

**Right of Light Consulting**

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14<sup>th</sup> June 2016

Dear Ms T Craig,

**Application Reference No. 2016/2507/P  
Proposed Development at 150 Haverstock Hill, London  
Impact upon 150a and 148 Haverstock Hill**

We write today on behalf of our clients, Miss A Hoffmann of 150a and Dr B Brend of 148, who own and reside at the above properties neighbouring the proposed development site. We have been contacted by our clients after concerns were raised that the proposal to erect a 1<sup>st</sup> floor at 150 Haverstock Hill could infringe on the daylight and sunlight currently enjoyed by their properties.

The Building Research Establishment "Site Layout Planning for Daylight and Sunlight: a good practice guide" 2011 by PJ Littlefair provides guidance for proposed developments to avoid neighbouring properties suffering detrimental light loss.

We understand that the applicant has instructed Hawkins Environmental to undertake a daylight and sunlight study, the results of which indicate compliance with the vertical sky component and sunlight hours tests. However, Hawkins Environmental did not visit our clients' properties to obtain accurate measurements for their study, or for the BRE daylight distribution test to be undertaken. We note that some windows at 150a have been excluded from the assessment and we therefore request that no reliance on the study is taken until the applicant instructs Hawkins Environmental to visit our clients' properties, re-tests the issue and we are satisfied that the results accurately reflect the loss of light. We will be happy to liaise with our clients for access to their properties for both Hawkins Environmental, and yourself, to evaluate the issue further. We would also request a copy of the analysis and computer model in order for us to confirm accuracy of the findings.

We have undertaken an independent Case Appraisal of the issue and note that the proposed development is likely to:

- Breach the 45 degree test in relation to the front window of 150a.
- Breach the VSC test for daylight in respect of the front habitable window of 150a.
- Breach the VSC test for daylight in respect of the side habitable window of 150a.
- Breach the winter sunlight hours test in respect of the side habitable window of 150a.
- Infringe upon the legal rights of light enjoyed by 150a.
- Infringe upon the legal rights of light enjoyed by 148.

Whilst we appreciate that rights of light is not a material planning consideration, it is useful to assess the risk of any potential civil claim from the outset and eliminate any future costs which could be incurred defending a claim. Therefore, we strongly advocate that the right of light issue is addressed during the planning stage and also includes the impact to 148 Haverstock Hill as well as 150a.

In addition to the concerns raised above, we understand from our client at 150a that the height of the proposal indicated within the plan is inaccurate. The external terrace area is lower than the roof level at 150 and therefore the height in relation to the side door, will be increased. To ensure accuracy of both the plans and the results produced by Hawkins Environmental it is recommended that a laser measured survey is undertaken and the 3D model amended accordingly before the tests are run.

Our clients also request that the matter is determined by the committee members and that a site visit is arranged to their properties before the application is heard. I will, of course, be happy to liaise with my clients for access.

In summary, we request that no decision is made on the application until we are satisfied that the results accurately reflect the issue and any proposal complies with the daylight, sunlight and legal rights of light criteria

Please could you acknowledge receipt of this letter and revert back to me with your comments. Should you wish to discuss any aspect please do not hesitate to contact me directly on 07939 319396 or via email at [shirley.ellis@right-of-light.co.uk](mailto:shirley.ellis@right-of-light.co.uk)

I look forward to hearing from you.

Yours sincerely,

Shirley Ellis LLB (Hons)  
Right of Light Consultant

