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Dear Martin

## LAND AT R/O 101 BRECKNOCK ROAD DAYLIGHT/SUNLIGHT REPORT

Further to the instructions of our mutual Client, I would like to confirm my advice with regard to daylight and sunlight having regard to the Planning Policies of the *London Borough of Camden*. I have been asked to consider the effect of the proposed new houses on the existing Leighton Public House - having regard to the e-mail received from Angela Ryan dated August 28, 2014 in respect of Application Reference 2014/5401/P, the effect of the proposed houses against the adjoining residential properties, the effect of the proposed alterations to Leighton House against the adjoining residential properties, and that the proposed houses receive adequate daylight and sunlight.

The conclusions from the analysis undertaken is that both schemes comply with the relevant Planning Policies of the *London Borough of Camden* whether considered individually or cumulatively.

The policies I have assessed the proposals against are as stated in the *Local Development Framework*, but specifically I have considered the following:-

DP26 - Managing the impact of development on occupiers and neighbours

The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors we will consider include: a) visual privacy and overlooking b) overshadowing and outlook; c) sunlight, daylight and artificial light levels; d) noise and vibration levels; e) odour, fumes and dust; f) microclimate; g) the inclusion of appropriate attenuation measures. We will also require developments to provide:

h) an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space;
i) facilities for the storage, recycling and disposal of waste;
j) facilities for bicycle storage; and
k) outdoor space for private or communal amenity space, wherever practical.

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26.2 Development should avoid harmful effects on the amenity of existing and future occupiers and to nearby properties. When assessing proposals the Council will take account the considerations set out in policy DP26. The Council' Camden Planning Guidance supplementary document contains detailed guidance on the elements of amenity.

#### Visual privacy, overlooking overshadowing outlook, sunlight and daylight

26.3 A development' impact on visual privacy, overlooking overshadowing outlook, access to daylight and sunlight and disturbance from artificial light can be influenced by its design and layout, the distance between properties, the vertical levels of onlookers or occupiers and the angle of views. These issues will also affect the amenity of the new occupiers. We will expect that these elements are considered at the design stage of a scheme to prevent potential negative impacts of the development on occupiers and neighbours. To assess whether acceptable levels of daylight and sunlight are available to babitable spaces, the Council will take into account the standards recommended in the British Research Establishment' Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (1991).

#### Camden Planning Guidance Amenity CPG6

#### KEY MESSAGES:

- We expect all buildings to receive adequate daylight and sunlight.
- Daylight and sunlight reports will be required where there is potential to reduce existing levels of daylight and sunlight.
- We will base our considerations on the Average Daylight Factor and Vertical Sky Component.

#### WHAT DOES THE COUNCIL REQUIRE?

The Council will require a daylight and sunlight report to accompany planning applications for development that has the potential to reduce levels of daylight and sunlight on existing and future occupiers, near to and within the proposal site. Daylight and sunlight reports should also demonstrate how you have taken into consideration the guidance contained in the BRE document on passive solar design; and have optimised solar gain. Please refer to the BRE guidance on daylight and sunlight.

Following the publication of the information paper entitled "*Site Layout planning for daylight and sunlight: A guide to good practice*" by the *BRE* in 1991, the assessment of daylight and sunlight has been generally carried out in accordance with the criteria set by this publication and which is generally taken to be the accepted basis for such assessment and adopted by most Planning Authorities. This publication has been superseded by the *Second Edition* issued October 2011.

The *Second Edition 2011* Report does give numerical guidelines, but recommends that these should be interpreted flexibly because natural lighting is only one of a number of factors in site layout design. In special circumstances a planning authority may wish to use different target values.

Insofar as compliance with *DP26* is concerned, the *Second Edition 2011* states that assessments should be undertaken for habitable rooms that include living rooms, dining rooms and kitchens. Windows to bathrooms, toilets, storerooms and circulation areas need not be analysed. If at the centre of a window the *VSC* is greater than 27% of the visible dome then enough skylight should be reaching the window. To put this into terms more readily understood, when looking at the sky dome within an open field you would be able to see 39.6% of the total sky dome.

This said, a *VSC* of 27% is the ideal, but in most urban situations unlikely to be achieved. The *BRE* Guidance states, however, that if the *VSC* is below 27%, and as long as any reduction is within 0.8 of the original value, no significant loss will occur (a reduction which is deemed to be of no consequence and not readily identifiable as the human eye can not discern a reduction in daylight less than 20%).

In respect of sunlight, the guide details the assessment of this by way of calculating the number of probable sunlight hours. Probable sunlight hours take into account the total number of hours a year that the sun is expected to shine taking into account average levels of cloud cover for the geographical location. Only windows which face within 90° of south meet the criteria for assessment.

Sunlight is considered important for living rooms, but less so for bedrooms and kitchens. If the assessment is appropriate, the guide states that a window should receive at least 25% of annual probable sunlight hours with at least 5% of winter probable sunlight hours, but no less than 0.8 times the former if the sunlight is originally below these levels.

Camden Planning Guidance Amenity CPG6 states 'We expect all buildings to receive adequate daylight and sunlight', the criteria against which daylight, or more specifically internal illuminance, is considered is detailed within Appendix C of the Second Edition 2011 which is used in conjunction with BS 8206-2 Code of practice for daylighting and the CIBSE Lighting Guide LG10 Daylighting and window design. The guide states that where a predominately daylit appearance is required, the ADF should be at least 5% or more if there is no supplementary electric lighting or 2% or more if there is. In respect of kitchens, living rooms and bedrooms there are additional recommendations of 2%, 1.5% and 1% respectively. BS8206-2 further advises that achieving 2% in living room will give an improved daylight provision whilst 3% - 4% would improve the situation further.

In respect of sunlight, for housing, it is considered important that living rooms receive this particularly in the afternoon with it being less important to bedrooms and in kitchens. Whilst the orientation of a building will be the dictating factor, it is advised that if possible living rooms should face the southern or western parts of the sky and kitchens towards the north or east.

Prior to confirming my detailed advice, I would like to confirm that I am a Chartered Building Surveyor (MRICS) working predominately in the field of boundary disputes dealing with matters arising under *The Party Wall etc Act, 1996*, neighbourly matters including boundary disputes and rights of light including daylight and sunlight assessments. I have an extensive and highly specialised knowledge, in these areas having worked in the past for both Anstey Horne & Co. for five years and Schatunowski Brooks (formerly known as Michael Brooks Associates as it was when I joined and now known as GVA Schatunowski Brooks) for three years, as well as Delva Patman Associates for four years prior to joining in partnership Dixon Payne in 2001. All are acknowledged Experts in these fields. I regularly provide Expert Witness advice in respect of Planning Applications in respect of daylight and sunlight at Planning Inquiries acting for both Appellants and Planning Authorities. I was consulted by the *Building Research Establishment* with regards to the proposed revision of their current guidelines.

## Effect upon Leighton Public House

In respect of the effect of the proposals Planning Permission Application Reference 2014/5401/P against the existing Leighton Public House, there are only two windows to this property which meet the criteria for assessment, namely a kitchen at first floor and a bedroom at second floor

In accordance with the *Second Edition 2011* Report I have undertaken a Waldram analysis of the skylight available to the effected windows using a 3d computer model and specialist software to produce Waldram diagrams. By way of explanation, Percy J. Waldram invented the Waldram diagram as a method of showing on a 2d image the curved and three dimensional view of the sky from a fixed point. The area of a Waldram diagram

drawn to scale is 396cm<sup>2</sup> which represents the total amount of unobscured sky that can be seen from a vertical plane.

The vertical edges of any obstructions are plotted as vertical lines on the diagrams by reference to their angle from the reference point. The head of any obstruction are plotted along the droop line corresponding to their altitudes above the horizontal measured in the section perpendicular to the reference point.

The attached Waldram diagrams - Reference 1002 Kitchen, Reference 1003 Bedroom, - demonstrate that having regard to daylight there will be a reduction of 4.5% *VSC* for the kitchen window and 2.93% *VSC* for the bedroom window.

In respect of sunlight, in the proposed condition, both windows will receive at least 25% of annual probable sunlight hours with at least 5% of winter probable sunlight hours.

## Effect upon Adjacent Properties

Having regard to the effect of these proposals - 2014/5401/P - upon any adjacent property, in respect of 135 Torriano Avenue, there does not appear to be any fenestration whose outlook is over the site. In respect of 103 Brecknock Road, the existing obstruction to daylight as a consequence of the existing terrace of buildings to Torriano Avenue means that any effect upon either daylight or sunlight will be *de minimis* - there will be no discernible difference. Similarly, the properties opposite, 128-134 Torriano Avenue, the fenestration to these properties do not meet the criteria for assessment as they do not face within 90° of south whilst again any effect upon daylight will be *de minimis* - there will be no discernible difference.

The effect of the Leighton Public House from the conversion into residential flats in respect of 128-134 Torriano Avenue, having regard to daylight, will be *de minimis* - there will be no discernible difference with the *VSC* being in excess of 27%.

With regard to the cumulative effect of both Applications being implemented, the effect upon 128-134 Torriano Avenue will be increase from that of the houses on their own, but the analysis undertaken shows that the resultant *VSC* will still be in excess of that provided within the *Second Edition 2011*. In respect of 103 Brecknock Road, the resultant *VSC* is minimally below 27% with the reduction in daylight being less than 20%. Again this accords with the *Second Edition 2011*.

### Daylight (Internal Illuminance) and Sunlight of Proposals

Finally, with regard to the provision of daylight and sunlight to the proposed house and flats. In respect of daylight to the houses, a calculation of the *ADF* to the ground floor kitchen/dining area, having regard to the fenestration to the rear solely, provides an internal illuminance of 2.483%, which having regard to *Appendix C* of the *Second Edition 2011* and *BS 8206-2 Code of practice for daylighting* is an improved daylight provision. When the additional illumination from the window to the front elevation is included, this will increase this to above 3%. The orientation of the building being along an approximate east/west axis means that sunlight is limited by this, but in actual fact the analysis demonstrates the window almost achieving the minimum of 25% of annual probable sunlight hours with winter probable sunlight hours being only 3%.

The analysis of the daylight/sunlight to the flats also demonstrates that the first floor kitchen/dining/living room, when analysed including the balcony, will have an improved daylight provision. In respect of sunlight, the fenestration will receive at least 25% of annual probable sunlight hours with at least 5% of winter probable sunlight hours.

In conclusion, the two separate schemes can be seen to comply entirely with the *Second Edition 2011* in respect of the effects of either on the adjacent properties will not be material; when considered cumulatively, the same conclusion is reached. When considering whether the proposals accord with *Appendix C* of the *Second Edition 2011* and *BS 8206-2 Code of practice for daylighting* the analysis demonstrates compliance as well.

I hope that the above is satisfactory, but should you wish to discuss matters further, please do not hesitate to contact me.

Yours sincerely,

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