



BY EMAIL ONLY : [REDACTED]

Aimee Bovaird
Planning Officer
Planning and Development
Rochdale Borough Council
Number One Riverside
Smith Street
Rochdale
OL16 1XU

22nd September 2026

Dear Aimee,

Subject: Request for Extension of Time and Clarification – Application Ref: PL/2026/0567: 13 Hillcrest Road OL11 2QE

I am writing regarding our current Section 73 (s.73) Variation of a Condition application PL/2026/0567 to confirm that the Applicant formally requests a further Extension of Time (i.e. in addition to those that you had yourself previously requested and been granted) until such a time that this current (retrospective) application for an Approval of details reserved by a condition linked to Condition 3 on sustainable drainage and sewers and Condition 4 on hard and soft landscaping can be discharged.

We apologise and accept that there has been a procedural omission by ourselves regarding the outstanding condition 3 details from the original permission. However as already recorded in our online dealings, this oversight was made in good faith due to confusion because construction had previously already commenced up to DPC with the final drainage scheme placed on temporary hold whilst other technical matters were being confirmed. This matter was resolved through the liaison with Rochdale Building Control (as a working amendment to their original 2017 approval) and United Utilities. In addition, as Condition 4 linked to hard and soft landscaping only required approval prior to first occupation of the dwelling (i.e. not commencement as in Condition 3), this further confused matters - i.e. with the only SUDS surface water drainage, the only measures practically possible are permeable hard and soft landscaping.

We trust that this retrospective conditional discharge can now be resolved reasonably and without any need to withdraw the current s73 variation application, based on what we believe are the following points of established precedent:

- Lawfulness is Established: The lawfulness of the commencement has already been formally confirmed by the Council via our Lawful Development Certificate (Ref: 23/00198/CPE linked to prior approval D49154) with works already commenced up to DPC and subsequently updated in planning permission (Ref:23/00605/FU);
- "Heart of the Permission" Test: Given the minor scale of this single-dwelling site, the outstanding discharge of the sustainable drainage detail is a technical management matter. It is quite clear that this does not go to the "heart of the permission" or impact the principle of the development;
- Technical Compliance: This sustainable drainage design is anyway straightforward (permeable paving and standard roof rain water and foul discharge connections to existing in-road surface water and combined

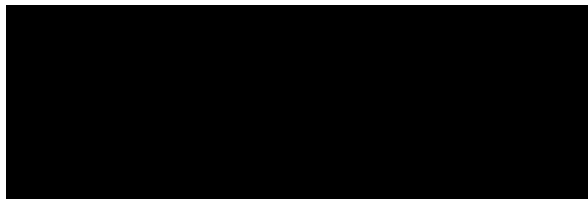
drains respectively) with this already formally consulted, submitted and reapproved under Building Regulations as an agreed continuation of the original 2017 granted Building Regulations Approval (Ref: 018918). David Oakes (previous) Head of Building Control of Rochdale BC confirmed in writing on 20.05.24 that: "...the application remains valid and agree that in this instance, the compliance standards that were in force at the time of the initial commencement, may continue to be applied to the proposed new (extended) superstructure".

The applicant requests proportionality over implementation of the Non-Statutory Technical Standards for Sustainable Drainage Systems, published by DEFRA in March 2015 and linked CIRIA SuDS Manual (C753). As such, they ask that the site's highly limited size (i.e. 21m long x 6.76m wide @ 142m²) and the building footprint sited on that taking up 38% of that area (i.e. 12.35m long x 4.5m wide @ 53.4m²), as well as close proximity (i.e. within 2.5m of the boundary at least) to other buildings on three sides be borne in mind – realistically meaning that a soakaway system is simply impossible here (i.e. it needs to be minimum 5m from any building and 2.5m from any boundary for point source infiltration like roof rainwater). Further to this, because Building Control has formally agreed that the original standards can apply, the applicant believes in good faith that they cannot be expected to install any SuDS features that compromises those approved works or violates Building Regulations Part H.

As such, the current proposals for rainwater discharge to the separate surface water drains for roof rainwater is in accordance with both Condition 3i (i.e. being fully in accordance with Building Control Part H Drainage requirements) and is also in accordance with Condition 3ii for ground water (i.e. with construction details proposed for permeable paving). The applicant is also willing to specify smart attenuation rainwater butts for roof rainwater (i.e. such as a Freeflush Attenuation Tank) to help delay run-off after heavy rainfall.

Therefore, to look to correct this administrative gap, we confirm that we are hereby concurrently submitting a (retrospective) application for an Approval of details reserved by a condition today for Condition 3 and 4. This contains the exact same technical drawings and details as is already approved by your Building Control. As such, we kindly request the Extension of Time on the s.73 PL/2026/0567 so that both applications can be aligned and concluded positively.

Yours sincerely



Ian Banks ARB ACArch FRSA
Architect Director
Atoll Ltd

