



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/25/3373021

Pavement o/s 284-286 Clapham Road, London, SW9 9AE

- 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 25/01738/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.
-

Appeal B Ref: APP/N5660/H/25/3373035

Pavement o/s 284-286 Clapham Road, London, SW9 9AE

- 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 25/01739/ADV.
 - The advertisement proposed is 1no. Digital advertisement display within proposed New Communications Kiosk.
-

Decision

1. Appeal A and Appeal B are both dismissed.

Preliminary Matters

2. 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 developments. Although I have also determined each appeal on their own merits, the similarity in the reasons for refusal results in some duplication in how I have addressed common matters.
3. 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),

¹ Appeal references: linked appeals 3373356 and 3373319; linked appeals 3373362 and 3373320; and Linked appeals 3372896 and 3373288.

they are material considerations rather than being decisive in the determination of this appeal.

Main Issues

4. 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.
5. For Appeal B, the main issues are the effect of the proposed advertisements on: i) amenity; and ii) public safety.

Reasons

Character, appearance and visual amenity

6. The appeal site is situated on a wide pavement, located within the Stockwell District Primary Shopping Area on the western side of the busy A3 Clapham Road. The surrounding environment is defined by tall frontages containing residential homes, and featuring a retail parade of largely independent businesses, numerous items of street furniture, and several existing digital adverts, one of which includes a defibrillator are also present. The area also contains a number of attractive street trees.
7. The proposal seeks to provides modern telephone equipment an interactive wayfinding touchscreen, and equipment for public Wi-Fi and 4G/5G small cells 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.
8. While the proposal seeks to offset the amount of street furniture by removing two nearby red kiosks, it introduces a digital screen that shares a similarly common alignment with existing advertisements/digital screens situated nearby. Although the design of the unit is an improvement on the older red kiosks, this creates a cumulative impact of high-density digital features within a confined space. This concentration in a short span results in excessive visual clutter.
9. Although the area is vibrant, the mixture of homes and street trees creates a more genteel character, which is a positive attribute in an urban area. This character would be eroded by the proliferation of modern advertisements and the physicality of a run of similar units.
10. I therefore conclude for Appeal A that the proposal would harm the character, appearance and the amenity of the area. The proposal would be contrary to Policies Q2, Q5, Q6 and Q17 of the Local Plan. Together, these seek to ensure that proposals do not harm the visual amenity of the public realm and it responds to positive aspects of the locality and for advertisements to not harm amenity. For the same reasons, it is concluded that Appeal B would harm the visual amenity of the area.

Crime, anti-social behaviour and public safety

11. 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 existing kiosks or the locality are

subject to high levels of crime and anti-social activity, or that the area experiences high levels of footfall. This matter was reflected in the appeal decision provided by the Council. The Inspector commented that *“the fear of crime has been raised but no specific evidence that this is a particular issue in this locality has been provided, particularly in circumstances where there is already an existing kiosk.”* Although the Designing Out Crime Officer had provided comments, no further specific evidence has been presented for this appeal either.

12. In any event, the proposed kiosk would not be enclosed in the same way as the existing units. The kiosk would be a much less attractive location for loitering, as it would lack a full perpendicular elevation. It would also lack a roof, apart from a very small canopy over the screen, which would provide only a basic level of protection against the elements. This more open nature allows for greater observation and less opportunity for concealment than the existing kiosks.
13. It has also been suggested that the distraction caused by these screens could increase a pedestrian's vulnerability to opportunistic crime. Although the units would still present a solid surface toward the pavement in either direction, the area provides high visibility and a public presence, further aiding natural surveillance.
14. The proposal has also been accompanied by a management plan prepared in 2022 following liaison with Metropolitan Police Designing Out Crime Officers. This management plan details a maintenance strategy comprising weekly inspections, cleaning, and measures to avoid misuse or anti-social behaviour. The submitted plan 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 or charging facilities, a specific measure which does address the concerns regarding free call facilities and crime/anti-social behaviour related to the concerns regarding the abuse of the kiosk facilities to obtain illegal drugs.
15. Overall, in the absence of substantive evidence for Appeal A the proposal addresses the implications of the development and subject to conditions it would satisfactorily address crime/anti-social behaviour and public safety. As a result, the scheme is considered to accord with Policy Q3 of the Lambeth Local Plan. This requires proposals to design out crime based on an understanding of the locality and likely crime and safety risks presented. 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

16. The proposal would provide upgraded communication services and emergency features, serving as a platform for public information and wayfinding. It ensures inclusive access for all users, including those without mobile phones. Furthermore, it would support the vitality, viability, and digital economy of the Stockwell District Centre.
17. While the appellant has committed to removing additional old kiosks nearby, these fall outside the application site boundary. Consequently, there is no suitable mechanism before me to secure their removal, and I cannot be certain that either their removal or the proposed street tree planting would be directly relevant to the development permitted at this specific location. Regarding maintenance, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 already require that advertisements be maintained in a condition that does not

impair visual amenity or endanger the public. Although the open-plan design may enhance community safety and be acceptable in terms of public safety there is no substantive evidence that crime is a significant issue associated with the existing red kiosks in this location.

18. Planning conditions could be imposed to regulate the intensity of illumination, as well as the content, duration, and frequency of displays. There is no substantive evidence to suggest that the proposal would harm the living conditions of nearby residential occupiers, compromise highway safety, or impede pedestrian access, including for those with limited mobility. The unit is not located near bus stops or crossing points; rather, it is positioned toward the outer edge of the pavement, away from the primary footway and outside established pedestrian desire lines. However, these aspects do not weigh significantly in favour of the proposal.
19. I have been made aware of other appeal and Council decisions and have noted the highlighted content. However, I have very limited information regarding those specific proposals or their locations. I cannot be certain that their site contexts, the surrounding buildings, or advertisement densities are sufficiently similar to alter my opinion on the current appeal.
20. Earlier applications approved at the site by the Council are no longer extant. While those schemes may be similar, it is unclear whether they were deemed acceptable before additional advertisements were erected in the vicinity. This change in context alters the weight that can be applied to the considerations of amenity and public safety compared to the original applications.
21. Furthermore, while the National Planning Policy Framework supports high-quality communications, the extent of these public benefits would be modest and is tempered by the presence of similar facilities nearby. The Framework also requires such infrastructure to be sympathetically designed. Ultimately, I conclude that the sum of the benefits, even when considered cumulatively, does not outweigh the harm to the character, appearance, and amenity of the area.

Conclusion

22. For the reasons given above, I conclude that Appeal A conflicts with the development plan as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Appeal A and consequently for the same reasons Appeal B should therefore be dismissed.

K Williams

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/N5660/W/25/3373021	NWP Street Limited
Appeal B	APP/N5660/H/25/3373035	NWP Street Limited