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Your Reference APP/17/01350

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Dear Sir/Madam

Thank you for your letter of the 2nd of January informing me of the intentions of my next door neighbour with regard to the siting of what amounts to a three bedroom bungalow in her back garden. She never informed me of this and obviously has no intention of doing so. She did mention once that her children were going to put a log cabin in the garden but a three bedroom bungalow, albeit made of wood, cannot in my opinion be classed as a log cabin. It covers approximately the same square footage as most of the properties on this estate and possibly more than some.

I therefore strongly object to the siting of this building in the back garden of 47 Hazleton Way.

- **The size of it** - Within an inch or two, 66 feet x 21 feet x 12 feet high will take up almost half the garden, and being only about 10 feet away from my garden boundary will affect me considerably. It would be like having a 12 foot high fence erected along the boundary. Does one still need planning permission for a fence over six feet?
- **Classifying the building as a twin unit mobile home** – This in my opinion is incorrect. It is a transportable residential home of significant dimensions, far from mobile, measuring a house sized 1380sqft of accommodation fully equipped and not being transportable without breaking up.
- **Further attempts to classify the Norwegian Log Home as a caravan** – Ridiculous. It is not a caravan.
- **Provides for additional accommodation that would not result in operations development** - This may not be true as pointed out in test cases associated with DCP (Development control practice) section 4.31/10 relating to a similar sized building, 20metres x 7 metres, For which a conclusion was reached that the size and weight of the building suggested permanency despite the applicants intent to move the building around the property on an annual basis and the building not being fixed to the ground.
- **The area of the garden for siting has close physical and functional association to the dwelling house** – is 60ft "less than close"? I don't know but it's certainly not an extension to the main residence, which, incidentally, is a bungalow and not a house as suggested in the application. In fact, it is a fully equipped self-sufficient dwelling big enough for a whole family to live in, and most likely, with its own connections to Electric, Water, Sewer and possibly even Gas. Should this additional property on the estate at 47 Hazleton Way be assessed for its own council tax?

- Clause 2.21.4 No separate services are proposed, there will be one household electricity and water bill** – if this is true then it does not necessarily mean that the property will not be connected to mains electricity, water and sewerage, even gas and if it was not intended to be connected to such mains services, why site the largest sized Norwegian Log Home of 1380sqft comprising of a full sized Kitchen (not a kitchenette as you would find in a caravan) and bathroom with bath, shower and toilet, three bedrooms one with an ensuite, a second toilet sink and shower. The property is more akin to a full sized permanent dwelling rather than a mobile home or caravan. Also, if GAS is used at the property or even a log burner, will a fire risk assessment be required?
- Clause 2.21.5 The mobile home will provide bedroom, bathroom, and living accommodation with limited kitchenette facilities for the preparation of hot drinks and snacks** – Is this statement skirting around the truth? Because the Norwegian Log “building for life” schematic shows a floor plan illustrating the kitchen/dining area to be approximately one quarter of the size of the whole property. i.e. around 345sqft. The approximate size of the kitchen can be determined from the illustration to be approximately the same size, 16.5ft x 10.5ft. That is a large kitchen area to warm up a cup of tea. The adjoining dining area can be determined from the illustration to be approximately the same size 16.5ft x 10.5ft. This is no caravan or mobile home. The separate lounge area is even bigger than the kitchen and dining room put together. This whole application for a Lawful Development Certificate seems to be skirting around the truth. *The latter being my opinion. The aforementioned facts should speak for themselves.* I would ask the question before considering the Norwegian Log Home to have only a kitchenette. Will the kitchen as depicted on the schematic be fitted with any of a standard size - kitchen sink, cooker, hob, fridge, freezer, microwave and extractor fan. It is unlikely the property costing in excess of £100,000 is not going to have a complete full sized kitchen.
- Clause 2.21.6 – The family will regularly take meals together in the main house** – Is this skirting around the truth again? The statement has little substance. Why site an expensive dwelling for a family (2nd – 3rd generation thereof) to live in if there is no intention to use the facilities that it is designed to provide. The statement doesn’t stand up!
- Clause 2.21.7 – the family will socialise in the living room and will have access to other areas of the house including the use of the bathroom** – Is this skirting around the truth again? Also does the statement referring to the house mean the main residence, the bungalow? If so why would the family living in the Norwegian Log Home need to use the bathroom of the main bungalow when the Log Home (of great proportions) has two (potentially luxury) bathrooms installed in it? Why just mention that the family will socialise in the living room, does this relate to the living room in the Norwegian Log Home, or is it the living room of the main bungalow?
- Clause 2.21.8 The washing machine in the main house will be used by all family members** – This may be true, but what about the use of the washing machine and other facilities in the utility room of the Norwegian Log Home. Will the main occupants of the Norwegian Log

Home use the washing machine and other facilities that may be present in the utility room (which is illustrated to be of significant dimensions) most of the time?

- **Clause 2.22 Test cases** – Well, there is at least one test case that concluded that buildings of similar dimensions to the Norwegian Log Home suggested permanency even though the property was not fixed to the ground but instead due to its significant size and weight.

Furthermore, the construction of a dwelling of this size in the rear garden of 47 Hazleton Way, Cowplain and its use thereof as a primary residence by a second family generation residing at the same address as the main bungalow may very well reduce the marketable value of the immediate adjoining neighbour properties at Nos 45 & 49 Hazleton Way, Cowplain, for which compensation may be sought should such a development be allowed to go ahead.

To this end, the impact to the immediate neighbours should be further assessed by the authorities prior to allowing such a development to proceed; to take into account the environmental aspects such as the potential for the land to flood, the gardens at these properties can flood easily due to poor drainage as a result of the clay. Waste water and sewerage is of concern, how will it be disposed of safely without interfering with the neighbouring property owners - the new dwelling looks to have at least two toilets, a bath a shower, a kitchen and a utility room. A second family will produce rubbish to be disposed of, where will this rubbish be stored. What if it is scattered around the garden and begins to smell. If such a development is allowed to proceed, the precedence set may infuriate other residents of the Hazleton estate. Have they all been notified of this application for an LDC by 47 Hazleton Way?

Have the deeds associated with the properties on the Hazleton Estate been examined to determine if there is a covenant or some agreement or promise that will prevent buildings of the size proposed in the application from being constructed in the gardens of the properties on the Hazleton Estate?

The above constitutes my responses to some of the LDC application clauses.

In view of my understanding of the situation, a solicitor may be instructed to take my objection further as it is strongly felt that the LDC application is unsubstantiated.

Web Links:

Test Case to support permanency: -

<http://www.planningresource.co.uk/article/1209004/operational-development-q---dcp-section-431>

I would like to add that this building would be only about ten feet from my garden fence and would be liken to a twelve feet high fence. To erect a fence this high would I believe need planning permission? If so then why, as your letter implies, does this structure not need planning permission but only a "certificate of lawfulness"?

Sincerely

R. L. Handley