

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00420/FUL

CASE OFFICER

Michael Atkinson-Smith

DETERMINATION DATE 18.07.2024 **EXT OF TIME** 21.02.2025

Address: Pavement O/S, 21 Yorkshire Street, Rochdale OL16 1BH

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
-----	--	-----

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

RECOMMENDATION

GRANT subject to conditions

CHECKED AND SIGNED OFF BY: RG

DATE: 20 February 2025

SITE

The application relates to an area of pedestrianised space within the controlled zone of Yorkshire Street, to the front of Butterworth's menswear store (21 Yorkshire Street) and the pedestrian entrance to Octagon House, which is part of the Rochdale Exchange Shopping Centre complex. The proposed site is to the north of the junction of Yorkshire Street and Baillie Street and Lord Square, where Yorkshire opens out to become more spacious in a southerly direction. The public realm in the immediate vicinity of the proposed installation site is characterised by rows of street furniture either side of the controlled vehicular carriageway including bollards, benches, litter bins, hanging basket posts, a CCTV column and wayfinding finger post. The massing of the Rochdale Exchange Shopping Centre dominates the street scene in this area, with the car park deck overhanging the pedestrianised space. The lies on the boundary of the Rochdale Town Centre Conservation Area, which includes the southern section of Yorkshire Street.

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 in the controlled zone of Yorkshire Street as outlined above. The hub unit would be installed so that the advertising screen faces approximately north up Yorkshire Street, with the communications equipment and defibrillator facing approximately south.

This application sits along an associated application for Advertisement Consent ref. 24/00421/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

Greener Places

JP-G8: A Net Enhancement of Biodiversity and Geodiversity

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
SO4	Promoting a green environment
G7	Increasing the value of biodiversity and geodiversity
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]: Less than substantial harm identified to the significance of the Rochdale Town Centre Conservation Area and the setting of nearby listed buildings, particularly in light of the recent adoption of the Rochdale Town Centre Conservation Area Management Plan which includes an action to reduce street clutter.

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

Greater Manchester Ecology Unit - No comments received to date

Highways & Engineering – Object to 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.

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 119 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 207. 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 states the area surrounding the application site already exhibits high levels of advertising imagery as a 'characteristic feature' of the established retail core. It is noted, however, that none of the street-based advertisements in the immediately surrounding area take the form of large LCD screens.

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.

Paragraph 212 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.'*

In addition, paragraph 216 of the NPPF states *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

Paragraph 135 of the NPPF is 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, the distinctiveness of its town centres, housing areas and countryside and the qualities of its landscape. Saved UDP policy BE/17 is also relevant to development that affects a conservation area

The proposed site of the communication hub already includes various items of street furniture which can contribute towards a perception of clutter in the streetscene. This includes bollards, benches, litter bins, hanging basket posts, a CCTV column and wayfinding. Additional street furniture close by includes a large planter and an existing JC Decaux traditional double-sided six sheet advertisement display.

The Council's Conservation Officer notes that introduction of a new freestanding digital advertising screen in this location would mean it lying within the wider setting

of a number of listed buildings and non-designated heritage assets, with the closest listed building being No. 17 Yorkshire Street, which is listed at Grade II. The significance of this building is largely architectural, with the official list entry noting that the tiers of Ionic pilasters are of a surprisingly early date for Lancashire. Whilst the proposed installation would not share a direct relationship with the listed building, it would be viewed within its context when travelling southwards on Yorkshire Street towards an area with greater openness and a cluster of non-designated heritage assets.

The Conservation Officer considers that the addition of another advertising screen would add to street clutter, to the detriment of the character and appearance of the Rochdale Town Centre Conservation Area, resulting in less than substantial harm.

The recently adopted Rochdale Town Centre Conservation Area Management Plan identifies issues with street clutter and signage and seeks to improve the public realm by ensuring street furniture and signage is planned and designed sympathetically.

The siting of the advertising screen is considered harmful given that it would further contribute to the already high amount of street clutter within the immediate area. Whilst a standalone application for advertisement consent, ref. 24/00421/ADV has been submitted alongside this application for planning permission, it is clear that the various functions of the structure and the resulting impacts cannot be disaggregated when assessing the proposals.

It is however accepted that the positioning of the proposal on the western side of the street will allow for it to be primarily viewed within the context of the Exchange shopping Centre and the contemporary signage featured on the retail units along the Exchange. This positioning has also been aligned with the existing street furniture which would retain a relatively open central movement channel along with the paths to the each edge of the street. Whilst it contributes cumulatively to the street clutter, this aligned positioning does also mean that its impact in isolation is more limited.

In considering the public benefits of the proposals it is accepted that enhanced provision of free and publically accessible high quality communications infrastructure should be afforded weight in accordance with national and local policies. Whilst other defibrillators are available within the town centre, the nearest being 120m away, it is accepted that this location, within a heavily used thoroughfare, and given its 24 hour availability, would provide public benefit. The additional phone charging and ability to make calls including to charities and emergency services, contributes to an overall public benefit in terms of the safety of visitors within the town centre. It is accepted that this location is well suited to providing such benefits given its central location within a busy part of the commercial core.

Whilst very finely balanced, the identified public benefits are considered to outweigh the recognised less than substantial harm, having had regard to the specific location, its relationship with the conservation area and surrounding buildings, and the contexts in which it is viewed. The proposed development would therefore 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 within a line of various street furniture and would therefore not be notably obstructive to pedestrians and other highway users when seen in isolation.

Consultation has been undertaken with the Highways Authority in determining the acceptability of the proposal, who object to the principle of 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, the National Planning Policy Framework makes clear at paragraph 116 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 street furniture, it is not considered that the siting of the hub would be so detrimental to pedestrian movement as to warrant a refusal of planning permission.

On this basis, it is therefore not considered that a standalone refusal on highways matters alone can be substantiated and the application therefore would 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.

Designing out Crime

Located within a part of the town centre's retail district that experiences particularly low night time footfall and therefore natural policing in evening hours, 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

No Noise Impact Assessment has been submitted with the application. Whilst it is noted that the use of the hub for verbal telecommunication activity would likely be limited, potential exists for it to be used during late evening hours which could cause disturbance to surrounding residential occupiers. However, it is noted that residential accommodation is not a feature of the immediate surroundings and in any case would unlikely to be any worse on a consistent basis than the standard use of mobile telecommunication devices. 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.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission 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

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Places for Everyone joint development plan, the adopted Rochdale Core Strat Core Strategy, the saved Unitary Development Plan and the National Planning Policy Framework.

3. Notwithstanding any details submitted as part of the application, the proposed street hub should not be utilised until the existing street surface is made good, with materials and finish to match the existing surface.

Reason: In the interests of amenity and in compliance with adopted Places for Everyone joint development plan policy JP-C1, policies DM1, P3 & T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.