



Appeal Decisions

Site visit made on 26 November 2025

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 January 2026

Appeal A Ref: APP/N5660/W/25/3373151

Pavement o/s 133 Clapham High Street, London SW4 7SL

- 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 Richard Wilson (NWP Street Limited) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/01732/FUL.
 - The development proposed is the 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/25/3373153

Pavement o/s 133 Clapham High Street, London SW4 7SL

- 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 Richard Wilson (NWP Street Limited) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/01733/ADV.
 - The advertisement proposed was described as '*installation of 1no. New Communications Kiosk with integrated advertising display to replace existing Telephone kiosks, plus associated Telephone kiosk removal*'.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The two appeals are made in respect of the same appeal site and in relation to each other. Appeal A relates to the installation of a communications kiosk and the Council's refusal of planning permission for it, whilst Appeal B relates to the refusal of advertisement consent for the display of an integrated digital advertisement display panel on the same structure. With regard to Appeal B, I agree that the description of the proposed advertisement scheme as set out on the decision notice, rather than that from the application form and as set out in the banner heading above, more accurately describes the nature of the application and I have determined the appeal accordingly. I am satisfied that neither main party would be disadvantaged in doing so.
4. With regard to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The reasons for refusal refer to a number of Policies¹ of the Lambeth Local Plan² (the LLP) and the London Plan (LonPlan) in respect of matters relating to amenity and public safety. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken the local plan policy into account insofar as it is material to matters of amenity, it has not been decisive in my consideration of this appeal.

5. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issues

6. Having regard to the above, the main issues in respect of Appeal A are the effects of the proposed development upon:
 - The character and appearance of the Clapham High Street Conservation Area;
 - Pedestrian, highway and public safety.
7. With regard to Appeal B, the main issues are the effects of the proposed advertisement display upon:
 - Amenity; and
 - Public safety.

Reasons

Character and appearance / Amenity

8. The appeal site lies in a busy and varied commercial setting on Clapham High Street and within the Clapham High Street Conservation Area (the CA). The proposed communications kiosk would be located within the pavement in front of a modern superstore with a large, glazed shopfront.
9. At present there are a number of cycle stands, a streetlight column, a waste and recycling bin and pedestrian crossing lights and control box within the pavement in front of the superstore. Additionally, a pair of existing telephone kiosks are located at the opposite side of the superstore's frontage to the proposed kiosk and are proposed to be removed as part of the appeal scheme. A further telephone kiosk lies a short distance away from the location of the proposed kiosk on the same side of the road, albeit on the opposite side of the pedestrian crossing. I have no information before me as to whether or not this other kiosk would be removed but it is not part of the appeal scheme.
10. The CA is characterised by late 18th century residential buildings and 19th century commercial buildings. Although the CA Character Appraisal (CACA) notes that these buildings have developed in a piecemeal fashion the survival of many of the

¹ Policies Q2, Q3, Q5, Q6, Q17, Q22, T1, T2, T4, T9 and PN5 and Policy T4 of the London Plan

² Lambeth Local Plan 2020-2035 – adopted September 2021

historic building forms and their contribution to the area is recognised as a key to its special interest. It goes on to note that the public realm is dominated by traffic and that equipment within it is of 'ordinary quality' and gives an 'inconsistent appearance'. There are many buildings along Clapham High Street which the CACA notes as making a positive contribution to the special interest of the CA. The building that forms the backdrop to the appeal site, the large superstore, is not one, and is instead noted as making a negative contribution, thereby causing harm to the character and appearance of the CA.

11. The proposed communications kiosk would be smaller overall than the double-kiosk installation a short distance away near to the superstore entrance that would be removed as part of the appeal scheme. The appellant's supporting submissions also indicate that another kiosk beyond the extent of the appeal site would also be removed. Whilst these collective removals would have some beneficial value in terms of visual clutter and structures within the pavement, their replacement with a not insubstantial kiosk, in a prominent and equally incongruous position within a busy public realm would merely replace existing negative contributors with a different negative contributor within the public realm.
12. Furthermore, the proposal would nevertheless result in a substantial structure, with a solid face set at right angles to the carriageway. It would also be closer to the edge of the carriageway and as such it would have a significant and imposing presence within the public realm, not just because of its position within the pavement, but also because of its position relative to the carriageway. Its strident and incongruous siting would be exacerbated by the presence of an illuminated digital display panel on one elevation.
13. Although the existing telephone boxes would be removed, street furniture along the pavement is generally low-level and relatively modest in its scale, form and massing. Those larger structures that are present, such as the existing telephone boxes that would be removed and the other telephone box a short distance to the west, do not feature illuminated advertising images.
14. Where the appellant has invited comparison with other larger structures that incorporate digital display panels, they do not bear comparison with the appeal proposal or appeal site. The free standing 6-sheet digital advertising panel outside Sainsburys³ is located in a recessed position at the entrance to the store. It is not prominently sited within the pavement or close to the roadside, nor is it set at 90° to pedestrian flow. The other cited example is part of a bus shelter⁴ and, whilst at 90° to pedestrian flow, is set back towards the rear edge of the pavement and back from the carriageway. Both consents are now of some age and the development plan and legislative context in which they were considered is not before me. More pertinently, neither fully reflect the circumstances of the appeal scheme and the immediate context of the appeal site's location and position. The presence of these two advertisements does not therefore persuade me as to the acceptability of the appeal scheme which would, for the reasons I have set out, result in an incongruous, prominent and disruptive presence within the Clapham High Street streetscene.
15. The Council concluded that the proposal would result in less than substantial harm to the character or appearance of the CA. The appellant does not dispute this but

³ LPA Ref No: 10/02110/ADV

⁴ LPA Ref No: 11/02927/ADV

notes that the harm would be at the 'low level' of less than substantial harm. That may be so, but that harm still carries considerable importance and weight. There are public benefits that would arise from the proposal, including the provision of new public telephony equipment. Additionally, the kiosk would provide wayfinding and public service information capabilities including public service and emergency announcements and a defibrillator. It is also stated that a street tree would be planted in a location to be agreed with the Council.

16. Whilst I agree that these are benefits, they are not sufficient cumulatively or individually to outweigh the harm to character and appearance that I have identified. Nor would the offer of a street tree appear to be reasonably related to the appeal A scheme in terms of seeking to address the harm caused by the appeal scheme itself, or in terms of where it might be located given the nature and character of Clapham High Street at this point.
17. The building behind the appeal site is identified by the CACA as making a negative contribution to the character and appearance of the CA. Whilst that may be so, the appeal scheme would not improve its contribution, or mitigate its negative contribution, as a consequence of the proposed installation or through the removal of an existing box a short distance away from the proposed replacement.
18. Thus, whilst public benefits exist, they are limited and carry little weight, whilst in terms of harm arising, the less than substantial harm still carries considerable importance and weight, even if any harm to the character or appearance of the CA may be towards the lower level of less than substantial. With regard to Appeal A therefore, the appeal scheme would cause harm to the character and appearance of the surrounding area, and harm, albeit less than substantial to the character or appearance of the CA. Public benefits, such as they exist, are not sufficiently clear or convincing as to overcome that less than substantial harm.
19. For these reasons, in relation to Appeal A the appeal scheme is contrary to the collective aims and objectives of LLP Policies Q2, Q5, Q6, Q17, Q22 and PN5 which together seek high quality design that enhances local distinctiveness and the quality and appearance of the public realm. The appeal scheme would also fail to preserve or enhance the character or appearance of the Conservation Area. Whilst LLP Policy T9 is supportive of proposals to enhance digital connectivity and communications this is contingent upon schemes avoiding harm to the character and appearance of the site and its location, including the significance and setting of heritage assets, and avoid visual clutter.
20. With regard to Appeal B, the digital advertisement display panel would result in harm to the amenity of the area. This is contrary to the provisions and objectives of Framework paragraph 141 which recognises that the quality and character of places can suffer when advertisements are poorly sited and designed. Although not determinative in this instance, there would also be conflict with LLP Policies Q2, Q5, Q6, Q17, Q22, T9 and PN5 in so far as they relate to matters of amenity.

Pedestrian, highway and public safety

21. Screens such as that on the proposed kiosk are not uncommon within commercial street settings such as this, often on public transport shelters. However, their proximity to a carriageway is often a result of their function.

22. The proposed kiosk does not have any direct functional requirement to be sited close to the carriageway edge. It would also be sited significantly closer to a pedestrian crossing than the existing double-kiosk installation that lies within the bounds of the appeal site. Given its location and the direction of traffic flows along Clapham High Street at this point, the size, position and nature of the proposed kiosk would inevitably impinge upon eastward sightlines for pedestrians at the pedestrian crossing.
23. Equally, motorists approaching the crossing from the east would be presented with the solid mass of the kiosk close to the carriageway edge, and the potential to inhibit full visibility of pedestrians waiting to cross. Whilst I accept that there is already a multitude of items of street furniture along the pavement edge close to the carriageway, these items are currently generally lower and less obstructive to vision than what is proposed in this instance.
24. The scheme may remove an existing structure from the pavement realm directly outside the superstore entrance, but it would result in a relocated structure much closer to the pedestrian crossing. As this area is likely to be a focus for pedestrians to cross the road, with greater potential interaction between pedestrian and vehicle, any compromise to inter-visibility of pedestrians and the drivers of vehicles would cause harm to pedestrian and highway safety.
25. With regard to Appeal B, consideration of public safety is in the context of the digital display advertisement panel and not the structure itself. The appellant is correct to state that the panel would be seen in the context, and with a backdrop, of commercial shopfronts and signage, many of which will be illuminated. An illuminated advertisement display in this context would not necessarily be uncommon within a commercial area such as Clapham High Street.
26. However, digital display panels such as that proposed tend to display brighter and sharper images than conventional display panels, or indeed the shopfronts behind. Moreover, it would introduce such a panel into a part of the public realm and pavement where overt illuminated signage would not usually be present. That it would do so within the sightline of the approach to the pedestrian crossing for the drivers of vehicles would unnecessarily compromise public safety.
27. Whilst the appeal structure would feature a solid elevation and therefore present a substantial physical obstruction behind which to hide, the general nature of the surrounding area is one of a well-lit, busy commercial setting. In the absence of compelling or evidenced instances of anti-social behaviour, I am not persuaded that the appeal scheme would be likely to result in harm to public safety arising from encouraging, or failing to discourage, anti-social behaviour. Although I find no harm in this respect, the absence of harm in this specific respect does not alter my conclusions with regard to this main issue of pedestrian, highway or wider public safety.
28. With regard to Appeal A therefore, the appeal scheme by virtue of its size and design and location within the pavement relative to the carriageway and nearby pedestrian crossing could inhibit sightlines between pedestrians and drivers of vehicles, contrary to the aims of encouraging walking through positive public realm design, encouraging sustainable travel and avoiding increasing road danger. The appeal scheme is therefore contrary to LLP Policies T1, T2, T4, T9 and Q17.

29. Turning to Appeal B, and notwithstanding an absence of harm in respect of public safety in relation to potential for anti-social behaviour, the digital advertisement display panel would result in harm to public safety, particularly with regard to highway and pedestrian safety. Although not determinative in this instance, this would also be contrary to LLP Policies T1, T2, T4, T9 and Q17.

Conclusion

30. For the reasons set out, and having considered all other matters raised, I conclude that Appeal A and Appeal B should be dismissed.

G Robbie

INSPECTOR