



By Email to planning@camden.gov.uk

London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall, Judd Street
London
WC1H 9JE

15 April 2019

Dear Mr. Farrant,

**Application Reference No's 2019/1103/P and 2019/1106/L
Proposed Development at 9 Pilgrims Lane NW3 1SJ
Impact on 7 Pilgrims Lane NW3 1SJ**

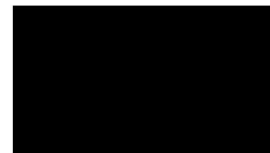
We have been appointed by our client, C Green, the owner of [REDACTED] following concerns that the proposed single storey extension at 9 Pilgrims Lane will impact upon the light receivable by the ground and lower ground floor habitable rooms within the property.

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 note that the applicant has not yet submitted a daylight or sunlight study in support of the application, or to evidence compliance with the nationally recognised BRE guidelines. As a result, we have been instructed by our client to undertake a Case Appraisal of the plans and note that the proposed extension is likely to:

- Breach the BRE 25-degree test in relation to the lower ground floor kitchenette window
- Breach the BRE 45-degree test on plan and elevation in relation to the lower ground floor study window
- Infringe upon the legal rights of light enjoyed by the 7 Pilgrims Lane



In light of the above breaches, we request that no decision in favour of the application is made until the applicant undertakes a daylight and sunlight study to determine the impact of his proposal upon the further daylight and sunlight tests and produces a proposal which evidences compliance of BRE guidelines. We also request that a copy of the computer model and analysis be forwarded to us so that we can advise our client accordingly on the accuracy of the results.

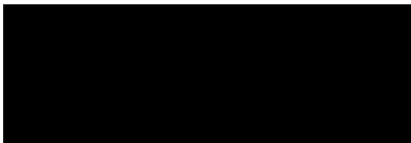
In addition to planning considerations, it is useful to assess the risk of any potential civil action from the outset and mitigate any future costs which could be incurred defending a claim. Our client is disappointed that they have been obliged to respond negatively to the application but feels compelled to oppose an extension which they consider will have such a negative impact on the way they enjoy their property. If our client is 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



Charles F McMahon LLB (Hons)
Rights of Light Surveyor



