



Appeal Decisions

Site visit made on 9 February 2026

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 March 2026

Appeal A Ref: APP/R0660/W/25/3375094

Land outside Courthill House, Water Lane, Wilmslow SK9 5AJ

- 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 on behalf of NWP Street Ltd against the decision of Cheshire East Council.
 - The application Ref is 25/2006/FUL.
 - The development proposed is installation of 1 no. new communication kiosk with integrated defibrillator and advertising display.
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Appeal B Ref: APP/R0660/H/25/3375095

Land outside Courthill House, Water Lane, Wilmslow SK9 5AJ

- 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 on behalf of NWP Street Ltd against the decision of Cheshire East Council.
 - The application Ref is 25/2005/ADV.
 - The development proposed is installation of 1 no. new communication kiosk with integrated defibrillator and advertising display.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Appeal A relates to the refusal of planning permission for the proposed communication kiosk. Appeal B relates to the refusal of advertisement consent for the digital signage which would be an integral part of the kiosk proposed in Appeal A. I have combined the appeals into a single decision letter as they are intrinsically linked and raise similar issues, however I have considered each on its individual merits.
4. In relation to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 stipulate that control may be exercised only in the interests of amenity and public safety. Therefore, whilst the development plan policies referred to by the Council are not determinative, I have taken them into account where relevant.

Main Issues

5. In relation to Appeal A the main issues are the effect of the proposal on the character and appearance of the area and upon users of the public highway.
6. In relation to Appeal B the main issues are the effect of the advertisement on the visual amenity of the area and public safety.

Reasons

Character and appearance and visual amenity

7. The appeal site relates to an area of footway alongside a road and close to a junction. This stretch of footway serves a row of commercial premises which, at the time of my visit, included a number of shops and a shop/café. The pavement already contains a number of items of street furniture, including signposts, a bin and a tiered planter. Some of the commercial premises have small planters or external seating on the footway.
8. The wider area is commercial in nature, with Water Lane containing a number of shops, services, places of employment and food and drink establishments, some with external eating areas. Overall, the external eating areas, planters and street trees afford the street a pleasant and animated atmosphere. Although some illuminated advertising is evident, signage within the immediate area is generally restrained, and I saw no structures comparable to that proposed here.
9. While the area is characterised by street furniture or external seating areas close to the footway, these areas appeared to generally be well-contained. Visibility up and down the street is good, with the levels of highway-related street furniture not appearing as excessive or detracting from the overall character of the area.
10. Although constructed of fairly neutral and hardwearing materials, the proposed kiosk would be of substantial height and of notable width, resulting in a boxlike structure. Its size, form and orientation would lead to it appearing as an imposing and prominent feature within the street. Given its proximity to an existing tiered planter and a signpost, its introduction would represent an element of clutter, beyond the relatively low level that is currently evident. Although the brightness of the screen could be controlled, the advertisement would remain particularly noticeable and harmful, given that it would cycle through adverts and would therefore exhibit a degree of animation, where there currently is none.
11. It is stated that the proposal would form part of a programme to replace existing telephone kiosks, however it is not clear whether this particular unit would replace an identified existing kiosk, and if so, the location of the relevant existing structure. I therefore can only ascribe limited weight to any advantages that may be presented by the proposed structure in comparison to an existing kiosk in terms of accessibility, appearance, ease of maintenance or durability.
12. In view of the above, I conclude that in respect of Appeal A, the proposal would cause harm to the character and appearance of the area. In relation to Appeal B, my reasoning applies equally to the effect of the proposed advertisement on amenity. As a result in relation to Appeal B, the proposal would have an unacceptable and harmful effect on amenity.

13. Consequently, both Appeal A and Appeal B would conflict with Cheshire East Local Plan (CELP) Policies SD1, SD2 and SE1, Cheshire East Site Allocations and Development Policies Document (SADPD) Policies GEN1 and RET9, as well as Wilmslow Neighbourhood Plan (WNP) Policy PR1. Together, and among other factors, these policies state that development proposals should achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements, contribute positively to an area's character and identity, deliver high quality public realm to ensure that town centres have attractive and vibrant outdoor streets and areas.

Highway and public safety

14. The area to the front of commercial properties on the road is not always clearly demarcated and some units have external seating and furniture which appear to be within the footway. Therefore, the available footway does not always extend to the frontage of buildings.
15. This area of footway already contains structures both close to the road in the form of signage, a bin and a tiered planter, as well as the elements close to the buildings. This results in an area of public realm which already presents as a potential pinch point in an area where footfall might reasonably be expected to be high.
16. The proposal, given its width and solidity would introduce a further obstacle, with both the kiosk and existing planter requiring the pedestrian flow to move closer to the buildings, else divert into the road. Even though it is stated that the pavement width would remain at around 2 metres, as existing street furniture can be found outside of the commercial properties, the proposal would lead to a funnelled slaloming effect for pedestrian flows or simply force pedestrians into the roadway. This would be detrimental to highway safety.
17. The advertisement itself would not be unacceptably harmful to public safety; there is no suggestion that its illumination or animation would be excessively distracting to drivers of passing vehicles. For the purposes of Appeal B, therefore, the proposed advertisement would not be harmful to public safety.
18. However, given the harm I have identified above, the proposed kiosk subject of Appeal A would harm highway safety. It would be contrary to CELP Policy CO1, SADPD Policy INF3 and WNP Policy PR3. Together, and among other factors, these policies state that all developments should seek to improve pedestrian connectivity and promote a safe and accessible pedestrian network.

Other Matters

19. Paragraph 119 of the National Planning Policy Framework ('the Framework') indicates that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social wellbeing. The Framework also seeks to support the expansion of electronic communications networks.
20. The proposed hub would incorporate a range of services including online access, phone calls, wayfinding and device charging. It would also form part of a wider network of apparatus providing efficient, reliable and free-to-use public services. There is also potential for the proposed interactive screen to be made available to the Council for public service messaging and to local businesses at a reduced rate.

The integrated defibrillator would provide important potentially lifesaving equipment. However, while these would all be benefits of the proposal, it has not been shown that they could not be otherwise delivered in either an alternative form or location.

21. It is stated that the appellant has partnered with a charity to deliver a new tree either at the location of a removed kiosk, or elsewhere. However, it has not been shown that the proposal would directly result in the removal of an existing kiosk, or that the tree planting scheme is wholly reliant on new kiosks being installed. Although it is suggested that such tree planting could be secured by means of a planning condition, no wording has been put before me, and in any case, such a condition would be unlikely to be sufficiently precise or enforceable given it would require a third party to deliver a tree in an unspecified location. I therefore afford this commitment only very limited weight in favour of the proposal.
22. There is no suggestion that the proposal would lead to harm to the significance of heritage assets. However, the absence of any such harm is a neutral factor and does not weigh in favour of the proposal.

Balance and Conclusion

23. For the reasons given above, the proposals under Appeal A and Appeal B would harm the character, appearance and amenity of the area. In the case of Appeal A there would be additional harm to highway safety. Whilst the proposals would offer public benefits, these would not outweigh the harms identified, nor in the case of Appeal A, the fact that the proposal would conflict with the development plan when read as a whole. Accordingly, I conclude that Appeals A and B should be dismissed.

C Harding

INSPECTOR