

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00416/FUL

CASE OFFICER

Michael Atkinson-Smith

DETERMINATION DATE 18.07.2024 **EXT OF TIME**

Address: Pavement O/S Rochdale Interchange Smith Street Rochdale OL16 1TU

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: RG

DATE: 18 July 2024

SITE

The application relates to an area of the pavement that runs between the carriageway of Smith Street and the Metrolink line at its entry to the Rochdale Town Centre tram stop area. The site of the proposed installation is to the east of the existing group of planters and to the north of the existing bicycle parking facilities. Street furniture in the area is made up of the columns supporting the overhead tram power lines, street lighting columns, road & tramway signage, pedestrian guard rails, planters and litter bins.

The site lies immediately outside the boundary of the Rochdale Town Centre Conservation Area. The Grade II listed former Wellington Hotel stands immediately to the southwest of the site.

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 0.5m² 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 east, with the communications equipment and defibrillator facing west.

This application sits along an associated application for Advertisement Consent ref. 24/00417/ADV which is to be determined concurrently with this application.

RELEVANT PLANNING POLICY & LEGISLATION

Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

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
JP-P2 Heritage

Connected Places

JP-C1: An Integrated Network

JP-C2: Digital Connectivity

Adopted Rochdale Core Strategy (CS):

SO1	To delivery a more prosperous economy
E1	Establishing thriving town, district and local centres
SO3	To improve design, image and quality of place
P1	Improving Image
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
G/S/1	Hierarchy and Role of Centres
BE/17	Development affecting conservation areas

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Conservation Officer - [Summary]: Potential to result in low level of less than substantial harm to the significance of 1 Drake Street/2 Smith Street, through inappropriate development within its setting. This harm should be balanced against the public benefits of the proposal. Proposal risks adding additional street clutter.

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.

Heritage and Street Scene Impacts

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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 of the same Act requires that in the exercise of planning functions with respect to any land or building within a conservation area, special attention shall be paid to the desirability of enhancing the character and appearance of that area.

A Heritage Statement has been submitted in support of the application in accordance NPPF paragraph 200. It notes especially the characteristic stone built architecture of

the area reflective of Rochdale's development as Lancashire's principle woollen town and notes the impact of the River Roch that traverses through the town centre, which contributes to the area's open character. It also notes the contemporary feel of the site location and the characteristics of the area as an outdoor tram terminus. Whilst the site is located outside of the conservation area, it lies immediately adjacent to it and therefore affects its setting.

The Rochdale Town Centre Conservation Area Appraisal (adopted 2011), provides the following statement of significance:

'Pevsner wrote that the area in Rochdale around the church and town hall was completely different from all English towns (1969 p373). Rochdale's fame "...is entirely connected with liberalism...and social progress" (Pevsner, N 1969 p373). Sense of space and openness not typical of industrial areas. In 1837 there were only three churches in Rochdale.'

An update to the 2011 conservation area appraisal undertaken over the course of 2022-2023, and adopted in June 2024, specifically references the 2011 version's analysis of the character and significance of the Rochdale Town Centre Conservation Area for consistency. The sense of openness within the Rochdale Town Centre Conservation Area remains an important element of its significance, with any intervention undermining this sense of openness considered harmful.

Paragraph 205 of the NPPF states *'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.'*

Paragraph 208 of the NPPF states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

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.

Policy P2 of the Core Strategy acknowledges that enhancing and protecting the Borough's unique character can lead to improvements in quality of life and can also help to bolster the visitor economy and inward investment. It states that the Council will protect and enhance the boroughs character, including the distinctiveness of its town centres. Saved UDP policy BE/17 is also relevant to development that affects a conservation area

In assessing the impacts of the proposed development on the significance of the Rochdale Town Centre Conservation Area and the nearby Grade II listed former Wellington Hotel at 1 Drake Street / 2 Smith Street. The Conservation Officer notes the amount of street furniture present in the area associated with the Metrolink stop and considers that whilst the installation of the hub in this location would be seen in the context of existing street furniture, at the same time it would result in additional street clutter. On this basis, the installation would result in a low level of less than substantial harm to the significance of 1 Drake Street/2 Smith Street, through inappropriate development within its setting.

Whilst the site would lie just outside of the Rochdale Town Centre Conservation Area, the recently adopted Management Plan for the conservation area Management Plan includes a specific action to reduce street clutter within the wider Rochdale Town Centre Conservation Area, notably in respect of the public highway and around transport infrastructure.

Crucial to the determination of this application is the extant planning permission ref. 22/00445/FUL which permits a large dual fronted LCD digital advertisement display approved under application ref. 22/00446/ADV within extremely close proximity to the proposed siting. Whilst not implemented to date, this planning permission remains extant until the 14th July 2025 and therefore could be implemented at any time.

Were the proposed development to be installed and the previously approved digital display screen to also be installed, highly significant harm would arise to the immediate area through over proliferation of digital advertising screens.

Given the less than substantial harm that has been identified, this must be weighed against the public benefits of the proposal, which in this case include the provision of a public communications equipment and defibrillator. The presence of any existing defibrillators and the proximity of other nearby existing or proposed communication hub sites are material considerations as part of this assessment.

In respect of the proposed communications equipment, the benefit of publically accessible high quality communications infrastructure is not disputed. However, in the context of the approved site for new communications infrastructure just meters further along Smith Street, it is considered that the public benefits are significantly diminished and can be afforded very limited weight in the planning balance.

In relation to the public benefit of the hub including a defibrillator, the closest 24 hour publically accessible defibrillator unit lies approximately 30m away in a direct sightline from the proposed site on the external wall of the Regal Moon public house. Given the proximity to an existing defibrillator site, it is not considered that the provision of a defibrillator as part of the communications hub outweighs the harm to the setting of the designated heritage assets.

In light of the above assessment, it is considered that the public benefits of the proposal do not outweigh the harm to the significance of the Rochdale Town Centre Conservation Area which results predominantly from its sense of space and openness, along with the less than substantial harm to the setting of the Grade II listed former Wellington Hotel. The siting of the proposal alongside the approved and extant scheme would have clear detrimental impacts on the street scene and would constitute poor contextual design in a prominent location. On this basis, proposed development would fail to comply with adopted Places for Everyone joint development plan policies JP-P1 & JP-P2, policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Highways Impacts

The proposed hub would be sited amongst various other items of street furniture which cumulatively result in an overly busy and poor quality pedestrian environment. Nonetheless there would remain adequate circulation and passing space in the area. 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.

However, despite the clear issues that may arise as a result of the proposed installation as described above, 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 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.

On this basis, it is therefore not considered that a standalone refusal on highways matters alone can be substantiated and the application therefore would therefore result in insufficient conflict 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 to warrant a refusal of planning permission on highways grounds alone.

Designing out Crime

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 Surrounding Occupiers

Whilst no Noise Impact Assessment has been submitted with the application it is not considered that the site lies within a particularly sensitive location. 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, less than substantial harm to the significance of the Rochdale Town Centre Conservation Area and the setting of the Grade II listed former Wellington Hotel has been identified as a result of the siting and illumination of unit and its potential cumulative impacts with extant permissions. The assessment in this report demonstrates that there are insufficient public benefits to outweigh this harm.

RECOMMENDATION:

REFUSE PLANNING PERMISSION for the following reasons:

1. The proposed development, by reason of its siting, design and illumination, would fail to respond positively to the character of the townscape and the setting of former Wellington Hotel and Rochdale Town Conservation Area. This harm would be exacerbated due to the cumulative impact which would occur from the siting of two such prominent features within close proximity to each other. The proposal would fail to safeguard the significance of the Rochdale Town Centre Conservation Area, which partly results from its sense of space and openness, and would cause harm to the setting of several listed buildings and non-designated heritage assets through additional street clutter. The resultant less than substantial harm is not justified, mitigated, or outweighed by public benefit. On this basis, proposed development would fail to comply with adopted Places for Everyone joint development plan policies JP-P1 & JP-P2, policies DM1, P2 and P3 of the adopted Rochdale Core Strategy, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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