
Appeal Decision

Site visit made on 15 July 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 06 August 2025

Appeal Ref: APP/A5840/W/24/3355495

Telephone box on the north side of Walworth Road and Elephant and Castle, Southwark, London SE1 6TE

- 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 In Focus Network Limited against the decision of the Council of the London Borough of Southwark.
 - The application Ref is 24/AP/1544.
 - The development proposed is planning permission and advertisement consent to install an open access Communication Hub, following the removal of an existing communication apparatus, as illustrated in the attached documentation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The construction of the kiosk and the display of advertisements are considered distinct forms of development. Despite the description used in the application form, advertisement consent is not included within the scope of this appeal. A related advertisement application, proposing an advert on the rear of the communication hub, is currently under consideration under application reference 24/AP/1545.

Main Issue

3. The main issue is the effect of the proposed development on the safety of pedestrians and cyclists.

Reasons

4. The proposal involves the installation of telecommunications equipment on the corner of Newington Butts and Walworth Road, just beyond a pedestrian crossing and next to a future Santander Cycles cycle hire docking station (CHDS). It would replace an existing phone box located nearby, that is scheduled for removal. The appeal site lies directly on a designated 'cycle bypass' route, which runs from Newington Butts to Walworth Road via the footway. This route allows cyclists to bypass the traffic lights by entering the footway through a dropped kerb before the signalled junction and pedestrian crossing and then exiting onto Walworth Road through another dropped kerb after the next crossing.
5. The appeal site is located adjacent to a busy and complex junction. Evidence from Transport for London ('TfL') indicates that the area includes several heavily used bus stops and frequently experiences a high volume of cyclists, who ride unsegregated from general traffic. Based on my observations during the site visit, I

have no reason to disagree with TfL's assessment. I also observed consistently high levels of vehicular traffic, with a significant number of cars contributing to the overall congestion in the area.

6. TfL's 'Surface Playbook' identifies this location as having a high incidence of traffic collisions, with several slight and severe injuries recorded since 2016. This complexity is cited by TfL as one of the key reasons for the introduction of the dedicated 'cycle bypass'. Given these conditions, TfL considers this stretch of road to be safety-critical, such that any new structure that reduces visibility or distracts road users would be likely to have a negative impact on safety.
7. The structure would be installed perpendicular to the kerb, introducing a 2.02m² screen facing oncoming traffic, including cyclists and pedestrians using the adjacent crossing and footway. The new structure would be located approximately 2 metres from Walworth Road and the adjacent pedestrian crossing, and around 0.7 metres from the CHDS.
8. The proposed structure would be positioned close to the road, within the line of sight for drivers and cyclists turning from Elephant and Castle into Walworth Road. Accordingly, its physical presence would likely obstruct visibility, particularly of cyclists who are hiring or returning bikes at the CHDS. This raises safety concerns, as cyclists may be hidden from view behind the large screen, increasing the risk of collisions. The risk is further heightened by the anticipated rise in pedestrian and cyclist activity in the area due to the CHDS. The obstruction of key sightlines at a busy junction poses a risk not only to cyclists and pedestrians, but also to drivers, potentially compromising the safe operation of the local road network.
9. The plans indicate that the appeal site would be located directly adjacent to the dropped kerb on Walworth Road. Accordingly, the proposed development would obstruct the designated 'cycle bypass' route and would likely force cyclists to either interact more closely with pedestrians at the crossing and along the shared walkway or with users of the CHDS. This would likely result in increased safety risks at a sensitive location and reduce the functionality of established cycling infrastructure.
10. Although advertisement consent was granted under application 24/AP/0246 for an advert on an existing phone box located near the proposed communication hub, the current application relates to a new structure in a different location. The proposed hub is significantly closer to the road compared to the existing phone box (roughly 5.5m). As such, there is a notable difference in terms of visual impact and the potential for distraction. Therefore, the existence of the previous consent can be afforded only limited weight when assessing the proposal's impact on road safety.
11. While the proposed development would relocate the phone box away from the main thoroughfare, potentially offering a more rational and ordered layout for pedestrians, the new location would introduce different concerns. Although the pavement is over 10m wide, the appeal site remains a sensitive location. As it is close to a busy pedestrian crossing in a high-footfall area, it could particularly disadvantage disabled individuals, especially those with visual impairments. It could also hinder movement for people with buggies or those walking in groups, such as carers with children, by narrowing the available space and disrupting

pedestrian flow. This would result in reduced accessibility and increased pedestrian congestion at a critical location.

12. While concerns are also raised about safe and lawful parking for installation and maintenance vehicles for the hub and its digital advertisement, these could potentially be resolved by way of condition. However, as I am dismissing this appeal on the basis of the physical effect of the proposed structure, I need not consider this matter further.
13. In conclusion, the proposed development would have a harmful effect on the safety of pedestrians and cyclists. It would not ensure a high quality public realm that encourages walking and cycling and is safe, legible, and attractive. Furthermore, it would not ensure the safe and efficient operation of the local road network. As such, it would be contrary to Policies P13 and P50 of the Southwark Plan 2022.

Other Matters

14. The Council has raised concerns about the potential for the digital advertisement display to conflict with the adjacent pedestrian crossing signal, potentially distracting road users. The appellant has countered these concerns by referencing similar existing displays and suggesting that drivers would already be committed to their route by the time the hub becomes visible. Nonetheless, this issue relates specifically to the impact of the proposed advertisement consent. As such, it falls outside the scope of this appeal.
15. The proposed development would deliver a number of benefits. Socially, it provides a modern interpretation of the public phone box, incorporating features such as free phone calls, a USB charging point, free Wi-Fi with a 45m range, a 32-inch wayfinding touch screen, access to local webpages, and a publicly accessible defibrillator. Economically, the development could generate employment opportunities during the construction phase. Environmentally, the structure is devoid of hazardous materials making it easier to recycle. However, the hub would directly face the CHDS, leaving limited space between the CHDS totem and the proposed hub for potential users. This would somewhat restrict access for phone users, making it less practical to use the service comfortably and potentially creating congestion in a high-footfall area. Considering the scale and nature of the proposed development, these benefits are relatively limited and do not overcome the harm identified under the main issues and the conflict with the development plan.

Conclusion

16. The proposal conflicts with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed

S Lo

INSPECTOR