

# **DAYLIGHT, SUNLIGHT REPORT**

**in respect of Refurbishment/Redevelopment works at**

**9 Pilgrim's Lane, Hampstead, London NW3 1SJ**

3 Princes Street  
Mayfair  
London  
W1B 2LD

020 3633 0010





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## **1. The Site, Proposal and Surrounding Buildings**

- 1.1 This daylight, sunlight report considers the proposed ground floor extension to the rear of 9 Pilgrim's Lane.
- 1.2 We have received a number of drawings showing existing massing, proposed massing, elevations prepared by BB Partnership Limited.
- 1.3 This report has ignored any properties that are used for restaurant, retail, commercial purposes as they are not considered to be eligible for assessment with regard to the BRE Guidance criteria.
- 1.4 In terms of adjoining properties there is 7 Pilgrim's Lane. This property is located to the south of the site. This property is used for residential purposes.
- 1.5 Therefore, this desktop report considers the potential impacts caused by the proposed single storey extension to the rear of 9 Pilgrim's Lane where adjacent 7 Pilgrim's Lane. This assessment ignores any non-habitable rooms that serve the adjoining property, 7 Pilgrim's Lane, in accordance with the BRE Guidance criteria.
- 1.6 Given the minor extent of the proposed single storey extension and considering the location relative to other properties that surround 9 Pilgrim's Lane, we are satisfied that other adjoining residential properties can be ignored as they are considered remote.



## **2. Method of Assessment**

- 2.1 The daylight, sunlight to adjoining residential properties have been considered with reference to the BRE guidance, 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice BR209' (BRE Guidance).
- 2.2 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. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is one of many factors inside layout design... in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings."
- 2.3 It is important to recognise that daylight, sunlight assessments are one of many considerations that form part of a planning application.
- 2.4 The BRE suggested target criteria should not be considered as a pass, fail criteria in any way.
- 2.5 Given that the BRE guidance was primarily designed for new housing schemes and not with a (dense) urban environment in mind. All the more reason for greater flexibility to be applied. Not meeting the BRE Guidance criteria does not equate to unacceptable in planning terms.
- 2.6 The BRE guidance suggests three methods for calculating daylight. The Vertical Sky Component (VSC) the No-Sky Line contour (NSL) and the Average Daylight Factor (ADF).
- 2.7 The first two assessments are primarily used for the assessment of existing buildings, whilst the ADF test is considered mainly for assessment of proposed habitable rooms within existing, new buildings.

### **Areas Requiring Assessment**

- 2.8 2.2.2 of the BRE guidance suggests:-

*"The guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices."*

We consider that hotel, retail and commercial spaces should be considered as not requiring a reasonable expectation of daylight or sunlight. This is because these areas are generally designed to rely on electric lighting to provide sufficient and constant uniform light as part of the customer experience or by which to work, rather than rely upon natural daylight or sunlight.

We have therefore ignored, for the purpose of our assessment, any hotel, retail, commercial areas.



The BRE guidance goes further to suggest that habitable rooms with a reasonable expectation of daylight will include living rooms, dining rooms and kitchens however, *“bedrooms should also be analysed although they are less important”*.

## Daylight to Existing Buildings

- 2.9 The VSC test measures the amount of sky that is visible at a specific point on the outside of a property, typically a window, which is directly related to the amount of daylight that can be received at the specific point. When undertaking the VSC test for a window the specific point is at the centre of the window horizontally, vertically. The VSC calculation does not take into account the size of the window being tested nor the size of the room that the window serves. As the VSC assessment is on the outside face of the window it does not measure light inside the room only “potential” conditions in the room. It is therefore important to take this into consideration when reviewing any VSC test results as they can be misleading when considered in isolation. It is therefore important that the VSC test results should be read in conjunction with the NSL test.
- 2.10 With regard to the NSL test this calculates the distribution of daylight within the room by determining the area of the “working plane” which can and cannot receive a direct view of the sky and hence “sky light”. The working plane height according to the BRE Guidance is set at 850mm above the floor within a residential property.
- 2.11 For buildings that are located adjacent new development, the BRE Guidance suggests that there will be a ‘noticeable’ impact to daylight, if either, its windows achieve a VSC below 27% and have existing levels of sky visibility reduced to less than 0.8 times their former value, or the levels of NSL within rooms are reduced to less than 0.8 times their former value. It is important to recognise that the BRE Guidance is merely guidance and any reference to ‘noticeable’ does not equate to unacceptable. Therefore the numerical values generated by the BRE Guidance should be weighed in the overall planning balance in order to reach a decision as to whether the daylight/sunlight impacts are unacceptable. A mere failure to meet with the BRE Guidance does not mean that the daylight/sunlight impacts are automatically unacceptable.
- 2.12 When considering existing daylight values using the VSC or NSL test, it is important to recognise that a small reduction in real terms can potentially manifest itself as a large relative impact. This is because the calculations work as a percentage reduction. Therefore where existing levels of sky visibility are high in the existing condition for example, where a neighbouring property faces an underutilised site coming forward as a development opportunity, reductions in VSC or NSL may in theory be considered to be a transgression of the BRE guidance. In reality, even with a proposed development in place, the daylight to the window or the room behind the same may still be considered adequate. Minor reductions can be considered as barely perceptible.

## Sunlight

- 2.13 The assessment of sunlight within existing buildings is undertaken using the Annual Probable Sunlight Hours (APSH) test.
- 2.14 This test calculates the percentage of statistically probable hours of sunlight received by each window in both the summer and winter months. According to the BRE Guidance March 21 through to September 21 is considered to be the summer period whilst September 21 to March 21 is considered to be the winter period. Properties surrounding a new development only need to be assessed using the APSH test where such windows are orientated with 90° of due south and which overlook the site. The BRE Guidance criteria suggest that the properties outside of this orientation can be ignored.



- 2.15 The BRE Guidance suggests that occupiers of neighbouring buildings are likely to notice the loss of sunlight if the APSH to living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced to less than 0.8 times its former value.

### **National Planning Policy Framework (NPPF)**

- 2.16 Paragraph 123(c) of the NPPF (2018) similarly states that *"when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."*

### **London Plan 2016**

- 2.17 Within the Housing section of the London Plan 2016, clause 1.3.19 reads *'There is no standard definition for kitchens to be counted as a habitable room, nor is there any statutory size threshold. Many boroughs however, include a figure of between 13 and 15 sqm in LDF's. Any kitchen above that minimum is usually counted as a habitable room. Generally, a kitchen with a small table and chairs in one corner, or a kitchen 'bar', would not be counted as a habitable room. A room with a clearly defined kitchen at one end and a clearly defined dining area at the other (with a dining table and chairs) would be counted as a habitable room.'*
- 2.18 Some kitchens and LKD's around the site may fall within or below the above category. This size of room is unlikely to contain a clearly defined kitchen and dining area. It is therefore suggested that a kitchen or LKD below 13 sqm may not be considered relevant for assessment.

### **Method of Assessment Summary**

- 2.19 It can be difficult to meet the recommended daylight, sunlight criteria set out in the BRE where there is strong demand for accommodation of all types and where high density development is encouraged by local and national planning policies.
- 2.20 Emerging London Plan policy states "development proposals must make the most efficient use of land and be developed at the optimum density".
- 2.21 The London Plan within the Housing section asserts that certain sized rooms used for habitable purposes are not eligible for assessment and be ignored.
- 2.22 Where adjoining residential properties with single aspect windows facing directly or obliquely at the site, it should also be considered whether the adjoining neighbouring building is in itself a good neighbour taking no more than its fair share of daylight, sunlight. In typical urban context there are often circumstances whereby the adjoining residential buildings can be considered a "bad neighbour" with subsequent habitable rooms overlooking very low massing on a site as existing thereby enjoying unusually high levels of daylight, sunlight in the existing situation. As a result and where development comes forward trying to emulate and be commensurate with such adjoining buildings in terms of bulk, massing areas of non-compliance with the BRE Guidance, given that BRE formulas are based upon a ratio reduction between existing and proposed, it is likely to result in areas of non-compliance with the BRE Guidance.
- 2.23 However, as mentioned above, areas of non-compliance does not mean unacceptable. There is no pass/fail criteria associated with the BRE Guidance and the guidance should be interpreted flexibly.



2.24 It can be considered that the resultant levels of daylight, sunlight, with the proposed development in place can be commensurate with daylight impacts accepted and/or experienced to similar properties elsewhere within the Borough.



### **3. Data Sources of Information**

- 3.1 We have visited site and the surrounding properties, taken photographs to familiarise ourselves with the potential issues, undertaken research via the local authority planning portal and based our assessment upon the following information:-

#### Architectural

BB Partnership Limited Drawings Numbered:-

FZD-200 Rev D – Proposed Site Plan

FZD-201 Rev J – Proposed Plan, Ground Floor

FZD-202 Rev H – Proposed Plan, First Floor

FZD-203 Rev G – Proposed Plan, Roof

FZD-204 Rev F – Proposed Plan, Lower Ground Floor

FZD-210 Rev J – Proposed Elevation, Front and Rear Elevations

FZD-211 Rev G – Proposed Elevation, Side (East) Elevation

FZD-212 Rev D – Proposed Elevation, Side (West) Elevation

FZD-230 – Proposed Front Wall Revisions





## **4. Daylight, Sunlight to Neighbouring Properties**

- 4.1 This desktop report is prepared on the basis of the BB Partnership Limited drawings referred to at section 3. The proposals comprise a small ground floor extension to the rear of 9 Pilgrim's Lane (see Appendix 2).
- 4.2 For the reasons set out earlier in this report, this report focuses upon 7 Pilgrim's Lane.
- 4.3 With regard to the site plan referred to at Appendix 1, with reference to our site visit, having reviewed the drawings prepared by BB Partnership Limited and considering the proposed extension, we set out our views below.

### 7 Pilgrim's Lane

- 4.4 This property is located to the south of the site and is used for residential purposes.
- 4.5 We have undertaken research via the local authority planning portal and have managed to obtain floor layouts for the property which are available in the public domain:-

Drawing Extracts from Planning Application Ref nos. 2018/2416/L, 9570172, 9501006, 8970935, 8470040 and 8400227.

Extracts from Application ref. 8970935 are attached at Appendix 3.

- 4.6 With regard to the drawings attached at Appendix 3, the lower ground floors are referred to as basement areas and this appears to suggest a self-contained flat including a small kitchenette and a window facing out into a lightwell area and glazed doors (French doors) which serves a basement bedroom. We understand from correspondence associated with a previous application for 9 Pilgrim's Lane that the bedroom shown on the attached drawings is now used as a study. However, should this be the case, we are not clear where the bedroom has been relocated to within the lower ground floor demise.
- 4.7 With regard to the planning portal drawings, which are attached at Appendix 3, we consider daylight, sunlight under the following headings.

### Daylight

- 4.8 With regard to BB Partnership Limited drawing nos. FZD-202, 203, 210, these drawings clearly show the roof of the single storey extension being sloped away from the windows serving 7 Pilgrim's Lane. The slope of the roof away from the adjoining property commencing approximately in line with the top of the existing boundary wall separating the respective premises. For avoidance of doubt we have not considered the vegetation, foliage that is illustrated on the architect's drawings.
- 4.9 Taking into consideration the proposed massing shown on BB Partnership Limited drawings, we consider that the basement study is unlikely to be materially affected by the proposed massing and similarly the basement kitchenette. With regard to the kitchenette we refer to section 2 of this report in particular, clauses 2.17 and 2.18 which are extracts from The London Plan 2016. It appears that the kitchenette at basement level, when considering The London Plan 2016, is not considered relevant for assessment.



- 4.10 At ground floor level the rooms referred to as kitchen and reception 2 are closest to the proposed ground floor rear extension. Given the orientation of the window serving reception 2 looks parallel to the site boundary and taking into consideration the sloping section of roof referred to on BB Partnership Limited drawings, we consider that there is unlikely to be a material impact to the reception room with the proposed development in place.
- 4.11 The ground floor kitchen is daylit by a set of French doors as well as 3 windows. When considering the kitchen as one room, also taking into consideration the roof slope shown on the architect's drawings, we consider that there is unlikely to be a material impact to the kitchen. This is predominantly due to the design of the proposed roof to the ground floor extension. In addition a large proportion of the windows serving the adjoining property do not face the adjoining property.
- 4.12 At first floor level and above we confirm that the proposed ground floor extension will not impact in any way upon the habitable rooms serving the upper floors of 7 Pilgrim's Lane.

#### Sunlight

- 4.13 When considering the orientation of the respective properties relative to the proposed ground floor extension, we confirm that the adjoining windows shall not be impacted by the proposed extension. This is because the windows are orientated with 90° of due south and, with regard to the BRE Guidance criteria, do not require assessment.



## 5. Conclusions

- 5.1 It can be difficult to meet the recommended daylight, sunlight criteria set out in the BRE where there is strong demand for accommodation of all types and where development is encouraged by local and national planning policies.
- 5.2 The Adopted London Plan with Alterations and the Emerging London Plan policy states "development proposals must make the most efficient use of land and be developed at the optimum density".
- 5.3 The National Planning Policy Framework at Paragraph 123(c) of the NPPF (2018) states that *"when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site"*.
- 5.4 The BRE Guidance does not give alternative targets for urban environments such as this and hence why the BRE Guidance needs to be interpreted flexibly.
- 5.5 The BRE does not have a pass/fail criteria. We re-iterate 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. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is one of many factors inside layout design... in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings."*
- 5.6 Having considered the juxtaposition between 9 Pilgrim's Lane and 7 Pilgrim's Lane, (it is irrelevant as to whether this property is considered as one house or whether the lower ground floor, basement areas are considered as a self-contained flat) given the small extent of the proposed ground floor extension, we consider that daylight to the adjoining habitable rooms at lower ground (basement) and ground floor are highly unlikely to be materially affected in daylight terms with the proposed development in place. The London Plan 2016 defines a habitable room. The lower ground floor kitchenette does not meet the London Plan criteria and therefore we consider this room can be ignored.
- 5.7 Given the orientation of 9 Pilgrim's Lane relative to the adjoining property, 7 Pilgrim's Lane, the windows serving the adjoining property shall not experience any change to sunlight. This is primarily because the windows face within 90° of due north and do not require assessment.
- 5.8 Therefore, based upon the information provided to us considering the minor extent of the ground floor extension in conjunction with the proposed roof design, we conclude that the adjoining habitable rooms serving 7 Pilgrim's Lane will be compliant with the BRE Guidance criteria.

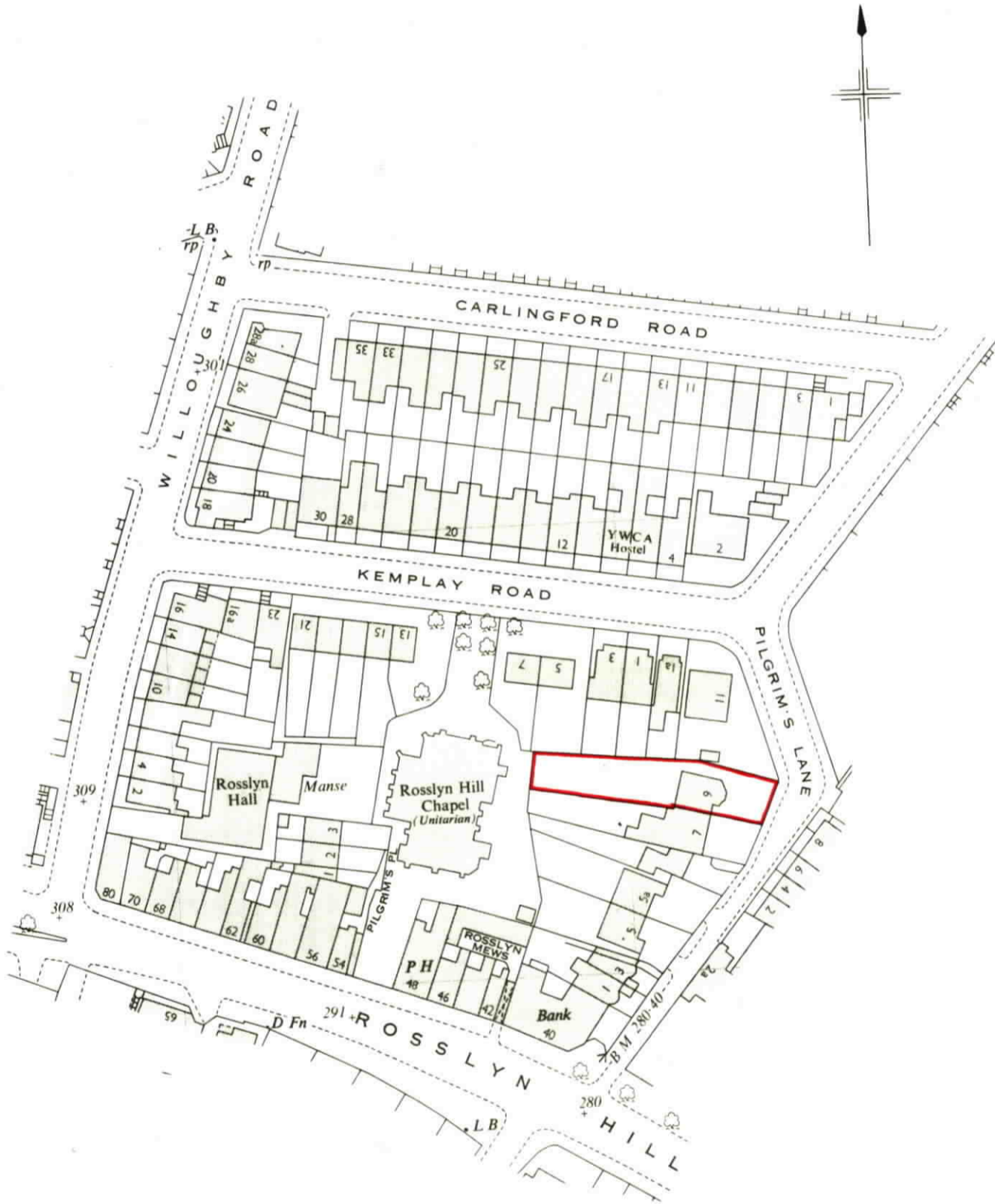


## APPENDIX 1 – SITE MAP

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		307197		
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	GREATER LONDON		TQ 2685	P
Scale: 1/1250			© Crown copyright 1971.	

BOROUGH OF CAMDEN

Old Reference LN II 100 B



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 24 April 2019 at 12:58:26. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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## **APPENDIX 2 – PROPOSED MASSING**



**Note**  
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SCHEME DESIGN SUBJECT TO  
 STRUCTURAL ENGINEER / SERVICES ENGINEER,  
 & PLANNERS COMMENT

**PRELIMINARY**

D 19/05/20 | Plan revision | IHY |  
 C 07/04/20 | Plan revision - proposed extension reduced | IHY |  
 B 06/11/19 | Plan revision - vegetation added | IHY |  
 A 23/10/19 | Plan revision | IHY |

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client

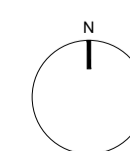
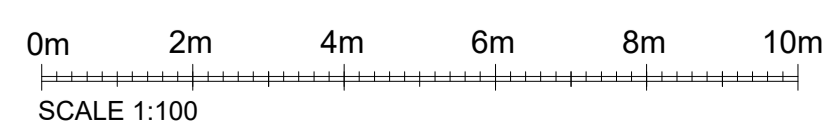
project  
 9 Pilgrim's Lane,  
 Hampstead,  
 London  
 NW3 1SJ

drawing  
 Proposed Site Plan

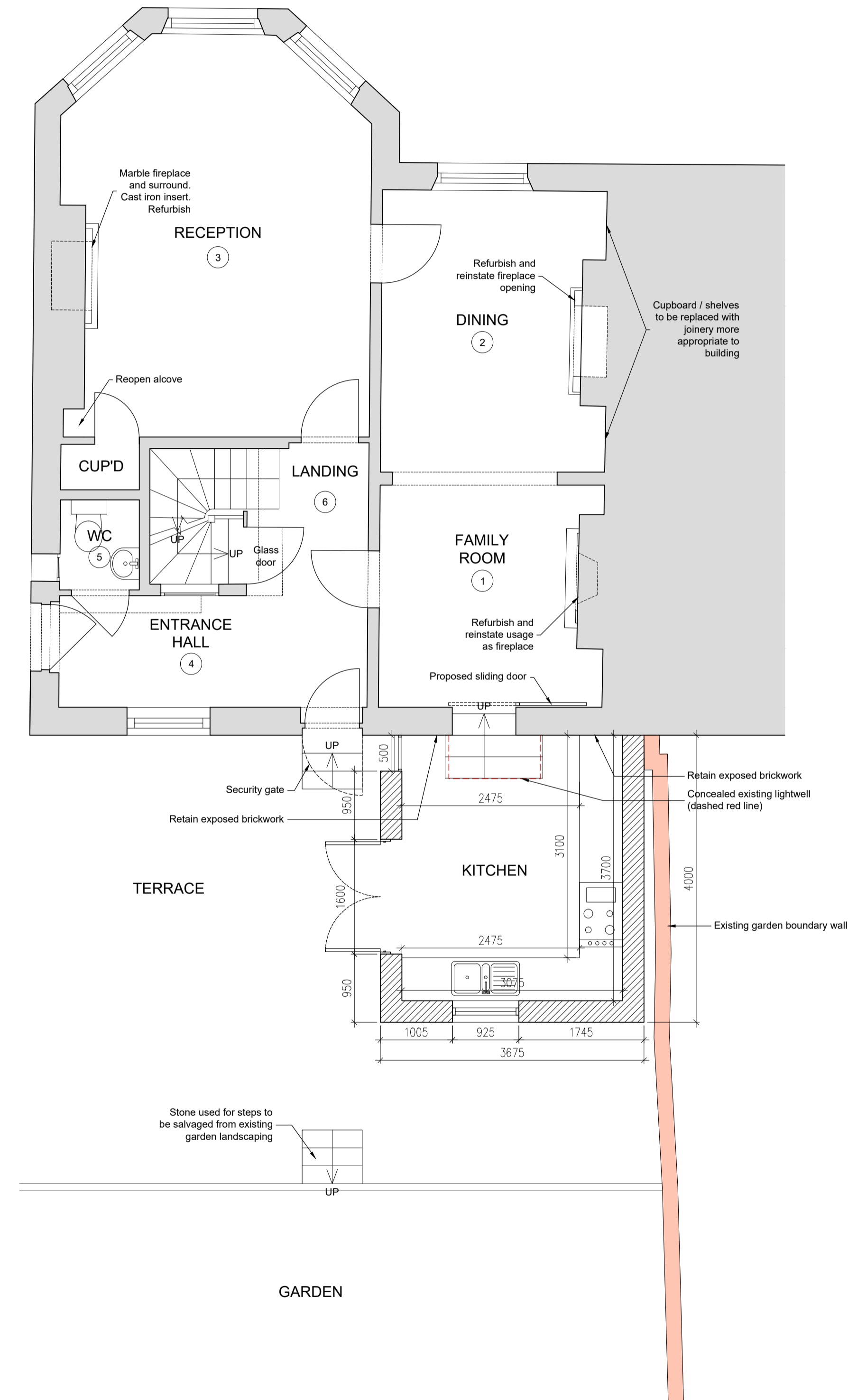
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**Proposed works**

1. **Family Room**  
 Fireplace to be refurbished and reinstated.  
 Laminate flooring to be replaced with more appropriate timber flooring.
2. **Dining Room**  
 Fireplace to be refurbished and reinstated.  
 Existing cupboard/shelves to be replaced with more appropriate joinery.  
 Laminate flooring to be replaced with more appropriate timber flooring.
3. **Reception**  
 Marble fireplace surround to be refurbished.  
 Laminate flooring to be replaced with more appropriate timber flooring.  
 Alcove to be reopened.
4. **Hall**  
 -
5. **WC**  
 Sanitary ware to be repositioned.
6. **Landing**  
 -

**General notes:**  
 Chimneys to be relined and all fireplaces to be brought back to usable condition.

Existing laminate flooring to be replaced with more appropriate herringbone wood or reclaimed oak wood panel flooring.

All windows to be refurbished and repaired where necessary.

All internal doors to be refurbished and repaired where necessary.

Damage caused by damp to be repaired throughout.

All radiators to be replaced by more stylistically appropriate heating system.

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**PRELIMINARY**

J	07/04/20	Plan revisions	IHY
I	30/03/20	Rear extension length reduced	IHY
H	06/11/19	Terrace revisions	IHY
G	06/11/19	Terrace revisions	IHY
F	23/10/19	Plan and label revisions	IHY
E	15/10/19	Plan revisions	IHY
D	14/10/19	Plan revisions	IHY
C	08/10/19	Plan revisions	IHY
B	07/10/19	Plan revisions	IHY
A	03/09/19	Plan revisions	IHY

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client

project  
 9 Pilgrim's Lane,  
 Hampstead,  
 London  
 NW3 1SJ

drawing  
 Proposed Plan  
 Ground Floor

date  
 Apr 20

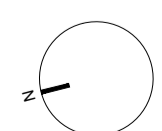
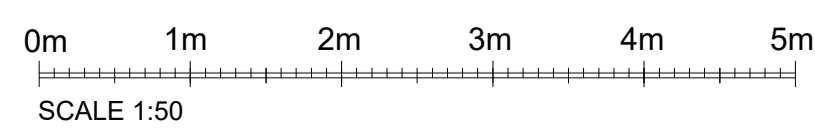
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revision  
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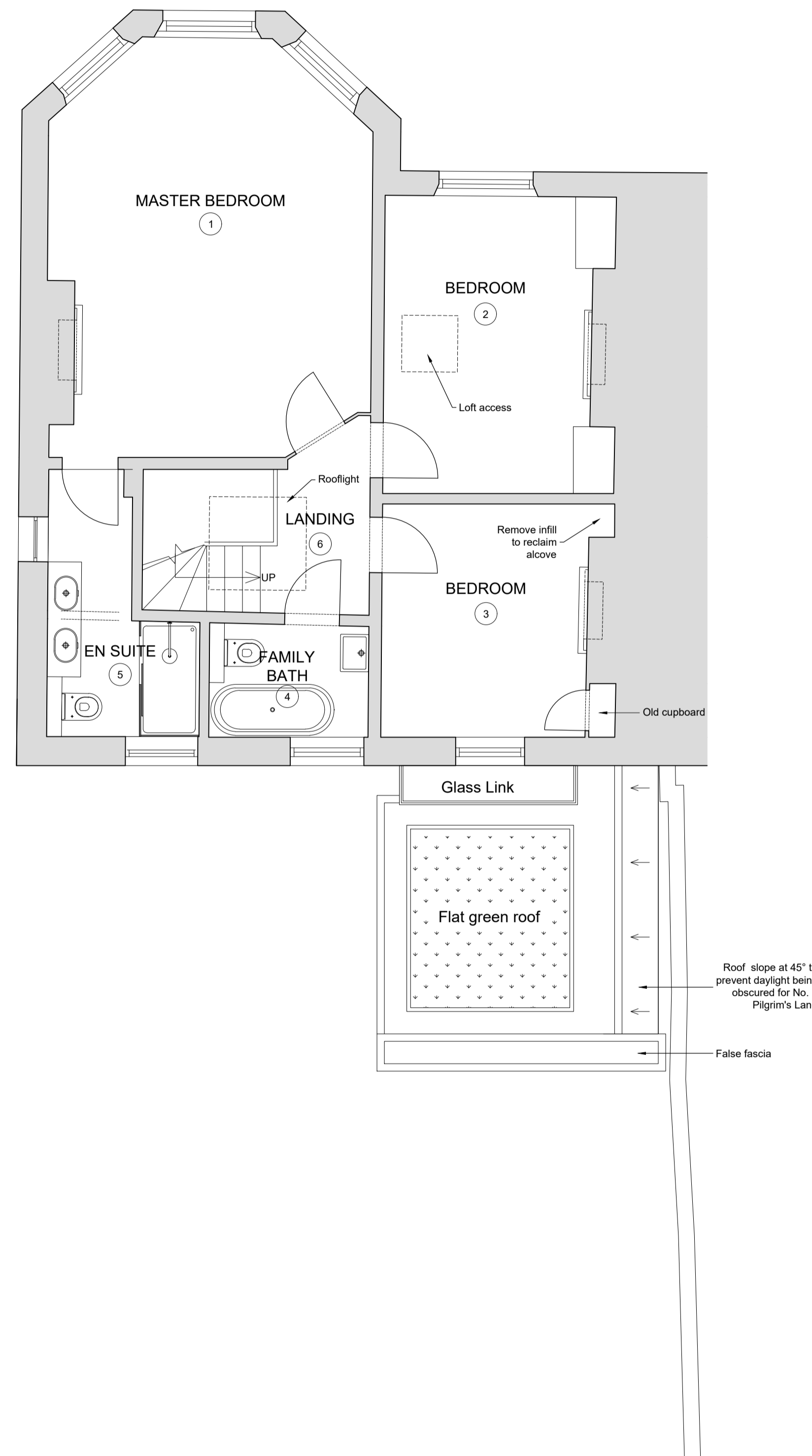
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**Note**

This drawing is not to be scaled. Use figured dimensions only. All dimensions are to be checked on site and any discrepancies, errors or omissions are to be reported to the architect prior to commencement of works.



**Proposed Works**

1. **Master Bedroom**  
Laminate flooring to be replaced with more appropriate timber flooring.  
Modern fitted wardrobe to be removed and replaced with more appropriate furniture.  
Ceiling and roof repairs required following leak damage
2. **Bedroom**  
Laminate flooring to be replaced with more appropriate timber flooring.
3. **Bedroom**  
Laminate flooring to be replaced with more appropriate timber flooring.
4. **Family Bath**  
To be renovated.  
Laminate flooring to be replaced with appropriate floor tiles.
5. **Master Bedroom: En Suite**  
To be renovated.  
Removal of false ceiling and partition to reinstate original high ceiling.  
Laminate flooring to be replaced with appropriate floor tiles.
6. **Landing**  
Laminate flooring to be replaced with more appropriate timber flooring.

**General notes:**

Chimneys to be relined.

All windows to be refurbished and repaired where necessary.

All internal doors to be refurbished and repaired where necessary.

All radiators to be replaced by more stylistically appropriate heating system.

Ceiling spotlighting to be replaced with more appropriate central and wall lighting.

Damage caused by damp to be repaired throughout.

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**PRELIMINARY**

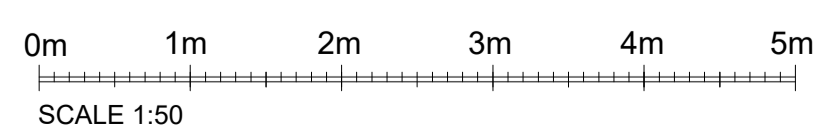
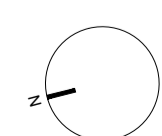
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G 06/11/19	Plan revisions	IHY
F 23/10/19	Plan and label revisions	IHY
E 15/10/19	Plan revisions	IHY
D 14/10/19	Plan revisions	IHY
C 08/10/19	Plan revisions	IHY
B 07/10/19	Plan revisions	IHY
A 03/09/19	Plan revisions	IHY

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client		
project 9 Pilgrim's Lane, Hampstead, London NW3 1SJ		
drawing Proposed Plan First Floor		
date Mar 20	scale 1:50@A1/1:100@A3	drawn by HY
drg.no. FZD_202	revision H	



**Note**

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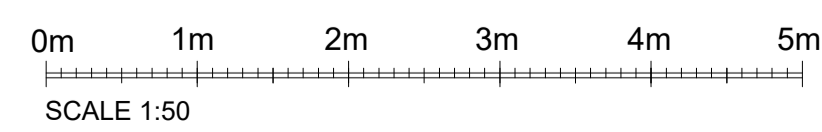
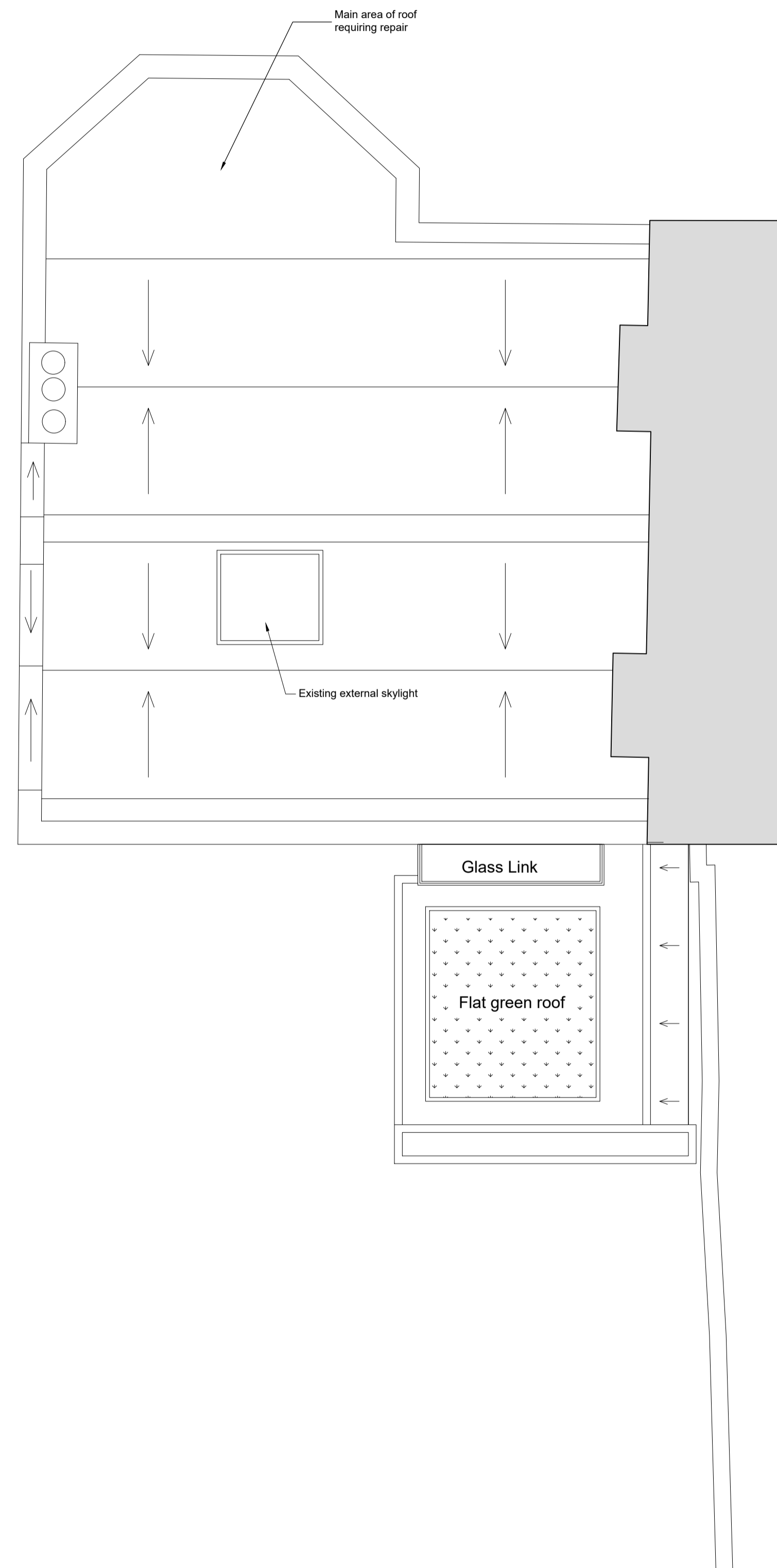
**Proposed Works**

**General notes:**

Roof repairs where needed, in order to prevent further water leakages into rooms below.

Like-for-like replacement of tiles and material where straightforward repair and retention of existing building fabric is not possible.

Installation of TV satellite dish (location to be determined, hidden from street view).



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SCHEME DESIGN SUBJECT TO STRUCTURAL ENGINEER / SERVICES ENGINEER, & PLANNERS COMMENT

**PRELIMINARY**

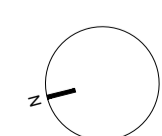
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F 06/11/19	Plan revisions	IHY
E 23/10/19	Plan and label revisions	IHY
D 14/10/19	Plan revisions	IHY
C 08/10/19	Plan revisions	IHY
B 07/10/19	Plan revisions	IHY
A 03/09/19	Plan revisions	IHY

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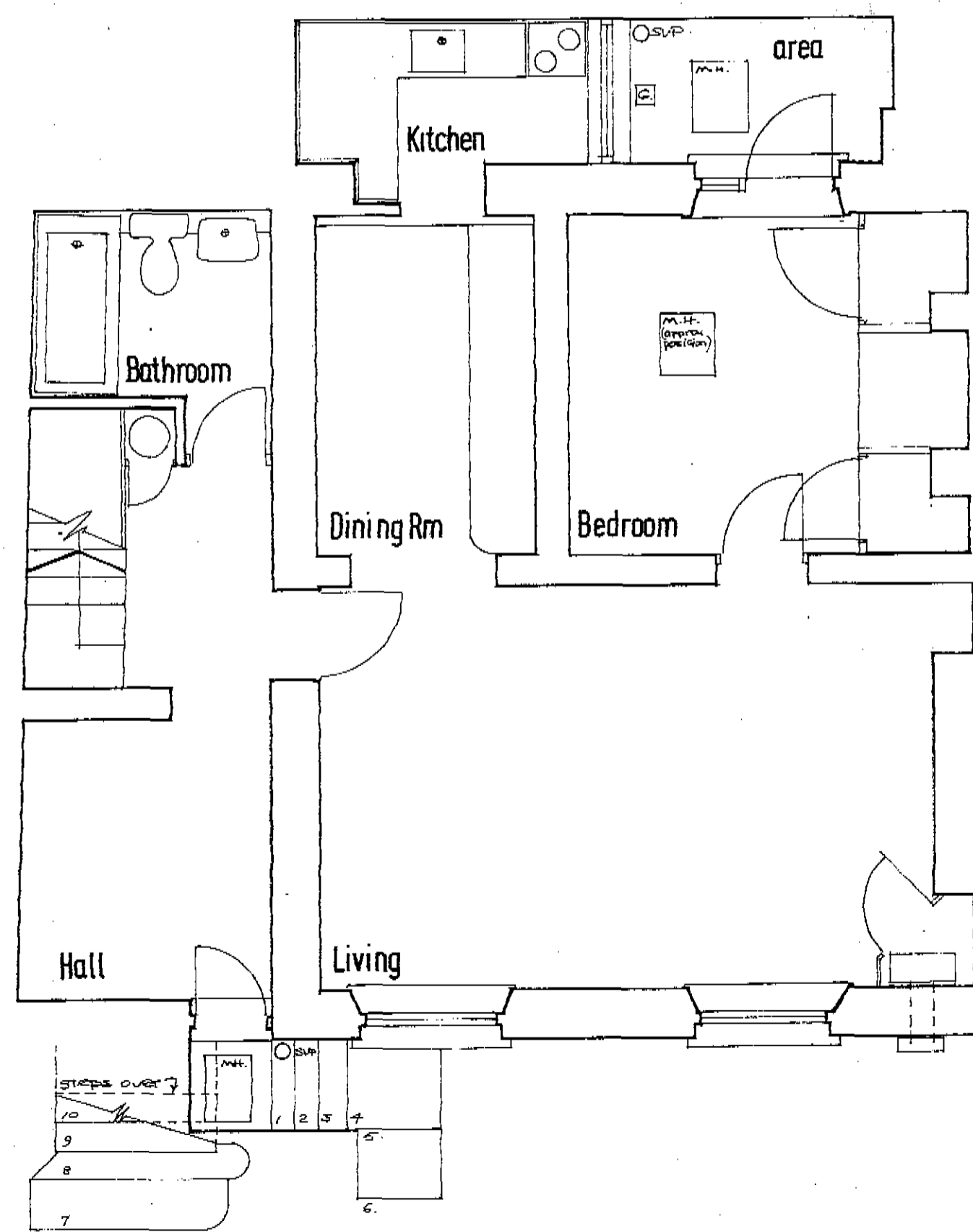
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project 9 Pilgrim's Lane, Hampstead, London NW3 1SJ		
drawing Proposed Plan Roof		
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drg.no. FZD_203	revision G	



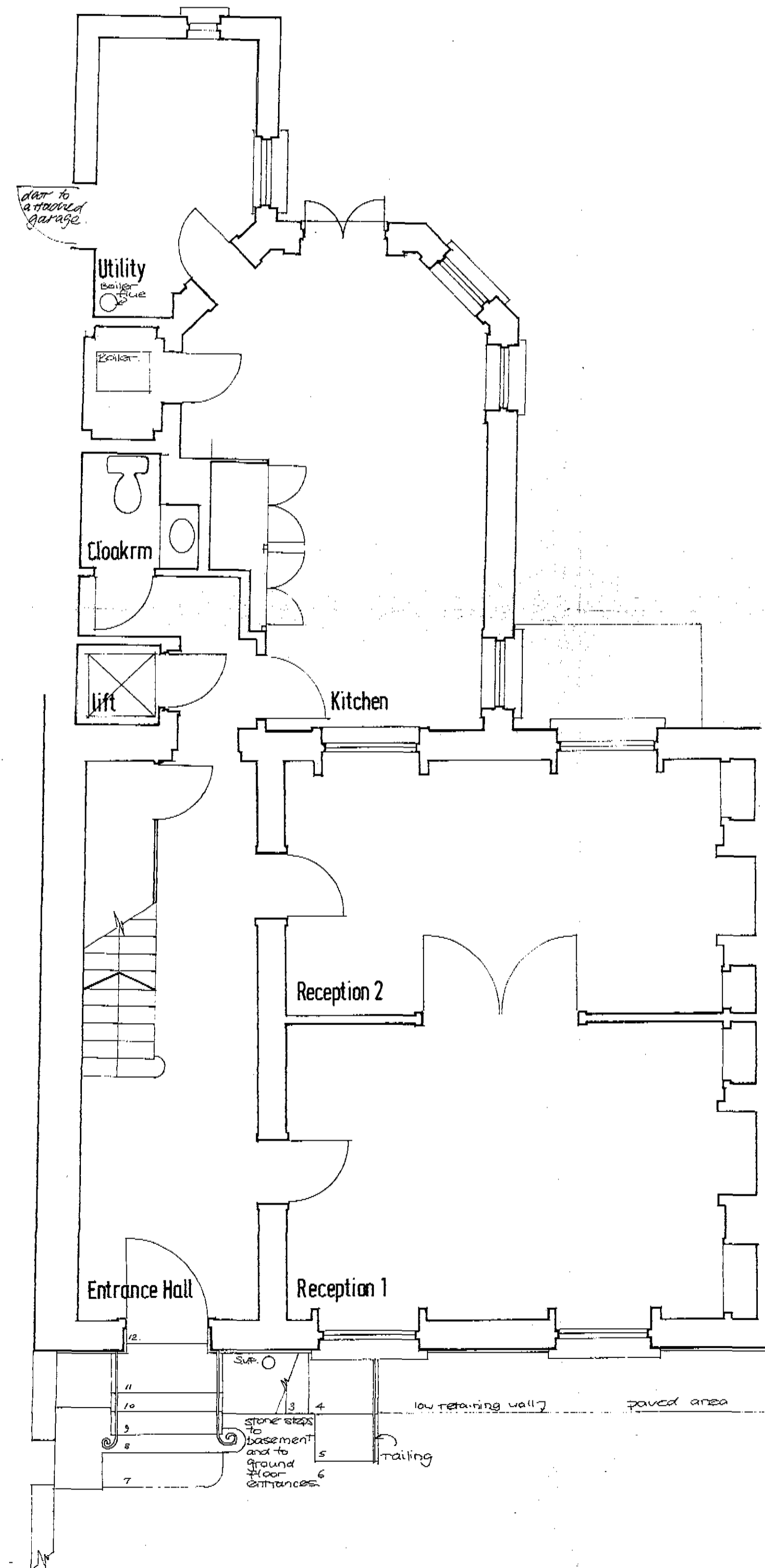


## **APPENDIX 3 – 7 PILGRIM'S LANE FLOOR PLANS**

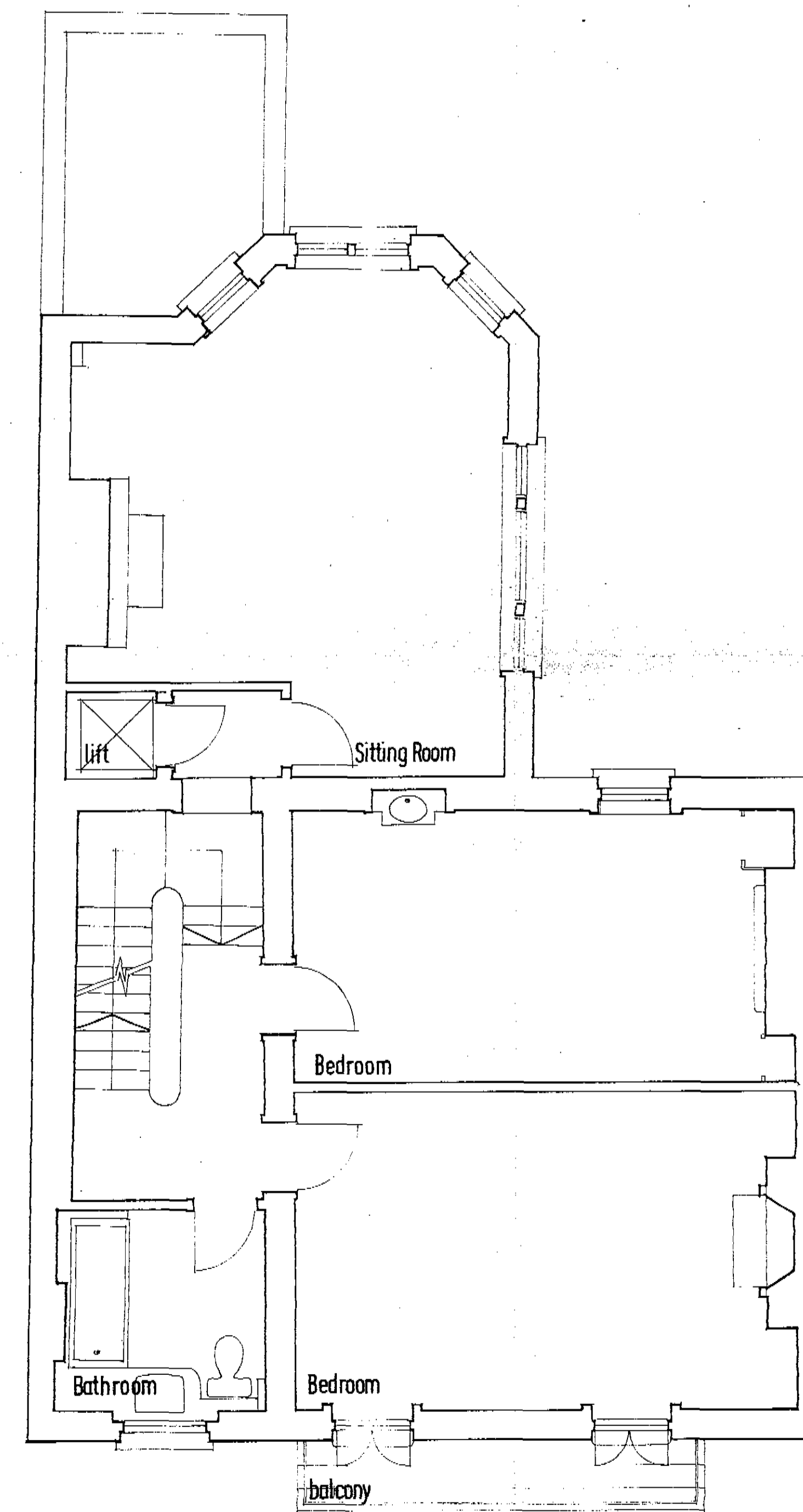
General note  
Do not scale from this drawing. All dimensions to be checked on site and any discrepancies notified to the architect.  
Revisions



BASEMENT



GROUND FLOOR



FIRST FLOOR

TP 8970835

Project  
7 PILGRIMS LANE NW3

Client  
PILGRIMS CD

Drawing  
PLANS AS EXISTING  
BASEMENT, GROUND &  
FIRST FLOORS

Scale  
1:50  
Date  
MARCH 89

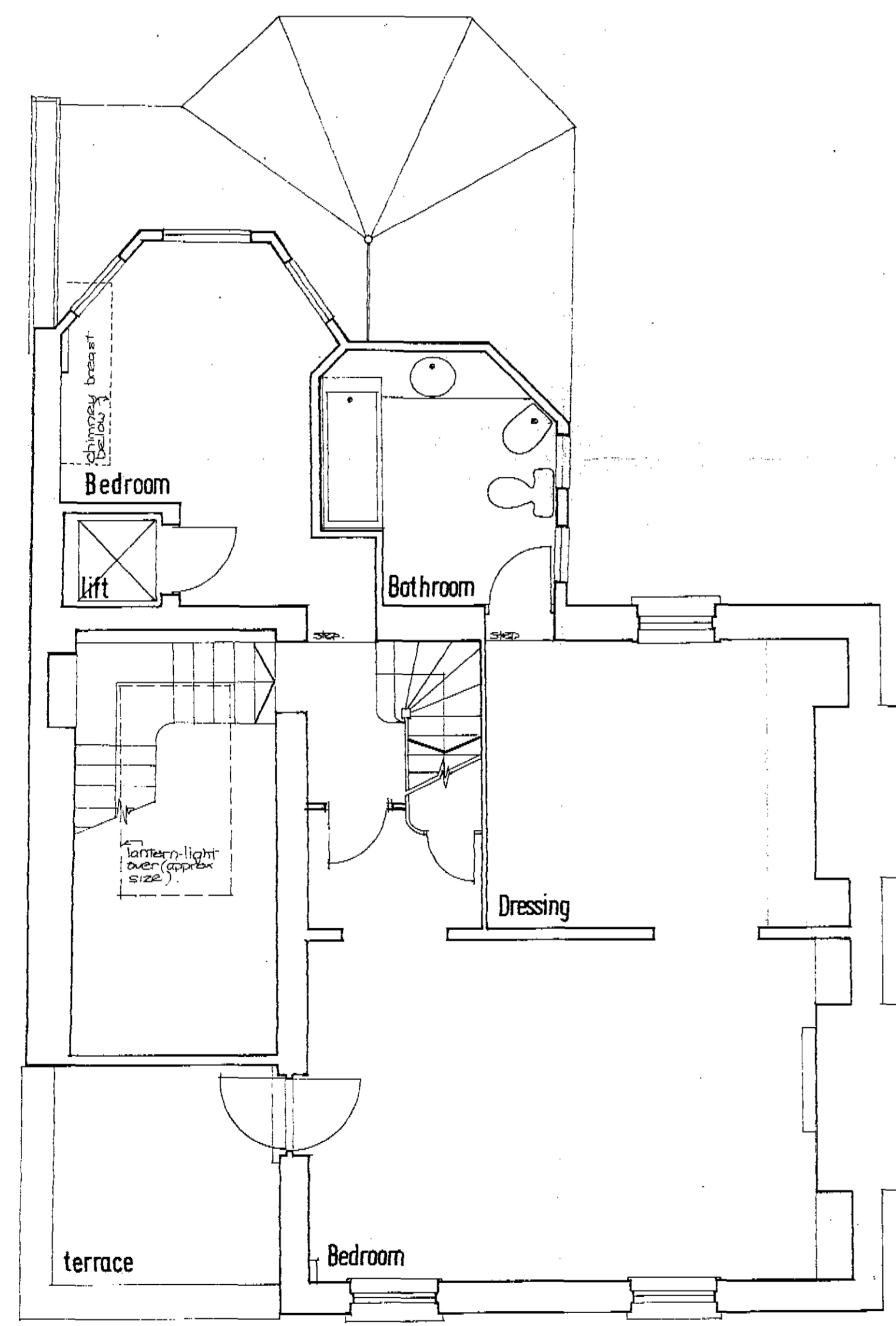
MOLYNEUX KERR  
ARCHITECTS  
171 Seymour Place  
London W1H 5TP  
Tel. 01 262 6631

Drawing  
Number  
8824/001

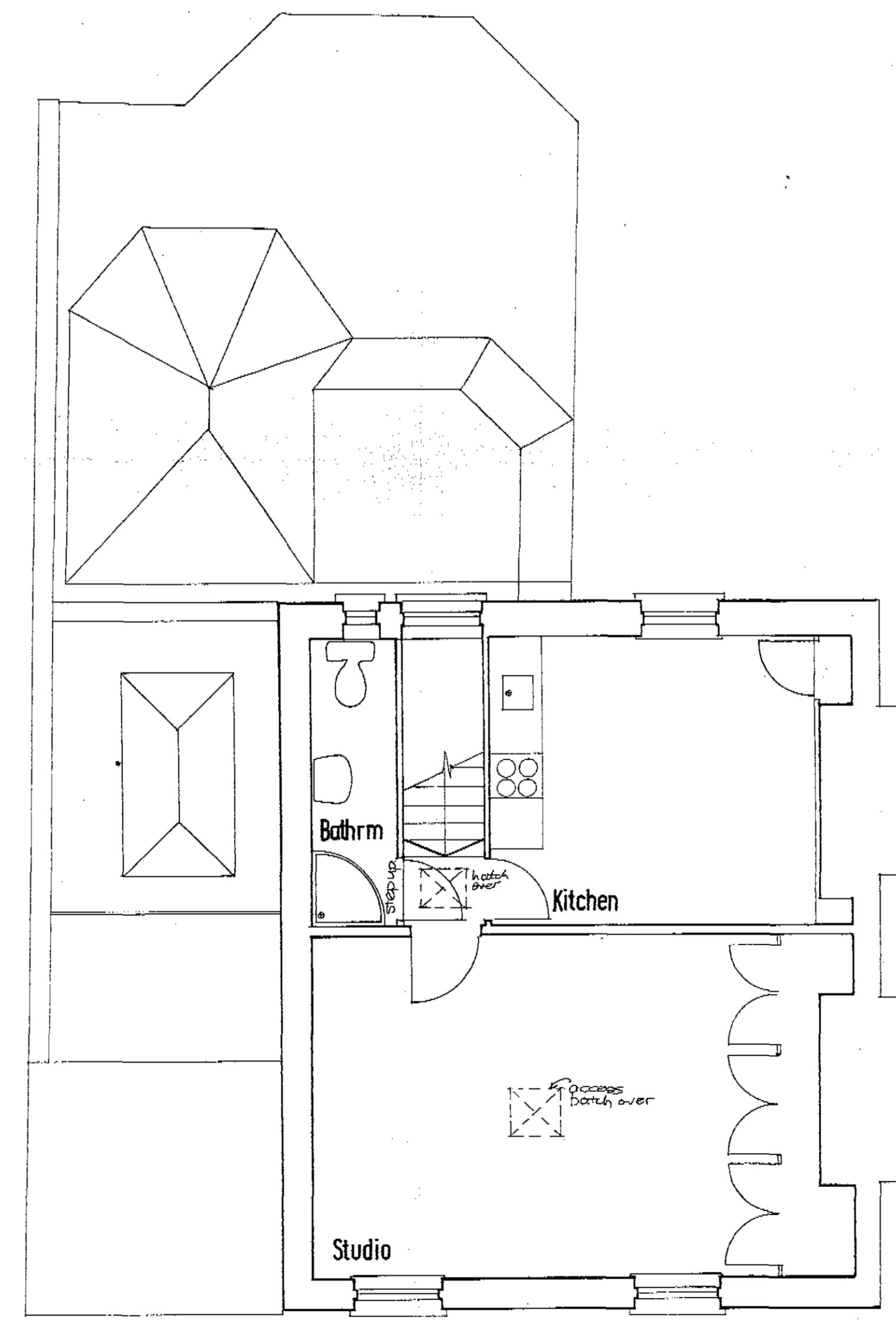
LONDON BOROUGH OF CAMDEN  
PLANNING AND TRANSPORT  
DEPARTMENT  
23 MAR 1989  
RECEIVED

General note  
Do not scale from this drawing. All  
dimensions to be checked on site  
and any discrepancies notified to  
the architect

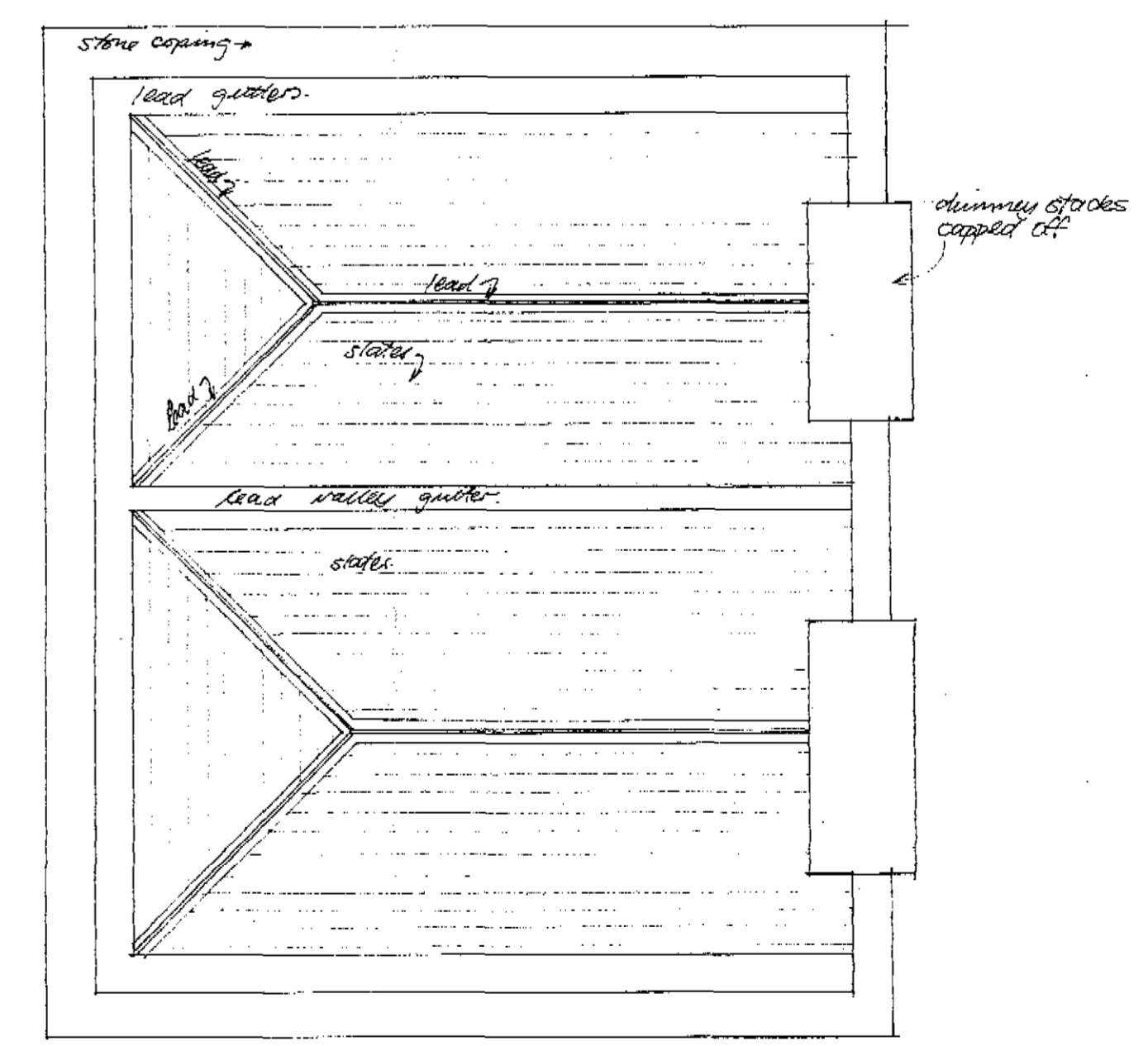
Revisions



SECOND FLOOR



THIRD FLOOR



ROOF PLAN

TP 897 0935

Project  
7 PILGRIMS LANE NW3

Client  
PILGRIMS CO

Drawing  
PLANS AS EXISTING  
SECOND FLOOR,  
THIRD FLOOR, ROOF

Scale  
1:50  
Date  
MARCH 89

MOLYNEUX KERR  
ARCHITECTS  
171 Seymour Place  
London W1H 5TP  
Tel 01 262 6631

Drawing  
Number  
8824/002

