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The London Borough of Camden Planning Department

18 March 2025

Dear Sir/Madam

Objection Letter – Planning Reference: 2025/0284/P

Proposal –Demolition of existing garage block and erection of a three-storey family dwelling. Erection of three-storey rear extension to existing block of flats.

Site - Westcott Court 13 Holmdale Road, London, NW6 1BH

LRJ Planning Ltd has been instructed by Mr and Mrs Hardwidge who are the legal owner occupiers of 13 West Cottages, NW6 1RJ to review and draft a formal response to the above planning application that has been lodged with the Council.

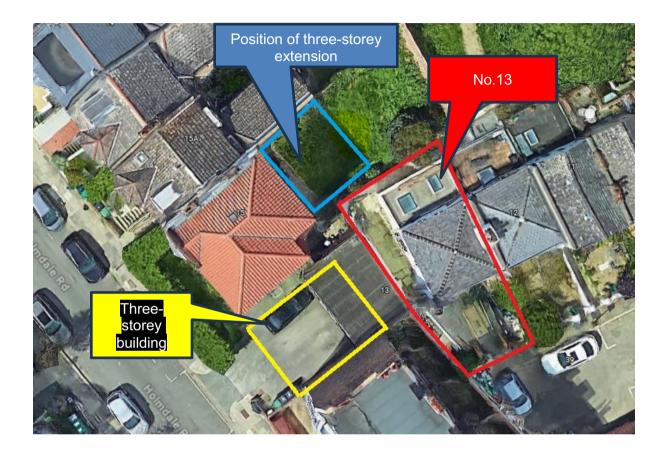
Following a review of the submitted plans and the supporting documents with my clients, they have serious concerns with the application proposed and therefore **OBJECT** to the application for reasons that will be detailed below.

The speculative development site is located directly to the north and west of my clients' property as illustrated overleaf.

My clients formally request the case officer visits their property, so that the level of harm can be fully understood.



Relationship between application site and No.13 West Cottages



1.0 BACKGROUND

It is noted that planning permission under reference: <u>2023/5365/P</u> was granted subject to a S106 for the demolition of existing garage block and erection of a three storey family dwelling. Erection of three-storey rear extension to block of flats. This was issued on 14th August 2024.

My clients were unaware of this application and if they had been they would have issued a strong objection. Notwithstanding this, this latest scheme represents a further retrograde step.



Lack of Community Engagement

A fundamental concern regarding this application is the evident lack of meaningful consultation with local residents prior to its submission. Best practice in planning encourages developers to engage proactively with the community to explain their proposals, gather feedback, and address concerns at an early stage. This process ensures that developments are informed by local knowledge and do not come as a surprise to those most affected.

In this instance, my clients and their neighbours were not approached by the developer to discuss the plans before the application was submitted. There has been no opportunity for local residents to provide input, raise objections, or seek clarifications on how the proposed development might impact their properties, access, or quality of life. This lack of transparency and engagement undermines the principles of good planning and community involvement.

Had a proper consultation process been undertaken, residents could have provided valuable insights regarding site constraints, access issues, and the potential impact on neighbouring properties. Instead, the absence of early engagement has resulted in an application that fails to take into account the legitimate concerns of those who will be directly affected.

Finally, due to the importance of this matter, it is also respectfully requested that the application is called in for examination by the Planning Applications Committee.

2.0 SUMMARY GROUNDS OF OBJECTION

The following is a summary of my clients' objection to this speculative proposal:

i) The proposal will inflict severe harm on the residential amenity of my clients' property through an unacceptable increase in overlooking,



overbearing impact, noise and disturbance, and loss daylight/outlook.

- ii) This insensitive development will result in an adverse impact on the character and appearance of the area;
- iii) Adverse impact on highway and pedestrian safety; and
- iv) The impact on utilities.

3.0 PLANNING POLICY CONTEXT

In December 2024, the Government published the latest version of the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and sets out how they are expected to be applied. The NPPF took immediate effect.

Paragraph 2 of the NPPF states that "Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."

Paragraphs 7 and 8 confirm that the purpose of the planning system is to contribute to the achievement of sustainable development, which comprises economic, social and environmental dimensions.

The NPPF retains a presumption in favour of sustainable development. Paragraph 11 reaffirms that "applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."

The Courts have held that Central Government's policy is a material consideration that must be taken into account by the decision maker, as are relevant appeal decisions. The development plan consists of the Camden Local Plan and the London Plan. A summary of



the relevant planning policies is produced at Appendix A.

4.0 DETAILED GROUNDS OF OBJECTION

i) Severe harm on Residential Amenity

As illustrated in the aerial image on page 2 of this letter, the proposal will result in the construction of a substantial three-storey development directly adjacent to my clients' property. It will result in irreversible harm and blight my clients' property, as well as other neighbouring residential properties. The photographs produced at **Appendix B**, provide further illustration of the resulting harm that will be caused and why it is important that the Planning Officer undertakes a visit to my clients' property.

In relation to the impact on the amenity of neighbouring properties, Paragraph 135 of the NPPF is particularly important and it states:

"Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount



and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well- being, with a high standard of amenity for existing and future users (our emphasis); and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Paragraph 135 (f) of the NPPF clearly describes that decisions should ensure that developments have a high standard of amenity for future or existing users. NPPF paragraph 196 decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. This principle is reflected in local planning policies.

This proposal would result in the provision of a significant development adjacent to my clients' dwelling. The creation of a substantial three-storey development to the north and west will lead to an intensification of development that will inflict substantial harm. No.13 will be totally enclosed by development at three-storey in height.

The development would basically result in the enclosure of their residential property through this insensitive development. The proposal would have the following significant harmful effects:

- Increased sense of overlooking and loss of privacy;
- Overbearing impact;
- Loss of day light, outlook, extensive overshadowing;
- Increase in noise and disturbance.



Loss of Privacy

The proposed development, by virtue of its scale, massing, and orientation, would result in an unacceptable degree of overlooking and loss of privacy for my clients at No. 13. The introduction of substantial three-storey development would significantly alter the existing spatial relationship, leading to an oppressive and overbearing impact.

Currently, my clients' property benefits from a high level of privacy due to the open aspect of their rear garden and the existing separation distances from neighbouring properties. The proposed development would have a direct and unacceptable impact on my clients' privacy and residential amenity, failing to respect their right to enjoy their home without undue intrusion and the following elements of the proposal are of serious concern:

- Overlooking from Rear Elevation Windows: The proposed new dwelling includes
 windows on all floors of the rear elevation that would directly overlook my clients' home,
 significantly compromising their privacy. These windows would have a clear and
 unobstructed view into their living spaces, including bedrooms and communal areas.
- Extensive Glazing on Side and Rear Elevations: The proposed extension features
 numerous windows on both the side and rear elevations. These would exacerbate the
 issue of overlooking, creating an intrusive and overbearing impact on my clients'
 property.
- Direct Line of Sight into Primary Living Areas: The side of my clients' house features large French doors on the ground floor, providing natural light and access to their kitchen and main living area. Additionally, there is a single first-floor window that serves as a key source of light and ventilation. The proposed dwelling would introduce direct lines of sight into these spaces, severely compromising their privacy and enjoyment of their home. The impact would be particularly acute given the short separation distance between the properties.



- Excessive Proximity and Invasive Views: The new dwelling would be located 5
 metres from my clients' home, an unreasonably close distance that would allow clear
 and sustained views into a substantial portion of their private living space. This level of
 proximity is wholly inappropriate and would lead to an oppressive and intrusive living
 environment for my clients.
- Loss of Privacy to Bedroom Skylights: As illustrated in the earlier ariel image my
 clients' property features two large skylights at the rear of their home, one of which
 serves a bedroom. The proposed extension would introduce direct visibility into this
 private space, undermining their right to a reasonable level of privacy within their own
 home.
- Significant Loss of Garden Privacy: The proposed extension would run perpendicular to my clients' rear garden, drastically altering its character and removing any sense of seclusion. At present, my clients enjoy a private and enclosed outdoor space, which is integral to their quality of life. However, the presence of the new extension, with its numerous windows and elevated positioning, would mean that their garden would be completely overlooked, making it feel exposed and unusable for private leisure.

Overall, the excessive overlooking, close proximity, and loss of private outdoor space run contrary to established planning principles, including those set out in the National Planning Policy Framework (NPPF) and relevant local planning policies that seek to protect residential amenity.

Overbearing Impact

The proposed development, by virtue of its excessive size, massing, and orientation, would result in a development that is unreasonably dominant and visually oppressive. Its presence would overshadow the private amenity space of the neighbouring property, creating an



enclosed and overbearing environment that significantly diminishes the quality of life for its occupants. Despite these fundamental concerns, the scheme has failed to provide any meaningful mitigation or justification for the substantial harm it would cause.

A key issue is the proximity of the development to No.13, which exacerbates its overbearing impact. The combination of the dwelling's considerable scale, excessive height, and its unbroken massing would create an oppressive sense of enclosure for my clients. The development would loom over their property, restricting access to natural light and visually dominating the outlook from both the dwelling and garden.

Crucially, the proposal introduces an unduly imposing and visually intrusive structure that would fundamentally alter the residential environment, making the neighbouring property feel hemmed in and overshadowed.

The adverse impact of the development on residential amenity is clear. The scheme represents an unacceptable form of development that prioritises built mass over the reasonable living conditions of existing residents.

Loss of day light, outlook, extensive overshadowing

My clients' rear garden and dwelling is located in a sensitive location to the south and east of the application site. Given the substantial size of the development in respect of my clients' property and the path of the sun, my clients have serious concerns on this matter.

The findings presented in the applicant's Daylight and Sunlight Assessment fail to accurately reflect the true impact of the proposed development on No.13.

The proposed development entails the construction of a three-storey building approximately



5 to 10 metres from my clients' property. The scale and massing of the development will materially and adversely impact the availability of natural light within both the interior of my clients' home and their garden.

Photographic evidence, provided at **Appendix B** taken on 12th and 13th March, clearly illustrates the existing natural light conditions in the afternoon when sunlight is at its most prominent from the direction of the proposed development. Any obstruction in this location will significantly diminish light levels, particularly in habitable spaces. The introduction of a three-storey building in such close proximity will inevitably cast substantial shadows over my clients' property, thereby reducing the quality of light throughout the day. This reduction will not only diminish the residential amenity but will also contravene established planning principles regarding the protection of neighbouring properties from undue harm.

It is advanced that the daylight and sunlight assessment submitted contains inaccuracies and does not provide an accurate representation of the likely impact of the proposed development on my clients' property. Indeed, T16's report fails to provide sufficient detail regarding the methodology used to construct the 3D model of my clients' property and its surrounding context. Furthermore, it does not include any 3D visual representations of the modelling, which is considered industry standard. Additionally, there is no indication that the most recent application has been tested; instead, the report appears to rely on findings from the previous assessment.

The assessment evaluates daylight loss in relation to an area of land marked in yellow, which is a narrow, underutilised strip. However, my clients' main garden area (edged in green on the image overleaf), which is of primary importance, has not been properly considered within the analysis. This omission materially distorts the findings of the assessment and undermines the conclusions drawn.



Sunlight and the shadows caused by the existing low level buildings



Furthermore, the assessment has been conducted from an incorrect reference point, failing to consider the impact from the area where the proposed building will be constructed. The analysis has been undertaken from the perspective of the yellow circle area rather than the green circle area, which represents the key space where my clients experience sunlight in the afternoons. This methodological flaw significantly reduces the credibility of the assessment.

Incorrect reference points for analysis





The applicant's report asserts that the impact on daylight levels remains within acceptable limits as per BRE guidance. However, given the proximity of the proposed three-storey structure, it is highly questionable whether the Vertical Sky Component (VSC) will retain 80% of its existing value, as claimed. The failure to properly assess all relevant external and internal spaces, particularly those directly affected by the new structure, casts serious doubt over the validity of these claims.

Additionally, the assessment applies an overly rigid interpretation of BRE guidance, which explicitly states that natural lighting is just one factor in site layout design and should be applied flexibly. Given the substantial harm posed by the proposal, it is inappropriate for the applicant to rely on numerical compliance alone without considering the actual impact on the quality of life for neighbouring residents.

Overall, the proposed development will cause a significant and unacceptable loss of daylight and sunlight to No. 13, as well as a marked sense of enclosure and loss of amenity. The findings of the daylight and sunlight report should therefore be treated with caution and should not be relied upon as definitive evidence of compliance with BRE guidance. Given the material harm to residential amenity, the application should be refused on the grounds of unacceptable loss of daylight, sunlight, and overbearing impact.

The Council does not have any cogent evidence to demonstrate that there will be no unacceptable loss of light, outlook or excessive overshadowing at my clients' property.

Noise and disturbance

My clients are concerned that due to the nature of the use within this part of the site, that it will encourage significant activity at the site for extensive periods of the day and night. The



following activities are likely to result in unacceptable harm:

- Increase in noise from users at the site at all times of day and night; and
- Light pollution from internal and external lighting.

The noise and disturbance that will be unacceptable and the intense nature of this development within the part of the site is quite simply harmful and unacceptable. The harm will be compounded by the light pollution that will emanate from external lighting. The development will result in a poor internal and external living environment for my clients.

Overall, the introduction of significant built form along the boundary with my clients' property would have a significant adverse effect on the level of amenity enjoyed through extensive overlooking, overshadowing, overbearing impact, loss of outlook/daylight, an unacceptable increase in noise and disturbance. The proposal would infringe on my clients' right to a private family life and home under Article 8 of the Human Rights Act 1998. The proposal is contrary to the NPPF and local planning policy.

ii) Adverse Impact on Character and Appearance of the Area

The objectives of the NPPF include those seeking to secure high quality design and a good standard of amenity (Section 12 – Achieving well-designed places). Paragraph 131 highlights that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the



process.

Notably, paragraph 40 of the National Design Guide stipulates that "well designed new development responds positively to the features of site itself and the surrounding context beyond the site boundary." Paragraph 49 goes on to say that the "identity or character of a place comes from the way buildings, streets, spaces, landscape and infrastructure combine together and how people experience them. In addition, paragraph 51 describes that local identity is made up of typical characteristics such as the pattern of housing, and special feature that are distinct from their surroundings. Paragraph 52 articulates that this includes considering the composition of street scenes, individual buildings and their elements and the height, scale, massing and relationships between buildings.

The plans illustrate that the proposed development would completely fill the site. There would be a minimal separation of all boundaries. The provision of a substantial development will dominate and subsume the area. Given these factors the proposal would result in a contrived and cramped form of development.

Essentially, the proposed development constitutes an overdevelopment of a small plot, introducing a new three-storey structure that is disproportionate in scale and intrusive in nature. The excessive height and massing of the proposed building will create an oppressive and overbearing environment, significantly affecting my clients' enjoyment of their property.

Moreover, the proposal results in an unjustifiable increase in the density of built form within an already constrained area. The proposal fails to respect the established architectural character of the surrounding properties and will contribute to an excessive intensification of development that is inconsistent with the prevailing pattern of the area.

As a result of the poor design and insensitive position of the development, it would appear as a dense form of development that has no appreciation for the surrounding form of



development. It would appear as an incongruous form of development. This harm is compounded as the development would have a limited separation distance with the boundary with No.13. Along with the size, scale, and height, the development would be extremely prominent and significantly harden the site.

Overall, this proposal will result in a development that will be hopelessly out of place in its surroundings and unacceptably harmful to the street scene and the character and appearance of the area. The development appears squeezed into the site and result in a loss of spaciousness. It would appear as an incongruous development, poorly related to the surrounding development, as well as a cramped form of development. Accordingly, the proposed development is therefore clearly contrary to the NPPF that seeks high quality design.

iii) Effect on Highway Safety

Paragraph 116 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

The proposed development will permanently remove five off-street parking spaces, which are currently used by residents and visitors. This loss will have an immediate and detrimental impact on parking availability, particularly given the already limited provision in the surrounding streets.

1. **Existing Parking Stress**: The area already suffers from high parking demand, with onstreet parking at or near full capacity during peak hours. The removal of five spaces will force more vehicles onto the road, intensifying competition for limited spaces.



- Impact on Local Residents: Many residents rely on these spaces due to a lack of private driveways or allocated parking. The increased demand may lead to displacement parking, affecting those with mobility issues or families with young children who require convenient parking near their homes.
- 3. **Obstruction and Safety Concerns**: The overspill of vehicles onto surrounding streets may lead to more instances of illegal or inconsiderate parking, obstructing pedestrian walkways, driveways, and access routes for emergency vehicles.

The proposal would increase the number of vehicles using this part of the highway network, thus increasing the conflict with pedestrians. Agreeing to this as laid out in the Planning Application would be disregarding legality as specified within The Road Safety Act. This would prejudice the safety and free flow of traffic on this part of the highway network to the detriment of highway and pedestrian safety.

Overall, the proposed development would have a severe residual impact on highway and pedestrian safety. Accordingly, the proposal is clearly contrary to the NPPF and Manual for Streets.

iv) Utility infrastructure

The proposal will have a detrimental impact on critical underground drainage infrastructure and essential telecommunications connections. The proposal, if permitted, risks severe disruption to key services that are vital to both residential properties and the wider community.

Impact on Main Sewer Line and Drainage Infrastructure

It is understood that the proposed development site is directly above the main sewer line that serves all properties on West Cottages. This sewer runs beneath the garages in question, with **16** | P a g e



known access points located within my clients' side garden and beyond the garages. The construction of new foundations in this location poses a significant risk to the integrity and function of the drainage system.

- Structural Risks: Any excavation or piling work associated with foundation construction
 could cause damage, displacement, or collapse of the underground sewer infrastructure,
 leading to substantial maintenance and repair costs.
- Legal and Regulatory Considerations: The presence of essential drainage infrastructure raises concerns regarding the Water Industry Act 1991, which places strict controls on developments that may interfere with public sewers. If this is a public sewer, the applicant may be required to seek agreement from the relevant water authority before proceeding.
- Flood Risk and Service Disruption: Interference with the drainage system could lead
 to blockages, flooding, or long-term service disruptions, adversely affecting not only my
 clients' property but also the entire row of houses reliant on this system.

Given these concerns, it is imperative that a comprehensive drainage impact assessment is conducted before any determination on the application is made. The applicant must provide evidence demonstrating that the proposed development will not compromise existing drainage infrastructure.

Impact on Fibre Optic Telecommunications Infrastructure

The fibre-optic cables supplying 13 West Cottages and other properties are routed from a telegraph pole within the road, running across the garages before continuing over the site proposed for redevelopment. The cables then go underground by the garages. Given this layout, the proposed development raises significant concerns, including:



- Physical Obstruction and Damage Risks: Construction activities, particularly structural modifications or roof alterations, could disrupt or sever fibre-optic connections, potentially leading to the loss of broadband and telephone services for affected residents.
- Accessibility for Repairs and Maintenance: The existing cable route requires
 continuous access for maintenance and emergency repairs. The development may
 restrict or complicate access, making it significantly more difficult to resolve service
 issues.
- Consultation with Utility Providers: As this infrastructure is essential for residents, the
 applicant must confirm that Openreach or the relevant telecommunications provider has
 been consulted. A failure to properly account for these cables could lead to unforeseen
 delays, service disruptions, and potential legal or financial liabilities.

Given the above concerns, my clients strongly object to the proposed development due to its potentially severe and lasting impacts on the critical infrastructure serving West Cottages.

5.0 SUMMARY

There are compelling reasons why this application should be refused as the proposal comprises inappropriate development of this site. In particular the following harm will result:

- Unacceptable impact on living conditions at No.13— The proposal will have an adverse impact on neighbour amenity as a result of the significant size of the development and associated works. The proposal will totally enclose No.13. It will result in an unacceptable impact through loss of privacy, outlook, daylight, extensive shadowing, increase in noise and disturbance, have an overbearing impact on my clients' property.
- Detrimental impact on character and appearance of area- The proposed



development will result in a loss of spaciousness. Ultimately it comprises a cramped form of development that will be detrimental to the overall character and appearance of the area.

- Severe harm to highway safety The proposal will result in an unacceptable impact
 for all road users as a result of an increase in traffic (residents, visitors, servicing and
 delivery vehicles) on this part of the highway network and where the proposal will
 remove 5 parking spaces;
- **Impact on key infrastructure** The proposed development risks severe disruption to essential drainage and telecommunications infrastructure, posing significant structural, legal, and service-related concerns.

The proposal is contrary to both local and national planning policies and does not comprise sustainable development. It is respectfully requested that this planning application is refused.

Yours faithfully

Lloyd Jones MRTPI

Director



Appendix A – Relevant Planning Policies

London Plan

- Policy GG1: Building strong and inclusive communities
- Policy GG2: Making the best use of land
- Policy GG3: Creating a healthy city
- Policy GG4: Delivering the homes Londoners need
- Policy GG5: Growing a good economy
- Policy GG6: Increasing efficiency and resilience
- Policy SD1: Opportunity Areas
- Policy D2: Infrastructure requirements for sustainable densities
- Policy D3: Optimising site capacity through the designled approach
- Policy D4: Delivering good design
- Policy D5: Inclusive design
- Policy D6: Housing quality and standards

Camden Local Plan

- Policy H1: Maximising housing supply
- Policy H4:
 Maximising the supply of affordable housing
- Policy H6: Housing choice and mix
- Policy H7: Large and small homes
- Policy A1:
 Managing the impact of development
- Policy A4: Noise and vibration
- Policy D1: Design
- Policy D2: Heritage
- Policy CC1: Climate change mitigation



- Policy D7: Accessible housing
- Policy D8: Public realm
- Policy D11: Safety, security, and resilience to emergency
- Policy D12: Fire safety
- Policy D13: Agent of Change
- Policy D14: Noise
- Policy H1: Increasing housing supply
- Policy H3: Meanwhile use as housing
- Policy H4:Delivering affordable housing
- Policy H5: Threshold approach to applications
- Policy H10: Housing size mix
- Policy E2: Providing suitable business space
- Policy E3: Affordable workspace
- Policy E9: Retail, markets and hot food takeaways
- Policy HC1: Heritage conservation and growth
- Policy HC3: Strategic and local views
- Policy G1: Green infrastructure

- Policy CC2:
 Adapting to climate change
- Policy CC3: Water and flooding
- Policy CC4: Air quality
- Policy CC5: Waste
- Policy T2: Parking and car-free development



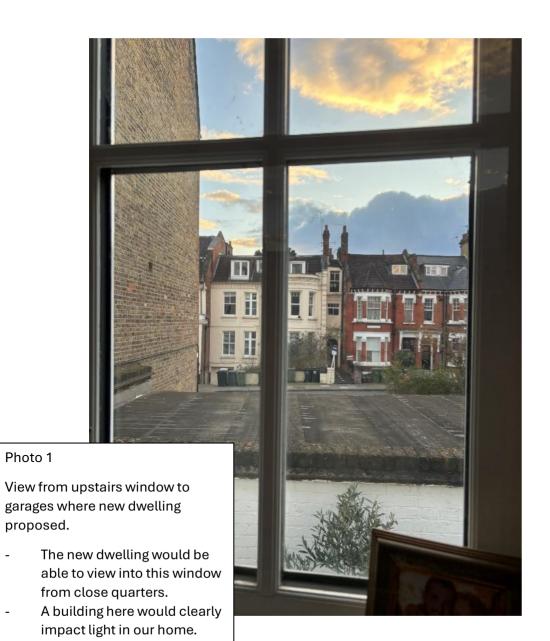
- Policy G4: Open space
- Policy G5: Urban greening
- Policy G6: Biodiversity and access to nature
- Policy G7: Trees and woodland
- Policy S4: Play and informal recreation
- Policy SI1: Improving air quality
- Policy SI2: Minimising greenhouse gas emissions
- Policy SI3: Energy infrastructure
- Policy SI4: Managing heat risk
- Policy SI5: Water infrastructure
- Policy SI7: Reducing waste and supporting the circular economy
- Policy SI12: Flood risk assessment
- Policy SI13: Sustainable drainage
- Policy T1: Strategic approach to transport
- Policy T2: Healthy Streets



- Policy T3: Transport capacity, connectivity and safeguarding
- Policy T4: Assessing and mitigating transport impacts •
- Policy T5: Cycling
- Policy T6: Car Parking
- Policy T7: Deliveries, servicing and construction



APPENDIX B – PHOTOGRAPHS





View of garages where the proposed new build is which highlights how close it is.





View of our garden which would be overlooked with new build and extension of old build.



Photo 4

View of the building to be extended. Extension would have visibility into our garden and through the skylights from upper floors.





Photo 5

View from front of house of where new build is proposed.

Photo 6

View from neighbouring park. Our house is the white building on the left. A three story building in that space would be overbearing.







Photo 9 and 10

View from the front of our house.
Whilst the current building
overlooks to an extent, none are
directly next to our house and
none have direct visibility into our
windows. A newbuild in that gap
would







Photo 13

View of garden from level with garage roof. My shadow is in the photo so a three story building here would clearly block light to the house



Photo 14

View of garden and space where new build would extend to. Windows proposed along side would have visibility along the length of the garden.

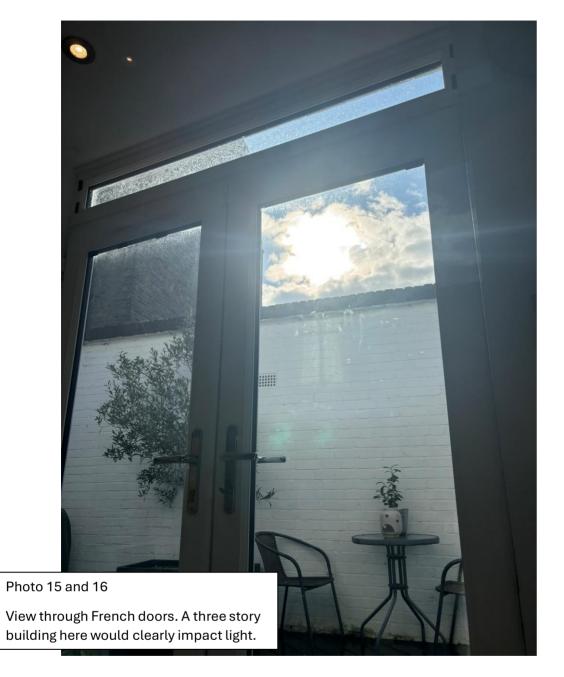






Photo 17

View from upstairs window. Again, a three story building here would clearly impact light.



Photo 18
Impact of 1 story on light and three story demonstrated with the shadow.



Photo 19

Clear demonstration the impact a three story building would have on light



