

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00246/LBC	Hamish Rigg	05/06/2024

Address: Rochdale Cenotaph and Memorial Gardens, The Esplanade, Rochdale, OL16 1AE

Proposal: Replace the hardstanding around the war memorial. Repair the flag paths around the memorial gardens. Installation of 1.4m high bollards and stone blocks around perimeter.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	Y

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
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	Grant STC
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CHECKED AND SIGNED OFF BY: RK

DATE:13/06/2024

SITE

This application relates to the Grade I listed Rochdale Cenotaph and the surrounding Memorial Gardens. The Cenotaph and Memorial Gardens are situated in Rochdale town centre, in the setting of the Grade I listed Town Hall, and within Rochdale Town Centre Conservation Area. The gardens consist of both grass and hard standing areas, as well as benches, planting beds, and mature trees.

To the south east of the gardens lies The Esplanade, a large pedestrianised square which has recently been redeveloped as part of major renovations to Rochdale Town Hall. To the west lies Rochdale Police Station; to the north is Vicar's Gate, an adopted public highway; and to the east there are office buildings including The Coroner's Office.

PROPOSAL

Consent is sought to replace the hardstanding surrounding the memorial towards the south-east of the site where it meets The Esplanade, with concrete flags. Furthermore, to repair or replace the flag paths directly surrounding the memorial gardens. The proposal also includes the installation of stone blocks, anti-ram bollards, and coffin bollards along the northern boundary of the site adjacent to Newgate, as part of recently recommended counter-terrorism measures.

The proposed stone blocks would be bedded into the grass to offer potential seating and to appear less prominent. The anti-ram and Coffin bollards would measure approx. 1.1m above ground (1.4m in total), with the latter being able to lie flat when necessary.

RELEVANT PLANNING POLICY

Planning (Listed Buildings and Conservation Areas) 1990

Section 66

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72

In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework (NPPF)

Chapter 16 – Conserving and enhancing the Historic Environment

Adopted Rochdale Core Strategy (CS):

P2 – Protecting and enhancing character, landscape and heritage

RELEVANT SITE HISTORY

16/00050/LBC- Restoration and refurbishment of four existing lamp columns including replacement of lamp head – Grant STC

17/01234/LBC- Installation of new LED spotlighting within restored lighting columns – Grant STC

20/00616/LBC- Restoration and refurbishment of Rochdale Town Hall- Grant STC

20/00615/FUL- Restoration and refurbishment of Rochdale Town Hall- Grant STC

CONSULTATION RESPONSES

Conservation 23/05/2024:

The proposed security measures would result in less than substantial harm to the significance of the designated heritage assets. This harm needs to be balanced against the public benefits derived from the proposal. Subject to protection of listed buildings during the works and a sample of the new paving, the resurfacing works would have a neutral impact on the heritage assets.

Urban Design 14/05/2024:

Amended plans have been provided which indicate a revised bollard and stone blocks alignment, alongside further technical construction details and site section drawings. I'd consider this to be a more suitable arrangement that both reduces the visual harm of the stone blocks and affords protection from vehicle strikes to a greater proportion of the Memorial Gardens. On this basis, the application is supported for approval from an urban design perspective.

Greater Manchester Archaeological Advisory Service 26/04/2024:

The application area lies within the Rochdale Town Centre Conservation Area and incorporates two listed buildings; Rochdale Cenotaph is afforded protection as a Grade I listed building and the lamp posts at each corner of the war memorial are all Grade II listed. In addition, the footprint of a former manse known variously as The Orchard and Manor House lies entirely within the application site. This was described as a new building in 1702, and was the residence of the Dearden family before they purchased the manor of Rochdale. The building was demolished shortly before 1922, when the war memorial was erected.

The Orchard is listed as an entry in the Greater Manchester Historic Environment Record (Ref: 703.1.0), and any below-ground remains that survive will be of local archaeological interest. It is not known whether any foundations of the building or associated remains do exist as below-ground archaeology, or the depth at which any such remains may lie. As such, it is not possible to determine the likely impact of delivering the landscaping proposals, although it is clear that any impact will be minimal given the nature of the proposed works. Nevertheless, assuming that delivery of the proposals will require the existing ground surface to be stripped, there is some potential to uncover below-ground remains of interest, which will need to be recorded archaeologically prior to removal.

This advice can be addressed through a programme of archaeological monitoring and recording that should be secured through a condition attached to listed building consent. The condition should be worded as follows:

No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Project Design that has been submitted to and approved in writing by the local planning authority. The Project Design shall cover the following:

- 1. A phased programme and methodology to include:
 - a) an archaeological watching brief during any ground-breaking works.*
- 2. A programme for post-investigation assessment to include:
 - a) analysis of the site investigation records and finds;
 - b) production of a final report on the significance of the heritage interest recorded.*
- 3. Deposition of the final report with the Greater Manchester Historic Environment Record.*
- 4. Dissemination of the results of the site investigations commensurate with their significance.*
- 5. Provision for archive deposition of the report, finds and records of the site investigation.*
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved Project Design.*

Reason: In accordance with NPPF Policy 211: To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible.'

GMAAS will monitor the implementation and progress of the archaeological works on behalf of Rochdale Borough Council.

Historic England 07/05/2024:

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

The Gardens Trust 08/05/2024:

We have considered the information provided in support of the application and liaised with our colleagues in Lancashire Gardens Trust. On the basis of this we confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

REPRESENTATIONS

Letters of notification were sent to neighbouring properties 18/04/2024, a site notice was displayed, and a press advert was publicised; no objections were raised.

ANALYSIS

The application site includes the grade I listed Rochdale Cenotaph and the surrounding Memorial Gardens, situated within Rochdale Town Centre Conservation Area. An important aspect of The Cenotaph's significance is its Lutyens design, associated listed lampposts and the adjacent Town Hall. It is also a prominent and important feature within the Conservation Area and The Esplanade.

In accordance with sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Act also states that when considering any planning application that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Similarly, paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of listed buildings should be exceptional or wholly exceptional.

The proposed stone blocks and metal bollards are considered to create some visual as incongruous features which detract from the Cenotaph. However, their addition has been deemed necessary in the interests of public safety as anti-terrorist measures, preventing vehicles from accessing the Memorial Gardens, Cenotaph, and The Esplanade. The public benefit is therefore considered to outweigh the minor visual harm affecting the Cenotaph.

The proposed replacement and refurbishment of the block paving surrounding the Cenotaph and within the Memorial Gardens is considered to have a neutral impact on the appearance and significance of the Cenotaph and as they would be in line with the existing hard standing areas. However, in line with comments made by the Council's Conservation Officer, a sample of the new block paving will be required by an appropriately worded condition.

Overall, the proposed works would create some minor visual harm affecting the Cenotaph, yet this is considered necessary in the interests of public safety. Subject to a condition requiring a material sample of the block paving, the proposal would have a neutral impact on the significance of the designated heritage asset. It would comply with NPPF Chapter 16, Rochdale CS policy and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDATION

Grant subject to the following conditions:

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with the requirements of section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This consent relates to the following plans and documents:

- Hardstanding areas plan within the red line: A1/2004751/06

- Proposed pavement build-ups, layout and details: 0042509-BHE-DR-C-2160
- Proposed jointing layout and details: 0042509-BHE-DR-C-2161
- Location plan: A1/2004751/01
- Bollard elevations/section: PS-RG-BL-01079
- 140mm Gap Coffin Bollard General Arrangement: 01181.2
- Schedule of works

and the works shall be carried out in complete accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of works in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan, the National Planning Policy Framework and the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

3. Notwithstanding any description of materials in the application no above ground works shall take place until samples and / or full specifications of block paving to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The works shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of ensuring a satisfactory visual appearance to the development, to ensure that special regard is paid to protecting the special architectural and historic interest of the Cenotaph and other heritage assets in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P2 of the adopted Places for Everyone Joint Development Plan, The NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.