
Appeal Decisions

Site visit made on 8 September 2025

by **A Parkin BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025

Appeal A Ref: APP/X5210/W/25/3367121

**Telephone call box outside Heals, 191-199 Tottenham Court Road,
London W1T 7LQ**

- 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 Nathan Still of In Focus Public Networks against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2025/1324/P.
 - The development proposed is described as 'Replacement and updating of an existing telephone call box'.
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Appeal B Ref: APP/X5210/H/25/3367122

**Telephone call box outside Heals, 191-199 Tottenham Court Road,
London W1T 7LQ**

- 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 Nathan Still of In Focus Public Networks against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2025/1437/A.
 - The advertisement proposed is described as 'Display of a single sided illuminated and sequential portrait advertisement'.
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Appeal A: Decision

1. Appeal A is dismissed.

Appeal B: Decision

2. Appeal B is dismissed.

Preliminary Matters

3. A combined planning application and advertisement consent form was used in this case, and the site address listed is somewhat different to the site address listed on the appeal form and on the Council's decision notice. I have amended the address in the banner heading above, for reasons of clarity.
4. The description of the proposed development and the proposed advertisement are also different between the application form and the appeal forms. I have used the descriptions taken from the appeal forms in the banner heading above, for reasons of accuracy and clarity.

5. As set out above there are two appeals at this site. Appeal A concerns the installation of a replacement telephone call box, upon which an externally facing, illuminated advertisement panel would be fixed. Appeal B concerns the express consent to display the advertisement. I have considered each appeal on its individual merits and with regard to relevant legislation, policy and guidance. However, to limit duplication I have dealt with the two appeals together, except where otherwise indicated.
6. For Appeal A, given the appeal site's location outside a Grade II* listed building¹ and within the Bloomsbury Conservation Area (BCA), I have had regard to sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) respectively.

Main Issues

7. Appeal A: The main issues are the effect of the proposed development on:
 - Designated heritage assets in the area;
 - Pedestrian movement; and,
 - Public safety.
8. Appeal B: The main issues are the effect of the proposed advertisement on:
 - Visual amenity; and,
 - Public safety.

Reasons

9. The appeal site is located on the footpath on the eastern side of Tottenham Court Road, a busy, largely commercial street in central London. The appeal proposal would entail the replacement of an existing telephone call box with a technologically upgraded call box. The existing call box incorporates a poster advertisement display, whilst the proposed call box would include a similar sized, but static digital advertisement display panel, measuring some 1005mm in width by 1860mm in height.
10. As with the existing call box it would replace, the proposed call box would continue to provide for free telephone calls to land lines, charities and to emergency services, but would also provide WiFi hotspot capability and better reliability. The improvements and operation would be funded by the revenues from the proposed digital advertisement panel.

Designated heritage assets and visual amenity

11. The proposal would be located on the footpath outside the Grade II* listed Heal's store, a visually prominent four storey building. The building was constructed in phases through the early-to-mid 20th century. The design of the central and southern parts are visually distinct from the later northern part of the building, but through much of the detailed design and the materials used, particularly the Portland Stone that faces the building, there is a pleasing coherence to the structure. The stone colonnade at the central and southern parts of the building is also referenced in the ground floor treatment of the later northern extension.

¹ Heal and Son Limited including Habitat (List Entry Number: 1379023) (Heal's store)

12. The significance of this building, insofar as it relates to Appeal A, stems from its historical development, its design and materials, together with its visual and historical relationship with Tottenham Court Road.
13. The BCA is a large and diverse area that dates back to the mid-17th century and contains landscaped squares, elegant terraces and larger scale commercial and cultural buildings. The appeal site is located in one of 14 distinct sub-areas within the BCA, towards its western extent, which in this area is formed by Tottenham Court Road.
14. On the opposite side of Tottenham Court Road to the appeal site lies the much smaller Charlotte Street Conservation Area (CSCA). This area began to develop during the 18th century and now contains a mix of residential and commercial uses. In the vicinity of the appeal site, the CSCA contains some mature trees and a church, set back from the carriageway.
15. Insofar as they relate to appeal A, the significance of the BCA and CSCA stem from their historical development, including the visually prominent buildings to be found there and their visual relationship with the streets and spaces.
16. Tottenham Court Road is a busy pedestrian and vehicular route, with traffic moving in both directions. There are also pieces of street furniture in the area, including the existing call box, which affect views of these heritage assets to varying degrees. On both sides of Tottenham Court Road are regularly spaced decorative lampposts, one of which is located a few metres to the south of the appeal site, and a similar distance from the carriageway.
17. A few metres to the northwest of the site is a 2-sided wayfinding post, whilst there are controlled pedestrian crossings a short distance further, across Tottenham Court Road and Torrington Place. Opposite the appeal site is a bus shelter with a two-sided illuminated advertisement panel, and a number of cycle storage fixings .
18. Whilst the proposed call box would be similar to the existing call box in terms of size and position, the semi-enclosed and somewhat bulkier design would be noticeably different. The proposed integral digital advertisement panel would be on the northern rather than southern side of the call box, and would face north-westwards rather than south-eastwards, as the existing poster advertisement does.
19. Furthermore, whilst the existing poster advertisement is located within a transparent glass panel within the call box, the proposal would replace this with a somewhat larger and opaque panel, upon which the proposed digital advertisement display would be positioned.
20. The scale, design and position of the proposed call box and the scale, position, illumination and changing static images of the proposed advertisement would be visually obtrusive in the streetscene. The advertisement display would therefore harm visual amenity along this part of Tottenham Court Road.
21. The call box would infringe upon views of the Heal's store, and would detract from its setting, causing a low level of less than substantial harm to its significance. Furthermore, it would diminish the character and appearance of the BCA, causing a somewhat lower level of less than substantial harm to its significance.
22. The width of Tottenham Court Road and the presence of street furniture on the western side, including the bus shelter with its advertisement panel, means the

- proposal would not significantly affect the setting of the CSCA and so would preserve its significance.
23. Whilst the existing call box and advertisement have some effect on these heritage assets, the bulkier design of the proposed call box including the integral digital advertisement panel would be more serious.
 24. For Appeal A, with reference to paragraph 215 of the Framework, less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal. The proposed call box would offer a range of public benefits, including, in addition to the free telephone calls and WiFi hotspot capability, that the proposed advertisement display would be capable of providing local community or public safety messages for up to 5% of the time.
 25. The proposed display is said to be supplied with 100% 'green energy' and is switched off between the hours of midnight and 6.00am. Various other sustainability benefits are referenced by the appellant and there are said to be savings from having a digital display, which no longer incurs the labour and energy expenses of the existing poster advertisements, which need to be regularly changed and recycled. I also note the Government's support for telecommunications infrastructure in Chapter 10 of the Framework.
 26. However, Paragraph 212 of the Framework requires that great weight be given to the conservation of a designated heritage asset, and the more important the asset, the greater the weight should be.
 27. No substantive information has been provided regarding the demand for free telephone calls at this location, or WiFi hotspot coverage in the area, or for demand from the local community for such a messaging display.
 28. I note the Council mentions the provision of a defibrillator, wayfinding screen and USB charging, although I can find no reference to these in the appellant's submissions showing the proposed call box². Even if I were to accept that these were included as part of the proposal, I am satisfied that the less than substantial harm that would be caused to the setting of the GII* listed Heal's store and to the character and appearance of the BCA would not be outweighed by the public benefits of the proposed call box.
 29. For these reasons, the proposed call box (Appeal A) would adversely affect the significance of designated heritage assets in the area. It would, therefore, conflict with Policies D1 (design) and D2 (heritage) of the Camden Local Plan 2017 (CLP), with Part 3 of the Fitzrovia Area Action Plan 2014 (FAAP) and with the Framework in this regard.
 30. Similarly, the proposed advertisement (Appeal B) on the call box would detract from visual amenity and so would conflict with development plan policies D1 and D4 (advertisements) of the CLP which, amongst other things, seek to protect visual amenity and so are material.

² These matters are referenced in Appendix B of the appellant's submissions. However, this document shows a different call box design to that shown on the submitted drawings and at Appendix A and Appendix C of the appellant's appeal submissions.

Pedestrian movement

31. The proposed call box would be of a similar size and position to the existing call box that it would replace. The Council indicates that the existing call box was installed following a Prior Approval application, and that it is one of a number of such call boxes the Council is taking enforcement action against in order to remove it from the footpath, linked to improvements to the public realm in the area.
32. However, that is an entirely separate matter. There is no evidence the existing call box is not lawfully installed and the proposed call box would have an almost identical effect on pedestrian movement to the existing call box.
33. In any event, from the submitted drawings, the width of the footway between the kerb and the Heal's store building is some 8.3 metres: 1.0m kerb-to-site; 1.4m depth-of-site; and, 5.9m site-to-building, including the lightwells of the Heal's store, which form part of the public realm here.
34. The footway width is broadly the same along the whole frontage of the Heal's store on Tottenham Court Road. Laybys are shown as encroaching upon the footway width to the south of the site on the submitted drawings. However, from my visit, these are simply marked by different paving materials and they form a contiguous part of the functional footpath for pedestrians.
35. The appellant has provided evidence from Transport for London (TfL) that in high pedestrian flow areas, the minimum recommended footway width is 5.3m, and where there is no street furniture, this is reduced to 3.3m. The existing / proposed call box is also located in the appropriate part of the footway according to further guidance from TfL provided by the appellant.
36. Whilst there are other pieces of street furniture in the immediate vicinity of the appeal site, the footway width is some three metres greater than the minimum footway width recommended by TfL. Even with the Council's assertion that pedestrian footfall is exceptionally high and expected to increase further in the future, there is no evidence that the footway width is, or would be, inadequate for pedestrian movement.
37. For these reasons, the proposed call box (Appeal A) would not adversely affect pedestrian movement along the footway on the eastern side of Tottenham Court Road. It would, therefore, accord with Policies G1 (delivery and location of growth), A1 (managing the impact of development), C6 (access for all) and T1 (prioritising walking, cycling and public transport) of the CLP.
38. The Council also lists Policy D8 (public realm) of the CLP on its decision notice. However, a copy of this policy has not been provided.

Public safety

39. The integral advertisement panel contained on the proposed call box would allow for public safety messaging to be displayed for limited periods of time and there would be free telephone calls to the emergency services as needed. A management plan (Appendix B of the appellant's appeal documents), which is said to have been developed with officers from the Metropolitan Police's Design Out Crime Unit, has been provided to show how matters of crime and anti-social behaviour associated with the proposal would be addressed.

40. However, I note the comments of the Metropolitan Police objecting to the proposal. The comments, amongst other things, identify the site to be within a high crime area; an area that is frequented by homeless people due to the presence of a shelter / soup kitchen on the opposite side of the road; that the existing call box has been subject to vandalism and could attract further anti-social behaviour; that opportunist crime could occur such as theft from a person using the call box; or the call box could be used in the illegal drug trade in the area.
41. Whilst I note the facilities for homeless people nearby, at the time of my visit there was only limited evidence of homeless people living in this area. In any event, the presence of homeless people in an area does not mean that crime levels would necessarily be higher than elsewhere.
42. Nevertheless, I have no reason to doubt that this is an area of high crime and despite the measures contained in the appellant's management plan, the Metropolitan Police objected to the proposal.
43. The proposed digital advertisement panel would be located around 1 metre from the southbound carriageway of Tottenham Court Road and so would be readily visible and would be likely to distract, southbound drivers between 6.00am and midnight. Whilst static images would be displayed, these would change from time to time, increasing the risk of visual distraction of southbound drivers.
44. The existing advertisement display, which is not directly illuminated, faces south-eastwards and so would not be visible to the drivers of southbound vehicles and would be much less visually prominent to northbound drivers.
45. Furthermore, the proposed advertisement display would be a short distance to the south of a controlled pedestrian crossing on Tottenham Court Road, and the junction with Torrington Place.
46. Drivers need to concentrate at all times, to protect themselves and other road users, and particularly near to junctions and pedestrian crossings. Due to the proposed luminance levels and the proximity and positioning of the changing displays near to the carriageway, I consider it very likely that they would be distracting to the drivers of vehicles travelling south on Tottenham Court Road. This would lead to an unacceptable increase in the likelihood of an accident occurring.
47. I note that this is a busy retail area, with a wide range of signs displayed, including on the bus shelter on the opposite side of the road. However, the size, type and position of the proposed advertisement display in the street would be likely to harm public safety.
48. Whilst elements of the proposal could be beneficial to public safety, overall I am satisfied that the harm, including as identified by the Police, and in relation to highways, would outweigh the benefits.
49. For these reasons, the proposed call box (Appeal A) would adversely affect public safety. Consequently, It would conflict with Policies A1, T1, D4 and C5 (safety and security) of the CLP, and with the Framework, in this regard.
50. Similarly, the proposed advertisement display on the call box (Appeal B) would detract from public safety and so would conflict with these development plan policies which, amongst other things, seek to protect public safety and so are material.

Other Matters

51. The appellant's Statement of Case also concerns appeals at four other locations. I am not familiar with the other locations, and I have determined the appeals before me on their individual merits.
52. For Appeal A, the Council is concerned that a s106 planning obligation would be needed to secure the removal of the existing call box, amongst other things, were the appeal to be allowed. It would not seem possible to install the proposed call box without first removing the existing call box and so I do not consider an obligation would be necessary. However as I am dismissing the appeal for other reasons, this matter falls away.

Conclusion

53. Whilst the proposal would not adversely affect pedestrian movement in the area, it would adversely affect designated heritage assets, detract from visual amenity and would be harmful to public safety.
54. For the reasons given above, I conclude that Appeal A is dismissed and Appeal B is dismissed.

Andrew Parkin

INSPECTOR