

Our ref: DR/FJ/JMR-Pi01



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FAO Mr Farrant

17 January 2020

Dear Sir/Madam

**Application Reference No. 2019/5817/P and 2019/6239/L
Proposed Development at 9 Pilgrims Lane, London NW3 1SJ**

In relation to the above, we have been provided with a copy of Rights of Light Consulting correspondence dated 10 January 2020 in response to our Daylight, Sunlight Report dated 6 November 2019.

We understand that Rights of Light Consulting have been appointed to act on behalf of the owners of 7 Pilgrims Lane.

Having considered Rights of Light Consulting's correspondence dated 10 January 2020, we respond as follows:-

JMR Surveyors and Rights of Light Consulting agree that the Building Research Establishment (BRE) "Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice Guide" 2011 by P J Littlefair provides guidance.

Our Report is based upon site observation and information that we have managed to obtain via the local authority Planning Portal. This includes floor plans, elevations of the adjoining property, 7 Pilgrims Lane. Our observations, assessment, set out in the Report are also based upon a site visit and with regard to BB Partnership Limited's existing and proposed drawings.

Rights of Light Consulting suggest that it is misleading to state that the Guide does not provide a pass/fail criteria. This is incorrect. The BRE suggested target criteria is merely guidance and must be considered in the round as part of the overall planning application.

Comment made by Rights of Light Consulting appear to be selecting isolated methods of assessment, interpretation. However, we would refer to the BRE Guidance which in its own introduction advises that "*It is intended for building designers and their clients, consultants and planning officials. The advice given is not mandatory and the guidance should not be seen as an instrument of planning policy. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is one of many factors in site layout design....*"

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On the second page of Rights of Light Consulting's response dated 10 January 2020, there is reference to their client's property, 7 Pilgrims Lane, and reference to section 4 of the Daylight, Sunlight Report. Rights of Light Consulting advise that the area marked as a kitchenette on the lower ground floor is used as a dining room.

We have not been granted access to 7 Pilgrims Lane to verify this.

However, whether this be used as a kitchenette or a dining room, we refer to the basement plan of 7 Pilgrims Lane which is attached at Appendix 3 to the Daylight, Sunlight Report. The plans label the basement area as a kitchen, dining room. The floor plans show that the dining room is not lit by any windows. Assuming for the moment (bearing in mind we have not been able to inspect the internal floor layouts, arrangement of 7 Pilgrims Lane) the room layouts are as shown on the plan or whether the kitchen, dining room is used solely as a dining room, this does not change the output, summary of our Report.

The primary kitchen, dining area is located at ground floor. Rights of Light Consulting do not dispute this.

The basement window serving the kitchenette or dining room as the case may be, shall not be affected by the proposed extension to the rear of 9 Pilgrims Lane. This is because the proposed extension is hidden behind the existing boundary wall. This equally applies in relation to the basement study window which looks parallel to the site boundary. (This window serves the room labelled as a 'bedroom' on the basement plan attached to our Report at Appendix 3.) The window serving the study shall not be affected as the proposed extension sits behind and well below the boundary wall between the respective properties.

To illustrate this we refer to BB Partnership Limited drawing FZD_220 revB which is based upon information obtained via the Planning Portal for 7 Pilgrims Lane. (See Appendix 1).

This section is taken near the rear elevation of 7 Pilgrims Lane. Brick counts and site measurements have been used to input the height of the boundary wall and locate the windows serving 7 Pilgrim's Lane. Brick count information is based upon the photographs appended to the objections made by the owner of 7 Pilgrims Lane.

The attached drawing clearly demonstrates that the windows at basement level serving 7 Pilgrims Lane shall not be impacted by the proposed extension at 9 Pilgrims Lane.

The attached drawing clearly illustrates that the windows at ground floor level serving the primary kitchen or dining room shall not be impacted by the proposed extension at 9 Pilgrims Lane.

A computed-based assessment, as Rights of Light Consulting suggest, is not appropriate given the nature of the small extension proposed at the rear of 9 Pilgrims Lane. The attached drawing clearly demonstrates that the BRE Guidance is met with the proposed development in place. This is because the proposed profile of the rear extension to 9 Pilgrims Lane sits comfortably below a 25° line measured from the mid point of the adjoining windows. The 25° line is the first test set out in the BRE Guidance. We refer to clause 2.2.5 on page 7 and Figure 14 shown on page 8 of the BRE Guidance for further information.

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Summary

We reconfirm that the BRE Guidance in its own introduction advises that *"It is intended for building designers and their clients, consultants and planning officials. The advice given is not mandatory and the guidance should not be seen as an instrument of planning policy."*

We have carefully considered the juxtaposition between 9 Pilgrims Lane and 7 Pilgrims Lane. We have visited site, taken photographs, site measurements, information obtained via the local authority Planning Portal of the adjoining building, 7 Pilgrims Lane in conjunction with the existing, proposed drawings prepared by BB Partnership Limited.

Notwithstanding the comments made by Rights of Light Consulting, the conclusions of the Daylight, Sunlight Report dated 6 November 2019 does not change.

The lower ground floor, basement windows serving 7 Pilgrims Lane shall not be materially impacted by the proposed extension. These windows shall not observe the proposed extension as the proposed extension shall be obscured, positioned behind the height of the existing boundary wall.

In addition, the London Plan 2016 defines a habitable room. The lower ground floor (basement), kitchenette, or dining room as the case may be, does not meet the London Plan criteria and therefore this room can be ignored.

The primary kitchen, dining room is located at ground floor level.

The proposed extension sits comfortably below a 25° line measured from the ground floor kitchen windows serving 7 Pilgrims Lane. This is due to the carefully considered design, profile of the roof of the proposed extension as shown on BB Partnership Limited's drawings. This clearly illustrates that there shall be no material daylight impact to 7 Pilgrims Lane with the proposed extension in place. Our comments equally applies in respect of the ground floor dining room window which faces parallel to the site.

We reconfirm that all windows serving 7 Pilgrims Lane will not experience any change to sunlight. This is because the windows face within 90° of due north and as such, do not require assessment.

Therefore, based upon the information provided to us, having considered the small ground floor extension, in particular considering the proposed roof design as shown of BB Partnership Limited's drawings, we can only conclude that the adjoining habitable rooms serving 7 Pilgrims Lane shall be compliant with the BRE Guidance criteria.

Yours faithfully



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Director

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APPENDIX 1 – SECTION THROUGH 7, 9 PILGRIMS LANE

Note
 The drawings do not to be used for any purpose other than that for which they are prepared and no liability is accepted by the architect for any consequences of their use.



PROPOSED SECTION B - B



ALL DIMENSIONS APPROXIMATE

SCHEME DESIGN SUBJECT TO
 STRUCTURAL, ENGINEERING SERVICES, SERVICES
 & PLANNING COMMENT

FOR APPROVAL

18/10/2019 1:00pm version 001
 18/10/2019 1:00pm version 001

BB PARTNERSHIP LTD
 CHARTERED ARCHITECTS

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Client:

Project:
 8 Pigdon's Lane,
 Hornsey, London,
 N7 9JL

Package:
 Proposed Section

Date: 20/10/2019
 Scale: 1:50 (BAU/1:100000)

Drawn by: HT
 Checked by: HT

File No: FZD_220
 Sheet No: 2

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 SHEET SCALE: CHECK ALL DIMENSIONS ON SITE