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Dear Patrick

70-86 Royal College Street, London NW1 0TH
Daylight and Sunlight Review

In accordance with instructions, I have reviewed the daylight and sunlight report prepared by Point 2 Surveyors submitted on behalf of Rocco Ventures Ltd for the redevelopment of 70-86 Royal College Street, London NW1 0TH. This review is undertaken on behalf of the London Borough of Camden. We have been asked to review the daylight and sunlight assessment to advise on the suitability of the methods of assessment, the criteria used for the study and the conclusions derived from those criteria and the results obtained. This is to assist the Council in understanding the technical conclusions of the report, and the implications of these results on planning policy.

This review does not extend to a detailed technical analysis. We have not constructed a 3D computer model nor run our own calculations. This report assumes that the study undertaken by the applicants is accurate and simply reports on the results and the conclusions and recommendations given.

London Borough of Camden Requirements

The London Borough of Camden requires that the assessment of daylight and sunlight effects should be undertaken in accordance with Camden Planning Guidance (CPG) document Amenity CPG and by reference to the Building Research Establishment (BRE) report “Site Layout Planning for Daylight & Sunlight : A Good Guide to Good Practice 2011”. The scope of the assessment should include those windows/rooms in the existing neighbouring properties to the development which are likely to be affected by that development (as defined in the BRE Guidance). These will principally be main habitable rooms to residential properties.

For daylight, the following parameters should be calculated:

1. Vertical sky component (VSC); and
2. No skyline/contour (NSL)

These should be used as the primary methods of measurement and should be presented on an absolute scale followed by a comparative scale measuring the percentage reduction.

Average daylight factor (ADF) can also be calculated. This should be presented on an absolute scale for testing the adequacy of proposed new dwellings and can also be submitted to supplement, but not in place of, VSC and NSL for measuring the impact on neighbouring properties. In calculating the ADF values, the input variables for glazing transmittance, reflectance values and frame correction factors should be agreed with the London Borough of Camden beforehand.

For sunlight, the Applicant should calculate the annual probable sunlight hours (APSH) for windows of main habitable rooms of neighbouring properties that face within 90° due south and are likely to have their sunlight reduced by the development massing. The results should be presented on an absolute scale followed by a comparative scale measuring the percentage reduction.

Appropriate Standards

I have reviewed the methodology set out in the daylight and sunlight report. Chapter 2 of the report explains the recommended standards set by the Building Research Establishment for VSC and NSL. However, the report does not identify that in order to meet the required BRE recommended standard it is necessary for both the VSC and NSL standards to be met for any particular room. Failure for that to be made clear to members of the planning committee has led to recent successful judicial review decisions.

The ADF methodology has also been explained as it has been used to justify some of the impacts, but as the parameters adopted in the calculation such as glass transmittance and reflectance values have not been specified, I cannot comment on the accuracy and reasonableness of the results. This review therefore focuses on the primary VSC and NSL assessments. Chapter 2 of the report also references *British Standard 8206 Part 2:2008*, however it does not state that this has been replaced by *BS EN 17037:2018*. This does not alter the assessment methodology however the replacement of *BS 8206 Part 2:2008* should be made clear.

Chapter 6 of the report includes reasoning as to why it is appropriate to set alternative daylight target values for properties surrounding the site. In paragraph 6.12 Point 2 surveyors have produced a section drawing measuring the development angle of the ground and first floor windows on the north east elevation of 124 Pratt Street, across St Pancras Way. They have produced this to put forward an argument based on BRE guidance that this represents a prevailing massing in the immediate area and that the daylight currently enjoyed by the St Pancras Way elevation of 124 Pratt Street sets a target value that should be considered reasonable for this area. This leads to a suggestion that a general VSC target of 15% is appropriate.

However, 124 Pratt Street is not completely typical of the prevailing massing in this area. It is consistent with the massing along the canal on the opposite side of St Pancras Way, however the prevailing massing in the area is of lower height than this such as the residential properties that have been tested on Royal College Street. Here, as stated in the report at paragraph 7.13, existing VSC levels are between 26.68% and 38%. This is largely due to the existing site being low level and partly set back from the Royal College Street boundary, however a VSC target of 15% cannot necessarily be considered acceptable in this location based only on the section through 124 Pratt Street.

That being said, strict adherence to the BRE recommended standards would be likely to limit developments on site to a massing that would be closer to the existing housing on Royal College Street rather than the taller and denser development consistent with that along St Pancras Way. It could be considered that a retained VSC of 18% or more is a good level of daylight within the Borough and this is one of the factors that has been taken into account when reviewing the impacts to the surrounding properties.

This approach was also taken into account for the development of St Pancras Commercial Centre to the north of the site. Point 2 Surveyors also produced the daylight and sunlight report for this and adopted the same arguments in relation to the retained VSC values. Delva Patman Redler reviewed this report on behalf of the Council and I understand the development has since been approved. On that basis, it would also be helpful to understand the cumulative impacts caused by the inclusion of this scheme. Whilst not all of the neighbouring properties will be affected due to their distance from this site, those that have been tested to the north of Royal College Street will certainly experience additional impacts.

Finally, the report does not set significance criteria for the daylight and sunlight assessment. Whilst significance criteria are more appropriate for an environmental statement, it is helpful for the daylight report to summarise the impacts of the development on the neighbouring residential properties for the assistance of the Planning Committee. We therefore believe that the following significance criteria should be used. This applies to VSC where VSC is reduced to less than 27%, to NSL, and to APSH where the APSH is reduced to less than 25% and/or less than 5% in the winter months.

- Reduction of 0% of 20% negligible impact
- Reduction of 20% to 30% minor adverse impact
- Reduction of 30% to 40% moderate adverse impact
- Reduction of more than 40% major adverse impact

This criteria should be considered by reference to the overall impact on an individual dwelling or block of dwellings rather than necessarily related to one window alone. In the following paragraphs I have stated what I consider the significance criteria to be for each property based on these values.

Scope of Analysis

Chapter 7 of the daylight and sunlight report identifies 15 neighbouring residential properties surrounding the site that are likely to experience a material reduction in daylight and sunlight as a result of the proposed development. Detailed tables of results have also been provided for 104 and 106 Pratt Street and these properties are shown in the 3D views within the appendix, however they have not been discussed further within the report. I have detailed below what I consider the impact to these properties to be.

All existing surrounding properties appear to have been included for the daylight and sunlight assessment.

An overshadowing assessment has not been included, however the properties along Royal College Street do benefit from front gardens. It could be argued that they also benefit from rear gardens, which would not be affected, however it would be useful to understand the impacts to these amenity areas. The BRE report suggests that for a garden or amenity area to appear adequately sunlit throughout the year, at least half of the area should receive at least two hours of sunlight on 21 March. If as a result the new development and existing area which can receive direct sunlight on 21 March does not meet the above and is reduced to less than 0.8 times its former value, then this further loss of sunlight will be significant.

Daylight Results – VSC & NSL

The report includes detailed tables of results and window location drawings in the appendices. It would have been helpful if summary tables had also been provided within the main body of the report so that the total number of rooms/windows tested for each method of assessment and their compliance with the BRE guidelines was detailed. Furthermore, the inclusion of NSL contour drawings would help the reader to understand the impacts visually, not least because the detailed NSL results do not specify what percentage of the room would see direct sky visibility in each of the existing and proposed conditions.

As the applicant has focused on the retained VSC values for neighbouring properties the full results for VSC and NSL have not been explained. It is therefore not immediately clear to the reader what the actual impacts are and the focus on the retained values could be misleading. The impacts to the existing surrounding properties by reduction of former value should have formed the main commentary, with the retained VSC values being used to help justify the impacts.

I have detailed what I consider the impacts to be below:

<u>104, 106 & 124 Pratt Street & 88 Royal College Street</u>

The results demonstrate full compliance with the BRE guidelines for VSC and NSL and therefore the impact to these properties is considered to be negligible.

The 13 properties at 109-143 Royal College Street have been discussed jointly within the report, focusing on the retained VSC values. I have considered the impact to these properties separately and in regard to the factor of former value and comment as follows:

<u>143, 113-115, 111 & 109 Royal College Street</u>

143 Royal College Street has 2 single windows that would experience a minor adverse impact, however the rooms that these windows serve are thought to be dual aspect with windows also fronting Pratt Street which would be unaffected by the development. The average VSC for the room would meet the BRE guidelines and as the NSL assessment also demonstrates full compliance, the impact to this property is considered to be negligible.

The impact to 113-115, 111 and 109 Royal College Street is considered to be negligible.

<u>141 Royal College Street</u>

Of the 3 site facing windows that have been tested, 1 would experience a moderate adverse impact and 2 would experience a major adverse impact in VSC. For NSL, 1 room would experience a moderate adverse impact and 2 would experience a major adverse impact. The reductions in both daylight methods would be noticeable and constitute a major adverse impact overall, however at 17.9%, 20.68% and 19.64% the retained VSC values could be considered appropriate for a dense urban location.

139 Royal College Street

The 1 window/room tested would experience a major adverse impact in both VSC and NSL terms. That being said, a retained VSC of 18.46% could be considered appropriate for an urban location and as the room has been identified as a bedroom would naturally have a lower expectation for daylight.

137 Royal College Street

Of the 3 windows tested for VSC, 1 would experience a moderate adverse impact and 2 a major adverse impact. For NSL, 1 room would meet the recommended guidelines, 1 would experience a moderate adverse impact and 1 would experience a major adverse impact. The retained VSC to the 2nd floor window is good at 22.99%, but the ground and first floors achieve lower values at 11.18% and 16.74% respectively. Overall, the impact to this property is considered to be moderate adverse.

133-135 & 129-131 Royal College Street

The results for these properties are very similar, with the majority of windows and rooms experiencing major adverse impacts in VSC and NSL, and a smaller number experiencing moderate adverse impacts. Overall, the impact to these properties would be noticeable and constitute a major adverse impact. The retained VSC values on the ground floor are lower between 16.59% - 16.97%, however on the first and second floors they increase and are between 19.43% - 22.67% which could be considered appropriate for an urban area.

125-127 Royal College Street

Of the 10 windows tested, 6 would experience a major adverse impact and 4 would experience a moderate adverse impact. For NSL, 4 rooms would experience a major adverse impact and 2 a moderate adverse impact. The overall impact is considered to therefore be moderate to major adverse. The retained VSC values for this property are good, and with the exception of 1 ground floor window which experiences a retained value of 17.35%, all are between 18% and 24.01% which could be considered appropriate for an urban area.

123 & 121 Royal College Street

The results for these properties are very similar, with impacts ranging from minor to major adverse including some negligible impacts at no. 121. Overall, the impacts to these properties is considered to be moderate adverse. The retained VSC values are good, ranging between 19.63% and 27.17% which could be considered appropriate for an urban area.

117-119 Royal College Street

Of the 10 windows tested, 7 would fully comply with the BRE guidelines for VSC, 2 windows would experience a minor adverse impact and 1 a moderate adverse impact. For NSL, 4 would meet the recommended guidelines, 1 would experience a minor adverse impact and 1 a major adverse impact. Overall, the impact to this property is considered to be minor adverse. The retained VSC levels are very good, with all windows achieving a VSC in excess of 24%, which could be considered appropriate for an urban area.

Sunlight Results – APSH

All rooms that have relevant windows facing within 90° due south would fully comply with the recommended BRE guidelines for APSH and therefore the impact of the proposed scheme in sunlight terms is considered to be negligible.

Conclusion

I have made comments on the methodology adopted and the presentation of the results within the report. Other shortcomings have been identified and should be addressed so that a full picture of the impacts can be presented and used to help determine whether these are acceptable.

Of the 17 properties assessed for daylight, it is considered that 8 would experience a negligible impact, 1 would experience a minor impact, 3 would experience a moderate impact, 1 would experience a moderate to major adverse impact and 4 would experience a major adverse impact.

It is true that any viable development on this site would likely cause a large percentage reduction in VSC and NSL as a result of the good levels of sky visibility over the existing lower level site. It would therefore be inappropriate to require strict compliance with the BRE standards if a scheme of this size is considered desirable in planning terms. Where retained VSC levels are above 18% and certainly above 20%, then these could be considered to be commensurate with prevailing levels of daylight on residential streets in the London Borough of Camden. However, there would still be some substantial reductions in NSL which do also need to be considered.

All rooms that have relevant windows facing within 90° due south would fully comply with the recommended BRE guidelines for APSH and therefore the impact of the proposed scheme in sunlight terms is considered to be negligible.

I trust this provides you with what you need. If you have any queries please let me know.

Yours sincerely

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