

APPENDIX 1

Comments received on 20th February 2020 from Mr and Mrs Hodgson – Officer responses in red.

Dear Mr Dalglish,

Thank you for your response to our email dated 19th February. Unfortunately, your response is not too helpful, in as much it glosses over many of our points, does not answer most of the questions we have asked and quite frankly gives the impression that you have not read it or understood what we are saying.

Your first point telling us that there will be no gap between the four garages and the remaining two garages is completely irrelevant; at no point did we suggest there would be. Our concern is that the person who conducted the structural report, on which you rely so heavily to make your decision, was clearly under the impression that all six garages are being converted. If the engineer was not clear about what they were surveying, how can their conclusions be accurate and taken seriously? You are taking this report so seriously that you are using its conclusion to recommend building on green belt land!

Under your heading ‘Green Belt’, you quote the following sentence from a section of the SPD: *“The conversion and re-use of buildings in the countryside will only be acceptable where it can be demonstrated that the building is structurally sound ...”*

Presenting this short extract is very misleading. As I am sure you are aware, we included the whole of this paragraph in our email and it goes on the state:

‘ . . .and can be converted without major rebuilding or reconstruction. In order to assess the capability of the building to accommodate the proposed conversion, and to assess the scheme in terms of the amount of structural alterations, the Council will usually require planning applications to be accompanied by a structural survey assessing the ability of the building to accommodate the intended use. The survey should be undertaken by an independent Chartered Structural Engineer with experience of preserving traditional buildings and should incorporate scaled drawings highlighting all the areas of the building which would require rebuilding.’

SPD, Section 4.1, para 2

As this is the main focus of our concerns, why was this part of the section not included in your response along with the answers to our questions?

Referring back to our email 19th February and your response there are some very specific and we think simple questions, which you have chosen not to answer, please could we have answers now? You will find more detail in our email but just so there is no misunderstanding about which questions we refer to we will outline them below:

- As stipulated in Rossendale BC Supplementary Planning Document (SPD) (see above) the survey report *‘... should incorporate scaled drawings highlighting all the areas of the building which would require rebuilding.’* Has Rossendale Planning

Dept received these drawings? No specific drawings have been provided showing the extent of any proposed demolition and re-building. Based on the structural report that has been submitted, it is understood that the building can be converted with only relatively minor repair works, as opposed to any significant demolition and re-build. Of course, the fenestration of the building will be changed to remove garage door openings and insert window and door openings.

- If no such drawings have been supplied please explain how officers:
 - a) have concluded that it ‘... can be converted without major rebuilding or reconstruction ...’? This is based on the conclusions of the submitted structural report.
 - b) have been able ‘to assess the scheme in terms of the amount of structural alterations’? This is based on the conclusions of the submitted structural report.

How has the area that requires demolition and/or rebuilding been calculated? Our conservative estimate of 34% needing to be demolished/rebuilt has been as carefully calculated as it can be without the scaled drawings, we ask on what basis you have decided it is not even close enough to warrant scrutiny? This is based on the conclusions of the submitted structural report, and officers have not been provided with any substantive evidence to the contrary throughout the application process.

You state in your reply, ‘I appreciate that it is normally very difficult to determine the precise percentage of re-building that would be required until building works actually take place ...’ Surely this is too late!!

We note you refer to the required figure of 30% as ‘notional’, at no point in any of the SDP does it say that this figure is a notional one. Why you are saying it is? Whilst the SPD gives a 30% figure, the National Planning Policy Framework (which is more up-to-date than the SPD) does not contain any specific figure – it requires only that such buildings to be converted are of ‘permanent and substantial construction’ and in officers’ opinion the submitted structural report demonstrates compliance with this.

How much constitutes ‘significant re-building’? (Sec 13 NPPF) It has still not been demonstrated that the existing building can be converted without significant re-building. There are only 3 outside walls: the front elevation will virtually be 100% changed/re-built, the rear elevation approx. 60% will change/be re-built and the roof will be completely demolished and replaced. The National Planning Policy Framework requires that such buildings are of ‘permanent and substantial construction’ – interpretation of this is a matter for the decision-maker (in this case the Committee) based on the evidence before them.

As it is a requirement stipulated in the SDP that detailed, scaled drawing showing which parts of the building would require rebuilding, why have you have not insisted that these drawings be produced? This is an important question, particularly as there are all these uncertainties around whether the building is suitable for

conversation, which you yourself say are difficult to answer. **The submitted structural report does not conclude that there will be a need for any significant demolition and re-building of the main structure. The submitted elevation drawings show clearly the changes to the building elevations that are proposed. Officers do not consider in this case that there is a need for any further drawings in order to assess the proposal.**

Please be aware that we need answers to these questions and that in your reply it is not sufficient to merely state that 'officers have determined' or a similar all-encompassing phrase. We have taken the time and trouble to actually calculate these figures, as accurately as we can without detailed drawings, and given you details on where the figures come from, please have the courtesy to respond with the specifics of how officers have made their calculations.

We note that you will give an updated report to the committee giving a summary of our concerns. Unfortunately, on the current report supplied to the committee those comments expressed by objectors, that you have included, have been reduced to less than 6 words, this will hardly do justice to our stated concerns.

We are becoming very frustrated that we are not being heard and are insulted that the only chance we have to communicate our concerns to the committee is a three minute presentation at the meeting.

We would be grateful if this planning application could be removed from the planning committee's agenda on Tuesday 25th February 2020, due to the plans and reports submitted being inaccurate and insufficient and whilst all issues are addressed.

We hope to hear from you soon in response to this.

Kind regards,
Andrew and Elizabeth Hodgson

APPENDIX 2

Comments received on 24 February 2020

To those concerned:

Sirs

We have belatedly come across a copy of the recommendation submitted by Mr J Dalglish written on 10th February 2020 coinciding with the concurrent determination date of 10th February.

As this recommendation contains issues with which we would vehemently object to and have bearing on any outcome, why have we not been sent a copy previously and more importantly why is this sort of information not put onto the web site as being a pertinent document ?

As time is now of the essence, we would request that you take account of the following observations below as to the contents of this recommendation and further submit copies to the relevant Councillors on the planning committee.

Page 1: It is good that mention is made of Article 8 & Article 1 of Protocol 1 as we do hope it will give us the protection intended.

Page 2; Site: Clarification - we ARE Lumb Village. Land to the east is not substantial and is a privately owned parking ground for Herons Reach only, it's capacity is not enough to cater for all their vehicles at any one time.

We are grateful that fuller mention is made of the previous refusals for building on this footprint along with some of the reasons why not.

Page 3: Following on from the previous page and Reason 1, we are shocked to hear that the Officer concerned is "pleased" about the Structural Inspection Report prepared by ARG Design which concludes the site to be "readily convertible without extensive works" !

We would draw your attention to the excellent critique of this report submitted by our neighbour Mrs E Hodgson. We would concur that the "report" is a shoddy piece of work submitted by a non ARICS or FRICS member redolent of a "drive by" valuation carried out for a mortgage application. The report not only includes a photograph of the wrong garages (one of which is ours) but confuses "lightweight sheeted", "concrete cladding panels" roofing with the actual asbestos sheet it is. He further admits that he has not inspected drainage, electrical or gas installations - not only is this an admission of omission but more importantly because there are none of these facilities present ! He goes on to provide a photograph in para 4.1 and conclude that it is in a satisfactory condition ! We would leave the photograph to speak for itself as being a complete contradiction. The rear elevation photographs show the back of our garage but does not show the missing back wall of No.4 garage which has already been demolished by the applicant making the task of renovation even more extensive. Further shoddiness is exemplified by 4.2 a) in which it is concluded that "Current wall construction suggests an internal lining of insulation would be satisfactory to meet current building regulations" (sic) - not only misspelling words that you thought would

come easily to a Civil Engineer but missing the point that insulation would be stuck to our internal wall to become the external wall of the proposal and without suggesting what happens to the roof space. He does however get one fact correct - the building is on a concrete base but will not commit himself beyond stating that it "appears" to be so.

We find not only the report, but also reliance on it, as strong evidence in overcoming the previous declination of RBC and the Secretary of State as at best naive, at worst, unprofessional.

Page 5: 8 Assessment. We are confused by the notion that there is not going to be a new building. The application drawings are only for show then?

Page 6 There is further reliance of the ARG report - we would suggest that a lot more than minor works are required to build a house here.

Page 7 "replacement roof structure to provide a more aesthetically pleasing appearance" ! It is asbestos for goodness sake.

No mention of how the "join" to our garage is to be accomplished.

No mention of missing back wall to No. 4 garage requiring extra brickwork, also giving the lie to "repair of small sections of external wall"

For "fenestration of the building" we read - complete rebuild and so not insubstantial work.

Whilst on the subject of building materials - it is stated in the application that material was to come from the existing structure and material on site - where is this material to materialise from ?

Page 8 Neighbour Amenity d) Amenity space - there is a complete failure to mention that the carbon copy of this application (2019/2088) was also turned down

Highway Safety The speed of traffic in this instance is totally irrelevant - it is the fact that a private road is being assumed to be available to be used in this manner.

Page 9 Highway cont'd: Even one more vehicle by definition would add to the already congested and aggravating situation

a) fact - they are already garages. However the suggestion would be correct if used by vehicles owned by people who do not live here. Conversely if they were used by people who actually live here (as they used to be) it would alleviate the congestion overnight. Why not put it forward as a proposal !

b) the point surely is that it was refused (3 times) and also the S of S in para 37 alludes to the access difficulties, particularly of emergency vehicles; in which he admitted he had not addressed in his decision. Further - the garages are in use despite what the agent may tell you.

a) Quite - it is private land

b) The area in question (yet again) is NOT Meadow Park, it is a privately owned narrow lane in Lumb Village

c) would someone care to show us where, assuming they get owners permission to use the road ?

d)the conflation of "emergency" and "relative infrequency" would send shudders through someone say who had experienced Grenfell Tower. The idea that it is not "ideally suited" is insulting and dangerous.

We would further question the input of the Local Highway Authority instructing that roads up to half a mile into the site are acceptable in terms of access, parking and highway safety is unacceptable, as they are owned by four different entities and contend that it is NOT acceptable.

Page 10: Drainage: United Utilities and the Environment Agency may have been consulted but to our knowledge have not carried out specific investigation as to the proposal's viability.

Flood risk: Fact - proposed is in a Flood Plane. Their "no objection" was obviously given before the events of the weekend this report was written when a replica of the events of Boxing Day 2015 occurred with more devastation caused not only to the roads but also to the Lumb Bridge which was seeping water even through the parapet. The bridge continues to be left in a precipitous state which will not be alleviated by the addition of even ONE more vehicle having to use it.

Page 11 We disagree vehemently with the Summary Reason For Approval as it is inappropriate development of a building that has NOT been demonstrated to be of permanent and substantial construction.

Yours faithfully

Mr & Mrs F & P Walters

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