mitigate for the potential issues the document goes on to state that:

"As a general design principle, any item of street furniture should be tonally and colour contrasted with its environment in order to make it as conspicuous as possible. Consideration should be given to choosing a finish that enables an object to be easily seen in its environment. For that reason, brushed metal finishes should be avoided"

Whilst it is possible to contrast the proposed furniture, making it "conspicuous" goes against the principles of creating a sense of place. For those reasons, we would not support anything that does not provide a necessary function within the highway.

In summary, Highways would raise objections relating to highway safety and national policy on decluttering and inclusivity.

Should the Planning Officer consider that the equipment is needed or acceptable, it should be located at back of footway and orientated to minimise obstruction. Any lighting should comply with current lighting guidance and be dimmed at times of poor ambient lighting conditions.

Informative Notes:

The applicant should note that section 115E of the Highways Act 1980 requires the permission of the highway authority and frontages to place structures on the highway. Advertising does not benefit from the provisions of the general permitted development order.

Essential telecoms equipment permitted under the provisions of the GPDO is required to avoid being sited within visibility splays and to be positioned and orientated to minimise obstruction of highway/footway.

In addition, the Communities and Local Government publication "*Outdoor advertisements and signs: a guide for advertisers*" also requires that advertisers must have the permission of the landowner.