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## Appeal Decision

Site visit made on 13 November 2025

by **J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

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**Appeal Ref: APP/R0660/H/25/3370057**

**Land outside 259 Edleston Rd, Crewe CW2 7EA**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against conditions imposed when granting express consent.
  - The appeal is made by Mr Thomas Johnston of NWP Street Ltd against the decision of Cheshire East Council.
  - The application Ref 25/1997/ADV was approved on 17 July 2025 and express consent was granted for the display of an advertisement subject to conditions.
  - The advertisement permitted is Installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
  - The condition in dispute is No 7 which states that: *This consent grants permission for the display of the advertisement(s) shown on the approved plans for a period of 5 years from the date of this consent. On or before 5 years after consent, the advertisements(s) hereby permitted shall be removed from the site and the land/building(s) restored to its former condition.*
  - The reasons given for the condition is: *In accordance with the Town and Country Planning (Control of Advertisements) Regulations 2007 to ensure deemed consent is not granted after the 5 year expiry having regard to the nature of the site and proposal.*
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I note that a separate application for the installation of a new communications kiosk with integrated defibrillator and advertising display was approved on 9 July 2025 (Ref: 25/1998/FUL). The application subject to this appeal carries the same description. Therefore, there are two applications, one for the kiosk and one for the advertisement. Whilst the description of development here is the same as for the planning application, this appeal relates to the application for advertisement consent only.

### Main Issue

3. The main issue is whether it is reasonable and necessary for the proposal to be subject to the condition No 7.

### Reasons

4. The Regulations set out that if acceptable, advertisement consent is subject to a period of 5 years and the five standard conditions. A shorter period may be necessary in some circumstances. In this case, condition 7 does not require a lesser period of time but it does require the advertisement to be removed from the site and the land/building restored to its former condition. This goes further than a cessation of the advertisement but the Council's reason states that this is to

ensure that deemed consent is not granted after the five year expiry date having regard to the nature of the site and the proposal.

5. The kiosk with its advertisement would be located within a commercial area where there are a variety of advertisements. The site is not within a Conservation Area, adjacent to a Listed Building or in a location that warrants any particular protection. However, the advertisement would be a large one located within the pavement and although part of the kiosk, it would be a very prominent feature in the street scene.
6. The Regulations allow express consent to be granted for five years from the date of the decision, or another period specified by the Council. Other than as set out in condition 7, the wording of the decision notice does not specify a time period. The condition as imposed allows the Council to re-assess the acceptability of the advertisement after five years. Given the prominence of the advertisement, I do not consider this unreasonable in this instance.
7. Consequently, in the context of the decision notice as a whole, it is reasonable and necessary for the proposal to be subject to condition No 7. Therefore, I intend to leave the decision notice unchanged.

### **Conclusion**

8. For the reasons given above the appeal should be dismissed.

*J D Clark*

INSPECTOR