

Mr. J. Macholc,
Head of Planning,
Ribbles Valley Borough Council,
Council Offices,
Church Walk,
Clitheroe,
Lancashire.
BB7 2RA

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CHIEF EXECUTIVE

26 MAY 2021

FAO

Copies to: Mr. Adrian Dowd, Principal Planning Officer ✓
Mr. Geoff Lawson, Head of Building Control

24th May, 2021

Dear Mr. Macholc,

Application No: 3/2021/0388 – 6 Downham Road, Chatburn BB7 4AU

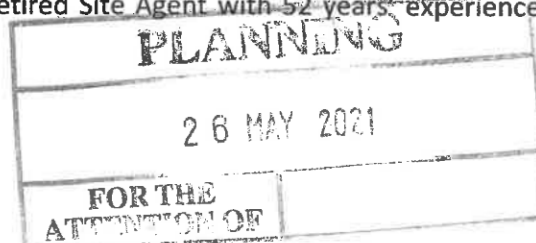
Thank you for your letter of 21st May, which I appreciate. However, there is a **very serious safety issue** with the above approval, which must be dealt with by the Council.

Being born in the 50s and living at [REDACTED] my sisters and I are in no doubt which are the original walls bordering 6 Downham Road and [REDACTED] i.e. walls of the former coal sheds, the castellated dressed sandstone boundary wall (property of [REDACTED] and the remnant wall of the curtilage structure (former toilet of 6 Downham Road) – none of which are 3.145m high. We knew, therefore, there was a serious discrepancy with the plan Drawing No. 2108.00.02 of the above Application, which showed the outline of a high wall. The only structure high enough on site would be the rear wall of the modern outbuilding raising consternation, which is why I wrote in my representation 5th May 2021: *"I am alarmed, however, with the proposed GF Plan and Front Elevation Part Section B of Drawing No. 2108.00.02 highlighting in red the outbuilding walls to be removed, and the very dangerous misconception it leaves a strong, self-supporting 3.145m north boundary wall. This is not the case. Understanding the history of 6 Downham Road and the adjacent properties [REDACTED] is paramount, and enclose a map, photographs and illustration (attached) to support this representation"*.

The site had been referred to in the Heritage Statement/Design and Access Statement as a "walled garden". On 22nd April 2021, when inspected, it was obviously wrongly concluded the north wall (height 3.145m) was a boundary wall, with the modern outbuilding and roof terrace an independent structure. It is most unfortunate on receipt of our representations on 7th May, with photographs proving this was not the case, initial findings were not questioned and the site revisited.

In your Delegated Report you state: *"It (the Proposed Development) is situated at the rear and abut the existing boundary wall"*. In the Decision Notice it is stated under Condition 2: *"Unless explicitly required by condition within the consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Location Plan 2108.00.00 Proposed Elevation Plans 2108.00.02"*

I have a replica of my representation submitted to the Council and took this, along with the above plans, to my neighbour; he is a retired Site Agent with 52 years' experience. After



careful perusal his response – in his plain speaking manner – was, “*It’s a killer*”. He went on to explain the removal of the roof and three outer walls of the outbuilding, leaving in situ its’ remaining rear wall of 3.145m high, would be a “death trap”. The situation is exacerbated by the 1.4m high random limestone façade of the rear wall, precariously built on the back edge of the dressed sandstone boundary wall belonging to [REDACTED] – all fully explained in our representations. Only 15cm deep and overhanging the edge of the sandstone boundary wall by 5-10cm towards 6 Downham Road, the façade is not only dependent on, but adding weight/pressure to, the rear cement block inner wall of the present modern outbuilding. My neighbour felt no self-respecting builder would leave such a severe hazard, i.e. the rear wall of the modern outbuilding standing alone (with roof and all other walls demolished) but, shockingly, this is what the approved plans intimate.

I asked my neighbour how the vulnerable rear outbuilding wall of 3.145m high – which, in effect, would become an ‘acting boundary wall’ – compares to the construction of a purpose-built boundary wall of the same height. His reply, “*Totally different: it would require deep footings; to be at least 60cm wide and built using ‘quarter bond’ – steps within the wall itself to form strength; the cost would be phenomenal; but no boundary wall can be more than 2m*”.

Safety was a major concern in our representations; our eldest sister’s hand-written letter stating that the 3.145m rear wall “*must breach every health and safety rule and building regulation there is with regard to walls between neighbouring properties. It will constitute a grave danger to the residents of both 6 Downham Road and [REDACTED] which must be addressed now that the Council has been advised of the situation. Ribble Valley Borough Council has a duty of care to its residents and to my mind the first duty of care is to the safety of those residents*”; the resolve being the complete dismantling of the modern outbuilding. Unfortunately, our request to have this serious matter addressed before approval did not materialize. The removal of the rear wall of the outbuilding could have been implemented under Condition.

With the potential severe consequences, leaving the rear wall of the modern outbuilding in situ is not an option. It was constructed merely as part of an outbuilding/roof terrace, not a strong, purpose-built boundary wall. To leave this unstable 3.145m high wall as a border between the two small back yards of 6 Dowham Road and [REDACTED] would not only endanger lives, but breaches the statutory height regulation of 2m for boundary walls. It will continue to have a harmful impact upon the setting of the Listed Building, the character and appearance of the Chatburn Conservation Area and a significant and unacceptable impact upon residential amenity, with the severe overbearing of [REDACTED] contrary to Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy.

The removal of the rear wall of the present outbuilding will not affect the approved small outbuilding situated at the rear and abut the former coal shed wall (2.6m high approx.) and the castellated dressed sandstone wall – the only boundary wall between [REDACTED] and 6 Downham Road, built in 1880/81. From the Grade II Listed curtilage, this boundary wall will measure approximately 1.75m high (1.9m to the top of the castellation), but probably has only shallow foundations. As I stated in my representation, “*a rough random stone wall can be remembered at 6 Downham Road next to, but lower than, the dressed*

sandstone boundary wall; probably a retaining wall to counteract the differing levels", another low retaining wall will probably be required. The dressed sandstone boundary wall of 2 Sawley Road must be fully respected.

If the owners of 6 Downham Road wish to have a 2m wall abutting the dressed sandstone boundary wall, could I please suggest this be built of natural stone, as 10cm-25cm of wall would be visible above, but independent of, the dressed sandstone boundary wall of [REDACTED]. A cement blockwork wall would not be acceptable within the setting of the Listed Building nor within the Chatburn Conservation Area, where limestone walls are a prominent feature. You have approved the small outbuilding walls to be rendered blockwork which, I feel, may set an unfortunate precedent within the Conservation Area, but please ensure this does not extend to curtilage walls. As I stated in my representation: *"There will be at least 10 square metres of re-usable random natural limestone available once the present high structure is dismantled"*. This would be ideal material for any possible wall construction, but please ensure no wall is built above the statutory height limit of 2m.

There is every chance the Agent, Jill Cowgill, made the same unfortunate observation as yourself, wrongly believing the high wall to be a historic boundary wall, with the modern outbuilding and roof terrace an independent structure, which has led to this confusion. Viewing the site from only the roof terrace of 6 Downham Road and [REDACTED] obscures the perspective of what this wall actually is – the rear of the modern outbuilding. If you or your colleagues wish to view the structure from the yard of [REDACTED] please phone me on [REDACTED]. I would be more than happy to meet and discuss.

To reiterate, the approved plan shows the outline of a 3.145m high wall bordering [REDACTED] and 6 Downham Road. THIS IS NOT A BOUNDARY WALL. It is literally the rear wall of the modern outbuilding keyed in to the roof terrace and all other walls of the outbuilding, which have to be dismantled together to avoid a potential crisis. The dismantling of the whole modern outbuilding will NOT affect the approved small outbuilding, which will be situated in the same position abutting the former coal shed wall and dressed sandstone boundary wall, belonging to [REDACTED].

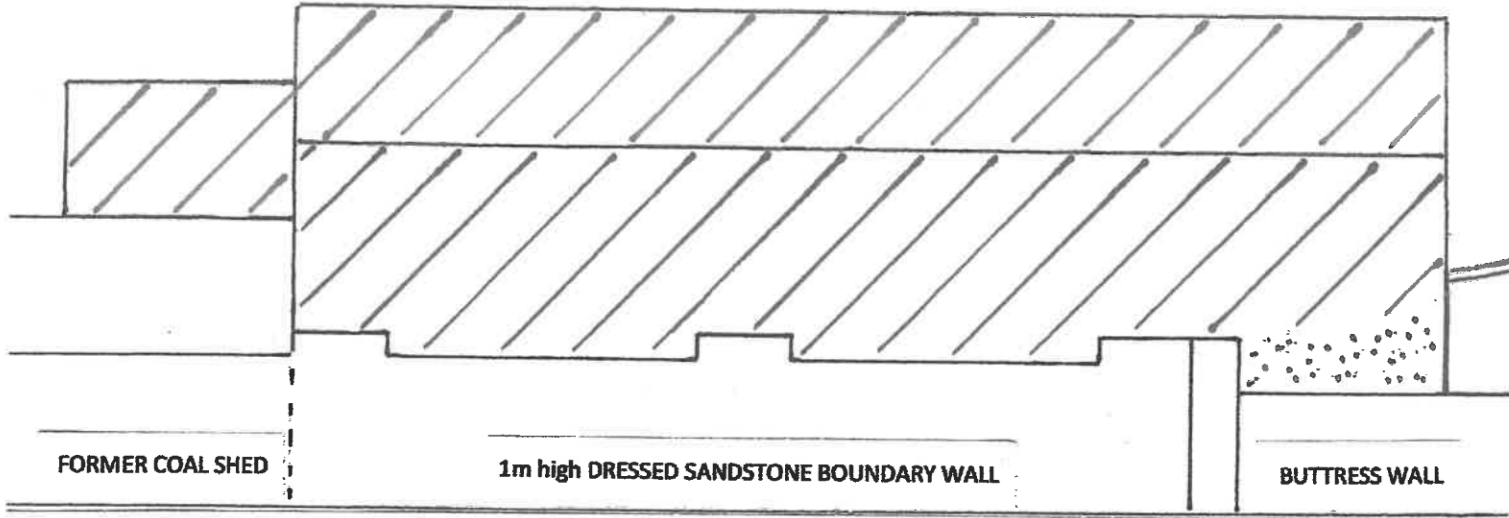
I cannot stress more strongly how serious this matter is and must be addressed. With safety in severe jeopardy, can we please ask the Council to enact their duty of care and ensure correct measures are put in place to oversee the dismantling of the whole present modern outbuilding. I would be grateful to hear from you of how and when this will take place. As this incongruous structure continues to deteriorate, hopefully its' removal will be soon.

Yours sincerely,

[REDACTED]

Enc: Illustration

**PRESENT REAR VIEW OF MODERN OUTBUILDINGS
AS SEEN FROM [REDACTED]**



FORMER COAL SHED

1m high DRESSED SANDSTONE BOUNDARY WALL

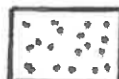
BUTTRESS WALL



FENCE

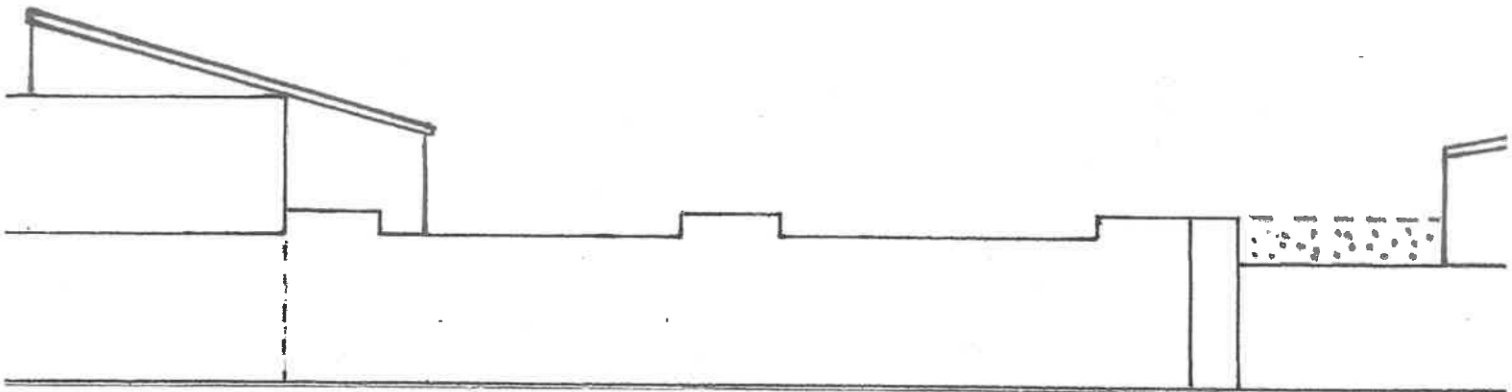


RANDOM LIMESTONE REAR WALL -
1.4m FAÇADE

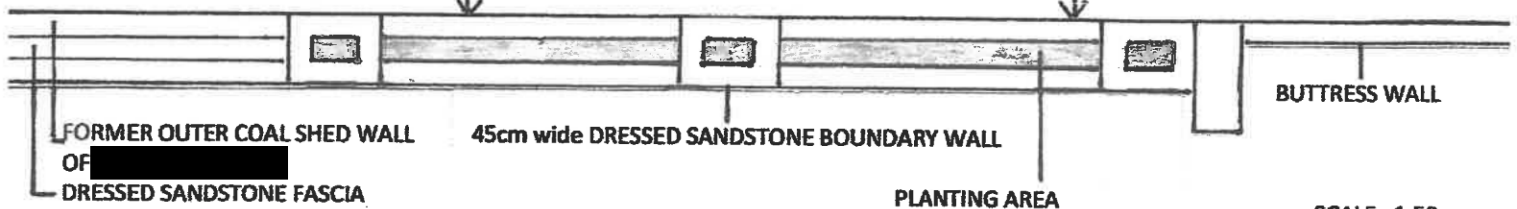


REMNANT WALL OF CURTILAGE STRUCTURE
(TOILET OF 6 DOWNHAM ROAD)

**AFTER REAR OF MODERN OUTBUILDINGS DEMOLISHED
WITH PROPOSED SINGLE STOREY OUTBUILDING**



BOUNDARY LINE TO BE RESPECTED



FORMER OUTER COAL SHED WALL
OF [REDACTED]
DRESSED SANDSTONE FASCIA

45cm wide DRESSED SANDSTONE BOUNDARY WALL

PLANTING AREA

BUTTRESS WALL

SCALE: 1:50