



Rochdale & Littleborough Flood Risk Management Scheme – Phase 1a Littleborough

Planning, Design and Access Statement

IMNW000100-JAC-ZZ-4B0-RP-PL-019

P01 – 10 January 2025

We are the Environment Agency. We protect and improve the environment and make it a better place for people and wildlife.

We operate at the place where environmental change has its greatest impact on people's lives. We reduce the risks to people and properties from flooding; make sure there is enough water for people and wildlife; protect and improve air, land and water quality and apply the environmental standards within which industry can operate.

Acting to reduce climate change and helping people and wildlife adapt to its consequences are at the heart of all that we do.

We cannot do this alone. We work closely with a wide range of partners including government, business, local authorities, other agencies, civil society groups and the communities we serve.

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Environment Agency
Horizon house, Deanery Road
Bristol BS1 5AH
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

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P. Thomson	P Thomson	Project Manager (Jacobs)	13/01/25	P01



1.0 Introduction

1.1 Introduction

- 1.1.1 This Planning, Design and Access Statement (PDAS) has been prepared on behalf of the Environment Agency (the Applicant) in support of a planning application made to Rochdale Borough Council (RBC). The planning application is made under Section 73A of the Town and Country Planning Act 1990 (hereafter referred to as 'Section 73A') in respect of Phase 1a of the Rochdale and Littleborough Flood Risk Management Scheme (FRMS).
- 1.1.2 Planning permission Ref: 20/00082/FUL (hereafter referred to as 'the 2020 permission') was granted for Phase 1a of the FRMS in May 2020 (hereafter referred to as 'the Approved Scheme'). Construction of Phase 1a has now been completed. This application seeks planning permission for the scheme in the form it has been constructed (hereafter referred to as the 'As Built scheme'), which is subtly different from the scheme approved in 2020.
- 1.1.3 Phase 1a comprises three main elements: linear defences; access works to Gale and a conveyance culvert under the railway line; and works to bridges to improve conveyance. The various aspects of the Scheme are located across six locations in the town of Littleborough, to the northeast of Rochdale, within the Rochdale Metropolitan Borough of Greater Manchester (see Figure 1 - (IMNW000100-JAC-ZZ-4B0-DR-PL-7308)).
- 1.1.4 A detailed description of the development is provided in the Planning Statement which accompanied the original application which resulted in the 2020 permission. The differences between the Approved Scheme and the As Built scheme are described in Section 2.0.

2.0 The Proposal

2.1 Introduction

- 2.1.1 Construction of the Approved Scheme began in November 2021. During the construction process some minor engineering design changes were necessary to address features such as unexpected foundations. Additionally, some changes to landscaping and the alignment of the junction at Todmorden Road were made following feedback from residents during the construction process. A detailed description of the changes is provided at Section 2.2 of this PDAS.
- 2.1.2 Construction of Phase 1a has been completed, with Substantial Completion being in December 2023. Whilst dialogue has been maintained with RBC throughout the construction process, and the differences between the Approved Scheme and the as built scheme have been communicated to Planning Officers, the Applicant is now seeking to 'regularise' the as built scheme through this planning application made under Section 73A.
- 2.1.3 Section 73A creates a general power for a planning permission to be granted retrospectively, and it can be used in the situation where a development has been built without complying with a condition subject to which the relevant planning permission was granted. In this case, Phase 1a was constructed without being in complete accordance with Condition 2 of planning permission Ref: 20/00082/FUL. Condition 2 lists the approved drawings subject of the planning permission.

2.2 Description of Engineering and Landscaping Changes

- 2.2.1 The changes to the scheme and reason for them are described below, by location.

Riverstone Bridge

- 2.2.2 The junction at Riverstone Bridge on to Stubley Mill Road has been slightly widened and lane markings were moved to optimise the operation of the junction. These changes were required as a result of the Road Safety Audit.
- 2.2.3 A change was made to the layout of the junction where Riverstone Bridge joins Cutland Way to address some safety concerns raised by a resident with a driveway close to the existing junction. The road was re-aligned and changes made to the planting located immediately adjacent to improve vehicle sight lines and reduce the turning radius to the resident's driveway. The Road Safety Audit was undertaken of the whole road layout and has been approved.
- 2.2.4 Walls on the northern side (right bank) have changed alignment to become straighter due to unexpected foundations. This change offers a visual improvement.
- 2.2.5 Some additional rock rolls were used to anchor the river bank sides of the coir matting over the low flow berm. There is still riprap (soiled and planted over) placed on the 1:2 re-aligned river bank on the southern side (left bank).
- 2.2.6 A new tree has been provided on the left bank instead of the right bank, due to engineering design changes. In addition, requirements of local residents were taken into consideration and changes made to address these. These changes included maintaining visibility splays and providing screening planting in front of windows to block car lights.
- 2.2.7 At the upstream end of the re-aligned sloping river bank on the south (left) bank, poor ground conditions and concern about the stability of the upstream river wall were identified. This required the originally proposed gabion transition detail to be changed to a sheet pile end to the sloping bank, which closes into

the existing river wall. The short section of piled wall is only visible at the end of the sloping river bank from ground level at the top of the bank to about 2m at the base of the bank. There is no cladding or capping to the piles.

Charles Street

- 2.2.8 The proposed flood defence wall infill where the bridge has been removed is narrower than originally proposed due to the wall foundations of the existing bridge being different to what was expected.
- 2.2.9 Tree planting has been provided on the left bank, further away from the river edge. This is because the bridge footings obstructed tree planting being provided in the location originally proposed.

Todmorden Road

- 2.2.10 Steps to a private residence were not replaced, following a request from the Council's Public Rights of Way Officer. The reason for this is that the steps impacted on the Public Right of Way running along the south-west side (right bank) of Town House Brook.
- 2.2.11 Trash posts were installed as originally designed however the location of the posts changed from a double staggered row to a single line to assist with the clearance of debris.
- 2.2.12 Originally bow top railings were proposed on the flood wall alongside the raised ramp on the Public Right of Way, as well as a timber handrail, however only the handrail was put in as the railings weren't required for fall protection.

2.3 Drawings

- 2.3.1 The effect of granting an application made under Section 73A is the creation of a new and standalone planning permission for the development, effective from the date the development was carried out. This application seeks a new planning permission which reflects the As Built scheme.
- 2.3.2 A suite of drawings has been prepared which detail the As Built scheme and it is proposed that this suite of drawings is listed within any planning permission granted as a result of this application. The majority of drawings have been created as 'revisions' to the relevant currently approved drawings listed within Condition 2 of planning permission Ref: 20/00082/FUL. The submitted suite of drawings are listed in Table 2.1.

Table 2.1 Submitted Drawings

Approved Drawing Reference	Drawing Required to be revised to reflect the As Built scheme	Revision submitted with this application
IMNW000100-JAC-ZZ-4B0-DR-PL-0001	No	C05
IMNW000100-JAC-ZZ-4B0-DR-PL-0002	No	C04
IMNW000100-JAC-ZZ-4B0-DR-PL-0003	No	C05
IMNW000100-JAC-ZZ-4B0-DR-PL-0004	No	C04
IMNW000100-JAC-ZZ-4B0-DR-PL-0005	No	C06
IMNW000100-JAC-ZZ-4B0-DR-PL-0006	No	C05
IMNW000100-JAC-ZZ-4B0-DR-PL-0009 C05	Yes	C06
IMNW000100-JAC-ZZ-4B0-DR-PL-0010 C06	Yes	C07

IMNW000100-JAC-ZZ-4B0-DR-PL-0014 C05	Yes	C06
IMNW000100-JAC-ZZ-4B0-DR-PL-0015 C06	Yes	C07
IMNW000100-JAC-ZZ-4B0-DR-PL-0020 C04	Yes	C05
IMNW000100-JAC-ZZ-4B0-DR-PL-0021 C04	Yes	C05
IMNW000100-JAC-ZZ-4B0-DR-PL-0022 C05	Yes	C06
IMNW000100-JAC-ZZ-4B0-DR-PL-0026	No, this is a new drawing	P01
IMNW000100-JAC-ZZ-4B0-DR-PL-0027 C03	Yes	C04
IMNW000100-JAC-ZZ-4B0-DR-PL-0056 C02	Yes	C03
IMNW000100-JAC-ZZ-4B0-DR-PL-0057	No	C03
IMNW000100-JAC-ZZ-4B0-DR-PL-0058	No	C03
IMNW000100-JAC-ZZ-4B0-DR-PL-0059	No	C03

2.3.3 Phase 1b of the FRMS received planning permission (Ref: 22/00485/FUL) in July 2022 and is currently under construction. When considering the drawings listed in Table 2.1 and the wider package of drawings currently listed under Condition 2 of planning permission Ref: 20/00082/FUL, it should be noted that some of the development shown interacts with development subject of Phase 1b. For this reason, drawings relating to the development at Gale have been excluded from the package.

2.3.4 There are also two Figures which have been submitted with this application which are intended to make clear the changes between the currently approved drawings and the As Built scheme. The relevant figures are Figure 2 (IMNW000100-JAC-ZZ-4B0-DR-PL-7309) and Figure 3 (IMNW000100-JAC-ZZ-4B0-DR-PL-7310).

2.4 Other Conditions

2.4.1 It is proposed that any planning permission granted as a result of this Section 73A application reflects details approved pursuant to planning conditions on planning permission Ref: 20/00082/FUL.

2.4.2 It is also proposed that conditions pertaining to construction methods and environmental controls and mitigation during the construction period would not be relevant to any planning permission granted as a result this Section 73A application because the scheme has been constructed (in accordance with the conditions subject to which planning permission Ref: 20/00082/FUL was granted).

2.5 Environmental Statement

2.5.1 An Environmental Statement¹ (hereafter referred to as 'the Original ES') accompanied planning application Ref: 20/00082/FUL. This application made under Section 73A is accompanied by an Environmental Statement Addendum (hereafter referred to as the 'ES Addendum'). The ES Addendum considers whether changes to the environmental baseline exist, or new environmental information is now available, and determines whether, in light of this, the differences between the Approved Scheme and the As Built scheme alter the conclusions of the Original ES.

¹ Non-Technical Summary Doc Ref: IMNW000100-JAC-ZZ-4B0-RP-EN-0076 Rev C04 A4

- 2.5.2 The ES Addendum considers all the topics covered by the Original ES: biodiversity; historic environment; landscape and visual; air quality; noise and vibration; access and transport; geology, soil and groundwater; surface water environment; and land use and recreation. The ES Addendum confirms that the conclusions reached within the Original ES remain materially unaltered following consideration of the current baseline conditions and the changes between the approved and As Built schemes.
- 2.5.3 The Original ES concluded that there would be no residual significant adverse effects that would result from the Approved Scheme. The assessment of the As Built scheme, included within the ES Addendum, affirms this position for the proposed scheme.

3.0 Design and Access

3.1 Introduction

- 3.1.1 The requirement to prepare a Design and Access Statement (DAS) was introduced by Section 42 of the Planning and Compulsory Purchase Act 2004 and came into force in August 2006. Article 9 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) (the 'DMPO') requires Design and Access Statements to:
- a) explain the design principles and concepts that have been applied to the development;
 - b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
 - c) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
 - d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
 - e) explain how any specific issues which might affect access to the development have been addressed.

3.2 Design and Access Appraisal

- 3.2.1 The original planning application for Phase 1a was accompanied by a Design and Access Statement². The DAS submitted with the original application was prepared in accordance with Article 9 of the DMPO and was also informed by the guidance '*Design and Access Statements – How to read, write and use them*' published in 2006 by the Commission for Architecture and the Built Environment (CABE).
- 3.2.2 The DAS submitted with the 2020 application reflected the CABE guidance by explaining the design of the scheme through the following terms: use; layout; amount; scale; appearance; and landscaping. The DAS demonstrated that careful attention had been given to the design of the flood defence proposals comprising Phase 1a. The DAS detailed how the development would protect rights of way and pedestrian and cycle routes, ensuring that they would remain safe and attractive to users following the development works.
- 3.2.3 In light of the nature and scale of the differences between the Phase 1a scheme approved in 2020, and the scheme subject of this application, the principles set out within the DAS submitted within the original application remain relevant and there is not considered to be any need to supplement that document for the purpose of this application.

² Doc Ref: IMNW000100-JAC-ZZ-4B0-RP-PL-0003 Rev C04/A4

4.0 Planning Policy Context and Appraisal

4.1 Introduction

4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require applications to be determined against the policies of the Development Plan unless material considerations indicate otherwise.

4.1.2 This section of the Planning Statement identifies the relevant planning policy context for this application and provides a succinct planning policy assessment.

4.2 Planning Policy Context and Appraisal

4.2.1 The Development Plan comprises the Core Strategy (October 2016) and the saved policies of the Rochdale Unitary Development Plan (UDP) (June 2006). These documents also formed the Development Plan when the 2020 permission was granted.

4.2.2 The following policies are deemed to be relevant to Phase 1a of the FRMS:

Rochdale Core Strategy (October 2016)

- Policy SD1 'Delivering Sustainable Development'
- Policy P2 'Protecting and Enhancing Character, Landscape and Heritage'
- Policy P3 'Improving Design of New Development'
- Policy G1 'Tackling and Adapting to Climate Change'
- Policy G5 'Managing Protected Open Land'
- Policy G6 'Enhancing Green Infrastructure'
- Policy G7 'Increasing the Value of Biodiversity and Geodiversity'
- Policy G8 'Managing Water Resources and Flood Risk'
- Policy G9 'Reducing the Impact of Pollution, Contamination and Land Instability'
- Policy T2 'Improving Accessibility'
- Policy DM1 'General Development Requirements'

Rochdale Unitary Development Plan (UDP) (June 2006)

- Policy EM/7 'Development and Flood Risk'
- Policy D/10 'Protected Open Land'
- Policy RE/6 'Recreational Rights of Way'
- Policy BE/17 'New Development Affecting Conservation Areas'

4.2.3 The above policies were assessed within the original planning application (within the Planning Statement³) for Phase 1a, and by Planning Officers during determination of that application. RBC found the Phase 1a development as presented within the 2020 application to accord with the Development Plan.

³ Doc Ref: IMNW000100-JAC-ZZ-4B0-RPPL-0002 Rev C05/S4

- 4.2.4 The differences between the Phase 1a scheme presented within the 2020 planning application and the Phase 1a scheme presented in this application are of such a scale and nature that it is not anticipated that RBC would arrive at a different conclusion as to whether the development accords with the Developoment Plan. Additionally, there are no new material considerations that alter this conclusion.

5.0 Conclusion

- 5.1.1 This Planning Statement has been prepared on behalf of the Environment Agency in support of a retrospective planning application for the As Built development of Phase 1a of the Rochdale and Littleborough Flood Risk Management Scheme (FRMS).
- 5.1.2 Planning permission Ref: 20/00082/FUL was granted for Phase 1a of the FRMS in May 2020.
- 5.1.3 During the construction process some minor engineering design changes were necessary to address features such as unexpected foundations. Additionally, some changes to landscaping were made following feedback from residents during the construction process.
- 5.1.4 Construction of Phase 1a was completed in 2023 (substantial Completion). This application seeks planning permission for the As Built scheme which incorporates these changes.
- 5.1.5 The As Built scheme has been considered through an ES Addendum which identified that the conclusions reached within the Original ES remain materially unchanged.
- 5.1.6 The Development Plan has not changed since the Approved Scheme was granted in May 2020. When determining the 2020 application, RBC found the Approved Scheme to accord with the Development Plan. There are not any differences between the Approved Scheme and the Phase 1a scheme presented in this application that are anticipated likely to cause RBC to arrive at a different conclusion as to whether the development accords with the Development Plan.
- 5.1.7 Consequently, it is requested that planning permission is granted without delay.