

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/0698/P	Alex Miller	24/05/2024 22:54:42	INT	<p><b>**Subject: Concerns Regarding Planning Application Number 2024/0698/P for The Cottage, 10 Lyndhurst Road**</b></p>

Dear Camden Council Planning Officer,

I am writing to express some questions regarding the planning application Number 2024/0698/P for The Cottage, 10 Lyndhurst Road, London NW3 5PX.

As a resident of the Basement Flat (also known as the Garden Flat) at 9, Lyndhurst Road, next door, I welcome the proposal to replace the current run-down and dilapidated building at The Cottage. I congratulate the freeholder on their purchase and look forward to the improved building.

However, within the proposed development, the following questions are of concern, and I would appreciate your consideration of these points:

1. **\*\*Privacy\*\***:

- **\*\*Building Height\*\***: The proposed height of the new building (19.70FFL) is significantly higher than the current structure (18.05FFL). This increase, combined with the extension of the building further into the back garden, raises concerns about potential overlooking at the rear and the resultant impact on the privacy of the garden at 9 Lyndhurst Road.

- **\*\*Windows\*\***: The proposed windows/skylights (there are two labelled 114) appear to have a potential/possible direct line of sight into our main living area via window W6/9 (though one may be a lightwell?). Currently, there are no windows on the roof facing 9 Lyndhurst Road. This raises some privacy concerns. I would seek reassurance that these will not have direct line of sight into W6/9.

2. **\*\*Size\*\***:

- The new building appears to be 1.6 metres taller and to extend much further (not clear from the plans by how much) into the back garden compared to the current structure. This increased size may create a looming presence, which could be considered disproportionate relative to the existing property, and impact the light to our property as a function of this (we would all lose a significant amount of sky view from our main living area W6/9 window, as it is). I note also that the adjacent buildings either side at the first floor upwards are all in alignment at the rear currently and the proposed building would permanently alter this relative design harmony/aesthetic.

3. **\*\*Daylight\*\***:

- I have concern regarding potential impact on the natural light into our flat from possible changes to both a) the height of the boundary wall (unclear whether the height of this will be changed) at the front of the new building and also b) the "filling out" of the building (relative to the current building) from the first floor upwards at the front. Whilst these may appear to be minor/negligible concerns according to the Light Survey submitted with the Planning Proposal, I am concerned that the two factors (together or singly) may reduce the direct sunlight received in our main kitchen/living area through window W6/9. This reduction could be enough to negatively impact us. The morning sunlight, coming in from the East/South-East to window W6/9, is important for the enjoyment of our basement flat's main living area. While the light survey (paragraph 6.4, with reference to BRE guidelines) suggests zero impact, I believe this underweights the importance of this light via window W6/9 to my flat, and I would request an independent review specific to window W6/9 to seek reassurance that

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there will be no impact on sunlight or daylight into our kitchen from the proposed plan, given the importance of direct sunlight for use of our living space, or else to request modifications sufficient to ensure that there is indeed no impact to the light on our main living space.

I would like to draw your attention to several important guidelines and the like that underscore the significance of maintaining adequate sunlight for neighbouring properties. The BRE Guidelines cited in the application ("Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice") are one such. Additionally, the Right to Light is a well-established principle in the UK, as highlighted in cases such as *Colls v. Home and Colonial Stores Ltd* [1904] and *Regan v. Paul Properties DPF No. 1 Ltd* [2006], which recognise the importance of natural light for the enjoyment of a property.

The National Planning Policy Framework (NPPF) also emphasises the need for new developments to create high-quality environments that do not adversely affect the amenities of existing properties, including access to sunlight and daylight.

Finally, I seek reassurance in Camden Council's own document titled 'Camden Planning Guidance - Amenity - January 2021' which reads "...while we support the aims of the BRE methodology for assessing sunlight and daylight we will consider the outcomes of the assessments flexibly where appropriate, taking into account site specific circumstances and context" (section 3.15; p9), and I wonder whether further, independent Light Survey verification may be helpful to a quick resolution of this question. I believe that considering all of these guidelines and precedents is important in ensuring that the proposed development does not impact the enjoyment of our family space.

4. **\*\*Rear Roof Parapet\*\***:

- The proposed extension into the back garden with the rear roof parapet (marked '120' in the diagrams) raises potential concerns, going out as it does much further and creating a larger elevated outdoor space. If in future it were to be used as an elevated deck for socialising or sitting out on, i.e. accessed from the bay windows (numbered 113), it could significantly affect our garden's privacy - the garden being an amenity shared by all residents of 9, Lyndhurst Road. I seek reassurance that its use would be limited to roof parapet maintenance only, if approved.

I respectfully ask the Council to consider these concerns and request modifications to address these issues if deemed necessary.

I reiterate our support for a successful, high-quality development of this plot by the freeholder, confident that this will be the case, and that it will become an asset to the neighbourhood.

Thank you for considering my comments.

Yours sincerely,