
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: 19 December 2025

Appeal A Ref: APP/X5210/W/25/3367111

TELEPHONE CALL BOX OUTSIDE NO, 48-56 KINGSWAY, LONDON WC2B 6EP

- 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 2025/1328/P.
 - The development proposed is upgrade of existing telephone call box with affixed advertising display.
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Appeal B Ref: APP/X5210/H/25/3367112

TELEPHONE CALL BOX OUTSIDE NO, 48-56 KINGSWAY, LONDON WC2B 6EP

- 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 2025/1488/A.
 - The advertisement proposed is 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 only in the interests of amenity and public safety. In my determination of Appeal B I have had regard to the development plan policies cited on the Council's decision notice where material.

However, I am not obliged to determine the application in accordance with them in the same way as for Appeal A.

5. The proposal relates to a site within a Conservation Area. As required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have paid special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Main Issues

6. 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 Kingsway Conservation Area; the effect on highway safety and pedestrians; whether the proposal would increase opportunities for crime and anti-social behaviour; and whether appropriate provision is made for maintenance.
7. The main issue 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)

8. Kingsway is a major Edwardian boulevard in central London, linking High Holborn to Aldwych. It was created in the early 20th century as part of a large redevelopment. Today, Kingsway serves as a key arterial route through Holborn and Covent Garden, with seemingly constant pedestrian and traffic movement and excellent transport links. Kingsway is defined by its busy, mixed-use character, with offices, shops, restaurants and residential apartments. The wide carriageways and pavements are lined with tall, imposing and elaborately decorated Edwardian stone-fronted buildings. The avenue of London plane trees contributes to the boulevard character.
9. The proximity of Kingsway to Covent Garden theatres and educational institutions provides strong cultural connections. Kingsway reflects both historic prestige and modern adaptation, with several listed buildings alongside redeveloped office blocks, including Kingsway Chambers, 44&46 Kingsway, which is grade II listed.
10. The appeal site is located within the boundary of the Kingsway Conservation Areas (CA). The significance of the CA is mainly attributable to its ambitious Edwardian urban planning, its architectural grandeur and coherence, and historical transformation of central London.
11. There is an existing telephone kiosk located at the appeal site, on an area of pavement outside Imperial Buildings, 48-56 Kingsway. 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.
12. My observations of the existing kiosk were that its immediate surroundings comprised of other nearby digital advertisements, bus stops, road signage, banner signage on poles, as well as pavement planters and trees, outdoor seating associated with several food venues and assorted street furniture. Cumulatively, this amounted to negative aspects in the street scene. The number, varied placement and styles of signage and street furniture give an incoherent impression, distracting from the architectural coherence, ordered public realm and

legibility of the street scape. The kiosk erodes the openness between the trees. 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 within the CA.

13. The proposed kiosk would replace the existing telephone kiosk. The illuminated and sequential display would be integrated within the proposed kiosk and sited close to the outer edge of the paved footway. The size of the kiosk combined with the size and illuminance of the display panel 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 Kingsway. It would therefore give greater emphasis to the negative attributes I have identified arising from the present kiosk.
14. 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. Visually obtrusive and in proximity to a grade II listed building in the CA, the Kiosk would have an unacceptable effect on the street scene, and the character and appearance of the CA.
15. I accept that the proposed luminance levels would accord with industry recommendations and that this could be secured by a condition. Additional limitations relating to static images and the timing of sequential images would further restrict the visual impact of the advertisements. Notwithstanding this, the appeal proposal would, as a result of the internal illumination and moving images associated with the panel, and its pronounced position in the public realm, create a discordant feature within the street scene. It would add visual clutter, which would intrude into vistas, framed streetscapes and historic facades. Hence, the proposed kiosk would distract the eye and detract from the visual amenity of the historic environment.
16. In relation to Appeal A, I find that the proposal would be detrimental to the character and appearance of the CA and result in unacceptable harm to the significance of this designated heritage asset. This would be less than substantial harm at the lower end of the scale.
17. 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. In relation to Appeal A, 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, wayfinding, public messaging capabilities 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 must be considered in the context of paragraph 212 of the Framework, which establishes that great weight should be given to the conservation of designated heritage assets.
18. Therefore, Appeal A would conflict with the following policies of the London Borough of Camden Local Plan (CLP) 2017: Policy D1 Design, which amongst other things seeks high quality design that integrates well with surrounding streets

and safeguards the historic environment. In addition, 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.

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

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

20. Kingsway is a busy road for vehicular and pedestrian traffic, with pedestrians accessing the offices and commercial premises, shops, restaurants and residential apartments, which front onto the pavement and the road's bus stops and nearby underground (tube) station. There is a pedestrian crossing to the north of the appeal site, at the junction with the north side of Kingsway.
21. The pavement at this point is wide, however the presence of planters and street trees at this location, and outdoor seating further along the street, restrict movement and pedestrian flow. The siting of the proposed kiosk would further restrict the width of useable and unobstructed pavement, thereby further 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 within the arterial route and 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.
22. Nevertheless, 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 an obstacle to it.
23. 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: Policy T1 Prioritising Walking, Cycling and Public Transport; Policy G1 Delivery and Location of Growth; Policy A1 Managing the Impact of Development; Policy C6 Access for All. The Council also cites Policy D8 Public Realm of the CLP on the decision notice for Appeal A (refusal reason 2). However, the evidence before me does not show that the CLP has a policy D8, and no other documentation relating to such a policy is put to me. As such, I do not find a conflict with the CLP in this respect.
24. 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 busy pedestrian crossing and junctions controlled by traffic lights to the north. 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)

25. 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 and would provide an opportunity for concealment. 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. The openness of the kiosk and its proximity to the carriageway would make it more vulnerable to the opportunistic thief, thereby potentially leading to increased crime and anti-social behaviour.
26. 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. The kiosk's configuration is likely to aggravate existing concerns regarding opportunistic crime, to the detriment of community safety and security. This could discourage some pavement users from using the nearby pavement, which would harmfully diminish its function.
27. Due to its siting and design, it would therefore increase opportunities for crime 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 (Appeal A)

28. The Council's reasons for refusal for Appeal A refer to the absence of a legal agreement to secure a maintenance plan. The Council is of the view that in the event that the appeals are allowed, a legal agreement is necessary to secure future management and maintenance.
29. The appellant has submitted a Unit Management Plan which includes a cleaning and repair regime. It is not convincingly explained why the Council 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.
30. Moreover, in relation to Appeal B standard condition 3, set out in Schedule 2 of the Regulations, 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.

Conclusion

31. 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 Kingsway 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.

32. I conclude that in respect of Appeal B the proposed digital advertising panel would be harmful to amenity of the street scene.
33. For the reasons given above, I conclude that both appeals should be dismissed.

N Kempton

INSPECTOR