

Delegated Decision Report

Application No:	25/1098	Statutory Period Expires:	7th March 2026
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Site:	<i>Land Adjacent To 139 Commercial Road Newport South Wales</i>		
Proposal:	<i>INSTALLATION OF 1NO. BT STREET HUB</i>		
Applicant:	<i>V Cheyne</i>		
Type:	Full	Ward:	Pillgwenlly
Decision:	Granted with Conditions		

1. BACKGROUND

- 1.1 Upon submission, the application description referred to the removal of two payphones. However, as their locations fall outside the red line boundary shown on the submitted plans, they cannot be considered in the same context as the proposed BT hub. As such, the reference to the payphones has been removed from the description. This is further addressed within the assessment of the application below.

2. SITE LOCATION AND CONTEXT

- 2.1 The BT Streethub would be sited in between 139 and 140 Commercial Road. The BT StreetHub would be located on pavement amongst other street furniture including a tree structure and seating. The application site is located approximately 225m from the Lower Dock Street Conservation Area and 230m from the nearest Grade II Listed Building, Church of St Michael.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks consent for the placement of a BT Street Hub, to include an advertisement screen on both sides. The Hub would provide wifi and free calls. The advertisement screens would be 1.67m in height and 0.92m in width. The BT Hub itself would be 2.98m in height, 1.24m in width and 0.92m in depth. Materials include a galvanised steel structure with a powder coated steel cladding. As a result of the placement of the BT Hub, 2no. existing payphones will be removed, situated outside 5 Commercial Road and 77-78 Lower Dock Street.
- 3.2 The associated application for the advertisement screen is being considered under application 25/1099.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0415	ADVERTISEMENT CONSENT FOR THE DISPLAY OF 2NO. DIGITAL 75" LCD DISPLAY SCREENS, ONE ON EACH SIDE OF THE STREET HUB UNIT	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

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

5.2.1 Affordable, secure electronic communications infrastructure is essential to people and businesses. The availability and exchange of information afforded by telecommunications ensures people are connected to important services, their communities and the wider world and is essential for long term prosperity.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.3.1 Policies GP2 (General Amenity), GP3 (Service Infrastructure), GP4 (Highways and Access), GP5 (Natural Environment), GP6 (Quality of Design) and SP3 (Flood Risk) 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, Technical Advice Note (TAN) 7: Outdoor Advertisement Control and Technical Advice Note (TAN) 15: Development Flooding and Coastal Erosion are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 **Highways:** The proposal does not replace an identified 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, providing access to the primarily retail and adjacent residential area. The positioning of the advert does not create any specific safety concerns in terms of vehicular movements or impact service access.

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.

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 **Principal Heritage Officer:** No objection

6.3 **Ecology Officer:** No response received

6.4 **Tree Team:** No response received

6.5 **Environmental Health Officer:** No response received

6.6 **Natural Resources Wales:** No objection

7. PUBLIC REPRESENTATIONS

A site notice was put up on the 9th of January 2026.

7.1 NEIGHBOURS: 97no. neighbours were consulted. No representations were received.

7.2 Cllr Adan and Cllr Jenkins were consulted on the application. The following comments were received in support of the application from Cllr Adan:

- The proposed street hub has been sited to ensure that it does not impede the movement of pedestrians, including those with disabilities. There is sufficient clear space around the unit for wheelchair users, parents with pushchairs and other mobility-impaired pedestrians to navigate safely. It would not obstruct or create barriers and is well clear of the pavements. Whilst national technical guidance relating to location and decluttering is acknowledged, there are no highway safety concerns or grounds for objection. And there is also no evidence of volumetric surveys of pedestrian movement to support any objection in the highway safety note.
- Although the proposal does not replace an identified existing telecom unit in this precise location, local knowledge indicates that a defunct phone box was removed from Dolphin Street/Commercial Road in 2024 (approximately 300 meters away). Therefore, the proposal effectively addresses the need for telecom services in the area. This is not an ordinary payphone; it is a modern unit offering public benefits, including free phone calls, charging ports and access to ultra Wi-Fi services for residents and shoppers in a busy district centre. It also provides free public digital communication with swift and free access to emergency services.
- Yes, BT benefits from advertising revenue, however the public benefits clearly outweigh any potential concerns. The unit is monitored 24/7 to ensure service compliance and is supported by a robust antisocial behaviour management plan. There is no adverse impact on the character or appearance of the area. No demonstrable harm to the streetscape and does not justify a refusal on planning grounds.

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 Future Wales Policy 13 relates to Supporting Digital Communications. The policy states “Planning authorities must engage with digital infrastructure providers to identify the future needs of their area”. Policy GP3 relates to service infrastructure, and states that development will be permitted where necessary and appropriate service infrastructure can be provided. The communications kiosk will offer a wifi and 4G coverage . It will also provide free calls. Based on the services that the communications kiosk will provide, it is considered that the placement of the kiosk is justified, subject to meeting the requirements of the policies aforementioned above.

8.2 **Character and Appearance**

8.2.1 Street furniture including BT Hubs are commonplace within city centres. 2no. payphones nearby are proposed to be removed as part of the proposal. Whilst the removal of the payphones will reduce the overall levels of street furniture within the City Centre, the payphones are not viewed within the same context as the proposal therefore are not considered to provide any additional visual relief as such their removal is welcome however given limited weight in the assessment of this application.

8.2.2 The payphones are also outside of the site location boundary provided with the submission and as such, a condition could not be added to ensure their removal. The removal of the payphones would not serve as an additional justification for the placement of the BT Streethub. Notwithstanding this, it is considered that the Hub is appropriately scaled and positioned in this location along Commercial Road.

8.2.3 No adverse impact on the visual amenity of the surrounding area has been identified therefore notwithstanding the removal of the payphones, the development is considered to be acceptable in terms of its visual impact and impact upon the character and appearance of the area. There are no residential properties within the vicinity and as such there is no unacceptable impact on residential amenity, in line with Policies GP2 and GP6.

8.3 **Residential Amenity**

8.3.1 The details submitted includes illumination levels of the advertisement screens noting that the levels will not exceed 600 candelas between dusk and dawn. The environmental health officer has not offered any comments on the application. Given the scale of development

and its relationship with the closest residential dwellings, no unacceptable impact on the residential amenity of neighbouring occupiers has been identified, in accordance with policy GP2.

8.4 **Highways**

8.4.1 The Highways Officer initially raised concerns about the structure citing potential street clutter and impact on highway users. The proposed communications kiosk would be located amongst other street furniture, which already influences the natural pedestrian flow. A substantial amount of pavement would be retained for pedestrians. The kiosk would be situated 5.1m from the highway along Commercial Road, a low speed road. Given its location, it is not considered that the kiosk would be a distraction to drivers or would be an obstruction to pedestrians. The proposal is therefore acceptable in terms of highway safety.

8.5 **Biodiversity**

8.5.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. PPW 12 requires development to provide a net-benefit for biodiversity informed by a Green Infrastructure Statement that uses the DECCA principles and step-wise approach as detailed within Chapter 6.

8.5.2 In this case no biodiversity enhancement or GI statement has been submitted to accompany the application. Whilst typically a biodiversity enhancement scheme would be requested, due to the limited scale of the development, an on-site enhancement would not be appropriate. The step-wise approach indicates that an enhancement scheme could be requested off-site. However this would need to be secured via legal agreement. Given the scale of development and that the proposal is located within a developed area with little to no biodiversity benefit, it would be disproportionate to request an off-site biodiversity enhancement scheme.

8.6 **Flood Risk**

8.6.1 The application site lies entirely within Flood Zone 3, as identified on the Flood Maps for Planning. As the proposal constitutes less vulnerable development and is limited in scale, it is not considered that the proposals will increase flood risk to third-party land. Therefore, a Flood Consequences Assessment is not considered necessary in this case.

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 The development would not have a detrimental impact on highway safety or residential amenity. The proposal will appear commensurate with its surroundings. The proposed development is considered to be acceptable.

11. RECOMMENDATION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Proposed BT Street Hub Elevations , Site Plan , Site Elevation , 3-NPO004 - Site Location Plan , Photomontage, Product Statement V2.1, BT Street Hubs Anti-Social Behaviour Management Plan, 2023 PLG05-23 - The Brightness of Illuminated Advertisements Including Digital Displays cm-26-45, 2023 PLG05-23 - The Brightness of Illuminated Advertisements Including Digital Displays cm-1-25, Planning Statement including Heritage Statement, ICNIRP.

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, GP5 GP6 and SP3 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.