



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/25/3373068

Pavement o/s 304-322 Norwood Road, London SE27 9AF

- 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 25/01748/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/25/3373074

Pavement o/s 304-322 Norwood Road, London SE27 9AF

- 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 25/01749/ADV.
 - The advertisement proposed was described as '*installation of 1no. New Communications Kiosk with integrated advertising display to replace existing telephone kiosk, plus associated telephone kiosk removal*'.
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Decisions

Appeal A

1. The appeal 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 304-322 Norwood Road, London SE27 9AF in accordance with the terms of the application, Ref 25/01748/FUL, subject to the conditions in the attached schedule of conditions.

Appeal B

2. The appeal is allowed and express consent is granted for the display of 1no. internally illuminated digital panel at pavement o/s 304-322 Norwood Road, London SE27 9AF in accordance with the terms of the application, Ref 25/001749/ADV, dated 27 May 2025. 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 following additional conditions set out in the attached schedule of conditions.

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 have adopted an amended description of the proposed advertisement in the interests of precision

and to remove superfluous wording. 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 Policies Q5, Q6 and Q17 of the Lambeth Local Plan¹ (the LLP) in respect of matters relating to amenity, and LLP Policy Q3 in relation to matters of 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 on the character and appearance of the surrounding area; and
 - Public safety.
7. With regard to Appeal B, the main issues are the effects of the proposed advertisement display on:
 - Amenity; and
 - Public Safety.

Reasons

Character and appearance / Amenity

8. The appeal site lies within a busy and varied commercial setting on Norwood Road. The proposed communications kiosk would replace a pair of red telephone boxes located within the pavement, immediately in front of a large D.I.Y. store. A petrol filling station and its forecourt lie a short distance away in one direction, whilst a mix of commercial and retail shopfronts lie opposite and in the other direction.
9. The existing phone boxes are positioned in a slight recess at the rear edge of the pavement created by a low retaining wall that retains the ramped and stepped access to the D.I.Y. store. The proposed communications kiosk would replace the existing boxes in the same location. Despite a slightly greater width that would

¹ Lambeth Local Plan 2020-2035 – adopted September 2021

necessitate a similarly slight reduction in the width of the pavement, the proposed structure would have a much smaller footprint area than the existing kiosks as well as reducing the number of kiosks from two, to one.

10. There are a number of items of street furniture close to the appeal site, including a cycle storage rack, traffic signals and streetlight columns and corner bollards, but these are all located close to the edge of the road carriageway. The nearby pedestrian crossing control cabinet located to the other side of the stepped entrance to the D.I.Y. store is, as with the appeal proposal, similarly recessed into an indent in the retaining wall.
11. Thus, the proposed kiosk is materially different in appearance to other items of street furniture in the immediate area. Visually in longer views from both directions along Norwood Road, it would be viewed against the commercial frontage of the D.I.Y. store or the projecting flank elevation of the commercial units on the other side of the car park entrance. Because the site is set back within the recessed area at the entrance to the D.I.Y. store, the proposed kiosk would not have a significant visual or physical presence within the main pedestrian thoroughfare, or the general streetscene more widely. Instances where it would be seen as a standalone feature within the pavement and outwith the immediate context of building frontages would be limited. Nor would this, in my judgement, result in visual clutter as the Council contend. Rather, it would place the proposal into an immediate context heavily influenced by modern commercial frontages and signage where such an installation would not be incongruous.
12. Although a modern intervention within the streetscene, it has not been adequately or compellingly demonstrated that harm to character and appearance in a clearly commercial setting such as this part of Norwood Road, would arise. The kiosk would not therefore cause harm to the character or appearance of the appeal site or the surrounding area.
13. The nature of the digital display would render it instantly noticeable in views in a southerly direction from the north. However, whilst images on such screens tend to be sharp and bright, the level of illumination may be varied depending upon ambient light levels. Such matters can be controlled by way of suitably worded conditions imposed upon any consent.
14. Although the existing kiosks do not presently feature such forms of advertisement, the single sided nature of the main display panel would be such that its visual effects would be largely confined to views from the north. Given the kiosk's position towards the rear edge of the pavement, the display would be seen most closely in context with the somewhat garish fascia display of the D.I.Y. store and the commercial signage on the return flank elevation of the adjacent shop unit. There would be limited instances where the kiosk's panel would not be seen as part of a streetscene context heavily influenced by other commercial premises or signage schemes and, as such and in commercial setting such as this, there would be insufficient harm to amenity to justify withholding consent on this basis.
15. There are other communication panels along Norwood Road to which my attention has been drawn². They are however some distance from the appeal site and within the intervening distance there is a mixed commercial presence and variations in

² Described as o/s 294-296 Norwood Road (LPA Refs 17/04903/FUL & 17/04904/ADV) and o/s 254 Norwood Road, junction of Harpenden Road (LAP Refs 17/05479/FUL & 17/05480/ADV)

the nature and character of the frontages and pavement widths. Neither are sufficiently close to the appeal site to influence the setting of the appeal site, or to any sense of clutter of such installations.

16. The appellant indicated within the initial application submission that another existing telephone kiosk installation would be removed from a location described as being at 233 Knights Hill. No further details of that installation were provided, nor its location relative to the appeal site. As such, I cannot conclude whether or not its removal would be beneficial and, in any event, there is no mechanism before me to ensure that it would indeed be removed. I give this matter little weight.
17. The appeal scheme would not cause harm to the character or appearance of the Norwood Road streetscene. LLP Policies Q5 and Q6 set out the Council's approach to securing good design through sustaining and reinforcing local distinctiveness and creating a safe, attractive, uncluttered and coordinated public realm. For the reasons set out, the appeal proposal would not result in harm to the character and appearance of the surrounding area and as a consequence there would be no conflict with the broad aims and objectives of LLP Policies Q5 or Q6 in respect of Appeal A.
18. With regard to Appeal B, for the same reasons it is concluded that there would be no harm to amenity as a result of the proposed digital advertisement panel. The reasons for refusal in respect of Appeal B refer to LLP Policies Q3, Q5, Q6 and Q17 and are the same as those cited in respect of Appeal A. LLP Policy Q17 sets out the Council's approach to advertisements and signage, stating that no such proposal shall harm amenity. Amongst other factors, schemes should not add unacceptable street / visual clutter. Whilst taking these policies into account so far as they are material, they have not been decisive in reaching my conclusion on matters of amenity.

Public safety

19. The proposed kiosk would replace a pair of telephone boxes in roughly the same position in a partly recessed location towards the rear edge of the pavement. Although the side of the kiosk that would house the digital display panel on one face, and the telephone and defibrillator equipment on its internal face, would be solid, the kiosk as a whole would essentially be open sided to the pavement. Whilst concerns have been expressed regarding the potential for the kiosk to become a magnet for anti-social behaviour, it would provide more opportunities for nature surveillance than the existing, enclosed boxes.
20. It is stated that with regard to community safety, existing street furniture, and particularly existing traditional telephone boxes, have become spaces for crime and anti-social behaviour. However, the basis for, or evidence underpinning, this statement has not been set out, and it is not clear whether the figures differentiate between traditional telephone boxes and modern communications kiosks such as the one proposed in this instance. Nor have I been presented with any compelling evidence beyond anecdotal references to such activities taking place.
21. The Council refers to guidance set out within a document entitled the 'Lambeth Advertisements & Signage Guidance (January 2016)' which refers to the form that pavement panel advertisements should take and, particularly, the incorporation of legs to raise panels off the ground to 'improve pedestrian sightlines'. However, I

have not been provided with a copy of the document and its status has not been explained. As a consequence the weight that its guidance carries is limited in this respect.

22. Nevertheless, in this particular instance any benefits that a raised panel might provide would be limited by the presence of the retaining wall to the sides and rear of the kiosk. Moreover, whilst the side of the kiosk that incorporates the digital display panel is solid, it would be open or largely open on the other three sides. Furthermore, the existing pair of telephone boxes present a significant, and larger, physical and visual impediment within the streetscene. Other than the display panel elevation, the kiosk itself would be largely open-sided and positioned close to a pedestrian crossing in a busy commercial area. Whilst such areas are not busy at all times of the day, the appeal site surroundings are such that passing footfall and natural surveillance would be likely to act as somewhat of a deterrent to such behaviour.
23. A representation made to the Council at the application stage refers to a number of applications for communications kiosks within the borough³ and that kiosks such as that proposed facilitate and encourage incidences of anti-social behaviour. Whilst noting those concerns, and the Council's submissions in this respect, these appear to be broadly-based comments without compelling or supported evidence, and without specific regard to the appeal site. As such, it has not been sufficiently demonstrated that the appeal scheme would result in harm to public safety. The removal of the existing pair of kiosks and their replacement with the single kiosk proposed in this instance would however amount to an improvement on the current situation.
24. The refusal of the applications, whilst citing public safety, did not refer to highway safety and I have not been presented with any further compelling evidence in this respect to reach a different conclusion. For these reasons, the appeal scheme would not cause harm to public safety and as such there would be no conflict with LLP Policies Q3, Q6 or Q17 in respect of Appeal A. Whilst taking these policies into account so far as they are material to Appeal B, they have not been decisive in reaching my conclusion on matters of public safety in respect of Appeal B.

Other Matters

25. Other matters not otherwise addressed in the main issues, above, were raised during the course of the Council's considerations of the applications. The removal of the existing boxes at the appeal site was noted and welcomed. However, the presence of other items within the pavement between York Hill and the petrol filling station were identified, albeit that from the descriptions given it was not possible for me to determine their proximity to the appeal proposal.
26. A reference was made to a 'Site 18 development area' but I have not been provided with any further information regarding what or where this is, or whether it has any 'planning' status. The effect of digital panels on the image of high streets was raised and that this would reduce footfall for local businesses but no evidence has been provided to substantiate this.

³ Email dated 26 June 2025 referencing LPA Ref Nos: 25/01728/FUL & 25/01729/ADV; 25/01748/FUL & 25/01749/ADV; 25/01750/FUL & 25/01751/ADV; and 25/01726/FUL & 25/01727/ADV

27. The presence or otherwise of 'free' features was not part of the Council's reasons for refusal, nor were the provisions of LLP Policy T9, and is not determinative in the consideration of this matter. Given the appeal site's location in a commercial, high street setting where activity is likely to be present into the evening, I am not persuaded that the appeal site has a residential setting or context to it, nor that it would result in noise or light pollution that would be harmful to residential areas.

Conditions

28. I have carefully considered the list of suggested conditions submitted by the Council respect of both Appeal A and Appeal B in the context of the Framework and Planning Practice Guidance. With regard to both Appeal A and Appeal B and for the avoidance of doubt, my reference to appeal numbers below relates to the condition numbers set out at Appendix 1 of the Council's Appeal Statement.
29. With regard to Appeal A, I agree that time limit and plans conditions are necessary and reasonable in the interests of certainty and good planning. A third condition has also been suggested requiring the removal of existing telephone boxes elsewhere within the borough. However, the condition itself is not specific and whilst its wording cross-references the appellant's 'Planning, Design & Access Statement' (May 2025) the site outside 233 Knights Hill is sufficiently distant from the appeal site that the appeal scheme's acceptability is not dependent upon its removal. Furthermore, as the appeal scheme kiosk would be installed where the existing kiosks are already sited at the appeal site, a condition is not necessary for their removal.
30. For Appeal B, the advertisement consent would be subject to the 5 standard conditions, as set out at Schedule 2 in the Regulations. The Council has suggested a further 8 conditions, albeit that suggested conditions 7 and 8 duplicate the standard conditions. In the interests of amenity and public safety, conditions regarding transition effects and duration of display are necessary and reasonable, as are conditions relating to daytime and nighttime luminance levels, luminance controls and failsafe display arrangements. It is not, however, necessary to impose a plans condition in respect of Appeal B as the plans for the structure are addressed under Appeal A.

Conclusion

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

G Robbie

INSPECTOR

Appeal A – Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan; PY4056/003 Existing Elevations; NWP-KIOSK/001 Elevations; New Communications Kiosk Overview and Specification; and 4820-003-014 Site Plan.

**** Appeal A - end of schedule ****

Appeal B – Schedule of additional Conditions

- 1) 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.
- 2) The minimum display time for each advertisement shall be 10 seconds, with the sequencing of messages relating to the same product prohibited and the advertisement shall not include any features which would result in interactive messages/advertisements being displayed.
- 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 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.
- 5) In the event of a technical fault/malfunction, the screen should default to a blank/still and dark image.

**** Appeal B – end of schedule ****