

Our ref: MC/KW/ROL7650

David Peres da Costa  
London Borough of Camden  
5 Pancras Square  
London N1C 4AG

8 May 2017

**By email only**

Dear Mr Peres da Costa,

**Re: (ROL7650) Proposed Redevelopment of 1 Triton Square and St Anne's Church, Laxton Place, London NW1 3DX – Daylight/Sunlight**

Anstey Horne has been instructed to review the daylight and sunlight report produced by GIA regarding the planning application referenced 2016/6069/P. We have been provided with the Daylight/Sunlight report and separate Overshadowing Report produced by GIA dated October 2016, the letter dated 6 January 2017 by GIA and a supplementary information letter dated 6 May 2017 by GIA. We have reviewed the contents of this information, without the benefit of any checking of the technical assessment model, and set out below our summary and thoughts on the level of the effects on the neighbouring affected properties.

We have been provided with further information by GIA in relation to the daylight distribution contour plans, window maps showing the references of the assessed windows and confirmation of the variables used in the average daylight factor assessment. As a general observation regarding the variables in the average daylight factor assessment, these are not unreasonable to have assumed given no access was undertaken to the neighbouring properties.

**Executive Summary**

The proposed developments at 1 Triton Square and St Anne's Church will have a noticeable effect on the daylight and sunlight levels to the neighbouring properties and amenity areas. There are comparable levels of daylight and sunlight retained in the proposed condition to properties affected, which give an indication of what might be reasonably expected for an inner city environment. If the local authority is satisfied that the proposals are responding appropriately within their context, then there is scope to flexibility apply the guidelines to take into consideration the inner city context.

## **Effects on the neighbouring properties**

We set out below our thoughts and observations on the assessment results for each of the tested properties.

### **1-4 Laxton Place**

The GIA assessment for this property has been based on assumptions as no layout information was obtained. The assumptions that GIA has made are not unreasonable and therefore the no skyline assessment and average daylight factor assessments should provide a reasonable representation of the likely effects. Our comments of the review are as follows:

- The VSC and no skyline assessments show full adherence to the BRE guidelines, which is as expected given the affected property is not facing directly towards the development sites.
- The average daylight factor (ADF) assessment shows mostly no change between the existing and proposed conditions. There are six instances where there are reductions in the proposed condition that fall below 2% ADF (this being the higher adherence level for residential content).

In two instances the ADF reductions breach a threshold for adherence to the specific uses. For example, room R12/4400 reduces from 1.5% ADF in the existing to 1.3% in the proposed. This means that if this room were a living room, it would be left below the guideline target. Room R10/4401 reduces from achieving 2.0% ADF in the existing condition to 1.8% in the proposed, which means that should this room be a kitchen it would be left below the guideline target. Whilst these results show effects from the proposed developments, these are minor in reality.

- Sunlight assessments were not conducted for this property as GIA states that none of the windows face within 90° of due south. This would only be possible if the building were perfectly aligned on a north/south axis, which we do not think it is. Therefore either the front or the rear elevation would be ever so slightly within 90° of due south and it would be appropriate to test one of these elevations. However, we do not think it is essential to have the sunlight assessments undertaken because the proposed development is at a very oblique angle to the affected building, and the effects on the sunlight should be minimal and, given the VSC tests fully adhere, be within the BRE guideline recommendations.

To summarise the effects on this property, we consider that there should be no noticeable reduction in daylight or sunlight to this property with the proposed developments in place. We therefore are in agreement with GIA, where they consider the impacts to this property to be acceptable in planning terms.

## **1-8 Longford Street**

This property has been modelled on the basis of layout plans that GIA has obtained. Having checked the drawings for the October 2016 assessment against the contour plans we can see that where there are living/kitchen/dining rooms, the kitchen has been excluded from the technical assessment. It can be sometimes reasonable to exclude poorly lit kitchens located to the rear of deep living/kitchen/dining areas, but this should only be when assessing the light within proposed new habitable rooms. The truncating of the kitchens from the assessment only affects the no skyline and average daylight factor assessments, overstating the results from what are shown in the October 2016 report. The supplementary information provided by GIA in their letter dated 6 May 2017 provides updated results that include the kitchen areas. These results show little difference to the no skyline assessment, as the percentage reductions are proportional, but the ADF results show both the existing and proposed conditions reducing by 0.2% to 0.4% ADF. Our comments of the review are as follows:

- The VSC results for this property show some sizeable daylight reduction ranging between circa 20 and 50% when comparing the existing and proposed conditions. This is as a result of both development sites, but the effects alter as you go up the building. The effects on the east facing elevation generally see minor reductions at the lower floor levels, increasing as you go up the building, where occupants begin to enjoy better levels of light over the existing Triton Square building. For the north facing elevation we see the St Anne's church building having the greater effect on the VSC levels to the lower floor levels, reducing as you go up the building.
- The main effects from the St Anne's church building are on the ground floor of 1-8 Longford Street, and are as a result of the recessed balcony design. It can be seen that at first floor level, where the façade becomes uniform the effects are less. The daylight distribution levels to the north facing rooms show light to the back of the room, such that high levels of adherence are achieved.
- We therefore consider that the main impact is on the east facing elevation from the Triton Square proposal. We further breakdown the summary of the east facing elevation:
  - The majority of the rooms affected are bedrooms, and although the VSC and no skyline assessments show reductions above 20%, the average daylight factor assessment shows high levels of adherence. The residual daylight levels in the proposed condition demonstrates all but two rooms exceed the BRE guidelines values for bedrooms, with the two bedrooms falling below obtaining values of 0.9% ADF against the target value of 1.0%.
  - There are five living/kitchen/dining rooms on the east facing elevation from the first to fifth floor levels. These rooms see VSC reductions ranging between circa 30-40%. The no skyline assessment sees more noticeable losses to only 2 of the 5 rooms, these being at the fourth and fifth floor levels with reductions of circa 30%. There are also reductions in the average daylight factor assessment, although we note that even at

the fifth floor level the existing ADF is 1.1% only (when using the latest GIA assessment figures that include the kitchen).

- GIA has also provided contextual assessments to flats with living rooms that are not affected by the proposed development, but are already below the BRE guidelines target levels. This offers an insight into comparable daylight levels within the same building, which represent an inner city contextual living standard. The ADF results for this comparison show ADF levels to living/kitchen/dining rooms ranging between 0.3% and 0.9%.
- To summarise the effects on this property, there are reductions in daylight primarily relating to the east facing elevation to a series of bedrooms and five living/kitchen/dining rooms. The bedrooms, whilst having noticeable reductions in daylight are less of an issue as a reasonable level of daylight is retained in the proposed condition, on balance. Of the five living/kitchen/dining rooms that will experience reductions in daylight, only two overall are more problematic, being located at the fourth and fifth floor levels. There will be comparable levels of daylight achieved to other flats within 1-8 Longford Street where flats face south. This demonstrates that the daylight levels shown in the proposed condition to the east facing flats have been considered acceptable living standards elsewhere in the building. It is for the local authority to consider whether the effects on these residents are acceptable as there are breaches of the BRE guidelines as a result of the increased height to 1 Triton Square.

## **9 Laxton Place**

GIA has used layout information to model this property, and having reviewed the daylight distribution plans we note that reasonable representations of the plans have been modelled. Our comments of the review are as follows:

- As a more general summary of the effects, there are clearly more material daylight and sunlight reductions to the east facing elevation of the property, facing onto Laxton Place. These reductions range between 20 and 50% for the VSC, no skyline and annual sunlight assessments. The winter sunlight transgressions show up to 100% reduction, which is total sunlight loss, but on closer inspection we can see that there is only a loss of 1% APSH, which in reality is only a small level of sunlight.
- We consider it is reasonable to take a more flexible view on the effects to the recessed kitchens because they get little or no light in the current condition and it is clear there is a living room immediately adjacent with a better level of light.
- We are of the view, when summarizing all the assessment results, that there are three living rooms that are more materially affected, with ADF levels below 1.5% in the proposed condition. There are two living rooms on the ground floor level and one on the first floor level, these being referenced R6/400, R5/400 and R8/401 respectively. It

should be noted that room R8/401 only just falls below the 1.5% ADF target, with a value of 1.4%. Rooms R6/400 and R8/401 will also have a noticeable reduction in sunlight, which breaches the BRE guideline recommendations.

- GIA set out mitigation points in seeking to justify the impacts upon this property, some of which we agree with and others less so. Our comments on these mitigation points are as follows:
  - It is clear that the design of 9 Laxton Place has limited the availability of daylight and sunlight to some rooms, but this really only affects the recessed kitchens and not the main habitable rooms, these being the living rooms.
  - The existing St Anne's building does allow a much higher level of daylight and sunlight than one would expect in an inner city context, so some flexibility has to be accepted when considering a comprehensive redevelopment.
  - We do however highlight that whilst some flexibility is reasonable, the St Anne's building proposal is circa 12m taller than 9 Laxton Place.
  - There are comparable residual daylight and sunlight levels to the south facing rooms within 9 Laxton Place, which are below the BRE guidelines in the existing condition. These assist in reviewing whether the effects from the proposed maintain reasonable residual daylight and sunlight levels for an inner city context.
- We consider that it is for the local authority to review the townscape and massing considerations and conclude whether the proposals have been appropriately designed within their context. If the local authority considers that this is the case, then although the daylight and sunlight reductions are beyond the BRE guideline recommendations, one can draw upon comparable levels of residual daylight and sunlight levels to other areas within 9 Laxton Place, which are considered reasonable living standards for an inner city context.

### **St Mary Magdalene Church**

GIA has used layout information obtained for the church, which looks to have been adopted within their technical assessments. We are of the view that for religious buildings that it is the main worship areas that are of most importance and that ancillary areas such as circulation/lobbies and offices are of lesser importance. Our comments of the review are as follows:

- We can see from the technical assessments that there are reductions in daylight and sunlight, beyond the BRE guideline recommendations, but due to the multiple windows on each elevation the main worship area will have adequate daylight and sunlight in the proposed condition, in our opinion.

- The main east facing stained glass window will retain high levels of daylight and sunlight in the proposed condition, such that we do not believe the effectiveness of the stained glass window will be compromised.
- We therefore agree that the impacts on this property are acceptable in planning terms.

### **Westminster Kingsway College**

GIA has responded to an objection from the College in relation to daylight and sunlight, setting out their response in a letter dated 6 January 2017. It is agreed that such buildings would not normally be assessed for daylight and sunlight as the expectation of the user is more reliant on artificial lighting to supplement the rooms. Having reviewed the results in the letter dated 6 January, our comments are as follows:

- The VSC, no skyline and annual probable sunlight hours tests show that whilst there are reductions, these are quite minor. Unless there are specific needs for the College to require natural light, with no artificial lighting to supplement the rooms, then we consider the effects to be acceptable.

### **Overshadowing considerations**

GIA produced an initial overshadowing study report dated October 2016, as well as responding to objections raised regarding the amount of sun that will be available to the neighbouring amenity areas, especially relating to 4 Laxton Place and the amenity areas in front of Westminster Kingsway College. A letter response dated 6 January 2017 re-iterated the results, and we have reviewed further detail of 4 Laxton Place in the supplementary assessment dated 5 May 2017. Our comments on the information is as follows:

- It is clear that the overshadowing tests are not achieved on 21<sup>st</sup> March to all three target areas identified. The 1-4 Laxton Place assessment has not taken into consideration any existing fences that might separate each garden, which would be the correct approach if such fences were 1.5m high (or lower).
- The main effect on the sunlight assessments are from the 1 Triton Square massing, rather than the St Anne's Church site.
- The summer sunlight assessment demonstrates a higher level of sunlight is achieved, arguably when the spaces will be used the most.
- The supplementary assessment of 4 Laxton Place shows that when taking a reasonable height boundary fence there will already be overshadowing caused in the assessment month of March to the garden, such that just over half of the garden receives at least 2 hours of sun. When applying the 2 hours assessment to the proposed condition there is minimal direct sunlight, but it is worth noting that when looking at 1.8 hours of sunlight, that a reasonable proportion of the garden receives sunlight in the proposed condition.

- With regard to Westminster Kingsway College, we are not in agreement with GIA's mitigating argument that the trees in front of the college will cause a similar overshadowing effect to the amenity areas. This is because trees do not cause the same level of overshadowing as a building and there remains a dappled light effect from the trees which is more acceptable than the overshadowing effects from the building.
- We do however note that other neighbouring properties also overshadow the Westminster Kingsway College during the early morning and afternoon. Therefore the amenity area is more reliant on the sunlight from over 1 Triton Square.
- With regard to the Longford Street amenity space, it is inevitable that this area is overshadowed because of its location and orientation. The existing condition does not provide much sunlight in the assessment month of March, so it is evident that the proposed condition will not show much sunlight either. On the basis this area is appropriately landscaped for the amount of sunlight it receives, it does not mean it will be an unwelcoming area. Also, there is the opportunity for high levels of daylight to be obtained to the amenity area, so it will not necessarily be a dark uninviting space.
- To summarize the sunlight availability for the neighbouring amenity areas, there will be impacts greater than the BRE guidelines, which will be noticeable. As with the daylight/sunlight assessments to the neighbouring properties, if the local authority considers that the proposed massing is acceptable, then flexibility can be applied as this is an inner city context and it is inevitable that some overshadowing will occur in locations such as this.

## Summary

We have reviewed the effects from the proposed development at 1 Triton Square and St Anne's church site on the neighbouring property and consider that GIA's daylight and sunlight report provides sufficient information to summarise our thoughts.

In terms of the daylight/sunlight effects on neighbours, it is clear that there are noticeable levels of daylight and sunlight reduction to a number of the neighbouring properties but our focus is more on the east facing elevations of 1-8 Longford Street and 9 Laxton Place. In both these instances we see living rooms that have noticeable levels of light reduction. These are primarily as a result of the increased height of the proposed site and the local authority has to consider whether the heights are justifiable in terms of the townscape and contextual massing. The BRE guidelines suggest flexibility can be applied when considering inner city contexts, and it would be reasonable to apply it here if the local authority considers the design is appropriate. There are already flats with living rooms that are not affected by the proposed development, but are already below the BRE guidelines target levels. These rooms offer an insight into comparable daylight levels within the same buildings, which represent an inner city contextual living standard.

With regard to overshadowing, there will be noticeable reductions in sunlight with the proposed developments in place. If the local authority considers that the proposed massing is acceptable, then flexibility can be applied, as this is an inner city context and it is clear the other surrounding properties also contribute to the reduction in sunlight availability.

We trust the above is clear, but should you have any further questions regarding this please do not hesitate in contacting us.

Yours sincerely,



Matthew Craske