



Appeal Decisions

Site visit made on 24 February 2026

by **C Evans MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 March 2026

Appeal A Ref: 6002393

Pavement o/s 70 Maid Marian Way, Nottingham NG1 6BJ

- 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 Richard Wilson of NWP Street Limited against the decision of Nottingham City Council.
 - The application Ref is 25/01408/PFUL3.
 - The development proposed is new communications kiosk with integrated advertising display and defibrillator.
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Appeal B Ref: APP/Q3060/Z/25/3376498

Pavement o/s 70 Maid Marian Way, Nottingham NG1 6BJ

- 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 Richard Wilson of NWP Street Limited against the decision of Nottingham City Council.
 - The application Ref is 25/01409/ADV2.
 - The advertisement proposed is described as “new communications kiosk with integrated advertising display and defibrillator”.
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Decision

1. Appeal A is allowed and planning permission is granted for a new communications kiosk with integrated advertising display and defibrillator at pavement outside 70 Maid Marian Way, Nottingham NG1 6BJ in accordance with the terms of the application, Ref 25/01408/PFUL3, 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 the following approved plans: Location Plan; 4870-001-003 Site Plan; NWP-KIOSK/001 Elevations.
2. Appeal B is allowed and express consent is granted for the display of 1 no. digital advertisement display within proposed new communications kiosk at pavement outside 70 Maid Marian Way, Nottingham NG1 6BJ in accordance with the terms of the application, Ref 25/01409/ADV2, dated 28 July 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:
 - 1) At all times, the display shall operate within the recommendations by the Institution of Lighting Professionals in its Professional Lighting Guide 05

(PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement guide).

- 2) The advertisement permitted by this consent shall display static images only and the rate of content change shall be limited to no more than once every 10 seconds.

Preliminary Matters

3. Two appeals relate to the site. They are intrinsically linked and raise similar issues. I have considered the individual merits of each appeal, but I have combined the cases into a single decision letter.
4. The description in the banner heading for Appeal B is taken from the application form. However, I've dealt with the appeal on the basis that planning permission is being sought for a new communications kiosk and advertisement consent for the integrated digital display. The description in my decision reflects that.
5. With regards to Appeal B, the Regulations require decisions regarding advertisements to be made only in the interests of amenity and public safety, whilst taking any material considerations into account. Whilst I have had regard to the development plan policies that the Council has made reference to, they have not been decisive in my determination of this appeal.

Main Issue

6. The main issue for Appeal A is the effect of the proposed communications kiosk on the character and appearance of the area. The main issue for Appeal B is the effect of the proposed advertisement on the visual amenity of the area. To avoid duplication, I have considered these issues together.

Reasons

7. The appeal site is located on a stretch of pavement along Maid Marian Way, a busy urban dual carriageway. Commercial properties line the appeal side of the road, with office uses on the upper floors. Trees line the pavement, and grass, trees and shrubs are planted in the central reservation. This creates a verdant setting around the appeal site.
8. The proposed kiosk would be positioned adjacent to Maid Marian Way, in line with existing road signs, lamp posts and trees. There is little other street furniture on this section of the pavement and consequently the proposal would not add or create visual clutter. The addition of the proposed kiosk would not result in a cramped appearance, due to the space around the site.
9. The proposal would be relatively small in scale when compared to the tall buildings of the street scene. It would be viewed in this context and consequently would not intrude on the street scene.
10. I observed a regular flow of pedestrians during my site visit, which took place at lunchtime mid-week. The number of pedestrians was not so high that flows would be impacted by the introduction of the proposed kiosk, due to the relatively wide pavement it would be located on.
11. There are fascia signs associated with commercial businesses on the ground floor of buildings in this area. Illuminated advertisements are not present in the

immediate area but are visible in the wider setting. The area appears to be well lit by regular streetlights and surrounding commercial uses, which would be operating during the evening. On this basis, the proposed illuminated advertisement would not appear intrusive, subject to illumination levels being controlled by condition.

12. I note that the site is located between two conservation areas. The Council has not framed their objection with reference to the significance or setting of either conservation area, neither is there a statutory duty in these circumstances. Based on the information before me, I have no reason to take a different approach.
13. A dual carriageway separates the appeal site from Salutation Inn, which is a Grade II listed building. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving its setting. The special interest and significance of Salutation Inn is derived in part from its age, form, architectural features and use. Notwithstanding the appeal site's proximity to Salutation Inn, and that there is some intervisibility between the two, in my judgement, the appeal proposal would preserve the setting of Salutation Inn, and so the significance would not be harmed.
14. For the reasons highlighted above, regarding Appeal A, I conclude that the proposal would not be harmful to the character and appearance of the area. The proposal complies with Policy 10 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (September 2014) and policies DE1 and DE2 of the Nottingham City Land and Planning Policies Development Plan Document, Local Plan Part 2 (January 2020) (Local Plan). Collectively, amongst other things, these require proposals to make a positive contribution to the public realm, respect and enhance the streetscape and secure high urban design quality.
15. For the reasons highlighted above, regarding Appeal B, I conclude that the proposal would not be harmful to the visual amenity of the area. I have taken into account policy DE5 of the Local Plan which, amongst other things, seeks to protect amenity and so is material in this case. Given I have concluded that the proposal would not harm amenity, the proposal complies with this policy.

Conditions

16. I have included a condition for the standard time period for commencement of development for Appeal A. This is for legislative reasons. I imposed a second condition specifying the approved plans for certainty.
17. For Appeal B, the Council did not suggest any further conditions other than the five standard conditions set out in the Regulations. In the interests of amenity and public safety, I have imposed conditions to restrict the intensity of illumination and restricting images to be static with changes every 10 seconds.
18. The appellant refers to a condition to secure the planting of a street tree. The Council has raised concerns regarding the deliverability of this condition. In addition, it does not appear to relate to a development plan policy requirement. Therefore, I have not imposed this condition as it would not be necessary or relevant to the development permitted.

Conclusion

19. The development in Appeal A would accord with the development plan taken as a whole and there are no other considerations that indicate a decision other than in accordance with the development plan, Therefore, For the reasons given above, Appeal A is allowed.
20. For the reasons given above, Appeal B is allowed too.

C Evans

INSPECTOR