

Delegated Decision Report

Application No:	26/0371	Statutory Period Expires:	9th July 2026
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Site:	<i>BT Hub Outside Chartist Tower Upper Dock Street Newport South Wales</i>		
Proposal:	<i>ADVERTISEMENT CONSENT FOR THE PROPOSED INSTALLATION OF 1NO. NEW BT STREET HUB, INCORPORATING 2NO. DIGITAL 75" LCD ADVERT SCREENS</i>		
Applicant:	<i>S Rana-Jaswal</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 locations within Newport City Centre.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is within the Town Centre and situated on Upper Dock Street. The immediate vicinity has The Potters public house to the North East, the Mercure hotel to the South West, Friars walk and John Frost Square to the South and an Arcade to the West. To the West of the site is secondary shopping frontage. The site is also within the Town Centre Archaeological Sensitive Area and Flood zone 2 – Sea as defied by NRW's Flood Map for Planning. The application site is a pedestrianised walkway

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks advertisement consent for the proposed installation of 1no. new BT streethub, incorporating 2no. digital 75" LCD advert screens on Upper Dock Street, and the removal of 1no. BT phone kiosk on Kingsway.

BT hub:
H: 2.9m
W: 1.2m
D: 0.3m

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
26/0373	ADVERTISEMENT CONSENT FOR THE PROPOSED INSTALLATION OF 1NO. NEW BT STREET HUB, INCORPORATING 2NO. DIGITAL 75" LCD ADVERT SCREENS	PCO	

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

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) and GP6 (Quality of Design) 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 *Heritage Officer:*

Re: ADVERTISEMENT CONSENT FOR THE PROPOSED INSTALLATION OF 1NO. NEW BT STREET HUB, INCORPORATING 2NO. DIGITAL 75" LCD ADVERT SCREENS

Planning Policy Wales (Edition 12, 2024) states that:

6.1.14 There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings...

Policy CE7 of Newport Local Development Plan 2011 – 2026, January 2015 states that:

“DEVELOPMENT WITHIN OR ADJACENT TO CONSERVATION AREAS WILL BE REQUIRED TO:

- i) BE DESIGNED TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA, HAVING REGARD TO THE CONSERVATION AREA APPRAISAL WHERE APPROPRIATE.*
- ii) AVOID THE REMOVAL OF EXISTING HISTORIC FEATURES, INCLUDING TRADITIONAL SHOPFRONTS AND JOINERY.*
- iii) USE MATERIALS WHICH ARE TRADITIONAL, OR APPROPRIATE TO THEIR CONTEXT.*
- iv) COMPLEMENT OR REFLECT THE ARCHITECTURAL QUALITIES OF NEARBY BUILDINGS WHICH MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OF THE AREA.*
- v) PAY SPECIAL ATTENTION TO THE SETTINGS OF BUILDINGS, AND AVOID THE LOSS OF ANY EXISTING DOMESTIC GARDENS AND OPEN SPACES WHICH CONTRIBUTE TO THE CHARACTER OF THE AREA.*
- vi) AVOID ADVERSE IMPACT ON ANY SIGNIFICANT VIEWS, WITHIN, TOWARDS AND OUTWARDS FROM THE CONSERVATION AREA.”*

The site in question is located outside of the Town Centre Conservation Area, on a stretch of Upper Dock Street which affords long distance views of the positively contributing buildings which line the same road, beyond the intersection with Skinner Street to the north. In particular, the northerly view is terminated by the southern end of that fine uniform terrace of buildings comprising of 179-186 Upper Dock Street (see supplied photomontage).

The proposed is a large and double-sided advertising hub, comprising of 2no. 75” LCD advert screens (overall unit size 1236mm x 2980mm), placed within the middle of the thoroughfare and orientated to face the direction of pedestrian flow.

Considering the proposed location outside of the CA - and its considerable distance from recognised heritage assets, the proposed will be minimal adverse impact upon the setting of the Town Centre Conservation Area.

6.2 Local Highways Authority:

Highways must object on grounds of national technical guidance relating to place and decluttering. However, there are no specific highway safety objections.

Highway Comments:

The proposal replaces another phone which are also in pedestrian areas, which arguably provides some balance subject to a condition to remove the old when providing the new;

not 3 months later as proposed. 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/pdfmanforstreets.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 where 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 the principles of decluttering and inclusivity, but accept that the impact would be minimal in this location.

Should the Planning Officer consider that the equipment is needed or acceptable, it could be located as proposed and orientated to minimise obstruction. Any lighting should comply with current lighting guidance and be dimmed at times of poor ambient lighting conditions. The redundant equipment should be conditioned to be removed before or during the installation of the new units to maintain a balance.

6.3 HENEB:

We have consulted the regional Historic Environment Record and note that the proposal is located within the Newport Archaeologically Sensitive Area (ASA), and previous archaeological work has identified the remains of a medieval friary, as well as Roman remains in the vicinity. However the previous development of the current site is likely to have had an adverse effect on any potential remains that may be present. Additionally, the current application is for the installation of a new BT street hub with two advert screens. As such the proposal is limited in scale and it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. As a result, there

is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

7. PUBLIC REPRESENTATIONS

None.

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/ Character and Appearance

8.2.1 The proposed BT Hub would be located within the town centre on a pedestrianised walkway, with built development on either side. Existing street furniture in this location is limited to a series of streetlights positioned along the centre of the walkway. The hub would introduce a new visual feature within the walkway; however, given its relatively small scale, it is not considered to adversely affect the surrounding character or appearance of the built-up area. The Heritage Officer was consulted on the application and states, considering the proposed location outside of the Conservation Area, and its considerable distance from recognised heritage assets, the proposed will be minimal adverse impact upon the setting of the Town Centre Conservation Area. Therefore, the CA setting is preserved in accordance with the Historic Environment Act Wales 2023. The highways officer has raised concerns over cluttering within the streetscene, however, on balance, its location centrally in line with existing streetlights, and overall scale results in low significant harm to the visual amenity of the area in accordance with policy GP6.

8.2.2 Illuminance levels from the screens have been provided. Given the distance to the nearest residential property, the fact that the installation is not at upper floor level, and its alignment with existing street paraphernalia such as lighting columns, it is anticipated that the proposed arrangement would not result in a demonstrable impact over the existing situation. No unacceptable impact on the residential amenity of nearby residential occupiers has been identified, in accordance with policy GP2.

8.3 Public Safety

8.3.1 The highways officer raised concerns over place and cluttering within the streetscene. The town centre streets must provide for high levels of movement (albeit pedestrian and cycle movements mainly). One key point to note is that the highway authority has a duty to ensure that it complies with the Disability Discrimination Act. 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. In summary, Highways would raise objections relating to the principles of decluttering and inclusivity but accept that the impact would be minimal in this location. On assessment, while concerns regarding its siting are acknowledged, the hub's modest scale, the wide pedestrianised environment, the limited existing street furniture, and the public benefits it would provide are all material considerations. The proposed central location would align with the existing line of streetlights while maintaining generous unobstructed pedestrian routes around the structure. It is therefore considered acceptable in this location without cluttering the street and making it challenging for pedestrians to navigate.

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 Having regard to the provisions of Technical Advice Note 7, the proposed advertisement is considered acceptable in terms of both amenity and public safety. The BT Hub would have a limited visual impact due to its modest scale, siting alongside existing street furniture, and location outside the Conservation Area, with no unacceptable effects on the character and appearance of the area or on residential amenity. Whilst concerns have been raised regarding street clutter and accessibility, the proposal would retain adequate pedestrian space and safe movement routes within the wide pedestrianised environment. On balance, it is considered that the proposal would not result in unacceptable harm to visual amenity or public safety and is therefore acceptable.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: NPO-08 - Proposed Site Plan.; NPO-08 - Proposed Elevation Plan; NPO-08 - Site Location Plan; NPO-08 – Photomontage; Planning Statement; NPO-08 - BT Street Hub ICNIRP Certificate; Product Statement; Anti-Social Behaviour Management Plan; BT Street Hub Overexposure and Glare Evaluation.; 2023 PLG05-23 - The Brightness of Illuminated Advertisements Including Digital Displays
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, GP3, GP4, GP5, GP6, CE6 and CE7 were relevant to the determination of this application.

02 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.