

**Application No:**    **Consultees Name:**    **Consultees Addr:**    **Received:**    **Comment:**    **Response:**

2016/1449/P    Dr Nicholas Hansen  
Flat 2  
295 Euston Road  
London NW1 3AD

15/05/2016 14:23:35    OBJ

Dear Camden Council

I am writing to file an objection to Application Number 2016/1449/P, at Warren Court, Euston Road.

I own and reside in the third floor flat in the neighbouring building at 295 Euston Road. I will be adversely affected by these proposed works. The most significant point of concern is the interior lightwell that is a common feature of all of the flats in this building. This lightwell is an important and significant architectural feature of these flats, as it allows for natural light ingress for five large windows on the interior side of my flat, and similar proportions for my neighbours. This implies that circa seven meters in width and between 1.3 and 1.5 meters in height of light space will be negatively impacted by this development.

I should like to draw reference to the proposed Elevation West diagram prepared by Moxley Architects. This sketch expressly demonstrates that the addition of the additional storey at Warren Court will negatively affect the amount of light that enters our lightwell. Furthermore, the first I heard of this potential roof extension was through the planning application consultation from Camden Council. I am otherwise completely unaware of any assessments having been completed on this project -- I certainly have not been queried or contacted in any way. I mention this because In the BRE Report, at Section 4.5, it is stated that there will be "little or no change in light received". This simply does not confirm with the plan from of the Elevation West diagram, and does not stand to reason from the perspective of a local resident.

Bearing this in mind, I should therefore like to draw reference to, inter alia, Section 2 of the Prescription Act 1832, which provides for a right to light by virtue of having over twenty years of uninterrupted light. As stated, the Elevation West diagram expressly demonstrates how the development, if approved, would have a direct and manifest hindrance to the right to light for my neighbours and myself.

Therefore, if this roof extension is approved, my neighbours in this building and I will demonstrably suffer the consequences of this roof extension, to the detriment of the quiet enjoyment of our properties and with the numerous knock-on effects that entails.

In view of the above, I submit this objection to the planning application and ask Camden Council to give serious consideration to the negative effects that my neighbours and I will demonstrably suffer if this roof extension is allowed to proceed. I request deliberation with a view towards a modification of the application to ensure our right to light is not materially affected. If this is not able to be achieved in practice, then the relationship of the planning application with Section 2 of the Prescription Act 1832 must be assessed through the prism of the Elevation West diagram prepared by Moxley Architects. If, as seems prima facie to be the case, the application is in conflict with Section 2 of the Prescription Act 1832, and the planning application cannot be suitably modified to ensure retention of existing levels of light, then approval of this planning application should not be granted.

Yours faithfully

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2016/1449/P	Maz Iqbal	First Floor Flat 295 Euston Rd London NW1 3AD	13/05/2016 14:07:00	OBJ	<p>Dr Nicholas Hansen</p> <p>As the owner occupier of First Floor Flat, 295 Euston Rd which is the neighbouring building I object to the planning application as follows:</p> <p>The BRE Report submitted refers to assessments in section 4. It must be noted no actual physical assessments have been done. Section 4.4 notes the internal lightwell as "ONLY" the internal lightwell which rather tries to down-play the impact on our flats. The lightwell is actually a crucial source of natural light for the flats for our kitchens, bedrooms and hallways which are already affected by a lack of light so further lack of potential light is highly detrimental to our enjoyment of our properties and also has an adverse affect on our health and well-being. Accordingly, Section 4.5 of the BRE Report that states that the development will have "little or no change in light received" - this is simply not true.</p> <p>According to RICS, our flats have acquired via common law and also an easement for the right to light over 20 years of uninterrupted light as per the Prescription Act 1832 and the proposed development would be classed as an obstruction to such.</p> <p>Furthermore, there is an issue of noise. Due to the nature of the enclosed lightwell, noise travels from Warren Court and further development will cause further noise to echo throughout the lightwell area which will affect our quiet and peaceful enjoyment of our property.</p> <p>It must be noted that the BRE Guidelines are exactly that and are not mandatory or statutory in nature and the local authority should consider the real impact of this proposal on us as neighbours and the very real impediment caused by the proposals.</p> <p>The local authority is also asked to consider any issues the arise under the Human Rights Act.</p>