
Appeal Decisions

Site visit made on 12 August 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal A Ref: APP/T0355/W/25/3363169

Pavement o/s 4 Market Street, Maidenhead SL6 1JF

- 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 BT Telecommunications Plc against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/02823.
 - The development proposed is described as “the proposed installation of 1no. BT Street Hub unit and removal of 2no. associated BT payphone kiosks from the street scene”.
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Appeal B Ref: APP/T0355/H/25/3363170

Pavement o/s 4 Market Street, Maidenhead SL6 1JF

- 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 BT Telecommunications Plc against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/02824.
 - The advertisement proposed is described as “the proposed installation of 1no. BT Street Hub unit and removal of 2no. associated BT payphone kiosks from the street scene”.
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Decision

1. Appeal A is allowed, and planning permission is granted for “the proposed installation of 1no. BT Street Hub unit and removal of 2no. associated BT payphone kiosks from the streetscene” at Pavement o/s 4 Market Street, Maidenhead SL6 1JF in accordance with the terms of the application, Ref 24/02823, subject to the following 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 numbers: 001-A, 002-A, 003-A, BT Street Hub Unit Dimensions.
2. Appeal B is allowed, and express consent is granted for the display of “the proposed installation of 1no. BT Street Hub unit and removal of 2no. associated BT payphone kiosks from the streetscene” at Pavement o/s 4 Market Street, Maidenhead, SL6 1JF in accordance with the terms of the application, Ref 24/02824. 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

Appeal Procedure

3. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

4. The appellant has submitted a heritage statement which the Council allude to on the decision notice. In all that's reasonable, this would have been the only way to respond to that point, and I have taken it from the Council that it objects to the schemes on these grounds in any case. I do not therefore feel that any main party would be prejudiced by my acceptance of this piece of evidence. I have proceeded on this basis.
5. Appeal A relates to planning permission for the hub and Appeal B advertisement consent for the digital displays thereon. To avoid duplication, I have dealt with the two schemes together. In respect to Appeal B, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out the relevant considerations for this type of appeal. These are amenity and public safety.

Main Issue

6. The main issue is intertwined. It relates to the effect of the installation on the character and appearance of the area with specific regard to the Maidenhead Town Centre Conservation Area (CA) which, for the purposes of the advertisement regulations, translates to amenity.

Reasons for the Recommendation

7. The appeal site is outside of a retail unit, between its side elevation and the open pedestrianised pathway which is fairly wide. The BT hub is to replace two existing telephone boxes. There is some street furniture which includes bus shelters, a bench, street bins and cycle parking. Notwithstanding this, the street scene is uncluttered due to their linear alignment and being well-spaced. In terms of the CA, the immediate area is surrounded by later twentieth century buildings and some of the traditional market square has already been lost through other developments. Resultantly, these features in combination lend a more modern yet cohesive approach to buildings and spaces for the purposes of the CA's significance.
8. The overall height and scale of the hub would be somewhat larger than the existing street furniture, however it would have an overall reduced appearance in scale terms compared with the existing two telephone boxes. Moreover, it would be seen in the context of the wider street furniture and would not be overly obvious or result in excessive cluttering in the street. Additionally, it would not block any important views of the CA given its modest scale and the surrounding modern context. The hub and signage together would be equally so within the otherwise bustling and vibrant central location and sit recessively against the surrounding shop fronts and the general activity associated therewith. In terms of the advertisement, the signage would assimilate well with the wider bus shelter signage and retail signs given its and their relative scale. The level of illumination would be commensurate with its surroundings and the retail street scene, and the levels proposed would not result in unacceptable harm to the CA given its existing more evolved and modern appearance in the vicinity of the appeal site.

9. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states special attention shall be paid to the desirability of preserving or enhancing. Nationally speaking, paragraph 212 of the National Planning Policy Framework (the Framework) places emphasis on great weight being given to an asset's conservation. Given the above assessment, the proposal would preserve both the character and appearance of the CA. Therefore, the question of considering the harm against the public benefits as required by paragraphs 205 to 208 of the Framework is not applicable in regard to appeal A.
10. The scheme would therefore comply with Policies HE1, QP1 and QP3 of the Royal Borough of Windsor and Maidenhead Borough Local Plan 2023 (LP) which seeks to ensure that development proposals are of a high-quality design and standard along with ensuring the historic environment is not unacceptably affected. In terms of Appeal B, with this and the above in mind, the advertisement signage taken as a whole would be acceptable in amenity terms and comply with a relevant assessment under the 2007 regulations.
11. Moreover, and in terms of Appeal B, The Council has drawn my attention to Policies HE1, QP1 and QP3 which seeks to ensure that proposals are of a high quality with particular regard to amenity. The policies are a material consideration of the proposal and as a result of the above the scheme would sit appropriately with their aims. They have not however been decisive.

Conditions

12. The time limit condition and reference to the approved plans are required for enforcement purposes for appeal A. I have not included a matching materials condition since details thereof are shown on the plans and I consider them acceptable. The Council has not recommended any additional conditions, and I have not deemed any other further necessary. In regard to appeal B, the standard conditions apply as per Schedule 2 of the 2007 Regulations. The Council has not recommended any conditions, and I have not deemed any other further necessary.

Conclusion and Recommendation

13. For the reasons given above, the appeals would comply with the development plan and the regulations respectively. There is nothing sufficiently compelling to consider them otherwise. I therefore recommend they are both allowed, subject to the conditions set out.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeals are allowed, subject to the conditions specified.

John Morrison

INSPECTOR