

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00936/ADV	Hamish Rigg	13/11/2024

Address: Gable end of apartment building 9 John Street, Rochdale, OL16 2HP

Proposal: Erection of 1 no. illuminated digital advertisement display unit.

PUBLICITY	Weekly list expired?	Y	Site notice expired?	n/a
	Neighbour letters expired?	n/a	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
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	

RECOMMENDATION	Refuse
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CHECKED AND SIGNED OFF BY: RK

DATE: 28/11/2024

SITE

The application relates to 9 John Street, an attractive multi-story commercial building dating back to the 19th Century. The site falls within Rochdale Town Centre (Policy G/S/1 of the UDP), thus the surrounding area is urban in character, comprising a variety of building types and uses within a dense urban grain. It also lies within Town Head Conservation Area, and within the setting of the Ukrainian Catholic Church (Grade II), 170-174 Yorkshire Street (Grade II), and Townhead Offices (Grade II).

The application site is located at the northern end of John Street near the junction with St Mary's Gate (A58) and Whitworth Road. Known as Townhead Junction, this is a critical crossroads in the borough's transport network and accommodates a high volume of traffic.

No. 9 faces west, fronting the pavement and overlooking the public highway and Townhead Offices (Grade II). It borders St James Place and nos. 170-174 Yorkshire Street to the north and north east, both multi-story office buildings. The latter are Grade II Listed town houses built in the 18th Century. The proposed D poster would be located on the southern elevation which overlooks a forecourt and Arien House, a 20th Century commercial building selling electrical appliances.

Owing to its urban setting, there is a variety of signage, advertisements, and street furniture within the vicinity of the site.

PROPOSAL

Permission is sought for the installation of a digital advertising board on the southern elevation of 9 John Street. The 'D poster' would be mounted to the wall 2.8m above ground level, and would measure 6m (width) X 3m (height). It would comprise black composite panels with a 48-sheet digital display, and would display a rotation of advertisements.

RELEVANT PLANNING POLICY

National Guidance

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

Sub-Regional

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:

JP-P1	Sustainable places
JP-P2	Heritage

Local

Adopted Rochdale Core Strategy (CS):

SO3 – Improving design, image and quality of place
P2 – Protecting and enhancing character, landscape and heritage
P3 – Improving design of new development
DM1 – General Development Requirements

Unitary Development Plan (UDP):

G/D/1 – Defined Urban Area

RELEVANT SITE HISTORY

13/00966/ADV – Grant STC

Installation of full LED colour display/advertising to side elevation

CONSULTATION RESPONSES

Conservation 07/11/2024 - Objection

The covering letter states that the site is not in a conservation area and that there are no heritage assets within the vicinity. This is incorrect, as the site is within the Town Head Conservation Area and is located within the wider setting of the Ukrainian Catholic Church (grade II), as well as the grade II listed former Town Head offices. No heritage information has been submitted as part of this application. The impact on the significance of these designated heritage assets has not apparently been considered by the applicant.

Townhead Offices have recently been converted into apartments. Originally built as a large house in the early 19th century, until recently it was used as council offices. The significance of the building comes in part from its historic interest as an early 19th century house in a period where industry was booming in Rochdale and from its architectural interest, with many original and historic features surviving. The building is a prominent and positive contributor to the character and appearance of the Town Head Conservation Area.

Originally built as the Anglican Church of St James in 1821, it is now named the Ukrainian Catholic Church of Saint Mary. The Church is constructed of ashlar stone with a slate roof. It is built in the style of a Commissioners' Church. The Church is of special architectural and historic interest, and occupies a prominent and imposing position at the top of John Street.

The application site is currently devoid of large signage. While the rear of 9 John Street is not in itself of special interest, it is in a prominent position of the approaches to the Ukrainian Church which lies at the top of John Street and the former Town Head offices, immediately to the west. The signage because of its size, position and illumination would be a detracting and intrusive feature on the approaches to both identified listed buildings and the Town Head Conservation Area.

The proposal would result in less than substantial harm to the significance of the heritage assets. It would neither preserve nor enhance the character and appearance of the Conservation Area. It would fail to preserve the special interest in the listed

buildings and would not comply with the requirements of the Planning (listed buildings and conservation areas) act 1990.

Highways 21/10/2024 – objection

All advertisements are intended to attract attention and hence present a potential road safety hazard. Particular considerations should be given to proposals that site advertisements at points where drivers need to take exceptional care. The Townhead junction is critical to the Rochdale Transport Network and the proposed advertisement display will be a distraction to motorists and therefore make it a source of hazard.

The proposed location of the advertising board is clearly to attract attention from drivers, where they must pay the maximum attention to the prevailing traffic and highway conditions. By their nature, the advertising boards will attract the attention of drivers as well as providing them with non-essential information and distracting them from the task of negotiation traffic movements.

Such distractions will have negative effects on both the reaction time and distances especially at this location where the sign is located on a busy junction. At this location motorists need to pay maximum attention to the road and other vehicles as they manoeuvre their vehicles through the junction.

This proposal does not replace an existing advertisement and its intention is to add another distraction to the highway.

As a result we would not support any application on highway safety grounds as the sign is a distraction to motorists.

REPRESENTATIONS

In line with the Council's Publicity Code for Applications, no direct publicity was undertaken and no representations have been received.

ANALYSIS

In assessing applications for advertisement consent, paragraph 136 of the NPPF establishes that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The quality and character of places can suffer when advertisements are poorly sited and designed. As such, with all applications for advertisements an assessment should be made as to the impacts on visual amenity and to accord with policy P3 of the Core Strategy; signs should be compatible with the surrounding area and protect the character and appearance of the street scene. In addition, Policy DM1 sets out the Council's general development requirements and establishes that proposals should not adversely impact on highway safety.

Amenity and heritage: SO3, P2, P3, DM1, JP-P1, JP-P2, NPPF

Given the site falls within Rochdale Town Head Conservation Area, and within the setting of the Ukrainian Catholic Church (Grade II), 170-174 Yorkshire Street (Grade II), and Townhead Offices (Grade II), the following heritage policies are relevant. Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Paragraph 208 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. PpE Policy JP-P2 seeks to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Lastly, Rochdale Core Strategy policy P2 seeks to protect the borough's heritage. This includes through conserving enhancing and promoting key heritage assets, which include listed buildings.

The proposed 'D-poster' would be mounted to the southern elevation of 9 John Street, overlooking the forecourt and the 'Arien Home Appliances' building. The proposed display would be in full view of vehicles and pedestrians travelling northwards along John Street. It would be seen in the foreground of the Ukrainian Catholic Church and directly opposite Townhead Offices, to the east. The Church is a landmark building which is particularly striking in the street scene and makes a positive contribution to the area.

Paragraph 200 of the NPPF requires applicants to describe the significance of any heritage assets affected by a proposal, including any contribution made by their setting. The applicant has failed to provide a heritage statement, claiming in the submitted planning statement, that the site does not fall within a conservation area or within the vicinity of any heritage assets. Both of these statements are false, and as such, the application has not considered the impact of the proposed D-poster on the conservation area or nearby heritage assets.

The Council's Conservation Officer was consulted, stating that due to its size, position, and illumination, the 'D-poster' would be a detracting and intrusive feature on the approach to both the identified listed buildings. As such, the proposal would result in less than substantial harm to the significance of the heritage assets, and would neither preserve nor enhance the character and appearance of the Conservation Area. It would also fail to preserve the special interest in the listed buildings and would not comply with the requirements of the Planning (listed buildings and conservation areas) Act 1990. In view of the ascribed harm, the application also fails to provide sufficient justification through public benefit.

Instead, the applicant has focused their justification on the notion that the site is within a commercial area where advertisement displays are typical and prevalent. In particular, the planning statement references two advertising hoardings to the north of the site on St Mary's Gate, at the junctions with Whitehall Street and Union Street.

The D-poster on Union Street is single-sided display that faces traffic travelling westwards along St Mary's Gate, away from the Ukrainian Church, and therefore is not viewed within the setting of any heritage assets.

The advertising hoarding on Whitehall Street is non-digital, however it is double-sided and closer to the listed Church, and is therefore a prominent feature in its foreground. However, the site on Union Street has been the subject of two applications to replace the existing hoarding with a 48-sheet double-sided 'D-poster'. Both applications, 19/00795/ADV and 19/01093/ADV, were refused, and the latter was dismissed on appeal. In the appeal notice, the inspector acknowledged the existence of other

advertisements within the area which did not enhance the appearance of the Conservation Area or the Ukrainian Catholic Church. However, the inspector determined that the proposed digital displays would be more intrusive than the existing hoardings due to the illumination and changing images. As with this application, 19/01093/ADV suggested that the impact of illuminance and rotating images could be mitigated through condition. However, the inspector was not satisfied that this would sufficiently reduce the harm towards the heritage nearby assets.

Ultimately, the examples of other advertisements provided in the planning statement are not comparable to the proposed display, in terms of their harm towards the heritage significance of the area. Regardless, the application fails to assess the heritage significance of the Conservation Area and the listed buildings, and by virtue does not weigh up the public benefit.

In view of the above, and the relevant appeal decisions, the proposed digital advertisement would give rise to visual harm within the Town Head Conservation Area and the setting of the Grade II Listed Ukrainian Catholic Church and Grade II Listed Townhead Offices, through the installation of an unsympathetic and distracting feature which would dominate the streetscape. The proposal would cause less than substantial harm to the designated heritage assets as detailed above. In the absence of any heritage assessment, the identified harm is not justified or mitigated within the proposal and there are no public benefits identified to outweigh the harm. As such, the proposal would be contrary to the Policy JP-P1 and JP-P2 of The Places for Everyone Joint Development plan; Policies P2 and P3 of the Adopted Rochdale Core Strategy and the National Planning Policy Framework.

Public Safety: P3, T2 and NPPF

Policy DM1 sets out the Council's general development requirements and establishes that proposals should not adversely impact on highway safety. Whilst it is accepted that the purpose of an advertisement is to attract attention, it is important to consider whether such adverts would have the potential to have an adverse impact on road safety.

The Council's Highways Service were consulted, and they objected to the proposed 'D-poster' on the basis that it presented a risk to road safety. The officer concluded that the position and location of the proposed display was intended to draw the attention of passing drivers by providing non-essential information. The distraction caused by the 'D-poster' would negatively impact on both the reaction time and distances, making it a hazard to road safety. The Townhead Junction is a busy location, requiring the utmost care and attention by drivers to manoeuvre through the junction.

As such, the proposal would be contrary to Policies P3 and T2 of the Adopted Rochdale Core Strategy, and the National Planning Policy Framework.

RECOMMENDATION

Refuse:

1. The proposed digital advertisement would see the installation of an unsympathetic and distracting feature which would dominate the streetscape

and detract from the character and appearance of the Town Head Conservation Area and the setting of the Grade II listed Ukrainian Catholic Church and Grade II listed Townhead Offices. This harm is not justified or mitigated within the proposal, nor outweighed by public benefit. As such, the proposal would harm amenity, contrary to: the NPPF; Policy JP-P1 and JP-P2 of The Places for Everyone Joint Development plan; Policies P2 and P3 of the Adopted Rochdale Core Strategy and the National Planning Policy Framework.

2. The proposed digital advertisement display presents a distracting feature to road users and a risk to highways safety at a critical junction in Rochdale town centre, which requires the utmost care and attention. As such the proposal would adversely impact on highways safety, contrary to: the NPPF, Policy JP-P1 of The Places for Everyone Joint Development plan; Policies P3 and T2 of the Adopted Rochdale Core Strategy and the National Planning Policy Framework.

Notes for Applicant:

INFORMATIVE:

For the avoidance of doubt, this Decision Notice relates to the following drawings:-

- Location plan: 22981/PA/01
- Existing site plan: 22981/PA/02
- Proposed site plan: 22981/PA/03
- Existing and proposed elevations: 22981/PA/04
- Appendix 1 D-Poster example
- Covering letter (Carter Jonas: 20/09/2024)