

## DELEGATED DECISION CHECKLIST AND REPORT

**APPLICATION NO.**

24/00418/FUL

**CASE OFFICER**

Michael Atkinson-Smith

**DETERMINATION DATE** 18.07.2024 **EXT OF TIME**

**Address:** Pavement O/S Number One Riverside Smith Street Rochdale OL16 1XU

**Proposal:** Installation of a multifunctional communication Hub including defibrillator and advertisement display

|           |                            |   |                       |     |
|-----------|----------------------------|---|-----------------------|-----|
| PUBLICITY | Weekly list expired?       | Y | Site notice expired?  | Y   |
|           | Neighbour letters expired? | Y | Press Notice expired? | N/A |

|            |                                                             |   |                                        |   |
|------------|-------------------------------------------------------------|---|----------------------------------------|---|
| DELEGATION | Significant departure from local plan?                      | N | Contrary to national policy?           | N |
|            | Applicant a Council Member or officer?                      | N | Contrary to previous decision?         | N |
|            | Major with 10 or more objections and recommending approval? | N | Called in or Planning Panel objection? | N |

|          |                                   |   |
|----------|-----------------------------------|---|
| COMMENTS | Planning Panel comments received? | N |
|          | Neighbour comments received?      | N |

|     |                                                  |     |
|-----|--------------------------------------------------|-----|
| EIA | Screening opinion completed and saved to Onbase? | N/A |
|-----|--------------------------------------------------|-----|

|            |                                                                      |     |
|------------|----------------------------------------------------------------------|-----|
| CONDITIONS | Pre-commencement conditions proposed?                                | N/A |
|            | Pre-commencement conditions agreed (or notification period expired)? | N/A |

|                |        |
|----------------|--------|
| RECOMMENDATION | REFUSE |
|----------------|--------|

CHECKED AND SIGNED OFF BY: RG

DATE: 18 July 2024

## **SITE**

The application relates to the paved area outside Rochdale Borough Council's Number One Riverside offices which forms part of the Lviv bridge over the River Roch. The Rochdale Riverside retail and leisure complex lies to the north of the site, the Council's Offices lie to the east, a slipway to the River lies to the south and Rochdale bus station lies to the southwest. The predominantly pedestrianised shared surface in the area extends to the Metrolink tram stop to the northwest.

## **PROPOSAL**

Planning permission is sought for the installation of a 'communication hub' branded as the 'Digital 86" Smart City Unit'. The proposed unit would stand at 2.6m in height and 1.3m wide, occupying a site area of approximately 0.5m<sup>2</sup> and would include 13.5mm thick anti-vandal toughened safety laminated glass on all glazed surfaces.

The supporting information states that one side of the unit would include a 32" touch screen, hands free phone functionality alongside a traditional telephone handset, induction and USB charger and defibrillator. The opposite side of the unit would include an 86" LCD screen, commonly referred to as a six sheet display, designed to show commercial and community information in a series of static images.

The hub unit would be installed so that the advertising screen faces west, with the communications equipment and defibrillator facing east.

This application sits along an associated application for Advertisement Consent ref. 24/00419/ADV which is to be determined concurrently with this application.

## **RELEVANT PLANNING POLICY**

### **National Guidance**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

### **Sub-Regional Policy**

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant to the determination of this application:

#### **Places for People**

JP-P1: Sustainable Places

#### **Connected Places**

JP-C1: An Integrated Network

JP-C2: Digital Connectivity

#### **Greener Places**

JP-G8: A Net Enhancement of Biodiversity and Geodiversity

### **Adopted Rochdale Core Strategy (CS):**

|                        |                                                                                                                |
|------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>SO1</b><br>E1       | <b>To delivery a more prosperous economy</b><br>Establishing thriving town, district and local centres         |
| <b>SO3</b><br>P1<br>P3 | <b>To improve design, image and quality of place</b><br>Improving Image<br>Improving design of new development |
| <b>SO4</b><br>G7       | <b>Promoting a green environment</b><br>Increasing the value of biodiversity and geodiversity                  |
| <b>SO5</b><br>T2       | <b>Improving accessibility and delivering sustainable transport</b><br>Improving accessibility                 |
| DM1                    | General development requirements                                                                               |

Unitary Development Plan (UDP):

|       |                               |
|-------|-------------------------------|
| G/D/1 | Defined Urban Area            |
| G/S/1 | Hierarchy and Role of Centres |

**RELEVANT SITE HISTORY**

N/A

**CONSULTATION RESPONSES**

Bridges And Structures Team - No comments received to date

Conservation and Design – No heritage comments.

Greater Manchester Police - Design for Security - No comments received to date.

Greater Manchester Ecology Unit - No comments received to date

Highways & Engineering – Objection the basis of the public highway being used for advertisements.

Public Protection (Noise / Odours) - This section has no objections to the proposals.

Transport for Greater Manchester –

- It is observed that all locations are within pedestrianised areas of public realm.
- All locations are set back a sufficient distance from the highway.
- The positioning of the apparatus does not impair pedestrian movements or sightline visibility at any of the locations.
- Any works in the adopted footway will need to be carried out in accordance with the Local Authority.
- Service vehicles associated with the installation and maintenance of the apparatus will need to park appropriately and safely.

Transport for Greeter Manchester (Metrolink) - The proposed developments are sufficiently remote or sufficiently set back from the tramway that we have no comments to make from a Metrolink perspective in respect of the abovementioned applications.

Urban Design Officer - No standalone comments are required as the Urban Design Officer is acting as Planning Officer in respect of this application.

## **REPRESENTATIONS**

Letters of notification were sent to surrounding neighbours, a site notice was displayed in the vicinity and a notice was advertised in the local press. No representations have been received.

## **ANALYSIS**

### **Principle of Development – Digital Connectivity**

Adopted Rochdale Core Strategy policy E1 sets out general support for development which will promote the viability and vitality of the borough's town centres and identifies Rochdale town centre as the borough's principle town centre.

Paragraph 114 of the NPPF states that *“Advanced, high quality and reliable communications infrastructure is essential for economic growth and social-wellbeing. Planning policies and decisions should support the expansion of electronic communication networks, including next generation mobile technology and full fibre broadband connections.”*

Policy JP-C2 of the adopted Places for Everyone joint development plan seeks to facilitate the provision of free, secure, high speed public Wi-Fi connections, particularly in the most frequented areas to ensure that everyone in the city region has access to high quality digital infrastructure so they can fully participate in society and the economy.

The proposed communication hub would provide free public internet and other communication services in a busy central part of Rochdale Town Centre. On this basis, the principle of development is considered to be acceptable in accordance with adopted Places for Everyone joint development plan policy JP-C2, policy E1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

### **Street Scene Impacts**

Paragraph 135 of the NPPF is notably important in respect of this application insofar as it relates design functionality, aesthetics, placemaking and sympathy to local character & history, including the surrounding buildings and wider townscape setting.

Particular concern is raised in relation to the visual impact of the large digital display screen when viewed in the context of the surrounding attractive built form and the sense of expansiveness afforded by the layout of the area which takes its form from the traditional passage of the river. The siting of the advertising screen is considered to be particularly harmful given that it would stand out and be highly visible from far along Smith Street, thus dominating the view on this particularly well used pedestrian footpath and sitting directly in front of the open views of the River Roch corridor which provides space and openness between the landmark buildings of Number One Riverside and the Interchange. The siting would also result in pedestrian views of the structured landscaping planters being obstructed and replaced with views of advertisements.

Of note in respect of this application is that in 2022 six BT 'communication hubs', primarily comprising advertising displays on two sides, were approved by the LPA within Rochdale Town Centre. In the immediate vicinity of the proposed hub there

are two extant planning permissions for BT communication hub units, one proposed on the pavement opposite Number 4 Smith Street (22/00445/FUL) and one proposed on the north east side of Number One Riverside (22/00489/FUL). Whilst neither of these units has been installed to date, the planning permissions remain extant until 14<sup>th</sup> July 2025 and 19<sup>th</sup> August 2025 respectively. Were the application proposal to be approved and installed alongside either or both of those permissions, they would cumulatively result in a clear over proliferation of digital display boards in a very small area of the town centre which would be particularly harmful to the street scene and the character and appearance of the area.

In respect of the proposed communications equipment, the benefit of publically accessible high quality communications infrastructure is not disputed, but the public benefits of this can be afforded limited weight in the context of the extant permissions. This public benefit would not outweigh the potential harm to the street scene by virtue of its siting and the cumulative impact of such an over concentration.

In relation to the public benefit of the hub including a defibrillator, the closest 24 hour publically accessible defibrillator unit lies approximately 125m away on the external wall of the Regal Moon public house. However other defibrillators are provided in the local area including in the immediate vicinity of the site through the Rochdale Interchange as installed by TfGM. Given the facilities available in the immediate surroundings this benefit does not provide sufficient justification for the harmful form of development proposed for the reasons outlined above.

Therefore, in light of the above assessment, it is considered that the public benefits of the proposal do not outweigh the visual harm to the street scene and townscape that would arise in this particular location both as a result of the proposed siting of the hub and the risk of over proliferation. On this basis, the proposed development would fail to comply with adopted Places for Everyone joint development plan policy JP-P1, policies DM1 and P3 of the adopted Rochdale Core Strategy, the National Planning Policy Framework.

### **Highways Impacts**

The proposed hub would be sited close to a row existing moveable planters that sit atop the Lviv bridge but firmly within the demarcated pedestrian area of the shared surface paving.

Consultation has been undertaken with the Highways Authority in determining the acceptability of the proposal, who have raised a firm objection against the 'communication hubs' on the basis that the primary purpose of them is to provide advertising on the public highway, whereas the primary purpose of the highway is to facilitate the safe and expeditious movement of people. Additional concerns by the Highways Authority in relation to the ease and expense of temporarily or permanently re-located such facilities are also noted.

The National Planning Policy Framework makes clear at paragraph 115 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. No unacceptable impacts on highway safety have been identified, and given the siting of the hub broadly within a line of existing planters it is not considered that the siting of the hub would be so detrimental to pedestrian movement to warrant a refusal of planning permission. It is noted that no objections have been received from Transport for Greater Manchester or Metrolink.

It is noted that the siting of the structure could interfere with access to the River Roch as maintained by the EA. Whilst it would appear from the plans that some vehicular access would be retained, there may be instances which require more significant machinery to access the slipway which could be interfered with by the proposal.

Nonetheless, it is therefore considered that the highways impacts of the proposal would be acceptable and the application would accord in this regard with adopted Places for Everyone Plan policies JP-P1 & JP-C1, policies DM1 & T2 of the adopted Rochdale Core Strategy and the National Planning Policy framework.

### **Designing out Crime**

Located within a busy town centre location that suffers disproportionately from antisocial behaviour by virtue of being located by the main transport interchange, the proposed hub unit has the potential to become a target for misuse or anti-social activities. However, no comments have been received from Greater Manchester Police and it is noted that this matter has been satisfactorily addressed in the submitted Unit Management Plan. On this basis, it is considered that the potential impacts of crime and anti-social behaviour that may be associated with the unit are not considered to be so severe as to warrant a refusal of planning permission. The proposed development would therefore accord with adopted Places for Everyone joint development plan policy JP-P1, adopted Rochdale Core Strategy policies DM1 & P3 and the National Planning Policy Framework.

### **Impact on the Natural Environment**

The proposed installation would be located in close proximity to the entrance of the River Roch culvert that runs underneath part of Rochdale Town Centre. The area is well populated by a large variety of riparian bird species. No ecological assessment has been submitted as part of the application but it is known that bats commute and roost under the medieval bridge structures that conceal the river. There is concern that the advertisement screen could potentially affect the commuting activities of bats, which are a protected species under the Wildlife and Countryside Act 1981.

However it is noted that advertisement screen is facing away from the sensitive location in this instance whilst other light sources present in the area are likely to have greater effect. Therefore whilst no consultation response has been received from the Greater Manchester Ecology Unit, it is accepted that the proposal is unlikely to result in significant harm through lighting of the corridor subject to the management and lighting schedule proposed.

### **Impact on Surrounding Occupiers**

No Noise Impact Assessment has been submitted with the application. However it is noted that there are no noise sensitive receptors in the area. The Council's Public Protection Officer has not raised any objection to the proposed development.

On this basis, the application is considered to accord with adopted Places for Everyone joint development plan policy JP-P1, policies DM1 & G9 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

### **Conclusion**

There are no in-principle issues with the siting of such a communications hub within the town centre. However, the proposal by virtue of its siting and illumination and when considered cumulatively with the extant permissions would result in over

proliferation in the area and cause harm to the street scene and townscape. This harm is not outweighed by the public benefits or any other material considerations.

### **RECOMMENDATION:**

#### **REFUSE PLANNING PERMISSION for the following reasons:**

1. The proposed development would, by reason of its siting, design and illumination, be harmful to the street scene of Smith Street by occupying a key vantage point of a highly trafficked pedestrian walkway that offers clear uninterrupted views of the Number One Riverside building which was specifically designed to provide a strong architectural prominence within this area of Rochdale Town Centre. The communication hub would also represent an incongruous feature in an area otherwise left open to ensure a sense of space outside of the Number One Riverside building and to provide visual relief and a sense of openness against the attractive backdrop of the River Roch as it enters the main town centre. The identified harm to the character and appearance of the area as a result of the proposed development, either on its own or cumulatively, is not justified, mitigated, or outweighed by public benefit or other material considerations. On this basis, the proposed development would fail to comply with adopted Places for Everyone joint development plan policy JP-P1, policies DM1, & P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

#### **Procedure Statement**

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

### **Notes for Applicant:**

#### **INFORMATIVES:**

1. For the avoidance of doubt, this decision relates to the following plans and supporting documents:
  - Hub Detail – New Sites
  - Site Plan and Images
  - Power of the Public Screen
  - Hub Unit Appendix D
  - Unit Management Plan
  - Community Channel – Examples of Campaigns
  - NHS England / OHCA Charities Advisory Committee / Letter of Community Heartbeat Trust Charity Letter of Support
  - Defibrillator Product Specification