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Private and Confidential

John Nicholls
5 Pancras Square
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26 March 2025

Dear John Nicholls

Re: 19 Menelik Road – Daylight & Sunlight

Introduction

Eb7 have been instructed to review and advise on the adequacy of the daylight and sunlight report submitted alongside the planning application (ref: 2025/0316/P) for the development at 19 Menelik Road, London NW2 3RJ.

In respect of the daylight / sunlight amenity, the applicant has submitted a report prepared by EEABS (Elmstead Energy Assessments & Building Services) and dated 9th December 2024.

This letter has been prepared in order to identify areas within the daylight and sunlight report that are considered inadequate in respect of undertaking all assessments recommended by the BRE, as well as accurately considering all relevant receptors.

The daylight and sunlight effects of a proposal are to be assessed by reference to the criteria set out in the Building Research Establishment Guidance Note 209: *Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice* (the BRE Guidelines) 2022.

Summary of BRE Assessment Methodology

In respect of diffuse daylight to neighbours there are two primary methods detailed for calculating the effect upon neighbours, namely the Vertical Sky Component (VSC) and the No-Sky Line Contour (NSC). The assessment of sunlight within both existing and new buildings is undertaken using the Annual Probable Sunlight Hours (APSH) test.

The VSC method calculates the amount of visible sky available to each window. This is the primary assessment of daylight impacts and does not consider the size or nature of rooms behind the façade. The guidelines suggest that post-development, properties should enjoy at least 27% VSC or that VSC is reduced to no less than 0.80 times its former value.

The NSC method describes the distribution of daylight within rooms by calculating the area of the 'working plane' which can receive a direct view of the sky and hence 'sky light'. The working plane height is set at 850mm above floor level within a residential property. The BRE does not state a required amount of no-sky line but merely suggests that the area of a room covered by the No-Sky Contour should remain within 0.80times its former value if changes are not to be considered noticeable.

The internal layout of neighbouring properties can be sought from publicly available records. Where such information is not available we have adopted assumed room layouts and the BRE guide suggest that the VSC should be utilised as the primary assessment metric.

For sunlight the APSH test calculates the percentage of statistically probable hours of sunlight received by each window in both the summer and winter months. March 21st through to September 21st is considered to be the summer period while September 21st to March 21st is considered the winter period. For properties surrounding a new development, only those windows oriented within 90° of due south and which overlook the site of the proposal are relevant for assessment.

The BRE guidelines suggest that the main living rooms within new buildings should achieve at least 25% of annual sunlight hours, with 5% during the winter period. For neighbouring buildings the guide suggests that occupiers will notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced to less than 0.80 times its former value.

19 Menelik Road Neighbouring Assessments

Following our review of the daylight/sunlight report prepared by EEBAS, we have identified a number of technical inadequacies in the assessment of potential daylight and sunlight effects to the neighbouring properties / gardens as a result of the proposed development at 19 Menelik Road. These technical points have been set out and addressed on an itemised basis below.

1) **NSC assessment omitted from daylight neighbouring impact considerations**

   The daylight and sunlight report fails to provide a NSC assessment of daylight penetration to the neighbouring rooms that surround the site. This metric quantifies the portion of a room that benefits from sky visibility at working plane height and the degree of change can be determined by the size and shapes of room layouts.

   Where layouts are known, the BRE recommends that an NSC assessment is undertaken to understand the potential effect on daylight distribution within each habitable room. From our site research of the properties that neighbour 19 Menelik Road, we have obtained a number of estate agent plans and planning drawings across Somali Road and Menelik Road. As such, we would request that the NSC assessment is undertaken and provided alongside 'contour plots' to confirm layouts and illustrate the degree of impact to neighbouring rooms.

2) **1st floor windows omitted from VSC / APSH neighbouring assessments**

   The daylight and sunlight report does not assess the first-floor windows of the neighbouring properties, which may serve habitable rooms. This omission raises concerns that daylight and sunlight impacts have not been fully captured or considered appropriately, potentially underestimating the effect on the amenity of the neighbouring residents. This is particularly the case in respect of the 1st

floor window at 34 Somali Road, which is inset between projecting elements 'blinkering' its existing outlook such that it appears to be already somewhat sensitive in respect of daylight.

Given this sensitivity, the report should assess the potential VSC impact to this window in order to ensure that that the potential impact on the neighbour's amenity is fully considered.

To ensure thorough consideration and to demonstrate full compliance with BRE guidelines, we request that a full VSC, NSC and APSH assessment should be undertaken to consider the 1st floor opening / rooms across the neighbouring properties already considered.

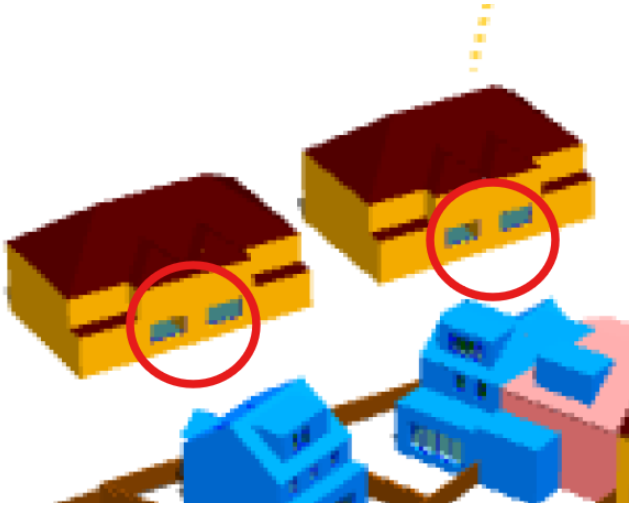
3) **Potential VSC effect to ground floor windows at 34 Somali Road not assessed**

In addition to the 1st floor windows, the daylight and sunlight report also fails to assess the potential VSC impact to a ground window at 34 Somali Road that adjoins the south eastern boundary, as well as the ground floor glazed door serving the single storey rear extension to the same property.

These windows are either situated alongside a projecting element or beneath an eave overhang, both of these design factors can limit sky visibility and can make windows somewhat sensitive to changes in daylight. As such, we recommend that the VSC assessment is updated and the NSC study is undertaken to these areas to ensure that the potential impact on daylight to this property as a result of the proposed development is appropriately considered.

4) **Incorrect Treatment of Bay Windows**

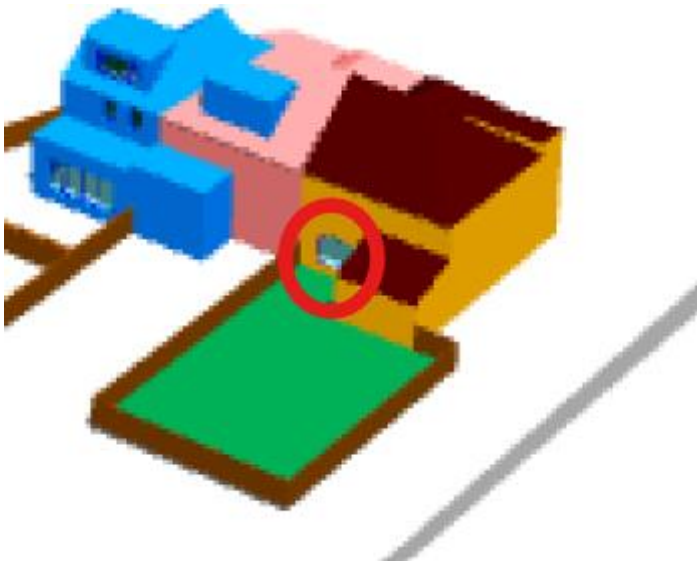
Rather than assessing each bay window across Menelik Road individually, the report consolidates each bay into a single large window unit (labelled as window 'W03' – 'W06'). This approach does not reflect the way daylight enters the affected rooms.



Bay windows often serve multiple aspects of a room, and treating them as one entity may mask reductions in daylight levels. A more granular analysis should be provided to demonstrate that the potential impact to neighbours have been accurately assessed.

5) **Misrepresentation of Full-Height Window at 21 Menelik Road**

The report shows that a ground floor rear elevation window (labelled as 'W01') at 21 Menelik Road has been modelled with a sill, whereas the aerial photo in Appendix B illustrate that this particular window is a full height aperture in reality.



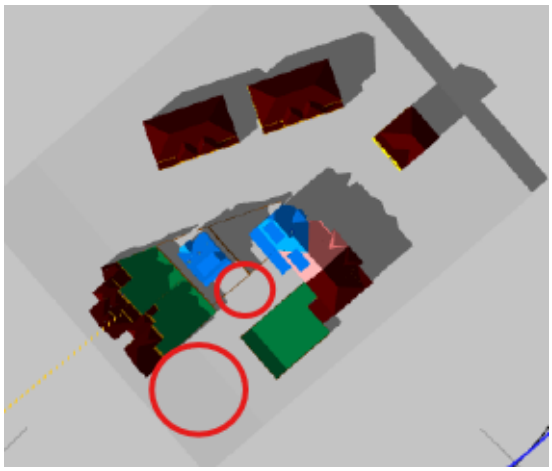
This discrepancy may lead to incorrect results in the Vertical Sky Component (VSC) analysis, affecting the accuracy of the conclusions drawn whilst questioning the reliability of the report. The modelling of windows should align precisely with the existing conditions to ensure a reliable assessment. This is particularly the case as the VSC test measures sky visibility from the centre point of each window and therefore this would be at a lower level for a full height window. On this basis, we request that all window sizes are amended and the VSC assessment is updated accurately to demonstrate that the potential effect on windows has been assessed appropriately.

6) **Lack of Reference to Survey**

Additionally there is no indication in terms of source materials or measured survey that has been utilised to ensure the accuracy of the study. Given the discrepancies identified we question the accuracy and reliability of the 3D modelling which does not appear to be informed by measured survey. We would request that such drawings are provided and that the daylight / sunlight consultant confirm what survey information has been used in preparing their model and that this is in accordance with the relevant survey accuracies set out in the RICS Professional Standards relating to the preparation of daylight / sunlight assessments.

7) **Use of a Transient Shadow Diagram Instead of the 2-Hour Sunlight Amenity Test**

The report includes transient shadow diagrams (as shown in the image below) rather than drawings of the required 2-hour sunlight amenity assessment, as outlined in BRE guidance. The correct test assesses whether at least 50% of key amenity areas receive a minimum of 2 hours of direct sunlight on March 21st.



In the absence of drawings illustrating this analysis, there is no clear evidence that sunlight availability to the neighbouring outdoor spaces has been properly considered. Illustrations of the BRE recommended 2-hour sunlight amenity assessment should be provided. This should demonstrate an accurate representation of the local context taking into account existing shade from trees and the building obstructions.

Conclusions

We have been appointed to review and comment on the adequacy and reliability of the daylight and sunlight report submitted alongside the planning application for the proposed development at 19 Menelik Road.

The omission of key assessments, inaccuracies in window modelling and lack of a measured survey undermines the reliability and completeness of this report and demonstrates that the potential impact on neighbouring amenity has not been fully or accurately assessed.

To ensure a comprehensive and transparent review, we recommend that the applicant provides the following:

- The provision of a NSC analysis for all neighbouring habitable rooms
- An evaluation of all first-floor and ground-floor windows, ensuring all relevant openings are assessed.
- A separate assessment of each bay window rather than consolidating them.
- A correctly modelled representation of window dimensions
- Illustration of full 2-hour sunlight amenity assessment in accordance with BRE guidance.
- Clarification on the survey information used for 3D modelling to confirm accuracy.

Overall, the submitted daylight / sunlight report should be considered to be inadequate in its scope and should be updated taking into account the discrepancies and omissions identified in this letter prior to the determination of the scheme to ensure the impact on neighbouring amenity is considered appropriately. This additional detail is necessary in order to draw accurately informed conclusions about the acceptability of the neighbouring effects of the scheme and compliance with the relevant BRE guidance.

I trust that this review provides clarity on the technical shortcomings of the submitted report. Please do not hesitate to contact us should you require any further discussion or clarification.

Yours sincerely

Bilaal Ali
Senior Surveyor
For and on behalf of eb7 Limited