



Appeal Decisions

Site visit made on 13 November 2025

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 3 December 2025

Appeal A Ref: APP/T0355/W/25/3369954

Bisham Side Marlow Bridge, Bisham Road, Marlow

- 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 Marlow Town Council against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 23/01977.
 - The development proposed is illumination of the suspension chains and metal supports of the bridge structure.
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Appeal B Ref: APP/T0355/Y/25/3370029

Bisham Side Marlow Bridge, Bisham Road, Marlow

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Marlow Town Council against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 23/01978.
 - The works proposed are illumination of the suspension chains and metal supports of the bridge structure.
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Appeal C Ref: APP/K0425/W/25/3370549

Marlow Bridge, The Causeway, Marlow

- 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 Marlow Town Council against the decision of Buckinghamshire Council.
 - The application Ref is 23/06628/FUL.
 - The development proposed is illumination of the bridge.
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Appeal D Ref: APP/K0425/Y/25/3370034

Marlow Bridge, The Causeway, Marlow

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr C Marlow Town Council against the decision of Buckinghamshire Council.
 - The application Ref is 23/06755/LBC.
 - The works proposed are illumination of the bridge.
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Decision – Appeal A

1. The appeal is allowed and planning permission is granted for illumination of the suspension chains and metal supports of the bridge structure at Bisham Side Marlow Bridge, Bisham Road, Marlow in accordance with the terms of the application, Ref 23/01977, subject to the conditions in the attached schedule.

Decision – Appeal B

2. The appeal is allowed and listed building consent is granted for illumination of the suspension chains and metal supports of the bridge structure at Bisham Side Marlow Bridge, Bisham Road, Marlow in accordance with the terms of the application Ref 23/01978 and the plans submitted with it subject to the conditions in the attached schedule.

Decision – Appeal C

3. The appeal is allowed and planning permission is granted for Illumination of the bridge at Marlow Bridge, The Causeway, Marlow in accordance with the terms of the application, Ref 23/06628/FUL, subject to the conditions in the attached schedule.

Decision – Appeal D

4. The appeal is allowed and listed building consent is granted for illumination of the bridge at Marlow Bridge, The Causeway, Marlow in accordance with the terms of the application Ref 23/06755/LBC and the plans submitted with it subject to the conditions in the attached schedule.

Preliminary Matters

5. Despite the slight differences in the descriptions the appeals relate to the same proposal. The bridge spans two Council areas, and listed building consent and planning permission is required for the proposal, hence the need for four applications. Appeals A and B relate to the part of the bridge that falls within the jurisdiction of the Council of the Royal Borough of Windsor and Maidenhead. This is the south side of the bridge. Appeals C and D relate to the part of the bridge that falls within the jurisdiction of Buckinghamshire Council. This is the north side of the bridge.
6. There was a high level of cooperation between the parties when the applications were determined, and they were all refused for the same reason. Accordingly, I have dealt with the appeals together in my reasoning.

Main Issue

7. The main issue for all appeals is the effect of the proposal on protected species.

Reasons

8. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) requires a competent authority to have regard to the requirements of the associated Directive so far as it may be affected by the exercise of its functions. This includes any proposal that might lead to the deterioration or destruction of the breeding sites and resting places of European Protected Species (EPS) under Article 12(1). This includes bats and the places that they roost, irrespective of whether or not they are present at the time the development is carried out.
9. The bridge spans the river Thames which is a priority habitat that provides connectivity between an array of semi-natural and natural habitats within local landscape. Increased artificial illumination can cause issues for bats in terms of

roost abandonment, and severance of foraging and commuting routes. Many bat species can be adversely affected by lighting.

10. In this case the preliminary ecological survey¹ establishes that the bridge does not support suitable habitat for roosting bats. Gaps between the wooden boards are open to the elements above and therefore do not provide a suitable roosting environment. The bridge towers are in good condition with no suitable roosting features. Therefore, the proposal would not result in the deterioration or destruction of the resting places of EPS.
11. The habitat provided by the river corridor is noted to provide a moderately suitable foraging and commuting environment for bats. The bat survey set out in the Betts Ecology report² found that several bat species are present in the area, with most activity noted along the water surface of the river. Therefore, the potential for light spill or increased illuminance of the water surface through reflection is the main issue that has potential to harm the foraging and commuting environment of bats.
12. The proposal is to install lighting that would be directed upwards over the bridge structure. The details show that the lighting would be cowled so that only the illuminated structure of the bridge would be visible when looking across to the bridge from the river. The proposal would therefore not result in the direct spill of light onto the river surface or below the level of the bridge. Indeed, the underside of the bridge would remain dark.
13. This is notably different to the existing lanterns, which are in an elevated position around the towers. They spread light down and to the sides and are without any cowls. Light from these would therefore have an adverse impact on the environment for bats.
14. The bridge is a single span structure that is well above the water level. The space directly below the bridge would not be illuminated by the proposal. It is possible that the illuminated structure could reflect onto the water surface. This however needs to be considered in the context of an environment that is well developed. The bridge stands at one end of a town and connects Marlow's High Street to the settlement of Bisham on the other side. At my visit I saw buildings fronting the river near to the bridge with large areas of glazing from which considerable levels of artificial light would spill towards the river. Furthermore, the adjacent Church is externally illuminated at night, and the submitted computer-generated imagery shows the impact of existing illumination from riverbank buildings.
15. Therefore, the local environment is already subject to a significant level of illumination, and such illumination is already present in the form of reflective light on the water surface. It is within this context that the survey revealed activity from several bats along the water surface.
16. The appellant submits that the existing lighting would be removed. Although physical removal of existing fittings does not form part of the proposal, ceasing to use the existing lights would reduce downward illumination from the bridge with the potential to improve the environment for bats. If the appeals are allowed I could impose a condition to ensure that the existing lighting is not used. On this basis and taking into account the level of existing illumination in the area, I can be

¹ April 2024 by AtkinsRealis

² Betts Ecology Bat Survey Report S:7160 June 2024

satisfied that the proposal would not have an adverse impact on the foraging and commuting environment for the local bat population. No further surveys are therefore required.

17. In summary, I find that there would be no significant harm to the long-term conservation status of the bats species that are present. Consequently, the proposal would not conflict with Policy NR2 of the Royal Borough of Windsor and Maidenhead Local Plan 2013-2033 and Policy DM13 of the Wycombe District Council Delivery and Site Allocations Plan 2013. Together these seek to ensure protected species and habitats will be safeguarded from harm.

Other Matters

18. The bridge is a grade 1 listed building³ and straddles two conservation areas. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) require the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
19. These matters have been carefully considered by the Councils and found to be acceptable. Having reviewed the submissions and considered the proposal on site I can see no reason to take a contrary view.

Conditions

20. I have had regard to the conditions suggested by the Councils. I have considered these against the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have imposed conditions for the planning permissions that specify the approved plans as this provides certainty. I have added the Ecology Bat Survey Report to this list to secure its recommendations.
21. I have imposed a condition for all the appeals to secure details of the control system as these details are not before me, and they need to be agreed to safeguard the significance of the building.
22. I have imposed a further condition for the planning permissions to ensure that existing lighting is not used in conjunction with the lighting hereby approved, to manage the impact of the proposal on protected species. I have not imposed the conditions suggested by the Council of the Royal Borough of Windsor and Maidenhead to require the submission of a preliminary roost assessment, emergence surveys and night-time bat walkovers as this information is not required to ensure that the new lighting will not harm protected species.

Conclusion

23. For the reasons above I conclude that the appeals should be allowed.

A Tucker

INSPECTOR

³ List Entry Numbers 1117598 and 1332381

Schedule of Conditions – Appeal A

- 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 the following drawings and reports: 1:1250 location plan dated 03/06/2019, Lighting Layout dated 5/04/2023 drawing no 01, Technical Specification Text from Atelier Lighting dated October 2023, Linear Light Shield General Assembly drawing no MBB-000 Rev 1.0, and Betts Ecology Bat Survey Report S:7160 June 2024 and the required actions and recommendations contained therein.
- 3) Prior to the installation of the control system, details of the control system including appearance and sizing, exact location, number of units, proposed fixing and all cabling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.
- 4) Prior to the lighting hereby permitted being first brought into use, the existing lighting shall be disconnected and not brought back into use thereafter.

Schedule of Conditions – Appeal B

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Prior to the installation of the control system, details of the control system including appearance and sizing, exact location, number of units, proposed fixing and all cabling shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the agreed details.

Schedule of Conditions – Appeal C

- 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 the following drawings and reports: 1:1250 location plan dated 03/06/2019, Lighting Layout dated 5/04/2023 drawing no 01, Technical Specification Text from Atelier Lighting dated October 2023, Linear Light Shield General Assembly drawing no MBB-000 Rev 1.0, and Betts Ecology Bat Survey Report S:7160 June 2024 and the required actions and recommendations contained therein.
- 3) Prior to the installation of the control system, details of the control system including appearance and sizing, exact location, number of units, proposed fixing and all cabling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.
- 4) Prior to the lighting hereby permitted being first brought into use, the existing lighting shall be disconnected and not brought back into use thereafter.

Schedule of Conditions – Appeal D

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Prior to the installation of the control system, details of the control system including appearance and sizing, exact location, number of units, proposed fixing and all cabling shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the agreed details.