



Appeal Decisions

Site visit made on 8 May 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal A Ref: APP/H5960/W/24/3352566

Land outside 4 Keswick Broadway, London SW15 2RB

- 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 Thomas Johnston of New World Payphones against the decision of the Council of the London Borough of Wandsworth.
- The application reference is 2024/2303.
- The development proposed is the removal of existing telephone box followed by the installation of 1 no. new communications kiosk with integrated advertising display.

Appeal B Ref: APP/H5960/H/24/3352567

Land outside 4 Keswick Broadway, London SW15 2RB

- 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 Thomas Johnston of New World Payphones against the decision of the Council of the London Borough of Wandsworth.
- The application reference is 2024/2315.
- The advertisement proposed is the removal of existing telephone box followed by the installation of 1 no. new communications kiosk with integrated advertising display.

Decision – Appeal A

1. The appeal is allowed and planning permission is granted for the removal of existing telephone box followed by the installation of 1 no. new communications kiosk with integrated advertising display on land outside 4 Keswick Broadway, London SW15 2RB in accordance with the terms of the application, reference 2024/2303, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing Nos PY4623-015-002 (Site Plan – dated 18 June 2024) and PY4056/005 (Proposed Telephone Kiosk – Elevations – dated 15 September 2022).
 - 3) In the event that the communication hub scheme ceases or alters in a manner so as to leave the structure hereby approved without function, then the structure shall be removed in its entirety and the land made good to the same condition as the adjacent land within 3 months of the cessation of its use.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary and Procedural Matters

3. I have been appointed to determine two appeals at the same site, relating to a proposal for a new communications kiosk; I refer to them here as Appeal A and Appeal B. Notwithstanding the descriptions used in the banner heading and my formal decision for Appeal A above, which are taken from the application forms, Appeal A relates to an application for planning permission for the kiosk structure, while Appeal B relates to an application for advertisement consent for the integrated digital display.
4. The appeal site is within the East Putney Conservation Area (“the EPCA”) and, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This duty applies in respect of the consideration of whether to grant planning permission (Appeal A), and to advertisement applications and appeals (Appeal B) insofar as it relates to the consideration of amenity.
5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 set out that powers shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors. The Council did not raise any concern about public safety and, based on all the evidence before me, I see no reason to take a different view. The Appeal B proposal has therefore been assessed solely in relation to amenity.
6. For both appeals, the site address was given on the application and appeal forms as “Land outside 4 Keswick Rd, London SW15 2RB”. In fact, although the site is very close to Keswick Road, the address should refer to Keswick Broadway, a parade of shops on Upper Richmond Road. The correct address was used on the Council’s decision notice and on the appellant’s appeal statements, and I have used it in the banner headings and my formal decision for Appeal A above.

Main Issues

7. The main issue in Appeal A is the effect of the proposed kiosk on the character and appearance of the EPCA.
8. The main issue in Appeal B is the effect of the proposed advertisement on visual amenity.

Reasons – Appeal A

9. The appeal relates to an area of the footway outside Keswick Broadway, a small parade of shops. The site lies a short way east of East Putney station and is close to, but outside of, Putney town centre. Although Upper Richmond Road appeared to be a reasonably busy road, Keswick Broadway marks the point where the character of the area becomes noticeably residential, compared to the more commercial areas to the west.
10. There is an existing red telephone box¹ on the appeal site, owned and operated by the appellant; this would be removed and the proposed kiosk installed in its place. Moving along Upper Richmond Road from east to west, in front of Keswick

¹ Of relatively modern vintage, rather than a “classic” GPO type.

Broadway there is a litter bin, a lamp post, a road sign post, a group of bollards, an electric vehicle charging point (plus what I took to be an associated electrical cabinet), two Sheffield bike stands, and another road sign post, before the appeal site and its existing red telephone box. East of the site, past a street tree, is a BT kiosk with digital display, another bin, and another group of Sheffield bike stands.

11. Although there is already a considerable amount of street furniture alongside this relatively short stretch of Upper Richmond Road, the footway in front of the shops on Keswick Broadway is deep. The proposed development would not result in there being any reduction in street furniture but, given that the existing telephone box would be replaced, it also would not lead there being an over-accumulation of visual clutter on this part of the street.
12. The proposed kiosk would be slightly taller and wider than the existing phone box it would replace, though it would be shallower and of an open L-shaped design. It would be of steel, with a black powder-coat finish. The simple style and finish of the kiosk itself would be rather more discreet, and therefore would stand out less in the streetscene, than the existing bright (though somewhat tired and faded) phone box.
13. Taking these points together, I conclude that the proposed kiosk would not cause significant harm to the streetscene; the character and appearance of the EPCA would therefore be preserved. The development would comply with Policies LP1, LP3, LP9 and LP22 of the 2023 Wandsworth Local Plan ("the WLP"), and with Policy D8 of the London Plan 2021. Together, and among other things, these policies seek to ensure that the scale, massing and appearance of development relate positively to the prevailing local character; that development sustains and preserves the character, function and setting of heritage assets; and that the public realm is well-designed, safe and accessible.
14. I also find no conflict with the provisions of the National Planning Policy Framework ("the Framework") which seek to protect the historic environment. As I do not find that the proposal would cause harm to or loss of the designated heritage assets or their settings, it is not necessary to apply the public benefit test set out in Paragraph 215 of the Framework.

Reasons – Appeal B

15. The Planning Practice Guidance advises that, in assessing amenity, the local characteristics of the neighbourhood should be considered². Keswick Broadway is a commercial parade, though it is small in size, and low-key and restrained in character. Signage on shopfronts is generally restrained, and there is very little in the way of free-standing advertisements; the notable exceptions are the appellant's existing phone box, which has an advertisement on the side facing the highway, and the nearby BT kiosk which has digital panels on both sides facing east and west along Upper Richmond Road.
16. The proposed advertisement would be a digital LED display panel, measuring just over 1.6m tall by just over 0.9m wide. It would be mounted on the east-facing side of the kiosk, and would display static images changing every 10 seconds. While conditions could be used to limit the brightness of the display, especially at night, it would nevertheless be a prominent and visually intrusive feature. The

² Paragraph: 079 Reference ID: 18b-079-20140306

advertisement would introduce an overly-commercial element into a part of the streetscene which, as I have just noted, has a low-key and restrained character. There would also be cumulative effects, as the screen would be seen in the same views from the east as the existing digital advertisement screen on the BT kiosk a very short distance away. I therefore find that the proposed illuminated advertisement would harm the visual amenity of the area.

17. In reaching this conclusion, I have taken into account the provisions of Policies LP1, LP3, LP9 and LP22 of the WLP, and Policy D8 of the London Plan 2021; though not determinative, they address matters which I have set out in paragraph 13 above, and they are material insofar as they seek to protect visual amenity. There would also be conflict with the provisions of Paragraph 141 of the Framework, which notes that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

18. The Council's evidence referred to the presence of the nearby BT kiosk, and to comments from its conservation team that "there is no requirement for a telephone service from a rival provider given the BT installation only a few metres away". In respect of communications networks, the Framework states that local planning authorities "should not seek to prevent competition between different operators [or] question the need for an electronic communications system". My decisions in these appeals have been made on the basis of the planning merits of the proposed development and advertisement.
19. I have had regard to the benefits of the combined proposal as put to me by the appellant, including the provision of wayfinding information for local people and visitors, and the provision of additional telephony services (including means of accessing emergency information, and contacting the emergency services). However, these benefits do not justify my reaching a different conclusion in these appeals.
20. I recognise that the two appeals before me make up a single project and that, as the appellant pointed out, without one part the other will not come forward. Nevertheless, while I recognise that it will not be the outcome the appellant desired, the different considerations in the planning and advertisement regimes are such that my reaching opposing conclusions in the two appeals is justified and, indeed, necessary.

Conditions – Appeal A

21. As well as the standard time limit condition (1), in the interests of certainty I have imposed a condition defining the approved drawings (2). A condition requiring the removal of the approved kiosk in the event of it no longer being required for communications (3) is necessary to ensure that the character of the area and public safety is protected in accordance with Policy LP1 of the WLP.
22. I have not imposed the suggested condition requiring the removal of the existing phone box before the commencement of the approved development. The approved drawings show that the kiosk approved in this appeal decision would be

in the same place as the existing one, so the development could not go ahead without the existing box being removed; the condition is not therefore necessary³.

Conclusions

23. In Appeal A, I conclude that the scheme would not cause unacceptable harm to the character or appearance of the area, and the character and appearance of the EPCA would be preserved. I shall therefore allow Appeal A and grant planning permission for the proposed development.
24. In Appeal B, although the proposed advertisement would be acceptable in terms of impacts on public safety, it would cause harm to visual amenity. That appeal is therefore dismissed.

M Cryan

Inspector

³ The suggested wording provided by the Council referred to a phone box outside 103D Lavender Hill SW11 5QL; my assumption is that that was an editing error, and it should have referred to this appeal site address. In the unlikely event that it was not an error, the condition is also not necessary, as the removal of a kiosk in a different location does not appear to be related to the proposed development at Keswick Broadway.