

Delegated Decision Report

Application No:	25/0421	Statutory Period Expires:	9th October 2025
------------------------	----------------	----------------------------------	------------------------------------

Site:	<i>Land Adjacent To 154 Commercial Street Newport South Wales</i>		
Proposal:	<i>ADVERTISEMENT CONSENT FOR THE INSTALLATION OF NEW DIGITAL COMMUNICATIONS KIOSK WITH INTEGRATED DEFIBRILLATOR AND ADVERTISING DISPLAY</i>		
Applicant:	<i>B Porte</i>		
Type:	Advert Consent	Ward:	Stow Hill
Decision:	Granted with Conditions		

1. BACKGROUND

- 1.1 The application comprises of a series of applications for the implementation of a Communications Kiosk and Advertising Display in various within Newport City Centre.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is located in a prominent location along Commercial St, between Boots and Nationwide. The advertisement screen would be located on the rear of the communication kiosk. The kiosk would be sited adjacent to other street furniture, namely between a street tree and bench. The application site is located within the Town Centre Conservation Area and in the setting of 153 Commercial St, which is the nearest Grade II listed building.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks advertisement consent for an advertisement display screen, which would be placed on a communications kiosk. The advertisement display screen would be 1.635m in height and 0.925m in width.
- 3.2 The associated application for the communications kiosk itself is being considered under application 25/0420.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0420	INSTALLATION OF NEW DIGITAL COMMUNICATIONS KIOSK WITH INTEGRATED DEFIBRILLATOR AND ADVERTISING DISPLAY	Pending Consideration	N/A

5. PLANNING POLICY

- 5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Policy 13 – Supporting Digital Communications

- 5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

4.1.6 Planning authorities must set out in their development plan an integrated planning and transport strategy. This should set out how the planning authority will: improve physical and digital connectivity

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.3.1 Policies GP2 (General Amenity), GP4 (Highways and Access), GP6 (Quality of Design) and CE7 (Conservation Areas) of the Newport Local Development Plan 2011-2026 (Adopted January 2015) are relevant to the determination of this application.

5.4 TECHNICAL ADVICE NOTES

5.4.1 Technical Advice Note (TAN) 5: Nature Conservation And Planning and Technical Advice Note (TAN) 7: Outdoor Advertisement Control are relevant to the determination of this application.

5.5 THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

6. CONSULTATION RESPONSES

6.1 ***Highways:***

Dated 11th August 2025

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 link between the bus station and other areas of the town centre. Existing planting effectively creates two streams of pedestrian traffic past the site. One of which is obstructed by the sign. The sign is set back from the kerb sufficiently to avoid collisions with traffic, however there is too little space for pedestrians to pass safely on the outside of the sign.

There is no obvious pedestrian desire to cross at this location, but we would request that the structure as aligned with the existing planter etc to minimise the obstruction created. This would then be compliant with GPDO guidance (relevant to the phone element).

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:

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 national policy on decluttering and inclusivity.

Should the Planning Officer consider that the equipment is needed or acceptable, we would request that the structure as aligned with the existing planter etc to minimise the obstruction created. This would be compliant with GPDO guidance. 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

6.2 **Glamorgan Gwent Archaeological Trust:** No objection.

7. PUBLIC REPRESENTATIONS

A site notice was put up on the 10th of September 2025.

7.1 NEIGHBOURS: 6no. neighbours were consulted. No representations were received.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site is located within a settlement boundary as defined by the proposals maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

8.1.2 The Welsh Government Technical Advice Note 7 provides guidance on Outdoor advertisement control and states that applications for advertisement consent can only consider amenity and public safety. As such, the impact on visual/residential amenity and the effect on public safety are assessed as part of this application.

8.2 Visual Amenity

8.2.1 The site is within the Town Centre Conservation Area and near several Listed Buildings. A Design and Heritage Statement was submitted to assess impact. While the Principal Heritage Officer has raised concerns regarding the potential impact on the nearby heritage assets and Conservation Area, they acknowledge a public benefit and, on balance the development is considered to be acceptable on the basis that the public benefits outweigh the minor identified harm. The kiosk's need was established in application 25/0420, and it is considered that the advertisement display screens are considered appropriately scaled in comparison to other street paraphernalia. No adverse impact upon the living conditions of neighbouring occupiers has been identified as a result of the proposed development. No significant harm to the visual amenity of the area has been identified, in accordance with policy GP6.

8.3 Public Safety

8.3.1 The Highways Officer initially raised concerns about street clutter and pedestrian impact. Even with the implementation of the advertisement display screen, a significant amount of pavement would be retained for pedestrians. Given its location, there would be no highway safety impact or service access issues. The proposal is therefore acceptable and complies with policy GP4.

9. OTHER CONSIDERATIONS

9.1 **Crime and Disorder Act 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 **Equality Act 2010**

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected

- characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 It is considered that the advertisement screen is acceptable in terms of visual amenity and public safety. The adverts are in accordance with Policies GP2, GP4, GP6 and CE7 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

11. **RECOMMENDATION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and Documents: NWP-KIOSK/001 - PROPOSED ELEVATIONS , 4820-007-003B - Site Plan , 4820-007-003A - Site Location Plan , 250528 NEWPORT-PLAN-STAT, 008-NWP MANAGEMENT PLAN, 007-NWP SPEC-DOC-2024

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6 and CE7 were relevant to the determination of this application.