



Appeal Decisions

Site visit made on 19 December 2025

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2026

Appeal A Ref: APP/N5660/W/25/3373461

Pavement outside 12 Acre Lane, Brixton, London SW2 5SG

- 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 of NWP Street Limited against the decision of the Council of the London Borough of Lambeth.
- The application Ref is 25/01730/FUL.
- The development proposed is the installation of 1no. new communications kiosk with integrated advertising display to replace the existing telephone kiosk, plus associated telephone kiosk removal.

Appeal B Ref: APP/N5660/H/25/3373326

Pavement outside 12 Acre Lane, Brixton, London SW2 5SG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Richard Wilson of NWP Street Limited against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/01731/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 the existing telephone kiosk, plus associated telephone kiosk removal at pavement outside 12 Acre Lane, Brixton, London SW2 5SG in accordance with the terms of the application, Ref 25/01730/FUL, subject to the attached schedule of conditions.
2. Appeal B is allowed and express consent is granted for the display of 1no. digital advertisement display within proposed new communications kiosk at pavement outside 12 Acre Lane, Brixton, London SW2 5SG in accordance with the terms of the application, Ref 25/01731/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 attached schedule of conditions.

Preliminary Matters

3. There are two appeals on this 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. To avoid repetition, while considering each on its merits, I have dealt with both in a single decision letter.
4. In respect of Appeal B, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety. For Appeal B, I have had regard to the policies contained in the Lambeth Local Plan 2021 (LLP)

and the London Plan 2021 (LP) only in so far as they are a material consideration relevant to matters of amenity and public safety.

5. For Appeal B, the description of the proposal on the application form is the same as for Appeal A. However, the appeal form describes the proposal as '1no. digital advertisement display within proposed new communications kiosk' which I have used in the banner above as this is a more accurate description of the proposal.

Main Issues

6. The main issues in respect of Appeal A are the effect of the proposal on (i) the character and appearance of the area, including its effect on the setting and significance of the Brixton and Trinity Gardens Conservation Areas (CAs) and the setting and significance of statutory and locally listed buildings; and (ii) pedestrian safety and crime and anti-social behaviour.
7. The main issues in respect of Appeal B are the effect of the proposed advertisement on: (i) visual amenity; and (ii) public safety.

Reasons

Character and appearance/Visual amenity

8. The appeal site comprises part of a wide footway containing a telephone kiosk located between a 1970s three storey commercial parade and the Acre Lane carriageway. Some nearby telephone kiosks and railings have been removed, though the footway still contains various street furniture. This section of the road comprises several lanes and is heavily trafficked with buses, cars and commercial vehicles approaching the junction with Brixton Road. The site is not within a CA, but the parade and adjacent Pentecostal Church lie between the Trinity Gardens and Brixton CAs, the latter of which contains the listed Town Hall.
9. The Brixton Conservation Area Statement 2012 (CAS) indicates that the significance of the Brixton CA derives in part from its mostly 19th and early 20th century commercial development and its impressive public buildings. Only the eastern end of Acre Lane is within this CA, where the CAS refers to the late 19th century terrace with decorative gabled upper floors at Nos 2-8, the grand dormers and imposing dome of the landmark building on the corner of Brixton Road, the flank elevation of the town hall and the impressive Art Deco Ivor House. Both the corner building at 518-522 Brixton Road and Ivor House are locally listed.
10. The Trinity Gardens Conservation Area Character Appraisal 2017 outlines that the significance of the Trinity Gardens CA partly derives from its generally leafy and tranquil character largely developed and laid out in the 19th and early 20th century. It notes the mid 19th century almshouses and substantial villas along Acre Lane.
11. The significance of the grade II listed Lambeth Town Hall, in so far as it relates to this appeal, is derived from it being an early 20th century L-shaped red brick building with Portland stone dressings in modified Baroque style.
12. The site lies some distance from the Trinity Gardens CA and does not immediately abut the Brixton CA. The existing kiosk is largely seen against a backdrop of modern commercial shopfronts amongst other street furniture, with a wide busy road separating it from the listed Town Hall. As such, the site does not positively contribute to the setting and significance of the designated heritage assets.

13. The proposed structure would be a similar height to the existing telephone kiosk it would replace, with one side containing an illuminated digital advertisement display, portraying static advertising images that would change every 10 seconds. This would be evident to those travelling eastbound on the footway and carriageway. There are no static advertisements nearby on Acre Lane and such proposals have been refused on sites outside the Town Hall.
14. Nevertheless, the proposed development would sit between modern shopfronts and the busy, wide road. During daylight hours, the luminance could be controlled to reflect ambient light conditions. In hours of darkness, the illuminated advertisement would appear against a backdrop of streetlights, car lights and commercial premises, several of which have illuminated signs and are open and lit into the evenings. A suitably worded condition would ensure that the illuminance levels would not exceed the maximum recommended by the Institution of Lighting Professionals. For these reasons, the proposal would not introduce undue visual clutter nor be an incongruous addition to the street scene.
15. Due to its height, the advertisement would not be readily seen against the upper floors at Nos 2-8 Acre Lane and the building on the corner of Brixton Road. Further, it would be separated from the listed Town Hall by the wide carriageway. In addition, the position of the illuminated display on the west side of the structure means that it would not interfere with views of Ivor House nor buildings in the Trinity Gardens CA. Thus, the proposal would not harm the setting and significance of the designated heritage assets.
16. Therefore, in terms of Appeal A, I conclude that the proposal would not harm the character and appearance of the area, including the setting and significance of the Brixton and Trinity Gardens CAs and statutory and locally listed buildings. It would accord with Policies Q2, Q5, Q6, Q17, Q20, Q22 and T9 of the LLP. These require proposals to integrate into their context and not be visually intrusive nor create unacceptable clutter. They also seek to conserve the significance of listed buildings and preserve the character or appearance of CAs, amongst other things.
17. In respect of Appeal B, I conclude that the proposed advertisement would not harm visual amenity.

Pedestrian safety, crime and anti-social behaviour/Public safety

18. The appeal site is on a wide section of pavement which contains various other street furniture including bike racks and a large bus shelter. The main pedestrian thoroughfare is along the section of the footway between the commercial units and the street furniture.
19. The telephone, wayfinding and public information functions provided in the proposed open plan kiosk would be operated by people standing in front of the equipment and screen. The new installation would lie closer to the carriageway than the existing telephone kiosk and the nearby bike racks and bus shelter. Thus, whilst people using the new kiosk would occupy part of the pavement, due to the position of the proposed structure relative to the existing street furniture away from the main pedestrian thoroughfare, they would not harmfully obstruct pedestrian movement along the footway.
20. The Council states that some existing street furniture in the Borough have become spaces for crime and anti-social behaviour (ASB). At my site visit, I observed that

the existing telephone kiosk could conceal a person. The scale of the new structure could also screen a person, and its functions could distract users. However, as it would be visible from different vantage points along the highway with street lighting in a busy commercial area, the proposal would benefit from natural surveillance from passers-by.

21. In addition, the appellant's Management Plan includes measures in response to recommendations from Metropolitan Police Design Out Crime Officers. These include limiting free telephone calls, algorithms enabling the blocking of certain mobile numbers, the ability to switch off public wifi, no charging points or external speakers, a small area of tactile paving and weekly inspection and maintenance. Further, the canopy roof and side would only be as big as necessary to provide some weather protection and shielding from traffic noise for those using the kiosk. Additionally, the Design Out Crime Officer finds no policing reason to object to the proposal. As such, there is limited evidence that the proposed development would increase opportunities for crime and ASB.
22. Consequently, in terms of Appeal A, I conclude that the proposal would not harm pedestrian safety nor increase the risk of crime and ASB. It would comply with Policies Q3, Q17, T1 and T2 of the LLP and T4 of the LP. Together, these require proposals to avoid harm to highway and public safety, reduce road danger, and design out opportunistic crime and anti-social behaviour, amongst other things.
23. In relation to Appeal B, I conclude that the proposed advertisement would not harm public safety.

Conditions

24. I have had regard to the Council's suggested conditions and considered them against the statutory tests outlined in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have made minor amendments, where necessary, to ensure that the conditions comply with the relevant tests.
25. For Appeal A, in addition to the standard time limit condition (1), I have imposed a condition requiring that the development is carried out in accordance with the approved plans and Management Plan (2). This is in the interest of certainty and to minimise the risk of crime and ASB. A condition requiring the removal of the development once it is no longer required for telecommunication or electronic communications purposes (3) is necessary to safeguard the character and appearance of the area.
26. For Appeal B, the advertisement consent would be subject to the five standard conditions set out in the Regulations. Conditions restricting the nature and brightness of displayed images (1, 3 and 4) and their transition (2) are necessary in the interests of amenity and public safety. Conditions relating to the expiry of the permission and securing the erection of the proposed development in accordance with the approved drawings have been addressed under Appeal A.

Conclusion

27. For the reasons given above, both Appeal A and Appeal B should be allowed.

A Wright

INSPECTOR

Schedule of Conditions

Appeal A Ref: APP/N5660/W/25/3373461

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 1:1250 scale location plan; 4820-003-003; PY4056/001; NWP-KIOSK/001; and New Communications Kiosks Management Plan.
- 3) The development hereby permitted shall be removed within two months after it is no longer required for telecommunication or electronic communications purposes.

Appeal B Ref: APP/N5660/H/25/3373326

In addition to the five standard conditions in the Regulations:

- 1) No content on the digital advertisement display shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.
- 2) No visual effects of any kind shall be permitted to accompany the transition between any two successive displayed adverts or images. The replacement advert or 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 05/23 'The 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 05/23 'The Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².