

2015/6455/P Planning Application Comment

Discrepancies in Reported Sunlight to Gardens

Save West Hampstead “Stop the Blocks!” Campaign

Save West Hampstead



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Introduction

1. The Save West Hampstead “Stop the Blocks!” Campaign has uncovered significant discrepancies in the daylight and sunlight figures produced by the Applicant in the two revisions of Planning Application 2015/6455/P.
2. Discrepancies in light available to windows have already been brought to the attention of Camden planners. To date, no legitimate or satisfactory response has been received from the Applicant regarding how these discrepancies came to be. The Council has been asked to seek further clarification on the discrepancies in the light to windows dossier produced by the campaign.
3. This document focuses on further discrepancies uncovered in the data provided relating to gardens, amenity areas and open spaces.
4. In each new case where discrepancies appear, it is predominantly in instances where the original December 2015 report showed severe and unacceptable loss of light to gardens. The figures in the June 2016 report have been adjusted such that it now appears that the impact of the proposal is lessened.
5. Given that height, bulk and mass of the proposed development have not been substantively altered between iterations of the proposal, the additional garden lighting discrepancies uncovered once again cast both sets of figures into serious doubt to the point that neither set of figures can be trusted or taken at face value.
6. In the case of the proposal for 156 West End Lane where the BRE minimum of two hours of sunlight is being championed by the Applicant as a positive aspect of the development for existing homes and gardens, the MUGA and Designated Open Space — none of which have ever been overshadowed by any buildings — overall loss of daylight is a key factor.
7. The Applicant has failed to provide hourly sunrise to sunset technical information and 3D modelling for review. The lack of this information was highlighted by Anstey Horne who noted:

“Ideally Rights of Light Consulting would have produced some 3D views of the existing and proposed conditions, so that some sort of visual comparison could be made to the planning drawings, but they have not shown any modelling information.”
8. The BRE guideline figure of two hours of sunlight is a bare minimum guideline figure. We remind the council of its own planning policy in this regard, namely CPG 6.13, which states:

“For existing dwellings the Council will consider the overall loss of daylight as opposed to the minimum acceptable levels of daylight.”
9. Despite repeated requests since the first proposal in November 2015 for hourly sunrise to sunset overshadowing information, the proposed impact has only been shown until 4pm for existing homes and gardens in the West End Green Conservation Area. In the absence of information showing the impact of the proposal after 4pm, residents are unable to determine the full impact of the proposal on their homes and gardens. This is particularly crucial for

summer months when it appears that homes and gardens, along with the Designated Open Space and two children's play areas, would be cast in to deep shadow as early as 4pm.

10. Consideration of the "overall loss of daylight" needs to factor in that existing homes and gardens would be deprived of light in afternoons and evenings when they are most used by children returning home from school and adults returning home from work. That homes and gardens might receive the BRE minimum recommendation of two hours sunlight at times when residents are not present to benefit from that light is no consolation to anyone and does not mitigate against the damaging "overall loss of daylight".
11. Furthermore, in relation to 156 West End Lane, Camden Council's Site Allocations Document explicitly states that any development should be compliant with:

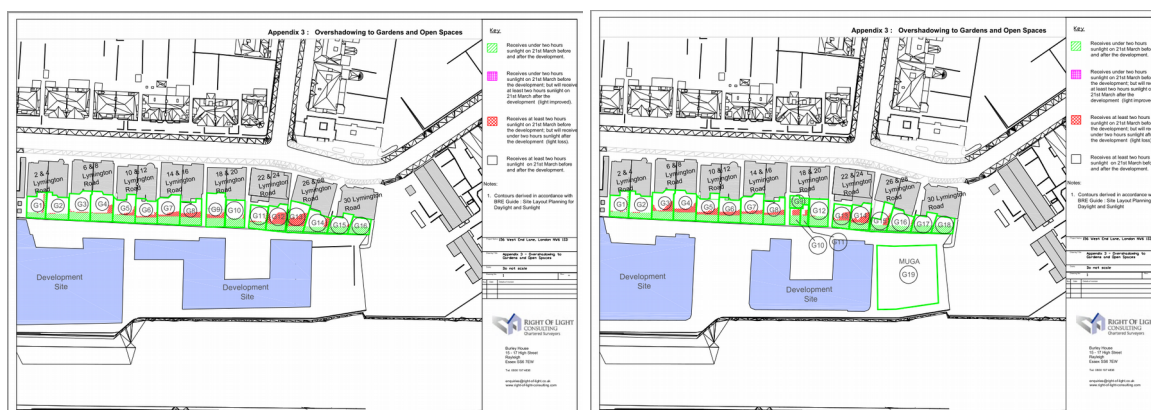
"Protecting and enhancing adjacent open spaces (Policy CS15)"
12. In the cases of the Designated Open Space and the two children's play areas in Crown Close, any development that overshadows and deprives these amenities of light during times of peak usage in afternoons and evenings throughout the year cannot be considered to be "protecting and enhancing adjacent open spaces."
13. The remainder of this document outlines significant discrepancies in the December 2015 and June 2016 sets of daylight and sunlight data provided by the Applicant in relation to gardens, amenity areas and open spaces

Overshadowing Diagrams, Images and Data



14. The image above has been created by overlaying two images from the 'existing' shadow analysis for 21st March (12pm and 2pm) as contained in the June Daylight and Sunlight report, Appendix 4 Overshadowing Images of Amenity Areas.
15. The resulting image has been further overlaid by the Appendix 3 Overshadowing to Gardens and Open Spaces diagram from the same Revised Daylight and Sunlight Report (Neighbouring Properties) report.
16. The final composite image above shows that the Green shaded area, identified in the Key as "Receives under two hours sunlight on 21st March before and after the development", is far larger than the actual existing area (shown in black beneath the hatching) if the Appendix 4 overshadowing images are correct. The black shading beneath the hatching results from the small amount of overshadowing of gardens from 7ft high back garden walls.
17. Therefore the Appendix 3 diagram is not only incorrect but also grossly misleading. For example, gardens G7 and G8 appear to receive almost no sunlight across approximately 50% of the garden area for two hours in March. Whereas by overlaying the Appendix 4 images, approximately 80% of both gardens receive in excess of four hours sunlight as a minimum, on 21st March before the development.
18. Furthermore, the diagram of the Development Site shown in Appendix 3 of the Revised Daylight and Sunlight Report (Neighbouring Properties) June report is misleading insofar as it is not a complete representation of the proposed development and a substantial section has

been removed. This gives the appearance of an open space in between the West and East buildings which is not the case.



December 2015 Image

June 2016 Image

Overshadowing Data

19. The table below contains an amalgamation of the data provided in the December 2015 and June 2016 Daylight and Sunlight reports. We have colour coded and annotated a large number of discrepancies between the figures produced in Appendix 2 Overshadowing to Gardens and Open Space in the December 2015 and June 2016 revisions of the report.
20. Not only have some garden areas increased or decreased in size but, once again — notably in the cases where the available sunlight 'before development' has been decreased for reasons unknown (see, for example, gardens at numbers 2, 14, 16, 20, 24, 26, 28 Lymington Road) — a substantial 'improvement' in the figures showing 'Loss' of light after development is achieved.
21. In other gardens where the 'Loss' has increased after the development, without the accompanying reduction in the 'Before Development' figures, losses would be far greater than shown (see, for example, the gardens of number 10, 12, 18 and 22 Lymington Road).
22. As demonstrated in the composite image described above, the BRE minimum of two hours of sunlight on 21st March is achieved over a far greater area than identified in the 'before development' figures of the June 2016 report.
23. There has been no significant change in the heights, bulk and mass of the proposal between the December 2015 and June 2016 reports which could account for the reductions seen in the 'Loss' figures. On the contrary, the reductions in the sunlight 'After Development' figures for 6, 8, 10, 12, 14, 18, 20 and 22 Lymington Road, would indicate an increase in height, bulk and mass.
24. The net effect of all this numerical manipulation is to give the appearance that the impact of the proposed development is far less than it would actually be.
25. In light of these discrepancies, in addition to those we have already highlighted with regard to Daylight to Windows figures — for which the developer has failed to provide a legitimate reason by way of explanation — we again call on Camden Council to commission a fully

independent Daylight and Sunlight report to allow Camden planners, the Development Control Committee, the GLA and local residents alike to fully understand the impact of the proposed development on open spaces, play areas, homes and gardens.

Report Date	Reference	Area receiving at least two hours of sunlight on 21st March							
		Total Area	Before		After		Loss		Ratio
2015-12 2016-06	2 Lymington Road								
	Garden 1	98.56m2	66.31m2	67%	62.26m2	63%	4.05m2	4%	0.94
	Garden 1	98.06m2	65.74m2	67%	64.48m2	66%	1.27m2	1%	0.99
2015-12 2016-06	4 Lymington Road								
	Garden 2	112.00m2	84.52m2	75%	83.62m2	75%	0.90m2	0%	1.00
	Garden 2	112.00m2	84.52m2	75%	83.58m2	75%	0.94m2	0%	1.00
2015-12 2016-06	6 Lymington Road								
	Garden 3	126.37m2	90.13m2	71%	87.52m2	69%	2.61m2	2%	0.97
	Garden 3	126.37m2	90.13m2	71%	70.06m2	55%	20.07m2	16%	0.77
2015-12 2016-06	8 Lymington Road								
	Garden 4	133.52m2	95.68m2	72%	84.94m2	64%	10.73m2	8%	0.89
	Garden 4	133.52m2	95.68m2	72%	73.38m2	55%	22.29m2	17%	0.76
2015-12 2016-06	10 Lymington Road								
	Garden 5	117.15m2	81.62m2	70%	71.17m2	61%	10.45m2	9%	0.87
	Garden 5	106.72m2	73.51m2	69%	55.19m2	52%	18.32m2	17%	0.75
2015-12 2016-06	12 Lymington Road								
	Garden 6	109.08m2	79.75m2	73%	70.44m2	65%	9.31m2	8%	0.89
	Garden 6	103.64m2	70.90m2	68%	54.38m2	52%	16.52m2	16%	0.76
2015-12 2016-06	14 Lymington Road								
	Garden 7	132.95m2	94.82m2	71%	79.88m2	60%	14.94m2	11%	0.85
	Garden 7	133.53m2	87.84m2	66%	73.98m2	55%	13.87m2	11%	0.83
2015-12 2016-06	16 Lymington Road								
	Garden 8	107.57m2	71.68m2	67%	51.97m2	48%	19.71m2	19%	0.72
	Garden 8	109.03m2	65.91m2	60%	52.96m2	49%	12.95m2	11%	0.82
2015-12 2016-06 2016-06 2016-06 2016-06	18 Lymington Road								
	Garden 9	136.20m2	99.01m2	73%	85.85m2	63%	13.16m2	10%	0.86
	Garden 9	40.00m2	4.13m2	10%	4.13m2	10%	0.00m2	0%	1.00
	Garden 10	36.03m2	15.48m2	43%	5.84m2	16%	9.64m2	27%	0.37
	Garden 11	30.46m2	14.95m2	49%	10.72m2	35%	4.24m2	14%	0.71
	Comparative Total	106.49m2	34.56m2	102%	20.69m2	61%	13.88m2	41%	2.08
2015-12 2016-06	20 Lymington Road								
	Garden 10	109.00m2	72.71m2	67%	71.09m2	65%	1.62m2	2%	0.97
	Garden 12	109.00m2	68.30m2	63%	67.32m2	62%	0.98m2	1%	0.98
2015-12 2016-06	22 Lymington Road								
	Garden 11	87.39m2	61.55m2	70%	56.88m2	65%	4.68m2	5%	0.93
	Garden 13	87.39m2	59.08m2	68%	40.65m2	47%	18.43m2	21%	0.69
2015-12 2016-06	24 Lymington Road								
	Garden 12	110.35m2	86.65m2	79%	47.83m2	43%	38.82m2	36%	0.54
	Garden 14	104.13m2	73.73m2	71%	49.87m2	48%	23.86m2	23%	0.68
2015-12 2016-06	26 Lymington Road								
	Garden 13	78.68m2	54.10m2	69%	17.80m2	23%	36.30m2	46%	0.33
	Garden 15	78.68m2	53.63m2	68%	44.48m2	57%	9.15m2	11%	0.84
2015-12 2016-06	28 Lymington Road								
	Garden 14	100.25m2	67.55m2	67%	58.42m2	58%	9.12m2	9%	0.87
	Garden 16	100.25m2	66.74m2	67%	64.93m2	65%	1.81m2	2%	0.97
2015-12 2016-06 2015-12 2016-06	30 Lymington Road								
	Garden 15	83.14m2	50.52m2	61%	49.33m2	59%	1.19m2	2%	0.97
	Garden 17	83.14m2	50.52m2	61%	50.51m2	61%	0.01m2	0%	1.00
	Garden 16	68.75m2	35.04m2	51%	35.02m2	51%	0.02m2	0%	1.00
	Garden 18	68.75m2	35.18m2	51%	35.16m2	51%	0.02m2	0%	1.00
2015-12 2016-06	MUGA Amenity Area								
	Garden 17	863.97m2	863.88m2	100%	863.88m2	100%	0.00m2	0%	1.00
	Garden 19	863.97m2	863.88m2	100%	863.88m2	100%	0.00m2	0%	1.00

Legend

Garden size (m2) REDUCED in June figures
Garden size (m2) INCREASED in June figures
Sunlight figures DECREASED BEFORE development
Sunlight loss DECREASED in June figures
Sunlight loss INCREASED in June figures