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3<sup>rd</sup> August 2023

Dear Ms Fogarty

**RE: THE PROPOSED DEVELOPMENT AT 160-161 DRURY LANE, LONDON, WC2B 5PN AND THE DAYLIGHT / SUNLIGHT POSITION ASSOCIATED WITH PLANNING APPLICATION 2023-2245-P**

I write in relation to the Planning Application of the Drury Lane project site and the independent review (undertaken by Rights to Light Consulting – dated 14<sup>th</sup> July 2023) of the Point 2 Surveyors Daylight/ Sunlight and Overshadowing report dated May 2023 (hereafter referred to as the “P2 Report”) which accompanied the planning application reference no. 2023-2245-P.

The purpose of this letter is to respond to some of the specifics raised within the Right of Light Consulting letter and to draw your attention to why the Proposed development is considered acceptable in relation to the Daylight and Sunlight effects on the neighbouring properties.

The detailed investigations undertaken by Point 2 Surveyors includes consideration of the light effects on the neighbouring properties by reference to the BRE Guidelines – both in terms of the methodology and application of the output results. Rights to Light Consulting also confirm that their review applies this same approach. However, it is Point 2 Surveyors opinion that the results of a technical assessment including the classification should be considered beyond a binary pass/ fail registration. The P2 Report further considers Planning Guidance in the area of light amenity as well as applying the views put forward by Planning Inspectors during various Planning Appeals. This can be viewed in Section 3 of the P2 Report. As such, it would be appropriate to consider the technical output of a detailed assessment and classify these based on the location as well as the existing light conditions and further consider what is deemed to be acceptable/ existing in certain areas. It is noted that the BRE do suggest a flexible application of the guidance in urban locations – where the expectation for light is not the same when compared to a sub-urban setting.

The Rights of Light Consulting letter makes reference to the assembly of a detailed computer model using a scan survey in order to reestablish the effects on the neighbouring properties. This is clearly a replication of the Point 2 Surveyors assessment and report. However, the Rights to Light Consulting review is incomplete in that the baseline condition (including drawings) is absent. This is an important point as the absence of showing what the scheme is being compared against does question the validity of the output results. I mention this as the external staircase on the site (located toward the rear and on the podium) is very complex, and unless this is modelled correctly, in the absence and / or deviation from the accuracy of this obstruction will give rise to a different set of results. Further, the neighbouring context which include details of other external obstructions (chimneys, exhaust ducting and railings) are absent and as such it is unclear whether the results as presented by Rights of Light Consulting do in fact provide the accuracy as suggested. However, it is acknowledged that Rights of

Light Consulting have secured access into a number of the neighbouring buildings which both confirm the internal layout and dimensions and uses of the specific rooms overlooking the development site. It would be uncommon for a Daylight Consultant to seek this information by approaching neighbours during the application process. As such, the NSL results might be more accurate although this is dependent on the baseline being confirmed as accurate.

### **The 2019 Consented Scheme**

The use and test of the Proposed scheme against the historic Consent is to establish whether the proposal, is or does have a greater effect on the neighbouring properties. This is an important point as this shows what the Local Authority were prepared to deem acceptable historically. What is evidently clear from the detailed technical analysis undertaken by Point 2 Surveyors is that the new scheme has less of an effect when compared to the historic Consent. Further, it is noted that that during planning appeals it would be common to consider alternate baselines including historic consents for a development site in establishing the acceptability of a proposal. Any suggestion that this is inaccurate and / or misleading is unfounded as ultimately the currency of the 2019 Consent was highlighted very clearly in order for the reader to understand the position – as well as its purpose.

### **The Effects**

The detailed technical assessment undertaken by Point 2 Surveyors and captured with the P2 Report will result in some changes in light to the neighbouring buildings. The P2 Report clearly highlights the changes to the neighbouring buildings and where the changes do not meet the strict application of the BRE, why this is considered acceptable. This is further supported when considering the output analysis that compares the Proposed scheme against the Historic Consent Extant. What is evidently clear when the comparison is undertaken, is that the scheme as Proposed, will demonstrate a betterment in light to a number of windows and rooms that surround and face the development site.

As a side note, any reference to remaining consistent by applying a 15% VSC across the board is not possible when existing values of VSC are already less than 15%. The approach undertaken by Point 2 Surveyors is considered balanced and within the intention and application of the BRE Guidelines.

### **Overshadowing**

The overshadowing analysis has been undertaken by reference to the 2-hour-in sun calculation. It is recognised that the test could be described as a cliff face assessment whereby either the area can achieve 2 hours in sun or not. Where the latter is concerned, this is recorded as no light. Clearly Sunlight does have the ability of reaching the ground surface in most instances even if this is for a lesser time. However, in the spirit of considering the scheme by reference of the BRE Guidelines, the technical assessment as undertaken establishes whether 2 hours of sun falls on the surface in question – both for March 21 (when the sun is at its midpoint position in the sky) and June 21<sup>st</sup> when the sun is at its highest position from the horizon.

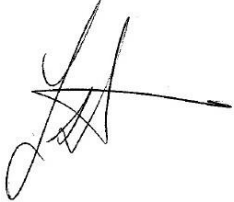
The detailed technical analysis as outlined within the Point 2 Surveyors detailed Daylight & Sunlight report (within Section 9 and Appendix 3) highlights that a number of the areas will experience no change from the existing condition. Where there is a recorded alteration (12 Parker Street for instance) this is a product of the fact the scheme is located south of the amenity area where any further obstruction will result in a recorded change. However, when considering the acceptability of the retained values, a comparison of the Historic Consent highlights that the retained values as



proposed by this new application, is within a few percent (in absolute terms). As such, the scheme is deemed to be acceptable and well within the BRE Guidelines.

I trust that this clarifies the light amenity position for the Drury Lane project site.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Justin Bolton', with a long horizontal stroke extending to the right.

Justin Bolton

For and on behalf of Point 2 Surveyors