

To: Ms T Rust
TJR Planning
19 Diamond Court
Opal Drive Fox Milne
Milton Keynes
MK15 0DU

By email to: [REDACTED]

Our ref: 124997-100/16/BSC/YP/jdw
Date: 17 March 2025

Dear Tracey

Proposed development at 34a Netherhall Gardens, London NW3 5TP
Responses to Objections relating to daylight, sunlight and overshadowing
Camden Council planning reference 2024/5731/P

As requested, I set out below a response to the objections received in relation to daylight, sunlight and overshadowing.

34 Netherhall Gardens

I respond to the Smith Marston letter (dated 11 February 2025) as follows:

- In relation to the BRE Decision Chart, it is normal practice to test and report on Vertical Sky Component (VSC) and No Sky Line (NSL) separately. There are several reasons for using this approach and it is not in any way misleading to report the findings in this way. For example, where rooms are lit by two or more windows, one window might fail the VSC test, but the room as a whole could be (and often is) still very well lit. The Report clearly shows where windows and rooms meet or do not meet the BRE targets for both daylight metrics of VSC and NSL and therefore Smith Marston's comments in this regard are considered disingenuous.

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- With regard to Smith Marston's comments on the mirror image approach, we did not undertake a detailed mirror image technical assessment as it is clear from a simple review of the relative scale of the existing building at 34 and the proposed building at 34a Netherhall Gardens, that the former would take more light than the latter. However, we have now undertaken a detailed mirror image assessment and the results are as shown below.

Building Address	VSC				NSL				APSH			
	No. of Windows Analysed	BRE Compliant Yes	BRE Compliant No	Total Percentage BRE Compliant	No. of Rooms Analysed	BRE Compliant Yes	BRE Compliant No	Total Percentage BRE Compliant	No. of Rooms Analysed	BRE Compliant Yes	BRE Compliant No	Total Percentage BRE Compliant
34 Netherhall Gardens	14	14	0	100	7	7	0	100	7	7	0	100
Totals	14	14	0	100	7	7	0	100	7	7	0	100

As you can see, the results demonstrate that using a mirror image baseline approach, all windows and rooms are fully BRE compliant. In every instance the proposed building provides more light to 34 than is found by the mirror image.

- Smith Marston were critical of the extent of the overshadowing assessment undertaken to the exterior garden of flat 8, 34 Netherhall Gardens. While we do not agree with Smith Marston's comments, we have undertaken a revised overshadowing assessment for the area to side of the garden, and the results are set out below.

Building Ref	Floor Ref	Amenity Ref	Amenity Area	Existing Lit Area	Proposed Lit Area	Existing %	Proposed %	Pr/Ex	Meets BRE Criteria
34 Netherhall Gardens	Ground	A1	77.0	41.6	34.9	54%	45%	0.84	YES

Again, despite Smith Marston's attempts to discredit our work and put undue pressure on the planning authority, it can be seen that the garden still meets the BRE target and therefore the proposal is BRE compliant in this regard too.

In summary, in relation to 34 Netherhall Gardens, the proposals are considered to be BRE compliant, for daylight, sunlight and overshadowing, when taking into account the relative scale of the buildings and the location of the windows at 34, which are close to the boundary.

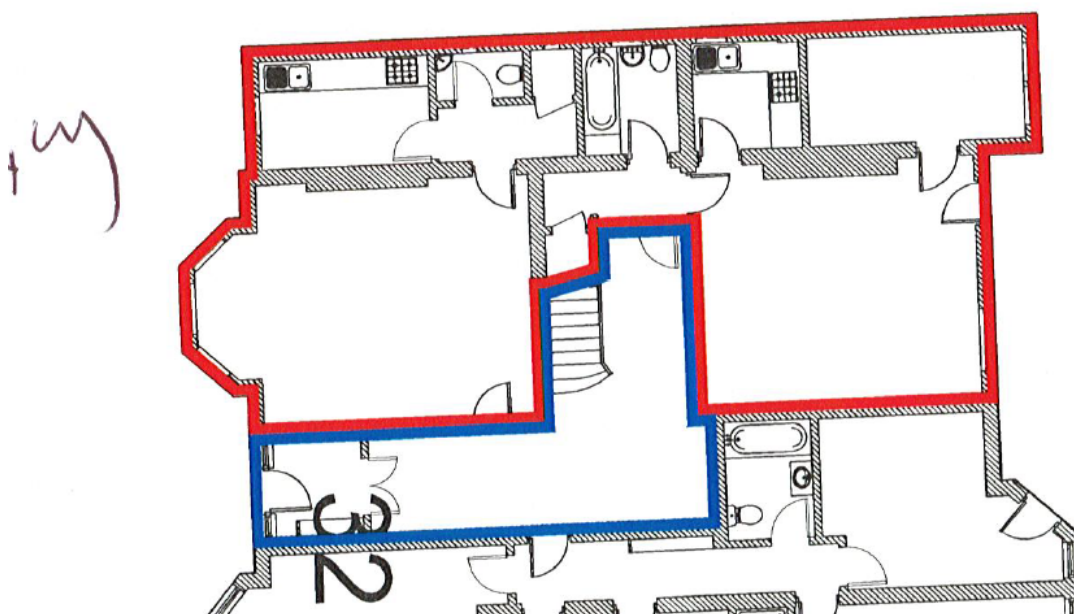
32 Netherhall Gardens

The effects on 32 Netherhall Gardens are considered to be minor. This is for two reasons:

First, the reductions in daylight are only just outside of the BRE's aspirational targets. The reductions range from 21% to 26% against a BRE target of 20%. When we consider that these windows are very close to the boundary, these reductions are considered to accord with the BRE guide. This is because the BRE recognise that when existing buildings have windows close to common boundaries, greater levels of obstruction should be allowed, otherwise reasonable development would be stifled. This is noted in the BRE guide at section 2.2.3 which states:

Note that numerical values given here are purely advisory. Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints. Another important issue is whether the existing building is itself a good neighbour, standing a reasonable distance from the boundary and taking no more than its fair share of light.

In addition to the above important factor, further research on the layout and room uses at 32 has determined that all but one of the windows on the ground floor which face the proposal serve non habitable rooms (bathrooms and a cupboard), see plan below. One window serves a small kitchen, however, this room is not considered to constitute a habitable room, due to its size which suggests it would only be used for utilitarian purposes (to prepare food etc) as it does not contain a table. Therefore it is required for utility as opposed to amenity and has a lower requirement for natural light.



In summary, with regard to 32 Netherhall Gardens, given the small reductions in light, the location of the windows close to the boundary and the room uses, we maintain that the proposals accord with the BRE guide and no material effects will be noted by the residents.

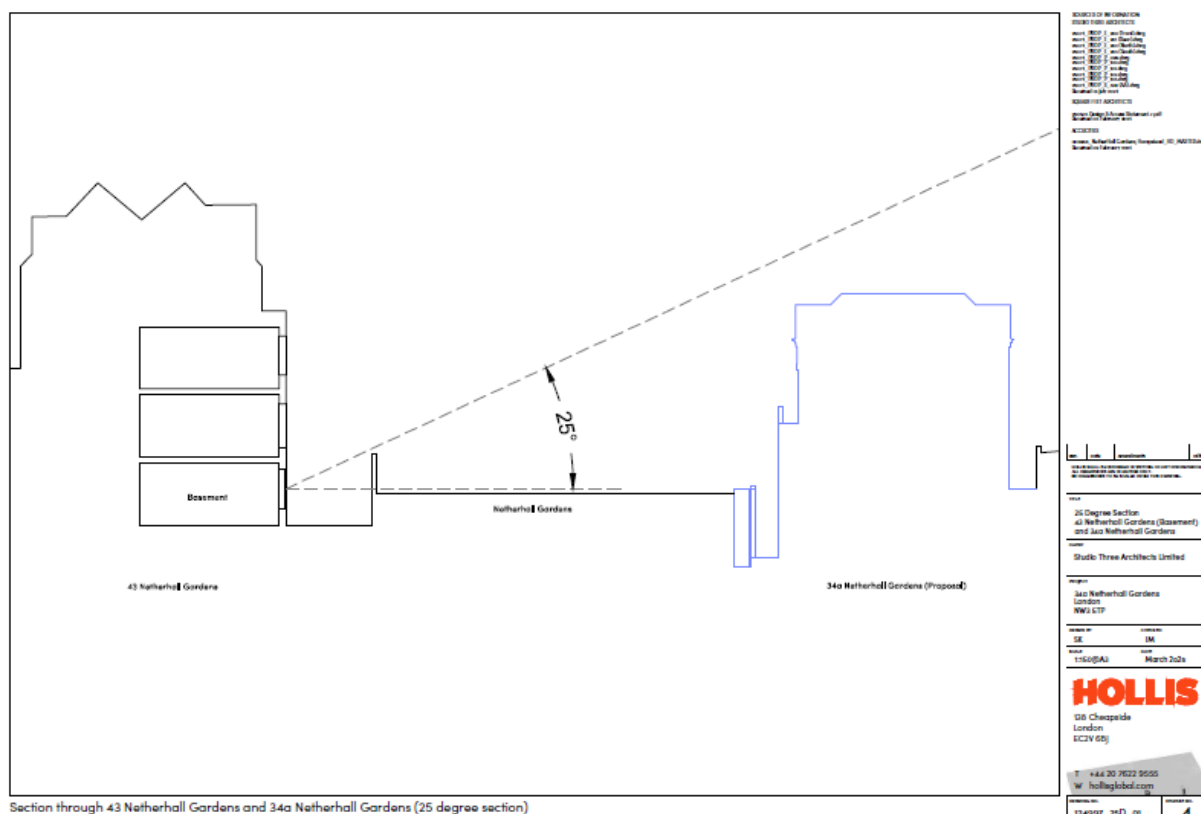
43 Netherhall Gardens

We note that the occupier of the basement flat at 43 Netherhall Gardens expressed concerns in relation to effects on natural light.

We did not assess this property originally as it was clear to us that it was sufficiently distant from the proposal not to be adversely affected.

However to demonstrate this beyond doubt, we have now undertaken a '25 Degree Test'. The BRE use the 25 degree test as an initial check to see whether light might be affected and therefore whether further, more detailed testing is needed. Effectively, if a proposal sits beneath a line drawn at 25 degrees to the horizontal, from the centre of the lowest habitable room window in an existing neighbouring building, light will not be adversely affected and no further assessment is required.

The below 25 degree section shows that this test is met in this case.



In conclusion, the proposed development accords with the BRE guidelines in all respects and the effects are considered to be appropriate and commensurate with the locality and existing built form of the area.

Yours sincerely

Ian McKenna
Director