

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/0226/FUL	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: 10/06/2024

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

Permission 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

National Guidance

National Planning Policy Framework (NPPF) – February 2019

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

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):

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

Drainage 18/04/2024:

Hardstanding areas need servicing with 'road gullies'. According to my discussion with the Burro Happold Engineer who created the "Proposed SW Drainage Plan", in general the 'road gullies' that currently service the Cenotaph's paved areas are blocked up. I suspect that this is because no dept. within the Council maintains the gullies. The Burro Happold drawing indicates that the drainage will be refurbed (cleaned out and jetted and repair where necessary). The gullies discharge to a private SW pipe that discharges to the river Roch. As to whether this is the culverted section of the river Roch, the drawing is unclear.

Although I have suggested that the condition is simply to agree with the suggested plan, it would be worth the Applicant (Building surveyor) trying to persuade EM that they need to institute an annual desilt of the gullies, or the system will just fall into disrepair again.

Suggested conditions:

The drainage scheme shall be based upon Proposed SW Drainage Plan, Cenotaph – by Burro Happold drg ref 0042509-BHE-DR-C-3150/C01 Dated Aug 2023. The scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Environment Agency 25/04/2024:

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)*
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)*
 - on or within 16 metres of a sea defence*
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
 - in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission*
- For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>*

or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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 and / or subject to ground-breaking works to install drainage, there is some potential to damage 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 planning 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 which 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.'

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 Ecology Unit 16/05/2024:

No objections

Highways 29/04/2024:

No objections

Environmental Health (noise) 03/05/2024:

No objections

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**Heritage and design:**

Policies P3 and DM1 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraphs 131 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or

change. Paragraph 139 states that development that is not well designed should be refused.

In addition, 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 206 states that any harm to, or loss of, the significance of a designated or non-designated heritage asset should require clear and convincing justification. 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.' Similarly, Policy P2 of the Core Strategy promotes the protection and enhancement of key heritage assets and their visual amenity.

The affected heritage assets include Rochdale Cenotaph (Grade I), the War Memorial Lamp-posts (Grade II), the former Post Office (grade II), Rochdale Town Hall (grade I), and Rochdale Town Centre Conservation Area.

The proposal includes the installation of stone blocks and metal bollards along the northern perimeter of the site adjacent to Vicar's Gate. Their addition to the site would lead to some visual harm as incongruous features with no architectural merit. However, in the interests of public safety as anti-terrorism measures, their installation is deemed necessary. The public benefit of the blocks and bollards is therefore considered to outweigh their visual harm.

In addition, following consultation with the Urban Design Officer, measures have been taken to minimise the visual intrusion of the stone blocks by embedding them within the grass and merging them into the landscape, where possible. In doing so, the blocks could be used as potential seating, allowing them to further blend into the landscape. The arrangement of the blocks and bollards in a uniform line- whilst being visually prominent- would create a boundary around the gardens rather than being placed haphazardly.

Permission is also sought to replace the hardstanding flags and block paving around the Cenotaph and throughout the Memorial Garden with concrete flags. The initial intention was to match the paving with the flags used along The Esplanade as part of the Town Hall Renovation. Unfortunately, those particular paving slabs have been discontinued and concrete slabs have been proposed as an alternative. The impact on visual amenity is considered to be neutral due to the similarity with the existing concrete slabs, and therefore acceptable in principle. 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.

It should be noted that the Officer's Comments are in line with consultation responses, site meetings, and separate discussions with the Council's Urban Design and Conservation Officers, both of whom support the proposal.

Overall, the proposal will lead to some minor visual harm, and subsequently lead to less than substantial harm to the Cenotaph and Memorial Gardens, however this is justified in the interests of public safety. As such, it is considered to be in accordance with Policies DM1, P1 and P3 of the Council's Core Strategy, Policy JP-P1 and JP-P2 of the adopted Places for Everyone Joint Development Plan and the requirements of the National Planning Policy Framework.

Amenity:

The Council's adopted Core Strategy policy DM1 states that proposals need to demonstrate that they do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing, or noise. Furthermore, policy DM1 of the Core Strategy requires development proposals to demonstrate that they will not have a negative impact upon the amenities of future residents and occupiers. Additionally, the National Planning Policy Framework (NPPF) advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The proposed development is of a siting, scale and design which would not threaten the amenity of surrounding land users by way of overbearing impact, overshadowing or through a loss of privacy. As such, the proposal is considered to be in accordance with Policies DM1 and P3 of the Council's Core Strategy and the requirements of the National Planning Policy Framework.

Highways:

Policy T2 of the adopted Core Strategy seeks to improve accessibility by locating development where good access to public transport is available or can be provided and in all circumstances, prioritises the safety, accessibility and amenity of those who live or have business in the area. Policy DM1 also states that all development proposals should provide satisfactory vehicular access with adequate parking, manoeuvring, and servicing arrangements taking into account of the proposed use and location.

The Council's Highways Officer has been consulted and raised no objections in relation to parking or safety, as such it would accord with policies DM1 and T2 of the adopted Core Strategy and the National Planning Policy Framework.

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 permission 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
- Proposed Surface Water Drainage Plan: 0042509-BHE-DR-C-3150 (BuroHappold Engineering, August 2023)

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 construction works shall take place until samples and / or full specifications of block paving to be used 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. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and in compliance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. The drainage scheme shall be carried out in accordance with the plan "Proposed SW Drainage Plan, Cenotaph" – by Burro Happold ref. 0042509-BHE-DR-C-3150/C01 Dated Aug 2023. The scheme shall be retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and in accordance with Policy G8 of the adopted Rochdale Core Strategy, Policy JP-S4 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

5. 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 which 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: To protect the significance of any archaeological remains on the site in accordance with Policy JP-P2 of the adopted Places for Everyone Joint Development Plan, Policy P2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Procedure Statement

The Local Planning Authority worked proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition.

Report Author Hamish Rigg