



Appeal Decisions

Site visit made on 15 July 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 August 2025

Appeal A Ref: APP/P4225/W/25/3364261

Pavement behind Tram Stop, Smith Street, Rochdale OL16 1BE

- 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 Nathan Still of Infocus Public Networks Limited against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 24/01246/FUL.
 - The development proposed is described as:
The installation of a multifunctional communication Hub including defibrillator and advertisement display, as illustrated in the attached documentation.
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Appeal B Ref: APP/P4225/H/25/3364264

Pavement behind Tram Stop, Smith Street, Rochdale OL16 1BE

- 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 Nathan Still of Infocus Public Networks Limited against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 24/01247/ADV.
 - The advertisement proposed is described as:
The advertisement is integrated into the Communication Hub unit and comprises an LCD portrait screen that will be used to show static illuminated content that is remotely changed via a secure ISDN line to the communication device.
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Decision – Appeal A

1. The appeal is allowed and planning permission is granted for development described as: “The installation of a multifunctional communication Hub including defibrillator and advertisement display, as illustrated in the attached documentation”, at Pavement behind Tram Stop, Smith Street, Rochdale OL16 1BE, in accordance with the terms of the application, Ref 24/01246/FUL, subject to the following conditions.
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
“A02721 – Rochdale Communication Hub Proposal
SITE Pavement behind Tram End Stop
Smith Street Rochdale OL16 1BE
SITE PLAN & IMAGES”

Decision – Appeal B

2. The appeal is allowed and express consent is granted for the display of the advertisement described as: “The advertisement is integrated into the Communication Hub unit and comprises an LCD portrait screen that will be used to show static illuminated content that is remotely changed via a secure ISDN line to the communication device”, at Pavement behind Tram Stop, Smith Street, Rochdale OL16 1BE, in accordance with the terms of the application, Ref 24/01247/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.

Preliminary Matters

3. Appeals A and B relate to the same proposal, with Appeal A concerning an application for planning permission and Appeal B concerning an application for express advertisement consent. Although each appeal has been determined against its specific considerations, I have dealt with issues common to both appeals together in the interests of conciseness and to avoid duplication.

Main Issues

4. The main issue in Appeal A is whether the proposed development would have an acceptable effect on the character and appearance of the area.
5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the 2007 Regulations), the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) all make clear that advertisements should be subject to control only in the interests of amenity and public safety.
6. Accordingly, based on the Council’s reason for refusal, the main issue in Appeal B is whether the proposal would be acceptable in terms of visual amenity.

Reasons

7. Given the overlapping nature of the main issues in these appeals, I shall approach their assessment based on a singular issue of character, appearance and visual amenity.
8. The appeal site is located within a busy pedestrianised area of Rochdale town centre, at the eastern end of the Metrolink tram stop on Smith Street. Combined with the bus interchange to the south of Smith Street, the area forms part of a key public transport interchange. The immediate surrounding context is broadly contemporary, with some striking modern buildings including the Riverside Shopping Centre, Number One Riverside, and the bus interchange. It also has open views towards the River Roch via the more historic Lviv Bridge.
9. The proposed installation comprises a freestanding communication hub with an illuminated LCD advertisement panel on one side, and public service features including a telephone and defibrillator on the other. The structure would be located within a wide pedestrian zone that already accommodates various items of street furniture, including bins, cabinets, and tram infrastructure.

10. The Council's concerns centre on the potential harm to the character and appearance of the area, particularly in relation to landmark buildings and the open vistas along Smith Street and Lviv Bridge.
11. Based on the available evidence and my observations during the site visit, the proposal would be viewed primarily in the context of the adjacent tram stop, which is characterised by a functional and utilitarian design. The installation would be well separated from key architectural landmarks and would not obstruct important views or compromise the sense of openness in the area. Although a contemporary leisure complex lies immediately to the north, the section of the building nearest the site lacks active frontage, further reducing the visual sensitivity of the immediate setting. Whilst the Council has expressed concern about the potential erosion of open vistas and landmark views, I observed that the modest scale and discrete siting of the proposal would neither obstruct nor dominate key sightlines, and would not diminish the openness that characterises this part of the town centre.
12. The hub's design would be sympathetic to the surrounding urban fabric including the modern infrastructure of the tram interchange. It would not introduce undue clutter or disrupt the character of the area. Nearby illuminated features, such as tram timetable boards and the glazed entrances of the bus station, contribute to a well-lit environment during evening hours. The proposed illuminated display would be in keeping with these existing elements and would not appear excessive or out of character within its setting.
13. The proposal would deliver public benefits, including free Wi-Fi, device charging, and a defibrillator, which would enhance the functionality and accessibility of the town centre. However, given the absence of any identified harm, the weight attributed to these benefits is not a determinative factor in these appeals.
14. I acknowledge the Council's concerns regarding cumulative impact from other nearby consents. However, my assessment must be based on the specific considerations of the proposal before me. Although reference has been made to other permissions, I have not been provided with full details of those schemes or their relevance to this appeal. At the time of my site visit, one of the cited permissions had expired and the other was nearing expiration, and I observed no installations in the vicinity that would give rise to cumulative harm. On the evidence before me, there is no substantive basis to conclude that the proposal would lead to an over-proliferation of similar structures or cause unacceptable harm to the character, appearance or visual amenity of the area.
15. Similarly, the Council's concerns about precedents are not, in themselves, a reason to resist the proposal. Each scheme must be assessed against its specific considerations, and I have found no harm arising from this proposal that would justify resisting it on such grounds.
16. Accordingly, I conclude that the proposal would not harm the character, appearance, or visual amenity of the area. It would therefore accord with Policy JP-P1 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, Adopted 21 March 2024, and Policies DM1 and P3 of the Rochdale Adopted Core Strategy, October 2016. Collectively, these policies seek to promote sustainable, well-designed places that contribute positively to the built

environment, and for development to be high quality and compatible with surrounding uses and amenity. It would also accord with the relevant provisions of the Framework, which have similar aims. In respect of Appeal B, the proposal would also comply with the provisions of the 2007 Regulations.

Other Matters

17. Although not cited in the formal reasons for refusal, the Council's questionnaire highlights that the appeal site lies adjacent to the Rochdale Town Centre Conservation Area (the CA) and would impact the setting of two Grade II Listed Buildings; the former Royds Bank and the Wellington Hotel (the LBs). Accordingly, I have given special regard to the desirability of preserving both the LBs and their setting, as well as preserving or enhancing the character or appearance of the CA, in accordance with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
18. Based on the available evidence, my observations at my visit and my conclusions on the main issues, the visual and functional separation between the proposed installation and these designated heritage assets would result in a neutral effect on the assets and their setting, and would not detract from their significance. Accordingly, the proposal would preserve these assets and their setting, in accordance with the provisions of the Act.
19. In relation to Appeal B, the 2007 Regulations require consideration of visual amenity, as well as aural amenity and public safety. The Council has not identified any harm in respect of the latter two matters, and based on the evidence before me and my observations during the site visit, I find no reason to reach a different conclusion.

Conditions

20. For Appeal A, conditions relating to the statutory time limit and a list of approved plans are necessary in the interests of certainty.
21. For Appeal B, all advertisements granted express consent are subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.

Conclusion

22. For the reasons given above, I conclude that Appeal A and Appeal B should be allowed, subject to the conditions set out in my formal decisions.

P Storey

INSPECTOR