

**Right of Light Consulting**

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By Email

London Borough of Camden  
Development Management  
Town Hall  
Argyle Street  
London  
WC1H 8EQ

14<sup>th</sup> November 2018

Dear Mr T Sild,

**Application Reference No. 2018/4504/P**  
**Proposed Development at 71 Endell Street, London WC2H 9AJ**  
**Impact on Flats 1, 2 and 3, 74 Neal Street and Flats 1 and 7, 71 Endell Street**

We have been appointed by our clients, Mr and Mrs Tanizawa of Flat 1, Mr Suktani of Flat 2, Mr Henry Hogarth of Flat 3, 74 Neal Street, along with Mr and Mrs Karima & Rarife el Ghorri of Flat 1, and Ms Jemma Hoadley of Flat 7, 71 Endell Street. Our clients are concerned that the proposed rooftop extension at 71 Endell Street will impact upon the daylight and sunlight receivable by their properties.

The Building Research Establishment (BRE) "Site Layout Planning for Daylight and Sunlight: a good practice guide" 2011 by PJ Littlefair provides guidance for the planning department to consider. The introduction to the BRE guide at 1.1 suggests that "people expect good natural lighting in their homes and in a wide range of non-domestic buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by. Access to skylight or sunlight helps make a building energy efficient; effective daylighting will reduce the need for electric light, while winter solar gain can meet some of the heating requirements."

We understand that the applicant has instructed eb7 surveyors to undertake a daylight and sunlight study. The results of which indicate a reduction of light to a number of windows and rooms that falls below the BRE recommendations. We are currently unable to determine which results within the daylight and sunlight study relate to specific windows within our clients' properties, although we can see that there are several reductions noted below the BRE recommendations in respect of our client's properties within 74 Neal Street and 71 Endell Street.

We understand the daylight and sunlight study has been prepared using plans obtained from Land Registry and without a site visit to inspect and confirm the internal

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arrangements of our clients' properties. You will therefore appreciate we are unable to confirm to our clients that the results are an accurate interpretation of the anticipated light loss until we have verification that the actual layout of our clients' properties has been considered. We also understand that the results for the rear gardens of our clients' properties at 74 Neal Street are not included within the study.

We would request that no decision in favour of the application is made until the applicant instructs eb7 to visit our clients' properties to obtain the internal layout and measurements, amends their computer model and re-runs the BRE daylight and sunlight tests where necessary. We would also request that a copy of the computer model and analysis be forwarded to us so that we can advise our clients accordingly on the accuracy of the results, including the overshadowing contours for the gardens. We will be happy to liaise with our clients to arrange access for the applicant's surveyor to visit so they can gather the necessary internal measurements for the assessment.

We understand that you have yet to visit our clients' properties. We look forward to liaising with you for a convenient time you will be able to visit and evaluate the reduction of light from our clients' perspective.

In addition to planning considerations, it is useful to assess the risk of any potential civil action from the outset and mitigate any future costs which could be incurred defending a claim. Our clients are disappointed that they have been obliged to respond negatively to the application but feel compelled to oppose an extension which they consider will have such a negative impact on the way they enjoy their properties. If our clients are forced to seek an injunction from the court preventing the construction of the proposal any fees that are incurred will be sought for reimbursement from the applicant. We aim to avoid these further courses of action. Therefore, we strongly advocate that the issue is resolved during the planning stage - in particular, to avoid planning permission being granted for a development that may not be built due to legal rights of light restrictions.

In summary, we request that no decision is made in favour of the application until we are satisfied that the proposal complies with both the BRE guidelines and the civil legal rights of light criteria.

Please acknowledge receipt of this letter and respond accordingly with your assurance. Should you wish to discuss any aspect please do not hesitate to contact me.

I look forward to hearing from you shortly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Ellis', written in a cursive style.

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