

Our ref: LJH/SB/ROL6306

David Whittington
London Planning Practice
61 Chandos Place
Covent Garden
London WC2N 4HG

14 June 2010

Dear Mr Whittington

Re: (ROL6306) 99A Frogna1

I have recently been instructed by the applicants to consider any daylight and sunlight implications arising out of their proposal to demolish the existing house on the site and replace it with the new, contemporary residence designed by PKS.

Credentials

By way of a brief summary, I would confirm that I am a member of the Royal Institution of Chartered Surveyors having qualified in the Building Surveying Division in 1988.

My first introduction to the field of rights of light was in the early 1980s, but specialisation on my part commenced in the mid 1980s and for something like the last fifteen years the whole of my professional time has been committed to the question of light, both in respect of common law and planning.

In 2007 I wrote the third edition of John Anstey's book "Rights of Light and What to do with them", first published in 1988. I regularly lecture on the subject and over the years I have dealt with many hundreds of cases.

I am currently a Senior Director of Anstey Horne & Co Limited, heading up the rights of light department. Anstey Horne is a specialist practice that focuses purely on the question of light and other neighbourly issues such as boundary disputes, party wall procedure etc.

Contd.

Directors: Lance Harris MRICS ■ Graham North MRICS MCIArb ■ Heather Schnopp BSc (Hons) MRICS
■ Kelvin Wong BSc (Hons) MRICS ■ Aidan Cosgrave BSc (Hons) MRICS

Associate Directors: Nick Barry ■ Paul Goldsmith BSc (Hons) MRICS ■ Anne-Marie Hall BSc

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Registered office 4 Chiswell Street, London EC1Y 4UP

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The proposals

I am in receipt of the following information from PKS:-

Planning drawings received by email on 14th June 2010 all dated 14th May 2010;

- Site plan (Dwg No. PP_S)
- Proposed basement through to roof plans (Dwg No. PP-B, PP-LG, PP-UG and PP-R)
- Proposed Sections AA-BB (Dwg No. PS-A-B)
- Proposed Elevations (Dwg Nos PE-N-E and PE-S-W)
- Existing ground plans and sections (Dwg No. E-P-S)
- Existing elevations (Dwg. Nos. E-N-E and E-S-W)

Comparison with position, height and form of existing house

It is my understanding that the following changes are proposed that could be relevant to neighbouring properties:-

1. In terms of footprint, the PKS Proposed Site Plan on drawing number 'PP-S', very usefully overlays the main body of the proposed house and the approximate footprint of the existing house and garage block which are shown by the red outline.

This overlay confirms that while the positioning on the site of the existing and proposed houses would be similar, the proposed house would be cut back by comparison with the existing house on the north and east boundaries, where the existing bay projections are removed. However, the new house would extend approximately 3.5m further west (to the rear of the site) and approximately 3m south, towards the neighbouring houses on that side.

2. The existing house comprises two storeys plus a slated pitched roof. The proposed replacement house will also comprise two main storeys, but with a reduced floorplate second floor, again with a pitched roof.

In overall terms the change in height will be very moderate, with the apex of the existing pitched roof being approximately 0.5m below the ridge of the new second floor accommodation.

Therefore, in round terms the existing and proposed roof profiles will be very similar.

3. The small existing structure in the south west corner of the site is to be replaced by a single storey staff accommodation building at first floor level. This will be barely, if at all visible from the houses on the south side of the site. In theory it will rise above the level of the boundary wall on the west side and thus be visible, to a small extent, from the neighbouring block of flats known as Northwood Lodge, Oak Hill Park. However, it may be completely camouflaged by existing foliage along this boundary and the extent to which it will rise above the level of the existing boundary wall is minimal in any event.

Resultant impact upon neighbours

The neighbouring properties to the east (towards Frognal itself) and to the north are distant and will not be affected.

To the south west of the site is a block of flats with windows in two elevations that have a view across the site. However, the nearest point of this block is approximately 4m from the west boundary of the site and 10m from the nearest point of the main body of the new house. When one combines those facts with the very moderate proposed changes to height and footprint relative to the existing house, I am confident that any impact upon light will be absolutely minimal and of no material consequence. The relevant windows in the block of flats enjoy an open aspect and excellent light conditions now, and that would remain unchanged.

The single storey staff accommodation in the south west corner of the site would also be visible from the block of flats, but would only rise a very small distance above the existing boundary wall/fence and would be almost entirely camouflaged by boundary foliage. Again, any impact upon light would therefore be absolutely minimal.

The houses adjacent to the south boundary of the site are in closer proximity, but only one of those properties, number 4/4a Oak Hill Park is adjacent to and potentially affected by the new house.

This adjoining house has a limited number of windows facing north towards the site, some of which are at ground floor level and from which the proposed house will not be visible over the existing boundary wall.

The limited first floor windows will have a view of the new house, but face north such that sunlight is no issue. In terms of daylight, there might be a fractional change in the skyline, but the windows will continue to enjoy an open aspect and excellent daylight conditions.

Conclusion

Having visited site to view the neighbouring properties in context and carefully considered the PKS proposals, I am content that the moderate changes in footprint proposed and the small increase in the overall ridge heights, will have no material impact upon neighbouring properties and their light. The relevant windows in the neighbouring properties enjoy very good light conditions now and those conditions will continue, virtually unaffected. In terms of the house immediately to the south of the site, there will be no sunlight issue because the windows face north.

Given all of the above I do not recommend any further daylight and sunlight investigations unless the proposals change and bring about material changes to the currently proposed footprint and height.

Yours sincerely



Lance J Harris