



Appeal Decisions

Site visit made on 2 December 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2026

Appeal A Ref: APP/N5660/W/25/3373287

Pavement on Loughborough Road, adj. Gastineau Yard, Loughborough Junction, London SW9 7FA

- 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 NWP Street Limited against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/01750/FUL.
 - The development proposed is the installation of 1no. new Communications Kiosk with integrated advertising display to replace existing Telephone kiosk, and associated Telephone kiosk removal.
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Appeal B Ref: APP/N5660/H/25/3373288

Pavement on Loughborough Road, adj. Gastineau Yard, Loughborough Junction, London SW9 7FA

- 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 NWP Street Limited against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/01751/ADV.
 - The advertisement proposed is 1no. Digital advertisement display within proposed new Communications Kiosk.
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Decision

1. Appeal A is allowed and planning permission is granted for the installation of 1no. new Communications Kiosk with integrated advertising display to replace existing Telephone kiosk, and associated Telephone kiosk removal at Pavement on Loughborough Road, adj. Gastineau Yard, Loughborough Junction, London SW9 7FA Ref 25/01750/FUL, subject to the conditions in the attached schedule.
2. Appeal B is allowed and express consent is granted for the display of the 1no. Digital advertisement display within proposed New Communications Kiosk at Pavement on Loughborough Road, adj. Gastineau Yard, Loughborough Junction, London SW9 7FA in accordance with the terms of the application, Ref 25/01751/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the additional conditions in the attached schedule.

Preliminary Matters

3. There are two appeals relating to the site, one against the refusal of planning permission and the other against the refusal of advertisement consent. They are intrinsically linked and raise similar issues. While considering each on its own

merits, I have dealt with both in a single decision letter. I am also the Inspector appointed to determine other appeals¹ within the Borough of Lambeth for the same appellant and development types. Although I have also determined each appeal on their own merits, the similarity in the reasons for refusal and evidence submitted by both parties results in some duplication in how I have addressed common matters.

4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in terms of amenity and public safety. Although the reasons for refusal for Appeal B refer to policies contained in the Lambeth Local Plan 2020-2035 (the Local Plan) and the London Plan 2021 (the London Plan), they are material considerations rather than being decisive in the determination of this appeal.

Main Issues

5. For Appeal A, the main issue are: i) the effect of the proposal on the character, appearance and amenity of the area; and ii) the effect of the proposal on crime and anti-social behaviour and public safety.
6. For Appeal B, the main issues are the effect of the proposed advertisement on: i) amenity; and ii) public safety.

Reasons

Character, appearance and amenity

7. The appeal site is on the northeast pavement of Loughborough Road, positioned just before the structure of the railway bridge and opposite a public park. Although the area remains largely free from digital advertisement, the appeal site is seen in the context of tall residential buildings, commercial buildings, the brightly painted railway bridge around Loughborough Junction, as well as nearby signage for Loughborough Farm. There are also large trees in the area. The pavement has several large commercial waste bins and other more permanent street furniture nearby. Overall the area has a relatively low key mixed use and pleasant green character.
8. The proposed development seeks to remove an existing single red telephone kiosk and install a single communications hub. The proposal seeks to provide telephone equipment, an interactive wayfinding touchscreen, and equipment for public Wi-Fi and 4G/5G to improve local connectivity. It would also include an integrated defibrillator and a digital display which could be used for public information and emergency incident messaging.
9. The proposed kiosk features a compact, contemporary design that sympathetically reflects the traditional telephone box aesthetic. As it replaces an existing unit, the proposal would not result in a net increase of street furniture; rather, it offers a visual enhancement over the condition of the current red kiosk. The structure would not obstruct key buildings or primary pedestrian sightlines. While digital advertising is not currently established in the immediate vicinity, and despite the green surroundings, on balance the inclusion of advertisement is not considered

¹ Appeal references: linked appeals 3373021 and 3373035; linked appeals 3373356 and 3373319; and linked appeals 3373362 and 3373320.

incongruous when viewed in relation to the adjacent commercial junction, or to unacceptably add to the dominance of the kiosk.

10. I therefore conclude that the Appeal A would not harm the character or appearance of the area and would not harm visual amenity. The proposal would accord with Policies Q2, Q5, Q6, Q17 and T9 of the Local Plan. Together, and insofar as these are relevant to the appeal, these seek to ensure that proposals, including digital connectivity infrastructure do not harm the visual amenity of the public realm and respond to positive aspects of the locality and for advertisements to not harm amenity. For the same reasons, it is concluded that Appeal B would not harm the visual amenity of the area.

The safe operation of the highway and public safety

11. The proposal would not obstruct any currently clear areas of the pavement as it is similarly sized to the kiosk it seeks to replace. It is positioned towards the inner edge of the pavement, away from the primary footway and would be set over 2-metres away from the kerbside, thus providing satisfactory pavement widths referred to within Policy T9.
12. I therefore conclude that Appeal A would not have harmful effect on the safe and efficient operation of the highway or public safety in this regard. The proposal would accord with Policies Q17, T1 and T2 of the Local Plan T4 of the London Plan. Together and insofar as they are relevant to the proposal these seek to ensure such proposals do not harm highway or public safety, giving highest priority to walking and accessibility for pedestrians. For the same reasons, it is concluded for Appeal B that the proposed advertisement would not give rise to unacceptable public safety concerns.

Crime, anti-social behaviour and public safety

13. The Council contends that physical digital advertising kiosks can attract anti-social behaviour or create blind spots that lead to crime, particularly in high-footfall areas. However, it has not been demonstrated that the existing kiosk or the surrounding locality are subject to high levels of crime and anti-social activity, or that the area experiences exceptionally high footfall.
14. It has also been suggested that the distraction caused by digital screens could increase a pedestrian's vulnerability to opportunistic crime. The area is not proliferated by advertisements, and it would attract attention. However the alignment of the pavement is relatively straight which would allow for views of the kiosk for some distance. Therefore it is unlikely that pedestrians would be suddenly presented with a major distraction rather it would be something that is visible for some distance.
15. However, the proposed kiosk would not be enclosed in the same manner as the existing unit. The new structure would be a much less attractive location for loitering, particularly as it lacks a full roof. The more open design would allow for greater natural surveillance and offers fewer opportunities for concealment than the existing kiosk. The location's proximity to a busy road and junction ensures high visibility, further aiding natural surveillance.
16. Although instances of anti-social behaviour associated with similar kiosks have been reported in Lambeth, this proposal is accompanied by a management plan

prepared in 2022 following liaison with Metropolitan Police "Designing Out Crime" Officers. This plan details a maintenance strategy comprising weekly inspections, cleaning, and measures to prevent misuse. The plan also includes the potential to install cameras and limit Wi-Fi and calls to specific numbers; notably, no free calls to mobiles or landlines are proposed, nor are there any charging facilities.

17. Overall, in the absence of substantive evidence to the contrary, the proposal successfully addresses the implications of the development. Subject to conditions, it would satisfactorily address crime, anti-social behaviour, and public safety. Consequently, the scheme accords with Policy Q3 of the Lambeth Local Plan, which requires proposals to design out crime based on an understanding of the locality and its specific safety risks. For the same reasons, it is concluded for Appeal B that the proposed advertisement would not give rise to unacceptable public safety concerns.

Other Matters

18. It has not been substantiated that mobile phone usage negates the need for such proposals. For those without access to a landline or working mobile phone, or in areas with poor mobile coverage, a public facility can enable people to make calls to friends and family, helplines and, crucially, emergency services for those in distress or children without a mobile phone.
19. The Council has raised concerns about the ability of people to use a defibrillator in the correct way. Such facilities require the user to contact emergency services to enable their use. There is no evidence that instructions would not be provided or that they are only intended to be used by people with prior experience.
20. The Council did not refuse the proposal on the effect on the living conditions of the occupiers of nearby homes. There are no external speakers proposed. This would therefore adequately address issues of noise and light pollution that could affect the quality of sleep of any nearby residents. Nor did the Council consider the proximity to commercial businesses would reduce footfall, and the location of the unit would not interfere with accessing local businesses.
21. Whilst the additional removal of red kiosks and tree planting is proposed at 132 Herne Hill, there is no mechanism before me to fully explain how this would be achieved or where it is. However, for the reasons given above the development is acceptable on its own merits.

Conditions

22. The Council provided a list of condition which I have reviewed. Although the appellant did not provide comment on these specific conditions, they had the opportunity to review them at the final comments stage.
23. For Appeal A, I have imposed the conditions suggested by the Council. These conditions relate to the commencement of development, accordance with approved plans, and the removal of the structure if it is no longer required. I have also referenced that the development should operate in accordance with the management plan provided by the appellant. These conditions are imposed in the interests of certainty, the area's character and appearance, amenity, and public safety.

24. In respect of Appeal B, the five standard conditions set out in Schedule 2 of the Regulations are imposed in the terms of my decision; it is not necessary for me to repeat them. I have not imposed conditions relating to the duration of consent or maintenance, as these are defined in the decision and satisfactorily covered by the standard conditions within the Regulations. I agree that suggested conditions relating to illumination and display are all necessary in the interests of amenity and public safety.

Conclusion

25. For the reasons given above, I conclude that Appeal A accords with the development plan as a whole. Appeal A and consequently Appeal B should therefore be allowed.

K Williams

INSPECTOR

Schedule of Conditions for Appeal A Ref: APP/N5660/W/25/3373287

- 1) The development to which this permission relates must be begun no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings and documents: Location Plan; NWP-KIOSK/001 Elevations; 4820-006-001 Site Plan; PY4056/001 Existing Elevations; and the Management Plan Measures in in Section 2 of the New World Payphones, New Communications Kiosks Management Plan September 2024.
- 3) The structure hereby permitted shall be removed from the land on which it is situated as soon as reasonably practicable after it is no longer required for telecommunication or electronic communications purposes.

End of Schedule

Schedule of Conditions for Appeal B Ref: APP/N5660/H/25/3373288

- 1) No advertisement displayed shall resemble traffic signs, as defined in section 64 of the Road Traffic Act 1984.
- 2) No visual effects of any kind to be permitted to accompany the transition between any two successive messages. The replacement image must not incorporate any fading, swiping or other animated transitional method.
- 3) In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m² in accordance with the recommended maximum night time luminance value set out in Table 10.4 within the Institution of Lighting Professionals – Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².
- 4) In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institute of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².

End of Schedule

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/N5660/W/25/3373287	NWP Street Limited
Appeal B	APP/N5660/H/25/3373288	NWP Street Limited