
Appeal Decisions

Site visit made on 3 September 2025

by **N Kempton BAHons, PGDip, MA, IHBC, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 November 2025

Appeal A Ref: APP/X5210/W/25/3367113

Telephone Call Box Outside No. 67 Theobalds Road, London WC1X 8RX

- 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 on behalf of In Focus Public Networks Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2025/1327/P.
 - The development proposed is described as 'upgrade of existing telephone call box with affixed advertising display'.
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Appeal B Ref: APP/X5210/H/25/3367114

Telephone Call Box Outside No. 67 Theobalds Road, London WC1X 8RX

- 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 on behalf of In Focus Public Networks Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2025/1487/A.
 - The advertisement proposed is described as 'upgrade of existing telephone call box with affixed advertising display'.
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Decision

1. Appeal A - The appeal is dismissed.
2. Appeal B - The appeal is dismissed.

Preliminary Matters

3. In the banner headings above, I have taken the description of development from the original application forms, respectively. The pair of appeals relate to the same overall proposal. They differ only in that appeal A is for planning permission to upgrade the telephone box, by replacing it with a more contemporary version incorporating a digital panel, which would be mounted on the pavement. Appeal B is for advertisement consent for the display of a single illuminated and sequential portrait display integrated within the replacement telephone box. I have considered each part of the proposal on its individual merits. However, to avoid duplication I have dealt with the two parts of the proposal together, except where otherwise indicated.

4. In respect of Appeal B the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered 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.

Main Issues

5. The main issues in relation to appeal A are: the effect of the proposal on the character and appearance of the street scene, with particular regard to the setting of the Bloomsbury Conservation Area; the effect on highway safety and pedestrians; whether the proposal would increase opportunities for crime and anti-social behaviour; and the provision of a maintenance plan.

6. The main issues in relation to appeal B are the effect of the proposal on the amenity of the street scene; and the effect on public safety.

Reasons

Character and appearance and amenity (Appeals A and B)

7. Theobalds Road is a compelling blend of old and new - steeped in history but with a modern feel and function. It is largely characterised by a mix of Georgian and Edwardian architecture, which create visually appealing street frontages, alongside modern developments. It is vibrant and surrounded by contemporary office spaces, cafes and cultural institutions. Theobalds Road serves as a key connector between London districts, offering long, linear views that connect to major junctions and stretch toward Bloomsbury and Clerkenwell, enhancing its sense of place within central London. These views highlight its architectural character, historical context and urban setting.

8. The appeal site is located adjacent to, but beyond, the Bloomsbury Conservation Area (CA) boundary. The significance of the CA primarily derives from its architectural and historic interest, containing garden squares and iconic buildings reflecting a strong classical and Georgian influence. The appeal site features in longer views towards the CA and therefore lies within its setting. The architectural qualities of Theobalds Road outlined above provide a setting which serves to reinforce important qualities of the CA.

9. There is an existing telephone kiosk located outside no.67 Theobalds Road at the appeal site. Sited tight up to the pavement edge, adjacent to the road, the existing kiosk has an advertising window to one side, with a paper advert, which requires manual updating. The Council has advised that the kiosk was erected without planning approval and has become immune from enforcement action, and I have no evidence to find otherwise.

10. My observations of the existing kiosk and immediate surroundings were that it, together with other nearby digital advertisements, bus stops, road signage and assorted street furniture, cumulatively amounted to negative aspects in the street scene. Their number, varied placement and styles give an incoherent impression, distracting from the long clean lines of the architectural form thereby making the underlying order harder to discern. As such, the appeal site presently weakens the character and appearance of the area. Although relatively small, it nevertheless, represents a harmful distraction in views on the approach to the CA.

11. The proposed kiosk would replace the existing telephone kiosk. The illuminated and sequential display would be integrated within the proposed kiosk and sited tight up to the outer edge of the footway. This would result in the kiosk appearing conspicuous and unduly prominent within the street scene and more readily apparent in longer views in both directions along Theobalds Road. It would therefore give greater emphasis to the negative attributes I have identified arising from the present kiosk.

12. As such, the proposed kiosk would exacerbate the level of street clutter in the immediate vicinity. It would lead to an over concentration of street furniture and visual clutter that would erode the quality of the public realm. Consequently, it would have an unacceptable effect on the street scene, and the setting of the nearby CA.

13. I accept that the proposed luminance levels would accord with industry recommendations and that this could be secured by a planning condition. Additional limitations relating to static images and the timing of sequential images would further restrict the extent of visual harm arising from the advertisements. Nevertheless, this would not fully surmount the extent of harm arising from the appeal proposals. The advertisement would, as a result of the internal illumination and moving images associated with the panel, and its pronounced position adjacent to the kerb, create a discordant feature within the street scene. It would add visual clutter, which would intrude into vistas towards landmark buildings, framed streetscapes and historic facades. Hence, the proposed kiosk would distract the eye and detract from the visual amenity of the historic environment.

14. In relation to Appeal A, I find that this would result in harm to the to the significance of the CA owing to the harm arising through development within the setting of this designated heritage asset.

15. Paragraph 215 of the National Planning Policy Framework (the Framework) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The removal of the existing kiosk would be a benefit that would attract modest weight. The provision of free services to the public such as phone charging, free calls, internet access and a defibrillator also weigh in favour of the proposal. However, even if taken together, the public benefits before me are not sufficient to outweigh the harm identified. The harm, which is less than substantial and at the lower end of the scale of harm, must be considered in the context of paragraph 212 of the Framework, which establishes that great weight should be given to the conservation of a designated heritage asset.

16. Therefore, Appeal A would conflict with the following policies of the London Borough of Camden Local Plan (CLP) 2017: Policy D1 Design, seeks high quality design that integrates well with surrounding streets, improves movement within the wider area and is accessible to all, minimises crime and antisocial behaviour and comprises high quality materials and details that complement local character; Policy D2 Heritage, which focusses on protecting and enhancing the borough's rich heritage assets and their settings, ensuring that development proposals respect Camden's historic environment and contribute positively to its character. This policy aims to resist development outside a conservation area that causes harm to the character or appearance of a conservation area.

17. For similar reasons, I find Appeal B would result in unacceptable harm to the amenity of the area.

Highway safety, pedestrians and public safety (Appeals A and B)

18. Theobalds Road is a busy road for vehicular and pedestrian traffic, with pedestrians accessing the commercial premises which front onto the pavement and the road's bus stops and nearby underground (tube) station.

19. The siting of the proposed kiosk would restrict the width of useable and unobstructed pavement, thereby impeding pedestrian flow. However, the proposed kiosk would replace the existing kiosk and occupy the same site. No pedestrian count data has been provided by either party in support of their case. Whilst the proposal site lies on a busy commercial street where pedestrian volumes are likely to be high, the evidence before me does not show that the existing kiosk has negatively impacted upon highway, pedestrian or public safety, or demonstrate that the proposed kiosk would exacerbate safety concerns. Nevertheless, it presents a physical obstacle to pedestrians making the walking environment less convenient.

20. Policy T1 Prioritising Walking, Cycling and Public Transport of the CLP requires development proposals to improve the pedestrian environment by supporting high quality public realm improvement works. The development in respect of Appeal A does not demonstrate how it would improve the pedestrian environment, rather it would remain as obstacle to it.

21. As such, in relation to Appeal A, the proposed kiosk would not comply with the following policies of the CLP, which together seek to ensure that development proposals are of a high quality and improve the pedestrian environment, amongst other things: CLP Policy T1 Prioritising Walking, Cycling and Public Transport; CLP Policy G1 Delivery and Location of Growth; CLP Policy A1 Managing the Impact of Development; CLP Policy C6 Access for All; and CLP Policy D8 Public Realm.

22. In relation to Appeal B, as indicated above, although inconvenient, it has not been shown that the advertisement would represent such a physical hindrance that it would undermine the public safety of pedestrians. However, the Council raised an additional concern regarding the proximity of the proposed kiosk to a junction controlled by traffic lights. Given the likely volume of traffic, this is a location where particular care is required by all road users and pedestrians. Nevertheless, subject to controls to luminance levels and the timing of sequential images, the risks of introducing an unwarranted distraction to road users at this location could be mitigated to avoid a harmful effect to public safety.

Crime and anti-social behaviour (Appeal A)

23. Whilst mostly glazed, one of the sides of the proposed kiosk, facing along the corresponding pavement, is solid and displays an illuminated advert to the outside face. This advert panel is broad. The elevation that faces the road is partly solid for its full height to provide a surface for the phone unit. The kiosk is enclosed by a roof. It thus provides an area where persons can loiter and be sheltered from the weather, and be relatively hidden from passers-by, with the potential to commit crime.

24. The Metropolitan Police has advised that the appeal site falls within the policing ward of Bloomsbury, an area that suffers with higher-than-average crime rates. I note the Metropolitan Police objection to the proposal due, in part, to the pavement being quite narrow at this location, creating a pinch point which may exacerbate pre-existing issues with crime and antisocial behaviour. The design and siting of the kiosk would by reason of being open and sited in close proximity to the road, increase the risk of phone theft and opportunistic crimes. This could discourage some pavement users from using the nearby pavement, which would harmfully diminish its function.

25. Due to its siting and design, it would therefore increase opportunities for crime and anti-social behaviour and consequently fails to accord with CLP Policy C5 Safety and Security, which states that the design of streets needs to be accessible, safe and

uncluttered with careful consideration given to the design and location of street furniture. This policy promotes safer streets and public places and the development of pedestrian friendly spaces.

Maintenance Plan (Appeal A)

26. The Council's reasons for refusal for Appeal A refer to the absence of a legal agreement to secure the removal of the existing kiosk and a maintenance plan. The Council is of the view that in the event that the proposal is allowed, a legal agreement is necessary to secure the removal of the existing kiosk and for other management controls. The proposed replacement kiosk would occupy the same position as the existing kiosk. Therefore, the removal of the existing kiosk would have to take place to implement this proposal, and an agreement is not necessary for this reason.

27. As for maintenance, the appellant has submitted a Unit Management Plan which includes a cleaning and repair regime. It is not convincingly explained why the Council would find a planning condition to ensure that the development was carried out in accordance with that plan would be deficient. Planning Practice Guidance indicates that conditions should be used in preference to legal agreements where appropriate. That would be the case here.

28. Moreover, in relation to Appeal B standard condition 3, set out in Schedule 2 of the Regulations 5, requires that an advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the area. For these reasons, it is not demonstrated why it would be necessary to secure maintenance through a legal agreement.

Conclusions

29. I conclude that in respect of Appeal A the development would be detrimental to the character and appearance of the street scene, with particular regard to the setting of the Bloomsbury Conservation Area; it would be detrimental to pedestrian movement and increase opportunities for crime and anti-social behaviour. It would conflict with the development plan in these respects. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. I do not find material considerations in this case that would justify departing from the relevant development plan policies.

30. I conclude that in respect of Appeal B the proposed digital advertising panel would be harmful to amenity of the street scene.

31. For the reasons given above, I conclude that both appeals should be dismissed.

N Kempton

INSPECTOR