

[REDACTED]

From: Mathew Rea [REDACTED]
Sent: 03 May 2019 13:02
To: Hope, Obote; Planning
Cc: Emma Rea
Subject: Re: 2019/1892/L and 2019/1417/P
Attachments: ROL00244 CS Planning Objection Letter 02 May 2019.pdf; Objection letter amended.pdf

Dear Obote Hope,

Re: 125 Arlington Road London NW1 7ET
Planning Application Numbers **2019/1892/L** and **2019/1417/P**

Please find attached our letter objecting to the development proposed in these applications, plus a letter of 2 May 2019 from Anstey Horne in relation to the daylight and sunlight assessment. Please could you acknowledge safe receipt?

We are neighbours to this proposed development and we live at 127 Arlington Road London NW1 7ET.

We would be happy to attend and to speak at the committee meeting.

Our email addresses are: [REDACTED]

Our phone numbers are: [REDACTED]

If you have any questions or need any further information please do not hesitate to let us know.

Regards

Mathew and Emma Rea

**Mathew and Emma Rea
127 Arlington Road
Camden
London NW1 7ET**

3rd May 2019

Obote Hope
Planning Officer
London Borough of Camden
5 Pancras Square
Kings Cross
London N1C 4AG

Dear Obote Hope

Re: 125 Arlington Road London NW1 7ET
Planning Application Numbers **2019/1892/L** and **2019/1417/P**

We write to object to the above applications on the following grounds:

1. The proposed development would result in a significant loss of daylight and sunlight to our kitchen/living/dining room at basement level, and to our rear patio;
2. It would cause a material loss of privacy to our back patio area;
3. The proposed development is in breach of the Camden Local Plan Policy A5 in that it:
 - a. Comprises more than one storey (contrary to A5 f.);
 - b. Extends into the garden further than 50% of the depth of the host building (contrary to A5 j.);
 - c. Is not set back from our property boundaries where it extends beyond the footprint of the host building (contrary to A5 l.);
 - d. Causes harm to the character of the existing Grade II listed property and the Conservation Area (contrary to A5 s.).

1. Loss of daylight/sunlight

We believe the proposed development will result in a significant loss of daylight and sunlight to our kitchen/living/dining room at basement level, and to our back patio. For the reasons explained in the letter dated 2 May 2019 from Anstey Horne, who are experts in daylight and sunlight assessment, the Daylight and Sunlight Assessment filed in support of the application is incorrect and cannot be relied on. We attach a copy of Anstey Horne's letter. We think the impact will actually be to deprive us of about a third of our daily daylight and sunlight.

The ground floor extension and the proposed raised wall and fence would block about a third of our view of the sky from our kitchen, and our back patio, even at night and in any season. The view from our kitchen would be like peering out from a deep hole – which would be very uninviting. It would create an unacceptable sense of enclosure in the room we spend most of our time in - it is our kitchen/living/eating room. It is our family room. The reduction in light from these proposed plans would significantly affect our daily lives. This is our home and we spend most of the year here.

As Anstey Horne's letter makes clear the sunlight results shown in the applicants' D&A assessment demonstrate that the development will cause our daylight/sunlight levels through our kitchen/living/dining room windows to reduce to less than half their current levels in the winter, and below the BRE recommended levels. This is not a negligible impact, contrary to what the applicants' D&A report says. Even if the effect in the summer would not be quite so marked, there would still be a significant reduction and, as Anstey Horne points out, because the levels of light are already low, ANY further reduction in light caused by the development would be noticeable and cause a significant impact on our daily lives.

The effect of the development at midday on 21 March can be clearly seen from the 3D diagram at page 31 of the applicants' D&A assessment – whereas half our rear patio is currently shown in sunlight, and only the bottom corner of our basement windows are in shadow, the development would eliminate the sunlight on our patio altogether, and would cast a shadow over the whole of our basement windows.

Currently we get direct sunlight in the morning on our back patio, and through our glass double door for the kitchen, from roughly 10am, giving us about five hours of direct sun daily, depending on the season. We believe the overshadowing caused by the proposed ground floor extension, and raised boundary wall, would mean we would lose about 2 hours of this sunlight each day, which is roughly a third of what we currently get in an already heavily shaded garden. In fact the only sunlight we currently get on our rear patio is through the gap between the end of the fence and the house itself. The development would remove most or all of that sunlight.

We do not think this is a negligible impact at all. It will affect our ability to enjoy sitting out on the patio, and eating or entertaining there. It will affect our ability to dry our clothes on the line there. Many of our pot plants on our rear patio area will suffer from lack of direct sunlight. We feel strongly that our quality of life would be heavily impacted by this proposed plan.

2. Loss of privacy

The proposed development will also result in a significant loss of our privacy, particularly on our rear patio area. The proposed ground floor extension, with glass sliding doors, will look directly onto our patio. The proposed new raised ground floor terrace would stand about 2 metres above, and directly overlook, our back patio. By raising the current brick boundary wall by only 1.1 metres, as proposed, it will mean anybody walking on that raised terrace will be able to look directly down into our

garden and patio. And if the fence was high enough to prevent that, it would mean the top of the fence would be more than 4 metres above our patio, and our light reduction would really be very dramatic (i.e. in addition to the light reduction that would be caused anyway by the proposed ground floor extension).

It would be unfair to suggest that we should in some way have to trade off light with privacy, as we should be entitled to both light and privacy. We have noted the applicants' DAS and Heritage Statement (on page 23) says "some limited overlooking will be possible, as is the case at present", but this is both misleading and incorrect. It is not possible at present to overlook our rear patio area from number 125 (at least not without leaning far out of a window). The proposed ground floor extension and raised terrace will result in very much more than "limited overlooking".

3. The proposed development does not comply with the Local Plan

The proposal fails to comply with the Camden Local Plan for Basements Policy A5 because it:

a. Comprises more than one storey

The ground floor extension means this proposed development is more than one storey contrary to A5 f.. The DAS and Heritage Statement, at page 20, says this extension is "necessary... in order to accommodate a dining table due to lack of space", but this cannot strictly be true. The existing basement kitchen, with much the same floor plan, has a dining table, without requiring an extension. Our own kitchen has a dining table, again with the same floor plan. Our neighbours at number 117 have a kitchen and dining table at ground floor level, with exactly the same floor plan.

b. Extends into the garden further than 50% of the depth of the host building

The proposed development appears to extend further than 50% of the depth of the host building contrary to A5 j.. Without precise dimensions on the plans we have been unable to check this but the plans suggest this is the case, particularly when the proposed basement terrace and store room outside the bedroom are included.

c. Is not set back from our property boundary where it extends beyond the footprint of the host building

The proposed basement extension abuts our boundary wall and is not therefore set back from our boundary, contrary to A5 l.. This can be clearly seen on the plans.

There is also the question of ownership of the garden boundary wall. In response to pre-contract enquiries our sellers, when we bought No. 127 in March 2015, told us the property owned the boundary on the left, as you look at the property from the street i.e. the boundary between us and No. 125, and

we understood this was the rule for the whole terrace. That is consistent with what one of the applicants told us when he first came to introduce himself just after we had moved in. We have therefore viewed it as our responsibility to maintain that boundary since then. Our neighbour on the other side at No. 129 has also adopted that rule in recently installing a new fence between us. On that basis any extension must not in any event encroach onto our boundary.

- d. Causes harm to the character of the existing Grade II listed property and the Conservation Area

Finally the proposed development is a dramatic alteration to the structure and appearance of such a lovely listed building and in our view causes harm to the character of the existing Grade II listed property and the Conservation Area, contrary to A5 s.. The proposed modern glass raised conservatory on top of the new raised terrace does not seem to be in keeping with the building, or at all sympathetic.

In conclusion we respectfully ask you to reject these applications for planning permission and listed building consent.

We would be happy to attend the committee meeting and to speak at the committee meeting.

Yours faithfully

Mathew Rea

Emma Rea

Our ref: CS/ROL00244

Obote Hope
Planning Department
Camden Council
5 Pancras Square
London
N1C 4AG

02 May 2019

Dear Obote,

Re: (Planning References: 2019/1417/P and 2019/1892/L) Site Address: 125 Arlington Road, London NW1 7ET

We have been appointed by the owners of 127 Arlington Road to review the daylight, sunlight and overshadowing assessment that has been prepared by Anderson Wilde and Harris ('AWH') as part of the planning submissions referenced above. In our professional opinion, the proposed ground floor extension and increased boundary fence to the rear of the adjoining property 125 Arlington Road, will have an impact to the daylight and sunlight conditions to our client's property and their amenity spaces.

The first point we would highlight is that within the assessment report prepared by AWH the 3D model has been prepared based on a measured survey completed by the architects and a Promap OS plan, which has been documented as having an accuracy level of +/- 1000mm. A tolerance of 1000mm (1 metre) seems to be high, particularly considering the close relationship of the proposed extension to our client's property and amenity space.

The BRE guidelines state at paragraph 3.2.6;

"if the available sunlight hours are both less than the amount above and less than 0.8 times their former value, either over the whole year or just in the winter months (21 September to 21 March), then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant."

The sunlight results demonstrate that the basement windows will reduce to below the recommended BRE target for the winter sunlight hours. In the existing condition W1 is already below the 5% target value, achieving 4% and will be reduced to 2% in the proposed condition. This will reduce the winter sunlight hours by half, this is particularly significant when the existing value is already low, as the sunlight is particularly valuable to the residents and any further reduction to the sunlight levels will be noticeable. The winter sunlight hours ratio of reduction for both of the basement windows are 0.50 and 0.42 respectively, which is below the BRE recommendation of 0.8 retained values.

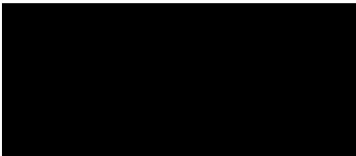
Appendix 4 of the AWH report includes the two hours sunlight to the amenity analysis results and contour plans. The basement amenity area labelled as A1 is lit to 34% in the existing condition, reducing to 28% in the proposed condition. The BRE recommends that 50% of the amenity area should be lit during the two-hour sunlight test on the 21st March. This demonstrates that in the existing condition the area is lit below the recommended level and therefore any reduction will be noticeable to the resident. The contour drawing shows two areas within the amenity space A1 which are receiving light, with the reduction in the proposed condition represented by the yellow hatched area. Therefore, the contour drawing does not agree with the shadow diagram discussed in the paragraph below, we would have expected there to be only one contour line shown within the amenity space. The shadow diagram clearly represents only one area of the amenity space receiving light in the existing condition.

The final 3D drawing demonstrates the shadow cast on the 21st March at midday in the existing and proposed conditions, in relation to the amenity area of 127 Arlington Road. This demonstrates that in the existing condition, the shadow cast by the adjoining wall extends beyond the living/kitchen/dining room windows, with only the northeast corner of the area receiving sunlight. However, in the proposed condition the shadow cast by the proposed boundary fence shown in purple will cast its shadow the full extent of the amenity area. The 3D diagram shows the amenity area to be in full shadow at midday on the 21st March. Therefore, we question whether the analysis results and therefore the conclusion are accurate. The numerical values in the two hours sunlight amenity analysis table shows the existing lit area as 34%, reducing to 28% which is a ratio of 0.83.

Therefore, in conclusion we would recommend that you consider these points carefully when reviewing the planning submission. We have raised important comments in regard to the accuracy of technical analysis and consequently the conclusions stated within AWH's report, which may in truth be inaccurate.

Please consider the points raised in this letter in conjunction with the residents of 127 Arlington Road objection comments.

Yours sincerely



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ANSTEY HORNE

02 May 2019