



Appeal Decision

Site visit made on 21 February, 2025

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 10th March 2025

Appeal Ref: APP/P4225/Z/25/3359374

Gable end of Apartment Building 9 John Street, Rochdale OL16 2HP

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is: 24/00936/ADV.
 - The application is for erection of 1 no. illuminated digital advertisement display unit.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal upon the visual amenity associated with the character and appearance of the historic environment and upon the safety of road users.

Procedural Matter

3. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 (updated 7 February 2025) whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.

Reasons

4. The proposal before me seeks permission for a 48 sheet digital advertisement panel to be located upon the end elevation of 9 John Street which is a building within the Rochdale Town Head Conservation Area (CA). The display hoarding would be raised upon a plinth of around 2.8m high and the dimensions of the display itself would measure around 6m in length x 3m in depth above the plinth.
5. The location of the proposed advertisement would be upon the side elevation of this four storey neo classical building that is recognised as a non designated heritage asset within the CA. The building stands prominently upon this part of John Street near the top of the hillside here and although the existing building is of some obvious architectural merit as evidenced by its uniform fenestration pattern, heavy eaves, cornice and stone quoins and other features, its end

elevation, upon which the proposed advertisement would be placed, is largely unremarkable and was likely exposed as a result of past demolitions.

6. Running past the site is the A671 dual carriageway that forms a key traffic connector around the edge and through the town centre of Rochdale. Whilst being a prominent site within the CA the site is also within the immediate setting of several Grade II Listed Buildings, the most notable of which are the Grade II Listed Ukrainian Catholic Church of St Mary and Townhead Offices both of which date to around the early 19th century.
7. I saw on my site visit that this road, in both directions, can get quite busy and, beyond this site, there is a major junction, known locally as the Townhead Junction that is served by traffic lights. The appeal site is blatantly visible from approach uphill here and the siting of the advertisement would face onto oncoming traffic.

Effect of the proposal upon the visual amenities of the area with regard to the historic environment

8. In considering this appeal I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give 'Special Attention' to the desirability of preserving or enhancing the character or appearance of the Town Head Conservation Area. I am also required by Section 66 of the Same Act to give 'Special Regard' to any Listed Buildings as well as any contribution development within the setting of such a building may have upon its significance. These requirements are reflected in The Framework, which states that 'Great Weight' should be given to the heritage assets' conservation and also illustrates the positive contribution that heritage assets can make to the creation of sustainable and economically viable communities.
9. The end elevation of the appeal building where the proposed advertisement would be placed is currently exposed and its upper part is light painted or rendered and its lower half remains in brick. The end elevation is largely empty and is somewhat obscured by existing trees that stand alongside this site and that would presumably be protected as part of their location within the CA. Although in isolation therefore the appearance of the currently empty end elevation is largely one of slight negativity, the overall contribution of this non designated heritage asset, along with trees to its corner is more positive.
10. The site is within the immediate setting of the Grade II Listed Ukrainian Catholic Church of St Mary whose church tower presents a strong townscape feature towards the edge of the highway here. This site is not only located upon a principal approach to the church but it can also be seen within the same vista as that of the church tower as one moves towards the appeal site. As such, the end elevation of this site marks a noticeable element upon approach to the church.
11. Although the Grade II Listed building of Townhead Offices is farther removed from the appeal site, its setting is still added to by this site and, once again the two buildings are identifiable within the same vista, despite the presence of trees offering some seasonal visual shielding.
12. The proposal before me would introduce a large scale digital screen located upon a high plinth. Even though it would be located upon a fairly blank end

elevation the proposed advertisement would still be seen as a competing influence in views within the CA and in views of the Church of St Mary which is the principal focal point in the area. In this regard the dominance of the existing church tower, as well as other positive buildings within the CA would be harmed and their appearance and dominance diluted by a highly visible, illuminated feature that would introduce further clutter into the streetscene here.

13. As such I find that the proposal before me would result in less than substantial harm to the character and appearance of the CA and the immediate setting of Listed Buildings with particular reference to that of the Grade II Listed Ukrainian Catholic Church of St Mary. The public benefits as advanced by the appellant are largely economic however they do not represent the clear and convincing justification to demonstrate that such relatively minor benefits would outweigh the serious harm that I have identified above.
14. As a result, the proposal would fail to protect the visual amenities of the area and would be in conflict with Policies JP-P1 and JP-P2 of the Places for Everyone Joint Development Plan and Policies P2 and P3 of the Adopted Rochdale Core Strategy as well the guidance within the Framework itself.

Effect of the proposal upon the safety of road users

15. The appeal site is located along a substantial dual carriageway, the A671, that skirts around and through Rochdale town centre. On approach to the appeal site the road lowers into a dip and then rises uphill which in turn makes the end elevation of the appeal site particularly prominent. For much of its length the road is effectively of three lanes, a bus and two vehicular approaches that directing the driver to particular lanes based upon the direction of travel.
16. I saw on my site visit that there was inevitably some mingling of traffic as it approached the traffic light controlled pedestrian crossing at the top of the hill in preparation for the main townhead junction beyond. Although the appeal site is visible for a considerable distance prior to this the visibility of the advertisement would be apparent through other junctions prior to this crossing, this includes where there are uncontrolled pedestrian crossings and a plethora of lanes for the driver to determine to be in.
17. I consider that although the average driver may have become somehow 'used' to the presence of the advertisement by the time they reach the appeal site, the presence of such a sign, upon such a prominent end elevation would cause greater distraction and would lead to greater cognitive demand mainly due to the added visual stimuli and the plethora of different lanes which the driver would need to determine at the same time.
18. As such I consider that the addition of further large scale advertisements would run the real and tangible risk of harm to other road users, especially those pedestrians who are using the uncontrolled and controlled pedestrian crossings who's safety may be at greater risk as traffic approaches both the appeal site and the larger junctions beyond.
19. Accordingly, I find that the proposal would be in conflict with Policy JP-P1 of The Places for Everyone Local Plan and Policies P3 and T2 of the Adopted Rochdale Core Strategy.

Conclusion

20. For the reasons above, taking into account the particular criteria of this proposal, I dismiss the appeal.

A Graham

INSPECTOR