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## 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**

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### **Appeal A Ref: APP/R0660/H/25/3375097**

#### **Land outside 33 Grove St, Wilmslow SK9 1DU**

- 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 of NWP Street Ltd against the decision of Cheshire East Council.
  - The application Ref is 25/2018/ADV.
  - 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/W/25/3375096**

#### **Land outside 33 Grove St, Wilmslow SK9 1DU**

- 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 25/2550/FUL
  - The development proposed is installation of 1 no. new communication kiosk with integrated defibrillator and advertising display.
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## **Decision**

### *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 hub. Appeal B relates to the refusal of advertisement consent for the digital signage which would be an integral part of the hub 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 issue is the effect of the proposal on the character and appearance of the area.
6. In relation to Appeal B the main issue is the effect of the advertisement on the amenity of the area.

### **Reasons**

7. The appeal site is an area of footway located on a main shopping street. The footway is of brick paviour construction, with little demarcation between the roadway and the footway, with the area being pedestrianised for much of the day.
8. The proposed kiosk would be located next to a cluster of trees, planters and bins at the corner of the street, and close to an external seating area associated with an eating establishment. The pedestrian area also contains a number of A-board advertisements.
9. Despite the width of the street, there is, therefore, a significant level of existing street furniture. Visually, however, the contribution that the various elements make to the overall streetscene and atmosphere of this commercial area, are generally positive; trees and planters soften the urban realm, the lighting columns are of a more ornate lantern style than normally encountered, and external seating areas provide a pleasant degree of animation.
10. The number of advertising boards, along with shop-mounted advertisements do, however, create an abundance of commercial advertising within the street, which while expected on a primary shopping thoroughfare, nevertheless detracts somewhat from the otherwise relatively high-quality public realm. What was notable at the time of my visit, was a distinct lack of digital advertising, and even shopfront advertisement illumination appeared relatively restrained.
11. In this context, the hub would represent a substantial additional element of street furniture in an already busy streetscene. Its width and solid nature would not afford it the generally lightweight appearance of other elements such as trees, lampposts or A-Boards. As a result, it would be a prominent and noticeable feature within the street. Even taking account of the ability to control levels of illumination, the large digital advertisement, changing every few seconds would accentuate this prominence, to the point where it would become one of the primary elements of the street.
12. Moreover, given the already high levels of commercial advertising within the street, the proposal would represent further saturation, to the point at which the more positive street furniture elements of the streetscene, such as the planters and trees would become recessive and difficult to discern among the clutter.
13. 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.

14. 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 harmful effect on amenity.
15. Consequently, both Appeal A and Appeal B would conflict with Cheshire East Local Plan Policies SD1, SD2 and SE1, Cheshire East Site Allocations and Development Policies Document Policies GEN1, GEN3 and RET9, as well as Wilmslow Neighbourhood Plan Policy PR1.
16. 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.

### **Other Matters**

17. 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.
18. 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 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 either in an alternative form or location.
19. It is stated that the appellant has partnered with a charity to deliver a 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 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.
20. 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**

21. For the reasons given above, the proposals under Appeal A and Appeal B would harm the character and appearance and visual 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