

14<sup>th</sup> November 2023

Mr R. Grant  
Rochdale Borough Council  
Planning and Development  
Number One Riverside  
Smith Street,  
Rochdale  
OL16 1XU

Dear Ryan,

**RE Section 96A - Non-Material Amendment to the Public Open Space in connection with Full Planning Permission 20/00607/FUL at Land off New Road.**

Following recent correspondence and informal discussion regarding the Public Open Space in the southern part of the Site, which was granted Full Planning Permission (Ref: 20/00607/FUL) in January 2021.

The planning permission grants full planning permission for the following development:

“Residential development of 100 dwellings together with associated access, earthworks, landscaping, public open space and on-site infrastructure (including the capping of artesian well)”

Works on Site are nearing completion with the landscaping and POS in the southern part of the Site still on-going and the final dwellings being finished and completed. As per our discussions and recent e-mail

The area at the south of the approved landscaping including the footways, is indicated in flood zone 3 and is at risk of fluvial and surface water flooding as per the Environment Agency flood map. The approved landscaping plan showed the paths running through marshland and more importantly through the newly created flood zone 3. This creates many issues, mainly constructability of the paths, and the ongoing maintenance of the paths and it creates a potential risk for general public.

The flood zone 3 extents to the edge of the footway that is constructed at the north edge of the POS and has been extensively modeled and agreed with the Environment Agency and is covered in the approved LLFA. The proposed path is outside the Flood zone and therefore reduces the risk to the public.

Given the ground is natural wet consisting of marsh and soft soils, the creation of a developable platform is not practical. Locating the paths in line with the approved plan would potentially put the public at risk as it actively encourages them to cross an area that is designed to flood in storm events. It could lead to accidents and injuries due to the nature

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of the poor ground conditions and lack of visibility to path alignments in the event of a flood. Flooding in this area is common and design to be so, therefore constant remedial works and more likely the paths redoing in the event of a flood as it would wash away the hogging material, which would put an ongoing strain on the Management Company and the fees that the home owners will need to pay.

The revised solution is better in all aspects. It has been created in line with the flood modelling that was undertaken which included lifting the paths to the site level. Less maintenance, safer for the public to use.

To ensure the plans accord with the necessary planning permission, we seek to amend amend condition 2 and 4 only of Planning Permission Ref20/00607/FUL to what is now being built on Site and therefore submit a non-material application to cover the approved site layout and landscape plans

For completeness, the table below identifies the approved drawings along with the proposed amended plans with the rationale for the proposed changes.

Condition 2 refers to all of the approved plans, to ensure completeness we proposed to amend this condition but only the approved Site Layout plan.

Condition 4 states -

*“All planting, seeding or turfing comprised within the approved scheme of Landscaping (Landscaping Plans Full Site Ref: 5612.23 Rev G; Landscaping Plans Phase 1 & 2 (1 of 3) Ref: 5612.20 Rev G; Landscaping Plans Phase 1 & 2 (2 of 3) Ref: 5612.21 Rev G; Landscaping Plans Phase 1 & 2 (3 of 3) Ref: 5612.12 Rev G; shall be carried out in the first planting and seeding seasons following the occupation of 50% of the development; any trees or plants which, within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.*

*Reason: In order to achieve a satisfactory level of landscaping in accordance with Policies C1, C3, DM1, E5, G6, G7 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework”*

Table 1 below identifies the drawings that we seek changes to

| Drawing Title        | Approved Plan Ref: | Proposed Plan Ref: |
|----------------------|--------------------|--------------------|
| Proposed Site layout | 19103_01 P8        | 19103_01 P11       |
| Landscape plans      | 5612.20 Rev G      | 5612.20 Rev i      |
| Landscape plans      | 5612.21 Rev G      | 5612.21 Rev i      |
| Landscape plans      | 5612.22 Rev G      | 5612.22 Rev i      |
| Landscape Full site  | 5612.23 rev G      | 5612.23 Rev i      |

Table 1

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