

Garden Lodge  
Coopers Lane  
Wantage  
OX12 8HQ

16 June 2020

**Re: Jigsaw Coopers Lane Wantage OX12 8HQ**

Proposal: Variation of Condition 2 of P18/V2756/FUL for amended plans. Proposed new dwelling, garage and partial demolition of existing dwelling with that retained to be used as an outbuilding used for storage. Retrospective (Revised site location plan received 23 January 2020 and amended plans received 27 February 2020).

Application reference: P20/V0114/FUL

Dear Councillors

**Written statement to supplement representations already made**

We note that this and our previous representations will be made available to all members of the planning committee and will be published online.

Our objections remain as follows:

**Garage**

The planning officer states the design and form of garage is not impacted. However, this was not the point. The site of the garage door is right next to our boundary. On the approved plans this door was on the north elevation. This open doorway increases vehicle noise and allows fumes to exit, particularly motocross vehicles. Several concerns have been raised already with environmental health about this issue. This objection relates to noise and fumes as detailed in DP23 of the Local Plan 2031 Part 2.

Again, the planning officer stated the shower room on the first floor of the garage having no material visual impact on the building. Once again, this is not the issue. There was a condition placed on approval of plans at a planning meeting held on 17/4/2019.

The planning officer states: *'Appeal decisions and case law on whether the use of a domestic building is incidental to the main house ...have established that, for each case, an assessment has to be made of both fact and degree – what are the facts concerning how the ancillary building is being used and what is the degree of inter-relationship with the main house? The installation of a shower and toilet in themselves do not prove that the garage will be used as a separate unit. This can only be established through the fact and degree of usage over time.'*

Planning permission was granted with conditions in respect of the garage building being used only for purposes that are **'ancillary and incidental to the dwelling on the site and shall not be occupied or used separately'**. By adding a toilet, shower room and washing machine, the accommodation now lends itself to being occupied

as a self-contained unit or habitable room. This contravenes the terms 'ancillary' and 'incidental use'. It also contravenes Policy DC9 which refers to noise and vibration for use other than storage?

The planning officer states '*The site will remain as one unit, no separate curtilage will be created, and the use of the garage, whether as an office, workshop or **additional accommodation** etc. would maintain a connection to the main dwelling.*' This is entirely incorrect. Having utilities connected make it a separate unit which could be used for accommodation independently from the main house? Therefore, condition 10 would be breached

### **Main House**

The changes to the two-storey porch were undertaken without planning permission and have now been completed without permission in place. We objected to this in respect of overlooking affecting privacy. This is a direct contravention of Articles 1 and 8 of the Human Rights Act 1998. This states a public authority cannot take away an individual's right to peaceful enjoyment of possessions and protection of property without very good reason.

The planning officer reports that, '*the addition is relatively small*'. The issue here is not the size but the fact that the very large expanse of glazing does allow overlooking and there is already considerable light glare. As this is completed this could be viewed if necessary to prove the point.

In summary, the VoWH have not:

**Ensured the proposal will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts in relation to the following factors:**

- i. loss of privacy, daylight or sunlight
- ii. dominance or visual intrusion
- iii. noise or vibration
- iv. dust, heat, odour, gases or other emissions

We disagree that '*the proposed design changes to both the main dwelling and the garage building do not give rise to any unacceptable neighbour amenity impacts*' when taking into consideration the policy and guidance above.

### **Parking and highway safety**

The planning officer states the '*proposal is not considered to give rise any detrimental highway safety impacts and is therefore considered compliant with policies CP35 and CP37 of the Local Plan 2031 Part 1, and with policy DP16 of Local Plan 2031 Part 2.*'

Due to the amount of buildings and overdevelopment there is no possibility for any vehicles to exit the site other than to reverse down the drive into a pedestrian path used by primary school children. This happens several times a day and does impact on safety?

This contravenes the VoWH policy that: *'adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning'*.

It is also inaccurate to state that the proposal does not introduce any impacts on drainage or effect on trees. The applicant has undertaken drainage work from property to Letcombe Brook with no permission. The environmental team can provide information as they are dealing with this. The tree is dying as has had heavy vehicles parked on it for the duration of the build which has impacted the soil and killed the roots. This contravenes another of the conditions agreed at the first planning approval.

We sincerely hope that due diligence is considered in considering this application and the facts as above. Conditions have been continually breached and refusing this application will not impact upon the applicants in respect of other accommodation on this overcrowded site.

We also request details to allow us to screen the virtual planning committee.

Yours sincerely

Paul and Jane Rowland