



Appeal Decision

Site visit made on 31 March 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 April 2025

Appeal A Ref: APP/X5210/W/24/3353959

Telephone Call Box o/s 221 Camden High Street, London NW1 7HG

- 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 Nathan Still, In Focus Network Limited, against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/1205/P.
 - The development proposed is the replacement of an existing telephone kiosk with a 'Communication hub unit'.
-

Appeal B Ref: APP/X5210/H/24/3353957

Telephone Call Box o/s 221 Camden High Street, London NW1 7HG

- 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 Nathan Still, In Focus Network Limited, against the decision of the Council of the London Borough of Camden.
 - The application Ref is 2024/1453/A.
 - The advertisement proposed is an LCD digital advertising screen integrated within a 'Communications hub'.
-

Decisions

1. Appeals A and B are dismissed.

Procedural Matters

2. The pair of appeals relate to the same overall proposal. They differ only in that Appeal A is for planning permission and Appeal B is for express advertisement consent. I have considered each part of the proposal on its individual merits. However, to avoid duplication I have dealt with the two parts of the proposal together, except where otherwise indicated.
3. In respect of Appeal B the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant matters.

Main Issues

4. The main issues for Appeal A are the effects of the proposal on:

- (i) the character and appearance of the street scene and the setting of the Camden Town Conservation Area; and
 - (ii) highway safety and crime.
5. The main issues in respect of Appeal B are the effects of the advertisement on amenity.

Reasons

Background

6. The appeal site comprises an area of pavement occupied by a telephone kiosk that is situated in front of a row of shops close to the junction between Camden High Street and Inverness Street. It is within a relatively wide section of pavement close to the road with a tree and refuse bin to one side and a timber seating box on the other. The site is between Camden Underground Station and Camden Lock, which is a vibrant, busy shopping and tourist area, and it is a short distance outside the Camden Town Conservation Area.
7. The appeal proposal would comprise the removal of the existing kiosk and its replacement with a communications hub. This would be similar in width and height to the kiosk it would replace but would not include any sides or a roof. Instead, there would be a small canopy above the communications equipment on one side with the other side, facing Inverness Street, comprising an 86 inch LCD display screen. This is intended to show commercial and community information in a series of static images.
8. Planning permission and advertisement consent were granted at appeal in 2022¹ for development described as the replacement of the current enclosed telephone kiosk with an open access Communication Hub. The advertisement consented in 2022 comprised an LCD portrait screen to be used to show static illuminated content. This scheme is similar to the appeal proposal in respect of the siting and nature of the display screen. However, the information available to me indicates that the current appeal proposal would be materially larger than the scheme approved in 2022.
9. A subsequent proposal for an upgraded telephone kiosk with an LCD display screen was dismissed at appeal in 2024². Whilst I attribute significant weight to these appeal decisions and recognise that the scheme approved in 2022 is a potential fall-back position, the appeal proposal before me is materially different from the previous schemes and therefore needs to be considered on its individual merits.
10. I am conscious that if this appeal is dismissed there is a possibility that the existing redundant kiosk could remain in place. However, I consider there to be a far greater likelihood that the scheme approved in 2022 would be implemented given the commercial advantages for the appellant of doing so. As such I accord limited weight to the benefits of the removal of the existing redundant kiosk.

¹ APP/X5210/W/22/3290364 and APP/X5210/H/22/3290365

² APP/X5210/W/24/3341451 and APP/X5210/Z/24/3341453

Character, Appearance and Amenity

11. Whilst the proposed hub would be smaller in footprint than the kiosk it would replace, it would have a far larger footprint than the fall-back scheme and would feature a larger advertisement display area. Due to its size, siting and solid form the hub would be a prominent element in views looking along Camden High Street towards Camden Lock. In addition, it would lead to an over concentration of street furniture and visual clutter that would have an unacceptable effect on the street scene and the setting of the nearby CA.
12. As is evident from the existing kiosk, street furniture deteriorates over time and can be subject to graffiti and vandalism. Without an enforceable maintenance plan in place, there is a high likelihood that the proposed hub would deteriorate causing harm to the character and appearance of the area in the future. A legal agreement that secures the adequate maintenance of the hub in perpetuity is therefore reasonable and necessary to make the development acceptable in planning terms.
13. Due to its siting, size and design, and the absence of a legal agreement to secure its long term maintenance, the proposed hub would have an unacceptable effect on the character and appearance of the street scene and the setting of the CA. It therefore fails to comply with Policies D1 and D2 of the London Borough of Camden Local Plan (2017) (LP). Amongst other matters, the former seeks to secure high quality design that respects local context and character and integrates well with the surrounding streets, whilst the latter aims to resist development outside a conservation area that causes harm to the character or appearance of a conservation area.
14. I note my colleague's comments in respect of the illuminated digital advertising panel approved in 2022. However, the appeal proposal would include a wider and taller panel which would be more obtrusive and prominent in the street scene. Due to its siting, size, design and the nature of the illuminance the advertisement that is the subject of Appeal B would have an unacceptable effect on amenity in the area.
15. In respect of Appeal B I have taken into account LP Policies D1 and D4 which, amongst other matters, seek to protect amenity and are material in this case. Given I have concluded that the proposed advertisement would harm amenity, it follows that there is conflict with these policies.

Highway Safety and Crime

16. Camden High Street is a busy shopping and tourist location that experiences high levels of pedestrian activity particularly in the evenings and at weekends. The section of pavement that includes the appeal site is wide and includes a tree, refuse bin and wooden seating cubes within the portion of pavement closest to the road. The appeal proposal would be sited close to the road between the tree and the seating cube. It would therefore be outside the primary zone of pedestrian activity and would not result in any greater impediment to the flow of pedestrians than would result from the implementation of the fall-back scheme. In addition, I note that there is a very wide pavement on the opposite side of the road.
17. The appeal site is close to the junction between Camden High Street and Inverness Street. The latter is a pedestrianised market street and therefore levels of vehicular traffic turning into the High Street from this road are low. In addition, as the High Street is one-way, drivers exiting Inverness Street would be looking towards the

station as opposed to the appeal site so would not be distracted or have critical sightlines impeded by the proposal.

18. I am therefore satisfied that the proposed hub would not have an unacceptable effect on public and highway safety. As such it accords with LP Policies G1, A1, C6 and T1, which together seek to ensure that development proposals are of a high quality, adequately address transport impacts, and are accessible.
19. The Metropolitan Police has advised that the appeal site forms part of one of the major hotspots in Camden Town for drug dealing and there are pre-existing issues with crime and antisocial behaviour. In particular, the Police advise that drug dealers use street furniture to conceal their activities from CCTV cameras.
20. Whilst the proposed hub would be wider than the scheme approved in 2022, this increase in width would not lead to any materially greater scope for anti-social behaviour or the concealment of street crime than would result were the fall-back scheme to be implemented. For this reason, the proposed hub would not result in unacceptable effects on crime and anti-social behaviour in the area. The proposal therefore accords with LP Policy C5, which promotes safer street and public places and the development of pedestrian friendly spaces.

Other Matters

21. The proposed hub would provide a range of public facilities including free ultrafast Wi-Fi, free phone calls to landlines, wayfinding, device charging, rapid connection to emergency services and public messaging capabilities. Many of these features can be accessed by most members of the public by other means and therefore the public benefits are limited. I recognise that the inclusion of a defibrillator is a potential benefit although there is no evidence before me to indicate an absence of such facilities in this area. Whilst the inclusion of many public facilities is laudable, there is no mechanism before me to ensure these features would be adequately maintained and retained into the future. Any benefits that may exist could be short-lived. I therefore conclude that the public benefits outlined by the appellant do not outweigh the harm identified under the first main issue.

Conclusion

22. For the reasons set out under the first main issue above, and having regard to all other matters raised, I conclude that appeals A and B should fail.

S Poole

INSPECTOR