

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2015/6408/P	Dr Michael Wilkinson and Dr Totis Kotsonis	4a Mecklenburgh Street WC1N 2AH	08/01/2016 12:06:51	OBJ	Dear Planning Officer

We write regarding a current planning proposal for 195-199 Grays Inn Road.

Although we are not in principle inimical to the redevelopment of the property if done to a high standard and in a manner which is consistent with the character of the area and the rights of neighbouring properties, the current proposal raises a number of very serious concerns with regards to its potential impact on our 4 Mecklenburgh Street property, which is also a Listed Building in a conservation area. After very careful consideration, we request that the current proposal be rejected for the following reasons:

1. POTENTIAL TRESPASS INTO EXISTING CELLAR AT LOWER-GROUND LEVEL

The 195-199 Grays Inn Road property is a single-story, ground level building. Our reading of the proposal is that the applicant seeks to create two floors, to be achieved in part by digging 688 mm at ground level in order to gain space to situate a new lower-ground floor. Furthermore, the drawing appears to propose that at this new lower-ground floor level - and extending directly from the bedroom - there would be a 'yard'; and, under this yard, there would be an 'Attenuation Tank'.

We note that the 'Existing Section BB' drawing makes NO REFERENCE to the EXISTING CELLAR that is currently situated at the lower-ground floor level of 4 Mecklenburgh Street, which is directly under the applicant's current ground floor toilet extension. The cellar - which forms part of the cartilage of the original 4 Mecklenburgh Street town-house - is owned by ourselves, as we are the sole owners of the 4 Mecklenburgh Street freehold and the sole owners of the leasehold Flat 4a within this property. Following planning permission and listed building consent by Camden, the cellar has been occupied and used as a utility room for Flat A. The cellar is wholly within the demise of 4a Mecklenburgh Street property and is therefore also part of a Listed Building.

We note, with great concern, that the applicant's 'Proposed Section BB' drawing also makes NO REFERENCE to the EXISTING CELLAR. The applicant's proposed 668 mm dig from ground level to create a new lower-ground floor appears to intrude into our existing lower-ground floor space at the cellar. The clear lack of sufficient detail in the proposed Section BB drawing makes an informed decision impossible - what, exactly, is the likely impact of the proposed 195-199 Grays Inn Road lower-ground floor space on our existing 4 Mecklenburgh Street lower-ground floor space at the cellar? Given the importance of this issue, and the clear lack of sufficient detail in the applicant's proposal, we request that Camden Planning reject the applicant's proposal.

2. POTENTIAL UNWANTED OVERLOOK

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On page 31 of the Design and Access Statement, the applicant states: ‘There exist five openable windows serving the existing rear extensions to the main section of the subject building including one that – when open – allows a view directly into the rear basement bedroom window to 4 Mecklenburgh Street’. To be clear, Dr Kotsonis and I have not granted the applicant permission to open their window over our private garden, nor have we granted the applicant permission to view directly into our rear lower-ground floor bedroom.

We also note that the applicant does not mention in their Design and Access Statement that the current windows are, in fact, frosted and that one window has an iron bar affixed from the inside to prevent exit. To summarise: 1) the current windows at 195-199 Grays Inn Road provide no aspect into our garden or house when shut; 2) the applicant has not been granted rights to open their window into our garden space, and 3) all rights or easements of air or light are reserved by the Freeholders of 4 Mecklenburgh Street (currently Drs Wilkinson and Kotsonis) under a covenant agreed at the time of creating the Title Deeds.

On page 31 of the Design and Access Statement, the applicant also states: ‘The proposal blocks up these rear extension windows. It creates glazed openings to the rear and side of the main section of the subject building which have fixed vertical timber louvers that carefully direct the views away from any habitable room windows. This affords a secondary outlook from the dwelling over the peaceful gardens only, as do the other existing upper level windows, whilst protecting habitable room privacy.’ To be clear, and as noted above, there exists a covenant in the Title Deeds of 195-199 Grays Inn Road and 4 Mecklenburgh Street which reserves to the Freeholder of 4 Mecklenburgh Street all rights or easements of light or air which would restrict or in any way interfere with the free use and enjoyment of any adjacent or neighbouring land of the Freeholder of 4 Mecklenburgh Street for building or any other purposes.

The proposal to place a window with vertical timber louvres facing the back of 4 Mecklenburgh Street would enable an occupant to acquire an unwanted aspect into our house. This would most certainly interfere with our free use and enjoyment of our property, and would therefore contravene the covenant. We therefore request that if a window is approved, then it must be frosted (as the current windows are) so as to protect and preserve our existing rights as granted in the covenant.

Thank you for your consideration on this important matter.

Yours Faithfully,

Dr Michael Wilkinson, PhD and Dr Totis Kotsonis, PhD
4 Mecklenburgh Street

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2015/6408/P	Roger Smith	5A Mecklenburgh Street London WC1N 2AH	04/01/2016 20:08:16	COMMNT	Our concerns are exactly the same to those raised on the application ref 2015/6409/P.
