



Appeal Decisions

Site visit made on 6 January 2026

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026

Appeal A Ref: APP/R0660/W/25/3375092

Land outside 80 Mill St, Macclesfield SK11 6LT

- 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 Thomas Johnston, NWP Street Ltd against the decision of Cheshire East Council.
 - The application Ref is 25/2004/FUL
 - The development proposed is described as 'Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.'
-

Appeal B Ref: APP/R0660/H/25/3375093

Land outside 80 Mill St, Macclesfield SK11 6LT

- 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 Thomas Johnston, NWP Street Ltd against the decision of Cheshire East Council.
 - The application Ref is 25/2003/ADV
 - The development proposed is described as 'Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.'
-

Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. In my heading above, I have taken the description of development from the original application forms used for both proposals. Appeal A seeks planning permission for the installation of a communications kiosk with digital display panel. Appeal B seeks advertisement consent for the display of a digital display screen within the apparatus.
4. In respect of appeal B, the Regulations and National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. Therefore, while I have taken relevant policies into account as a material consideration, they have not been determinative.

Main Issues

5. The main issues with respect to appeal A are the effect of the proposed development on the character and appearance of the area and highway safety.
6. The main issues with respect to appeal B are the effect of the proposed advertisement on the visual amenity of the area and public safety.

Reasons

Character and appearance/amenity

7. The communications kiosk with its advertisement display would be sited on a pavement in Mill Street. Whilst the street scene at ground floor level, comprises modern shopfronts of varying colours, the buildings are historic in appearance above ground floor, harmonised by brick materials and a uniformity in the fenestration. This part of Mill Street slopes uphill from south to north, close to a spacious area formed by the junctions with the bus station and Roe Street. This layout increases the prominence of the upper floors of the buildings; thus their historic appearance contributes strongly to the street scene. In addition the use of textured materials within the public realm further enhances the character of the area. There is little in the way of street furniture nearby, other than simple road signage and A-board advertisements.
8. The communications kiosk would be a tall, freestanding structure of a modern design. It would feature a glazed side section, and a roof canopy, over an otherwise open sided operations panel, and an advertisement display on its rear elevation. Even with some features being reminiscent of telephone kiosk heritage, the height, width and depth¹ of the apparatus, would give it a bulk and solidity that would emphasize its presence. The large, illuminated display of sequential, albeit static images, would make it even more conspicuous as this element would have little in common with other premises advertisements in the vicinity.
9. Notwithstanding the commercial context of the area at ground floor level, the proposed kiosk and advertisement display, would be discordant with the historic and harmonious character of the street scene. Its siting at the outer edge of the pavement, would also lead to a cluttered appearance within the public realm. Whilst there are A-board advertisements in the vicinity, and street sign poles, their small-scale and light-weight appearance is such that they are relatively discreet in comparison.
10. The appellant has drawn my attention to appeal and Council decisions² in which the decision maker found developments and advertisements of a similar nature to be in character with the local context. However, there is no information relating to the site context of these examples. As such, I am not satisfied that they are directly comparable to the circumstances of the appeal before me. Reference to these other decisions has therefore not altered my findings in relation to this issue.
11. The proposed communications kiosk and advertisement would have an unacceptably harmful effect on the character and appearance of the area (appeal A), and amenity (appeal B). As such it would conflict with Policies SD1, SD2 and SE1 of the Cheshire East Local Plan Strategy 2010-2030 (2017) (the Local Plan

¹ 2459 mm x 1115 mm x 884 mm

² APP/R5510/Z/16/3157043; APP/K5600/W/17/3190377; 22/0734/FUL

Strategy) and Policies GEN1 and RET9 of the Cheshire East Local Plan, Site Allocations and Development Policies Document (2022) (the SADPD). Together they seek well designed places with schemes that contribute to character and place and adhering to design principles. As well as paragraph 141 of the National Planning Policy Framework (the Framework), which seeks control of advertisements to ensure the quality and character of places does not suffer.

Highway safety/Public safety

12. In the vicinity of the appeal site Mill Street is one way. As such, drivers exiting the bus station need to pay attention to vehicles approaching north on Mill Street in order to exit safely. As existing the visibility northwards is unimpeded, due to the lack of bulky structures in the footway.
13. The communications kiosk would be sited on the outer side of the pavement, near to the bus station exit rather than a substantial distance away, and to the north of it. Its height, bulk and siting, would be such that visibility for drivers exiting the bus station would be obscured. As such drivers may need to pull forward of the stopping point into the Mill Street carriageway, and the path of oncoming vehicles, in order to see northwards. This would be to the detriment of highway safety.
14. The advertisement display would be sited on the north side of the communications kiosk. There is nothing before me to indicate that its display would be harmful to public safety. Indeed, the Council confirms that the proposed luminance would be below the maximum permissible in this location. Moreover, any potential harmfully distracting display effects, could be mitigated by suitably worded planning conditions such as those suggested by the main parties.
15. Accordingly, in respect of appeal B, I conclude that the proposed digital advertisement display would not have a harmful effect on public safety, having regard to paragraph 141 of the Framework. So far as it is material to the appeal, it would also accord with policy INF3 of the SADPD which requires safe access to and from sites for all highway users.
16. The kiosk would be set in from the pavement edge such that visibility for pedestrians would not be obscured and the pavement is wide enough to accommodate the kiosk without impeding pedestrian flow.
17. Nevertheless in respect of appeal A, the proposed communication kiosk would have an unacceptably harmful effect on highway safety. As such it would conflict with policy INF3 of the SADPD.

Other Matters

18. The proposed communications kiosk would provide public access to telephone services, including for emergencies and for people without their own landlines or mobile phones. It would also contain a defibrillator and offer wayfinding information and local points of interest through a touchscreen, which could additionally promote nearby businesses. The structure would be made from high-quality, durable materials, and its digital advertising panel could display emergency or community messages when needed.
19. The operators intend to plant one street tree for every kiosk installed, working in partnership with Trees for Cities. The kiosk's open design may help deter anti-social behaviour, and it would be regularly inspected and maintained. It has

also been designed to allow for CCTV and small-cell 4G equipment if required. Overall, the proposal would deliver clear social, environmental and economic benefits.

20. Nevertheless, these matters do not outweigh the harm that would be caused to the character and appearance and amenity of the area (appeals A and B), or the harm to highway safety in respect of appeal A.

Conclusion

21. For the reasons set out above, both appeal A and appeal B should therefore be dismissed.

E Heron

INSPECTOR