



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: 08 January 2026

Appeal A Ref: APP/N5660/W/25/3373356

Pavement o/s 274-280 Brixton Road, London SW9 6AG

- 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 25/01726/FUL.
 - The development proposed is Installation of 1no. new Communications Kiosk with integrated advertising display to replace existing Telephone kiosks, plus associated Telephone kiosk removal.
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Appeal B Ref: APP/N5660/H/25/3373319

Pavement o/s 274-280 Brixton Road, London SW9 6AG

- 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 25/01727/ADV.
 - The advertisement proposed is 1no. Digital advertisement display within proposed new Communications Kiosk.
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Decisions

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 kiosks, plus associated Telephone kiosk removal at Pavement o/s 274-280 Brixton Road, London SW9 6AG in accordance with the terms of the application, Ref 25/01726/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 o/s 274-280 Brixton Road, London SW9 6AG in accordance with the terms of the application, Ref 25/01727/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 results and evidence presented 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.
5. I have had regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA).

Main Issues

6. For Appeal A the main issue are i) the effect of the proposal on the character and appearance of the area, including whether the proposal would preserve or enhance the character or appearance of the Brixton Road and Angell Town CA; ii) the effect of the proposal on the safe and efficient operation of the highway; and iii) the effect of the proposal on crime and anti-social behaviour.
7. For Appeal B The main issues are the effect of the proposed advertisements on:
i) the visual amenity of the area; and ii) public safety.

Reasons

Character, appearance and visual amenity

8. The appeal site is situated on a wide pavement, located within both the Local Centre and the Brixton Road Conservation Area on the western side of the busy A23 Brixton Road. The surrounding environment is defined by three-storey frontages featuring a retail parade, street furniture, and existing signage, such as the large digital advertisement at 261 Brixton Road.
9. The character and appearance of the CA includes a variety of high quality historic buildings in a formal urban setting with wide thoroughfares flanked by tall buildings. I consider that the significance of the CA in so far as it relates to these appeals is mainly derived from the quality and variety of the historic buildings and the relationships of these to each other and the public spaces.
10. The proposed development seeks to remove an existing double telephone kiosk and install a single communications hub. This new unit would feature a digital touch screen, a telephone, and a defibrillator, alongside a larger integral digital screen for advertising that faces south. The proposed kiosk is more modest and features a greatly simplified design, it avoids increasing street clutter and would offer a visual improvement over the current kiosks.

¹ Appeal references: linked appeals 3373021 and 3373035; linked appeals 3373362 and 3373320; and Linked appeals 3372896 and 3373288.

11. While the CA Appraisal acknowledges that the existing parade of buildings situated behind the appeal site makes a neutral contribution to the CA, nevertheless the Council expressed concerns that the digital display would harmfully heighten the kiosk's presence. However, the hub readily integrates into the mixed commercial character of the locality, which is already defined by modern shopfronts and with the presence of digital signs. Rather than being a conspicuous or incongruous addition, the panel's impact would be mitigated by surrounding street furniture and would not obscure any specific or particularly sensitive buildings due to its position close to the wide road junction.
12. Given the varied character of the area, the proposal is not harmful to the streetscape. While the advertisement would be seen in the context of another large elevated digital display, the proposal would not lead to an accumulation of similar digital displays. Ultimately, the scale and siting of the new kiosk would result in a neutral effect that preserves the character and appearance of the Conservation Area.
13. Taking into account the siting, scale and appearance of the kiosk, as well as the siting, scale and appearance and of the existing kiosk which would be removed, I conclude that the overall effect of the development upon the character and appearance of the CA would be a neutral one, and it would preserve the character and appearance of the CA. As such there is no requirement for me to weigh the public benefits of the scheme.
14. For Appeal A, the proposal would preserve the character and appearance of the CA and would not harm the character or appearance of the area and amenity, and would accord with Policies Q2, Q5, Q6, Q17, Q22, T9 and PN5 of the Local Plan. Together, these seek to ensure that proposals, including digital connectivity infrastructure do not harm the visual amenity of the public realm respond to positive aspects of the locality and for advertisements to not harm amenity, alongside preserving the character or appearance of conservation areas. For the same reasons, it is concluded that Appeal B would not harm the visual amenity of the area.

The operation of the highway and public safety

15. The proposal will not obstruct any currently clear areas of the pavement and is more modestly sized than the existing kiosks it replaces. The unit is not located near bus stops or crossing points. It is positioned towards the outer edge of the pavement, away from the primary footway and outside any established pedestrian desire lines.
16. Given the retained unobstructed pavement width of approximately 4 metres, it is unlikely that users of the facility would impede pedestrian movement. This generous space would allow multiple pedestrians, including those with pushchairs, mobility scooters, or wheelchairs, to pass safely and comfortably along the pavement. The overall functionality of the footway would be marginally improved by the proposal due to the structure's more modest form.
17. For appeal A, I therefore conclude that the proposal would not have a harmful effect on the safe and efficient operation of the highway or on public safety in this regard. The proposal would accord with Policies Q17, T1, and T2 of the Local Plan and 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 the 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

18. 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. While graffiti was observed on the existing kiosks, they appeared generally well-maintained for facilities of this type. Furthermore, it has not been demonstrated that the existing kiosks or the surrounding locality are subject to high levels of crime and anti-social activity, or that the area experiences exceptionally high footfall.
19. It has also been suggested that the distraction caused by digital screens could increase a pedestrian's vulnerability to opportunistic crime. However, the siting of the units and the width of the pavement mean pedestrians are not necessarily drawn towards it. The area is not proliferated by advertisements on the pavement and 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.
20. The proposed kiosk would not be enclosed in the same manner as the existing units. The new structure would be a much less attractive location for loitering, as it lacks a full perpendicular elevation. It also lacks a roof, aside from a very limited canopy over the screen which provides only basic protection from the elements. This open design allows for greater natural surveillance and offers fewer opportunities for concealment than the existing kiosks. The location's proximity to a busy road and junction ensures high visibility and a constant public presence, further aiding natural surveillance.
21. 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.
22. Overall, in the absence of substantive evidence to the contrary, the proposal successfully addresses the implications of the development. Subject to conditions, I conclude Appeal A would satisfactorily address crime, anti-social behaviour, and public safety. Consequently, the scheme is considered to accord 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

23. The Council state that the proposed kiosk would not be well used for telephone call purposes given the rise in mobile telephone use. However, for those without access to a landline or working mobile, or in areas with poor mobile coverage, a public call box can be the only option for making calls to friends and family,

helplines and, crucially, emergency services or for those in distress or children without a mobile phone.

24. The Council has raised concerns about the ability of people to use a defibrillator in the correct way. This requires the user to contact emergency services, and instructions provided and are intended to be used by people with no prior experience.
25. 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 conditions relating to illumination would address light pollution that could affect the quality of sleep. Nor did the Council consider the proximity to commercial businesses would reduce footfall, thus affecting local businesses and this concern has not been substantiated.
26. Whilst the additional removal of red kiosks and tree planting is proposed at 18 Clapham Road and 119 South Lambeth Road, there is not enough information before me to fully explain where this is or how this would be achieved. However, for the reasons given above the development is acceptable on its own merits.

Conditions

27. 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 the suggested conditions at the final comments stage.
28. 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.
29. 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

30. 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 Appeal A Ref: APP/N5660/W/25/3373356

- 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; 4820-003-001 Site Plan; PY4056/003 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 Appeal B Ref: APP/N5660/H/25/3373319

- 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/25/3373356	NWP Street Limited
Appeal B	APP/N5660/H/25/3373319	NWP Street Limited