



Newcombe House and Kensington Church Street
Daylight, Sunlight and Overshadowing Report

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1. Introduction and Scope of Report

1.1 GVA Schatunowski Brooks are retained by Notting Hill Gate KCS Limited (the "Applicant") to consider daylight, sunlight and overshadowing matters in respect of the proposed development of the site known as Newcombe House and Kensington Church Street, 43/45 Notting Hill Gate, 39/41 Notting Hill Gate and 161-237 Kensington Church Street (odd) (the "Site").

1.2 This daylight, sunlight and overshadowing report has been prepared in support of amendments made to planning application PP/17/05782 (GLA ref: 3109a) for the mixed use redevelopment of the Site in the Royal Borough of Kensington and Chelsea.

1.3 The proposed amendments to the application can be summarised as:

- an increase to the number of homes (to a total of 55) and alterations to the housing mix;
- an increase in the proportion of affordable homes (to 35% by hab room and 41.8% by unit);
- an increase to the office floorspace of 414 sqm GEA (to a total of c. 5,306 sqm);
- the addition of one storey to Kensington Church Street Building 1 in C3 residential use (from four storeys to five storeys);
- the addition of two storeys to West Perimeter Building 3 in B1 office use (from five to seven storeys);
- alterations to the layouts of Kensington Church Street Buildings 1 and 2, and West Perimeter Buildings 1 and 3, with associated changes to the facades;
- minor alterations to the façade of the Corner Building on levels 4, 5 and 6; and
- minor alterations to the services strategy for West Perimeter Building 2.

(the "**Proposed Amendments**").

1.4 Further details of the amendments are set out within the Design and Access Statement Addendum and Planning Statement Addendum.

1.5 The Proposed Amendments do not alter the description of development which remains as follows:

"Demolition of existing buildings and redevelopment to provide office, residential, and retail uses, and a flexible surgery/office use, across six buildings (ranging from ground plus two storeys to ground plus 17 storeys), together with landscaping to provide a new public square, ancillary parking and associated works.."

1.6 The proposed development, as amended by the Proposed Amendments, is referred to in this report as the "**Proposed Development**".

1.7 GVA Schatunowski Brooks has advised the Applicant and their appointed architects, Urban Sense Consultant Architects, throughout the design process in relation to daylight sunlight matters.

- 1.8 The report assesses the potential daylight, sunlight and overshadowing effects to existing surrounding properties as a result of implementing the Proposed Development, and assesses the levels of daylight and sunlight amenity that would be provided for future occupants of the dwellings and external amenity spaces.
- 1.9 To ensure that the proposed changes in massing encompassed within the Proposed Amendments are fully assessed in daylight, sunlight and overshadowing terms, this report has been prepared as a stand-alone report and this report assesses the full extent of the Proposed Development (and not just the Proposed Amendments in isolation). This report therefore replaces the Daylight, Sunlight & Overshadowing Report dated September 2017.
- 1.10 This July 2018 report, rather than the September 2017 report, should be referred to by the planning authority for the purposes of reviewing daylight, sunlight or overshadowing matters in respect of the Proposed Development.

2. The Site

2.1 The application site is approximately 0.52 ha in area and is roughly rectangular in shape. The site is bounded by Notting Hill Gate to the north, Kensington Church Street to the east, Kensington Place to the south and the District and Circle Underground line to the west.

2.2 The site currently comprises:

- Newcombe House (43-45 Notting Hill Gate) - an office building of ground plus 11 storeys plus plant (B1 Use Class);
- 39-41 Notting Hill Gate & 209-237 Kensington Church Street - a linear block of 1 to 2 storeys accommodating shops and restaurants (A1 & A3 Use Class);
- Royston Court (161-207 Kensington Church Street) - a building of ground plus 4 storeys with retail at ground floor (A1 & A3 Use Class) and residential on upper floors (C3 Use Class);
- A surface car park of 61 spaces; and
- Newcombe Street and part of Uxbridge Street.

2.3 The Site is located within Notting Hill Gate which is designated as a District Centre in the London Plan – the Spatial Development Strategy for London Consolidated with Alterations since 2011 (March 2016) (the "**London Plan**"), where medium growth is expected over the twenty year plan period to 2036 (table A2.1; Policy 2.15).

2.4 The wider Notting Hill Gate area is also designated within RBKC's Consolidated Local Plan 2015 ("**CLP**") as a centre where there is significant opportunity for regeneration.

2.5 The Site is therefore identified both within regional and local planning policy as one where higher density development would be appropriate.

2.6 The Site is extremely accessible in transport terms, with a PTAL rating of 6a and sharing a boundary with Notting Hill Gate London Underground station.

2.7 As indicated in Section 4 (Planning Policy) below, this context points towards a development of higher density on the Site.

2.8 We have conducted a study of the surrounding heights in the local area and concluded from that study that the Site currently contains uncharacteristically low massing for the area (see Section 5 for further detail). That study also demonstrated that the surrounding area already includes a number of buildings of medium/high density, as shown on the plan attached at Appendix I. This includes (but is not limited to):

- 15-35 Notting Hill Gate;
- 182-188 Kensington Church Street;

- 145 Kensington Church Street; and
- 47-85 Notting Hill Gate.

3. Planning Policy

3.1 To understand whether the Proposed Development is appropriate in relation to daylight, sunlight and overshadowing matters we have considered the following national, regional and local planning policy documents, together with best practice guidance.

National Planning Policy

National Planning Policy Framework (2012)

3.2 The current National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. They are intended to act as guidance for local planning authorities and decision-takers both when drawing up local plans and making decisions about planning applications.

3.3 The NPPF seeks to proactively drive and support sustainable economic development to deliver the homes, businesses, infrastructure and thriving places that the country needs; encourage the effective use of land by reusing land that has been previously developed (brownfield land); promote mixed use developments and encourage multiple benefits from the use of land in urban areas; and focus significant development in locations which are or can be made sustainable (Paragraphs 17 and 111).

3.4 At para 17 "core planning principles" it states:

"These twelve principles are that planning should ... always seek to secure high quality of design and a good standard of amenity for all existing and future occupants of land and buildings".

3.5 As such, it is clear that amenity considerations such as daylight and sunlight are of importance at the national level.

National Planning Practice Guidance (2014, as amended)

3.6 This is a set of planning guidance documents on various topics, supplementary to the NPPF.

3.7 The guidance document relating to Design contains a section relating to "Consider form" which at paragraph 25 states:

"Some forms pose specific design challenges, for example how taller buildings meet the ground and how they affect local wind and sunlight patterns should be carefully considered".

3.8 This highlights that the potential overshadowing effect of tall buildings to existing conditions should be considered as part of the design process.

3.9 Paragraph 26 "Consider scale" states:

"Account should be taken of local climatic conditions, including daylight and sunlight, wind, temperature and frost pockets".

3.10 This highlights that the potential impact of tall buildings to existing local daylight and sunlight conditions should be considered as part of the design process.

Housing White Paper: Fixing our broken housing market (Department for Communities and Local Government "DCLG", February 2017)

3.11 The Housing White Paper sets out a broad range of reforms that government plans to introduce to help reform the housing market and increase the supply of new homes.

3.12 Paragraph A.69 of the Housing White Paper states that:

"[T]he Government intends to amend national planning guidance to highlight planning approaches that can be used to help support higher densities, and to set out ways in which daylight considerations can be addressed in a pragmatic way that does not inhibit dense, high quality development."

3.13 The Housing White Paper is therefore clear that daylight and sunlight considerations should be approached in a pragmatic way in order to boost housing land supply. While the Housing White Paper is not, in itself, planning policy, in setting out these principles of flexibility in terms of daylight and sunlight considerations, the Housing White paper both reflects existing policy within the London Plan and the Housing Supplementary Planning Guidance March 2016 (the "**Housing SPG**") and also sets a clear direction of travel which has been followed by the Draft NPPF and draft London Plan (see below)

Draft National Planning Policy Framework (2018)

3.14 A draft revised NPPF ('**draft NPPF**') was published for consultation between 5 March and 10 May 2018. It consolidates the Government's position in relation to a number of policy updates announced over the past two and a half years, most notably those contained in the Housing White Paper, but retains many of the key principles of the current Framework.

3.15 Paragraph 118 requires planning policies and decisions to 'encourage multiple benefits from both urban and rural land', to 'support the development of under-utilised land and buildings' and to 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated and unstable land' (parts a-d).

3.16 At paragraph 123 in respect of "Achieving appropriate densities" it states:

"c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework.

In this context, 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 [and so long as the resulting scheme would provide acceptable living standards]."

- 3.17 It is clear that the draft NPPF seeks to prioritise making efficient use of land to deliver development. In respect of housing in particular, there is an acknowledgment that strict adherence to the default daylight and sunlight guidance could inhibit this aim and that in these circumstances an alternative (flexible) approach may be more appropriate.

Regional Planning Policy

London Plan (March 2016)

- 3.18 The adopted London Plan sets out the Mayor of London's spatial development strategy for the Greater London area.
- 3.19 As noted in Section 2, the site is located within Notting Hill Gate which is designated as a District Centre in the London Plan, where medium growth is expected over the twenty year plan period to 2036 (table A2.1; Policy 2.15). As the London Plan advises (policy 2.15):-

"[Town centres should] provide.... (a) the main foci beyond the Central Activities Zone for commercial development and intensification, including residential development;"

- 3.20 Policy 7.6 "Architecture" requires architecture to make a positive contribution to a coherent public realm, street scape and wider city scape, incorporating the highest quality materials and a design appropriate to its context. In relation to the impact on the surrounding environment, Policy 7.6B(d) states:

B "Building and structures should: ... d) not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings."

- 3.21 Policy 3.5 Quality and Design of Housing Developments:

Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live... The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children, disabled and older people.

- 3.22 The London Plan Housing Supplementary Planning Guidance (March 2016) (the "Housing SPG") provides guidance on the application of this policy with regard to the daylight and sunlight impacts on the surrounding environment, emphasising the need for flexibility in applying the relevant guidance. This is explained further below.

- 3.23 Policy 7.7 (Location and Design of Tall and Large Buildings) provides a checklist for the acceptable development and design of tall buildings. In relation to the impact of tall buildings on the surrounding environment, Policy 7.7 states:

"Tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference."

Draft London Plan (2017)

- 3.24 In common with the NPPF, the London Plan is currently in the process of being updated and a draft for public consultation was issued in December 2017. The draft policies place great emphasis on the need to make the best use of land by creating high-density, mixed use places in the right locations. This includes brownfield land which is well connected by existing or planned tube and rail stations, sites within and on the edge of town centres, and small sites.
- 3.25 Draft Policy H1 of the draft London Plan requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans and planning decisions, especially sources of capacity which include (among others) sites with PTALs 3-6 or which are located within 800m of a tube station, or existing car parks as follows:

"boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:

a. sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a Tube station, rail station or town centre boundary

b. mixed-use redevelopment of car parks and low-density retail parks

c. housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses"

- 3.26 The Proposed Development is a clear example of such a site: it is in a town centre with the highest PTAL rating, acknowledged to be in need of regeneration, and currently subject to a highly inefficient use with much of the site covered by a surface car park.
- 3.27 Draft Policy D6 "Optimising housing density" puts forward a set of principles to support accommodating the growth of London, by making efficient use of land, developing at densities above those of the surrounding area of most sites as follows:

"A. Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context

2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)

3. the capacity of surrounding infrastructure.

Proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused".

3.28 In doing so, the draft policy recognises that it is important to consider the associated impact on the existing context and infrastructure and makes reference to the need for a proportionally greater level of scrutiny of the qualitative aspects of the development design as density increases, as set out in emerging policy D4.

3.29 Draft Policy D8 "Tall buildings" acknowledges that tall buildings have a role to play in helping London accommodate its expected growth as well as supporting legibility across the city to enable people to navigate to key destinations. It recognises the need to ensure that tall buildings are sustainably developed in appropriate locations, and are of the required design quality. It states at C(3) (Environmental Impact) that:

"a) Wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building."

3.30 With regard to the daylight and sunlight conditions within the Proposed Development, the draft London Plan is clear that new homes should contribute towards healthy communities that are mixed and inclusive. Policy D4 "Housing quality and standards" states:

"E Residential development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.

A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Policy D1 London's form and characteristics than a dual aspect dwelling and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

F The design of development should provide sufficient daylight and sunlight to new housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space."

3.31 Paragraph E of the emerging policy seeks to avoid single aspect dwellings where practical, including the associated lowered sunlight access. It states that this may not always be achievable and in such cases "adequate" daylight provision would need to be demonstrated.

3.32 Paragraph F refers to daylight and sunlight levels that within new development are "sufficient" and "appropriate" for the context. This promotes the use of contextually based targets for daylight and sunlight provision in new housing.

Housing Supplementary Planning Guidance (2016)

3.33 The Mayor of London issued the "Housing Supplementary Planning Guidance" (Housing SPG) in March 2016. This document provides guidance on the implementation of housing policies in the London Plan.

3.34 This is the most recent adopted guidance since the publication of the Building Research Establishment document "Site Layout Planning for Daylight and Sunlight: Guide to Good Practice (2nd, edition)" in 2011 (the

"BRE Guidelines"). In addition, unlike the BRE Guidelines which is predicated on suburban environment, the Housing SPG provides guidance which is specific to London and acknowledges the variance in daylight, sunlight and overshadowing conditions in a dense urban environment.

3.35 The guidance supports a move away from the rigid application of the standards within the BRE Guidelines by planning decision makers, towards a more flexible approach that takes into account local context when delivering development that meets other objectives of the London Plan.

3.36 Para 1.3.45 "Standards for privacy, daylight and sunlight" states:

"Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed.

An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves.

Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets.

This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time."

3.37 This highlights the need for appropriate flexibility when applying the default BRE recommendations both within new development and in terms of impacts to existing neighbours. It specifically refers to the use of alternative targets in areas suitable for high density development, taking into account future change.

3.38 Para 1.3.46 "Standards for privacy, daylight and sunlight" states in relation to adjacent properties:

"The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London.

Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm."

3.39 This sets out a means for establishing alternative targets using comparable typologies, not necessarily limited to the local area. Variable concepts of "satisfactory" and "acceptability" are referred to, suggesting a degree of flexibility based on the circumstances and not rigid, universally applicable targets.

3.40 With regard to daylight and sunlight conditions within new properties, the Housing SPG provides as follows:

Standard 32 - All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight

- 3.41 The Housing SPG expands on this as follows, noting at 2.3.47 the need for the sensitive application of standards to higher density development:

“2.3.45 Daylight enhances residents’ enjoyment of an interior and reduces the energy needed to provide light for everyday activities, while controlled sunlight can help to meet part of the winter heating requirement. Sunlight is particularly desirable in living areas and kitchen dining spaces. The risk of overheating should be taken into account when designing for sunlight alongside the need to ensure appropriate levels of privacy. In addition to the above standards, BRE good practice guidelines and methodology can be used to assess the levels of daylight and sunlight achieved within new developments, taking into account guidance below and in Section 1.3.

2.3.46 Where direct sunlight cannot be achieved in line with Standard 32, developers should demonstrate how the daylight standards proposed within a scheme and individual units will achieve good amenity for residents. They should also demonstrate how the design has sought to optimise the amount of daylight and amenity available to residents, for example, through the design, colour and landscaping of surrounding buildings and spaces within a development.

2.3.47 BRE guidelines on assessing daylight and sunlight should be applied sensitively to higher density development in London, particularly in central and urban settings, recognising the London Plan’s strategic approach to optimise housing output (Policy 3.4) and the need to accommodate additional housing supply in locations with good accessibility suitable for higher density development (Policy 3.3). Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London.”

- 3.42 These principles have been applied within London, both by the Planning Inspectorate and by the GLA in relation to Monmouth House.
- 3.43 In the Inspector’s decision in relation to the appeal decision relating to the Whitechapel Estate (between Varden Street and Ashfield Street in Tower Hamlets) the Inspector stated as follows at paragraphs 107 to 108 (emphasis added):

“It is agreed that the starting point in the assessment of the effect on residents’ living conditions arising from daylight and sunlight should be the Building Research Establishment 2011 publication Site layout planning for daylight and sunlight: A guide to good practice, (‘the BRE guide’) whose author gave evidence at the Inquiry on behalf of the Council. Use of this methodology is demanded by the supporting text to MDD Policy DM2539 and by the Mayor of London’s Housing SPG of March 2016.

The BRE document offers guidance on generally acceptable standards of daylight and sunlight, but advises that numerical values are not to be rigidly applied and recognises the importance of the specific circumstances of each case. Inner city development is one of the examples where a different approach might be justified. This is specifically endorsed by the Housing SPG, which calls for guidelines to be applied sensitively to higher density developments, especially in (among others) opportunity areas and accessible locations, taking into account local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.

This approach is clearly relevant to the appeal site. The area's identification for transformation through high density housing development indicates high scope for its form and character to change over the short and longer term. I agree with the appellants that blanket application of the BRE guide optimum standards, which are best achieved in relatively low-rise well spaced layouts, is not appropriate in this instance.

- 3.44 The Inspector went on to identify alternative targets which he considered appropriate to the Whitechapel scheme by reference to other comparable developments across London (at paragraphs 112 through 113, emphasis added):

"The figures show that a proportion of residual Vertical Sky Component ('VSC') values in the mid-teens have been found acceptable in major developments across London. This echoes the Mayor's endorsement in the pre- SPG decision at Monmouth House, Islington that VSC values in the mid-teens are acceptable in an inner urban environment. They also show a smaller proportion in the bands below 15%. ...

I acknowledge that a focus on overall residual levels could risk losing sight of individual problem areas. It is accepted that light is only one factor in assessing overall levels of amenity, but I consider that the trade-off with other factors, such as access to public transport or green space, is likely to be of more relevance to an occupier of new development than to an existing neighbour whose long-enjoyed living conditions would be adversely affected by new buildings. However, I also consider that Inner London is an area where there should generally be a high expectation of development taking place. This is particularly so in the case of the appeal site, where the WVM and the OAPF have flagged the desirability of high density development. Existing residents would in my view be prepared for change and would not necessarily expect existing standards of daylight and sunlight to persist after development."

- 3.45 In relation to new development, the Inspector stated at paragraphs 127 through 129:

"The need for flexibility in applying BRE guidelines applies equally to the consideration of light levels in the proposed accommodation and outdoor spaces. The Housing SPG requirement to consider broadly comparable residential typologies as well as local circumstances remains equally appropriate.

The appellants' analysis suggests that 77% of all proposed habitable rooms would comply with the relevant minimum standards of ADF recommended by BS 8206-243 and referenced in the BRE guide. This would rise to 84% if shared living/dining room/kitchens were rated at the lower standard of 1.5% ADF, which I consider a reasonable approach. I also accept that small studios for staff and students, particularly those for short-term occupation, can reasonably be tested against a lower standard. I note that overall NSL compliance would be 82%.

The Council draw particular attention to Building E, where balcony overhangs would result in reduced daylight to some bedrooms. I accept the appellants' case that this is an instance where a future resident would balance the amenity offered by the balcony with the lower daylight in the bedroom, and would not regard the accommodation as sub-standard."

- 3.46 The Mayor of London in his decision in relation to Monmouth House (58-64 City Road, and Speedfix House, 19-23 Featherstone Street, London, EC1Y, GLA ref: 3698/03) dated 8 February 2016 stated (at paragraphs 119 through 121, emphasis added)

"When considering the findings of the assessment, GLA officers have had regard to the site's central urban context and BRE's advice that the numerical guidelines it provides are not mandatory, and should be interpreted with a reasonable degree of flexibility – taking into account site context and the nature of the situation in which they are being applied.

For general guidance, whilst the BRE guidelines recommend a target value of 27% VSC when measured on an absolute scale, that value is derived from a low density suburban housing model. In an inner city urban environment, VSC values in excess of 20% should be considered as reasonably good, and VSC in the mid-teens should be acceptable.

GLA officers acknowledge that it can be difficult to meet the recommended daylight and sunlight standards for all residential units in the centre of London where there is a strong demand for accommodation of all types and where high density development is encouraged by local and national planning policies. When considering the information available, including the site context, policy-led development aspirations, and having reference to BRE guidelines that are intended to be applied flexibly to help rather than constrain design, on balance the predicted impacts are acceptable. The proposed development will reasonably satisfy BRE guidelines for daylight and sunlight, and overall the relationship between the proposed building and neighbouring residential buildings is acceptable, and therefore complies with London Plan Policy 7.6, Policy DM2.1 (part A) of Islington Council's Development Management DPD, and Policy BC9 of Islington Council's Finsbury Local Plan."

3.47 In summary, the following principles have been established in inner London:

- In an inner city urban environment, VSC values in excess of 20% should be considered as reasonably good, and VSC in the mid-teens should be acceptable
- Inner London is an area where there should generally be a high expectation of development taking place.
- In relation to new development it is reasonable to adopt an alternative target of 1.5% ADF for living/kitchen/dining rooms
- In relation to new development, where lower results are caused by balcony overhangs, a future resident is likely to balance the amenity offered by the balcony with the lower daylight in the bedroom, and would not regard the accommodation as sub-standard.

Local Planning Policy

Royal Borough of Kensington and Chelsea "Consolidated Local Plan" (July 2015)

3.48 The existing Newcombe House building is identified within the Consolidated Local Plan as an eyesore within the Notting Hill Gate District Centre. The importance of its redevelopment to the wider area is clearly set out within paragraph 16.3.9 which provides:

"As an eyesore, the Council will adopt flexible planning standards to bring about the redevelopment of Newcombe House as a catalyst for the regeneration of the wider area."

3.49 In the context of the generic policies of the Consolidated Local Plan, this site-specific guidance makes clear that planning must achieve the re-development of Newcombe House because of its central importance to a number of local policy objectives. The Consolidated Local Plan makes clear that a flexible approach from the planning authority may be necessary to ensure the successful redevelopment.

3.50 The following policies set out within the Consolidated Local Plan are related to daylight, sunlight and overshadowing issues.

3.51 Paragraphs 34.3.36 and 34.3.37 "Living Conditions" states:

"In assessing whether sunlight and daylight conditions are good, both inside buildings and in gardens and open spaces, the Council will have regard to the most recent Building Research Establishment guidance, both for new development, and for properties affected by new development."

3.52 And further states:

“Issues of daylight and sunlight are most likely to occur where the amount of adjoining habitable accommodation is limited, or situated within the lower floors of buildings with openings on to lightwells.

Mathematical calculation to assess daylighting and sunlighting may be an inappropriate measure in these situations; on-site judgment will often be necessary.”

3.53 Policy CL5 “Living Conditions” states:

“The Council will require all development ensures good living conditions for occupants of new, existing and neighbouring buildings. To deliver this the Council will:

b. ensure that good standards of daylight and sunlight are achieved in new development and in existing properties affected by new development; and where they are already substandard, that there should be no material worsening of the conditions;”

3.54 Policy CH2 “Housing Diversity” states:

“The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough.

To deliver this the Council will, in relation to:

...

Affordable Housing

o. require the affordable and market housing to have equivalent amenity in relation to factors including views, daylight, noise and proximity to open space, playspace, community facilities, and shops;”

Guidance

BRE Guidelines and British Standard 8206-2:2008

3.55 The BRE Guidelines and British Standard 8206-2:2008 are nationally applicable best practice recommendations for considering daylight and sunlight in respect of existing neighbours and within new development.

3.56 We have utilised both the BRE Guidelines and BS 8206-2:2008 in preparing this report. Please see Section 6 below (Methodology) for further explanation.

Historic England: Guidance on Tall Buildings – Historic England Advice Note 4 (2015)

- 3.57 The Historic England Advice Note 4 recommends that the following considerations relevant to daylight and sunlight should be considered in relation to tall buildings (paragraph 4.10):

"the impact on the local environment, including microclimate, overshadowing, night-time appearance, vehicle movements and the environment and amenity of those in the vicinity of the building."

Conclusion on planning policy and guidance

- 3.58 As set out above, all levels of planning policy and guidance support the optimisation of underutilised, highly sustainable brownfield sites such as the Site.
- 3.59 In this context, it is necessary to ensure that development is high-quality and delivers benefits for both new and existing communities when assessing daylight, sunlight and overshadowing matters, but planning decision makers should apply daylight and sunlight standard sensitively and flexibly so that such assessments do not prevent appropriate development coming forward on the right sites.

4. Information Relied Upon

Measured Land Survey/ Site Inspection

- 4.1 A full measured survey of the Site and neighbouring buildings relevant to our assessments was undertaken in June 2011 by Sterling Surveys Limited, job reference "Newcombe House, Notting Hill Gate, London".
- 4.2 The survey data used is appended to this report and comprises of a combination of topographical and detailed elevational measured survey of the Site and existing properties, with their outlines, windows and relevant features identified.
- 4.3 The Site has been inspected a number of times since the initial measured survey, most recently in May 2018. During the course of this inspection the measured survey and assessment model was compared against the actual conditions on site to ensure that the measured survey remains an accurate reflection of the existing conditions.
- 4.4 In addition, the measured survey was checked in our Computer Aided Design (CAD) analysis software to confirm that our modelling was accurately based on the existing condition of the Site and neighbouring buildings.
- 4.5 For the following properties, room layouts were obtained from the RBKC planning and building control website and used in the assessments:
- 182-188 Kensington Church Street (planning ref: PP/07/01777)
 - 145 Kensington Church Street (planning ref: PP/12/03114)
 - 66-70 and 72-74 Notting Hill Gate (planning ref: PP/15/05730)
- 4.6 For the remaining properties, reasonable assumptions were made based on external inspection with regards room depths as follows:
- A depth of 4.27m (this is based on a medium depth of room i.e. not overly shallow or deep)
 - Where the depths of buildings (based on their roof plan) are more restrictive, the room depth was taken at the midpoint of the building. Ceiling heights were based on external inspection of the property in question and based on the window positions.

Nearby Consented Developments

- 4.7 A review was undertaken with Quod, the planning consultants appointed in respect of the Proposed Development to ensure any "consented but not yet built" or "submitted but not yet decided" developments relevant to consideration of daylight, sunlight and overshadowing were reflected in the modelling and assessment.
- 4.8 The schedule of these developments is appended to this report.

4.9 In brief summary, the consents identified and considered potentially relevant to our scope of work are as follows:

- 145 Kensington Church Street (planning ref: PP/12/03114);
- 66-70 and 72-74 Notting Hill Gate (planning ref: PP/15/05730);
- 15-35 Notting Hill Gate (planning ref: PP/16/05212);
- 47-69 Notting Hill Gate (planning ref: PP/16/05236, PP/17/07174 & NMA/18/02144);
- 92-120 Notting Hill Gate (planning ref: PP/16/05299 & NMA/18/00615);
- 31 Jameson Street (planning ref: 15/01902 & PP/16/01743);
- 12 Jameson Street (planning ref: PP/15/01936, PP/15/07417, NMA/15/07373 & NMA/16/01433);
- 3 Hillgate Street (planning ref: PP/15/08067);
- 61 Notting Hill Gate (planning ref: PP/16/02966);
- 21 Jameson Street (planning ref: PP/17/07429, PP/18/01778, PP/18/01779 & PP/18/03063).

4.10 As can be seen from the appended schedule, several of these developments are irrelevant to the daylight, sunlight and overshadowing assessment, because they are either too minor or too remote from the Site to have any impacts in terms of daylight/sunlight/overshadowing on either the conditions within the Proposed Development or the cumulative impact with the Proposed Development on neighbouring sites.

4.11 As a result, from the above full list, only six cumulative developments were considered to be relevant and therefore modelled to augment the measured survey. The reasons for selecting these cumulative developments was either because they are consents for residential use which would be potentially affected by the Proposed Development given their proximity to the Proposed Development or alternatively may form cumulative obstructions to existing neighbours.

4.12 The drawings submitted with each application were used to model the following selected consented schemes in GVA's assessment software:

- 145 Kensington Church Street (planning ref: PP/12/03114);
- 66-70 and 72-74 Notting Hill Gate (planning ref: PP/15/05730);
- 15-35 Notting Hill Gate (planning ref: PP/16/05212);
- 47-69 Notting Hill Gate (planning ref: PP/16/05236);
- 92-120 Notting Hill Gate (planning ref: PP/16/05299 & NMA/18/00615);
- 21 Jameson Street (planning ref: PP/18/01778 & PP/18/01779)

Uses

4.13 The recommendations set out in the BRE Guidance are primarily for application to habitable rooms in standard (C3) residential dwellings. They may also be applied to non-domestic buildings where occupants have a reasonable expectation of daylight, such as schools, hospitals, hotels and hostels, small workshops and some offices.

4.14 In the course of our research, in addition to the standard dwellings, the following potentially affected neighbouring properties were identified as having a reasonable expectation of daylight and sunlight amenity and were therefore assessed:

- 202 Luxury Serviced Apartments, 190-202 Kensington Church Street (short term apartment lettings),
- The Old Swan, 206 Kensington Church Street (ancillary staff accommodation for employees of the Public House), and
- Pippa Pop-ins Nursery School, 5 Kensington Place (nursery).

4.15 The above non-domestic properties were therefore included in the scope of assessment in addition to the existing properties known to be standard residential dwellings.

4.16 The following neighbouring properties were considered to be properties more likely to be reliant on electric lighting and therefore were not assessed. We consider this to be a reasonable approach and consistent with the BRE Guidelines.

- Ground floor retail and restaurant units located on Notting Hill Gate to the north of the site,
- Public House, 206 Kensington Church Street,
- Bookmakers, 200 Kensington Church Street,
- Post Office, 190 Kensington Church Street,
- Retail unit, ground floor 182-186 Kensington Church Street,
- Retail units, ground floor 174-180 Kensington Church Street,
- Estate agents and retail units, 160-172 Kensington Church Street,
- Estate agents, ground floor 145 Kensington Church Street,
- Place of worship, Kensington Place,
- Offices at 47-69 Notting Hill Gate.

Architectural Data

4.17 For the proposed massing used for the impact on neighbours assessments we have relied upon the following 3D modelling as provided by Urban Sense Consultant Architects on 06 June 2018:-

- 1059_180606_Preliminary Massing Model_CB G+17, G+13_WPB3 G+6_KCS1 G+4 Rev E

4.18 For internal layouts of the new proposed dwellings for the amenity assessments we have relied upon the following drawings as provided by Urban Sense Consultant Architects issued 20 June 2018:-

- Block KCS1: SK-KCS1-AA(0-)100, SK-KCS1-AA(0-)101, SK-KCS1-AA(0-)102, SK-KCS1-AA(0-)201, SK-KCS1-AA(0-)202, SK-KCS1-AA(0-)203, SK-KCS1-AA(0-)301, SK-KCS1-AA(0-)302, SK-KCS1-AA(0-)303,

- Block KCS2: SK-KCS2-AA(0-)100, SK-KCS2-AA(0-)101, SK-KCS2-AA(0-)102, SK-KCS2-AA(0-)201, SK-KCS2-AA(0-)301, SK-KCS2-AA(0-)302, SK-KCS2-AA(0-)303,
- Block CB/NHG: SK-CB-AA(0-)011, SK-CB-AA(0-)100, SK-CB-AA(0-)101, SK-CB-AA(0-)102, SK-CB-AA(0-)103, SK-CB-AA(0-)104, SK-CB-AA(0-)105, SK-CB-AA(0-)111, SK-CB-AA(0-)112, SK-CB-AA(0-)106, SK-CB-AA(0-)107, SK-CB-AA(0-)108, SK-CB-AA(0-)109, SK-CB-AA(0-)110, SK-CB-AA(0-)201, SK-CB-AA(0-)202, SK-CB-AA(0-)203, SK-CB-AA(0-)301, SK-CB-AA(0-)302, SK-CB-AA(0-)303, SK-CB-AA(0-)304, SK-WPB3-AA(0-)301
- Block WPB1: SK-WPB1-AA(0-)100, SK-WPB1-AA(0-)101, SK-WPB1-AA(0-)301 & SK-WPB1-AA(0-)302

5. Approach and Methodology

5.1 The information set out in Section 4 above was used to produce a 3D assessment model representing the neighbouring, existing and proposed buildings in AutoCAD. This included all of the existing buildings as shown on the measured land survey/ confirmed by site inspection and the relevant consented but not yet built planning applications set out above at paragraph 4.10.

5.2 A set of technical studies were undertaken using 'SOL', a specialist plug tool for AutoCAD written by especially for the purposes of undertaking daylight and sunlight assessments by Dr Malcolm MacPherson, Dr Martin Howarth and Paul Fletcher of Waterslade Ltd. SOL is considered to be an accurate and well established software for assessing light.

5.3 The BRE Guidance and British Standard BS 8206-2:2008 has formed the basis of the technical assessments undertaken and reported on. Our interpretation of the principles established by these documents is set out below.

Daylight & Sunlight Principles

5.4 The BRE Guidelines – Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Second Edition (2011) are well established and are adopted by most planning authorities as a scientific and empirical method for measuring daylight and sunlight in order to provide objective data upon which to apply the relevant planning policies.

5.5 The default targets set out in the BRE Guidelines are predicated on a suburban environment but recognise that decision makers should not rigidly apply the default standards and may apply alternative targets if appropriate depending on the context of the development being assessed.

5.6 Paragraph 1.6 in the Introduction of the Guidelines states:

"The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and this document should not be seen as an instrument of planning policy. Its aim is to help rather than constrain the developer.

Although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of the many factors in site layout design.

In special circumstances the developer or planning authority may wish to use different target values. For example, in an historic city centre, or 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. "

5.7 The 'flexibility' recommended in the Guidelines is a suggestion that a decision maker must consider the specific characteristics of each case being considered when determining whether alternative targets should be adopted.

5.8 Paragraph 2.2.3 of the Guidelines states:

"Note that numerical values given here are purely advisory. Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints."

5.9 In addition, where existing buildings have specific design features which self-limit access to daylight and sunlight such as projecting balconies, deep recesses, rooms greater than 5m deep or lit from one side only, the BRE Guidelines suggest ways in which such features may be taken into account in the assessment.

5.10 Paragraph 2.2.10 of the Guidelines states:

"... If an existing building contains rooms lit from one side only and greater than 5m deep, then a greater movement of the no sky line may be unavoidable."

5.11 Paragraph 2.2.11 states:

"Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact on the VSC, and on the area receiving direct skylight."

One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situations, without the balcony in place.

For example, if the proposed VSC with the balcony was under 0.8 times the existing value with the balcony, but the same ratio for the values without the balcony was well over 0.8, this would show that the presence of the balcony, rather than the size of the new obstruction, was the main factor in the relative loss of light."

Daylighting

5.12 In respect of daylighting, the BRE Guidelines adopt different methods of measurement depending on whether the assessment is for the impact on existing neighbouring premises or for measuring the adequacy of proposed new dwellings. These methods of measurement are summarised below.

Existing Neighbours

5.13 When considering the daylight received by existing residential buildings which neighbour a proposed development, the relevant recommendations are set out in Section 2.2 of the BRE Guidelines. The amount of daylight received by existing neighbouring dwellings is measured using two different methods of measurement.

5.14 First, it is necessary to measure the Vertical Sky Component (VSC) followed by the measurement of internal Daylight Distribution (DD) by plotting the position of the 'existing' and 'proposed' No Sky Line (NSL) contour.

Primary Daylight Measure: VSC

5.15 VSC is measured at the mid-point on the external face of the window serving the room being assessed. The BRE Guidelines provide that the rooms to be assessed should be rooms where daylight is required, including living rooms, kitchens and bedrooms (paragraph 2.2.2). For the purposes of the assessment, we have assessed any room which our research has indicated may be a "habitable room" within the meaning of the [Housing SPG]. Bathrooms, hallways and circulation space are excluded from this definition.

5.16 Where the internal area of a small kitchen limits its use to food preparation and is not of sufficient size to accommodate some other form of "habitable" use such as dining, the kitchen may not be classed as a "habitable" room in its own right and may therefore not be assessed as it is considered that there is likely to be greater reliance on electric lighting.

5.17 VSC is a 'spot' measurement taken on the face of the window and is a measure of the availability of ambient light from the sky from over the "existing" and "proposed" obstruction caused by buildings or structures in front of the window.

5.18 For VSC, the Guidelines state (at paragraph 2.2.7) that:

"If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, then the occupants of the existing building will notice the reduction in the amount of skylight."

5.19 To put this in context, the maximum VSC value that can be received for a totally unobstructed vertical window is 40%.

5.20 There are however circumstances where the existing/ baseline VSC value is already below 27% or falls below this level post-development. In such circumstances, the BRE Guidelines state that the existing VSC value may be reduced by a factor of up to 0.2 (i.e. 20%) so that the value in the 'proposed' conditions retains at least 0.8 times its former value. The scientific reasoning is that existing daylight (and sunlight) levels can be reduced by a factor of 20% before the loss becomes noticeable to occupants.

5.21 The BRE Guidelines apply this factor of reduction to VSC (para 2.2.7), daylight distribution (para 2.2.9), sunlight (para 3.2.6) and overshadowing (para 3.3.11).

5.22 As it is measured on the outside face of the window, one of the inevitable shortcomings of VSC as a measurement tool is that it does not take account of the size of the window or the size or use of the room served by the window.

5.23 For this reason, the BRE Guidelines recommend internal DD to be measured in addition to VSC.

Secondary Daylight Measure: DD (or NSL)

5.24 The NSL contour plotted for the purpose of measuring internal Daylight Distribution identifies those areas within the room usually measured on a horizontal working plane set at table top level, where there is direct sky visibility.

5.25 This contour therefore represents those parts within the room where the sky can be seen through the window.

5.26 This second measure therefore takes account of the size of the window and the size of the room but is only more reliable than VSC when the actual room uses, layouts and dimensions are known. In situations where layouts are not known, an approach commonly applied is to undertake an indicative assessment based on reasonable assumptions as set out above.

5.27 When interpreted in conjunction with the VSC value, the likely internal lighting conditions, and hence the quality of lighting within the room, can be assessed.

New Development

5.28 By contrast, the general illumination from skylight in proposed new-build dwellings is measured using the standards in the British Standard Code of Practice for Daylighting, BS8206 Part 2.

5.29 The British Standard relies upon the use of Average Daylight Factors (ADF) plus uniformity measures of room depth criteria formula or DD (or NSL).

5.30 For the uniformity measure, we have opted for NSL as opposed to room depth criteria as in our view this is more practical to apply and will more accurately assess conditions within the proposed development.

5.31 Primary Daylight Measure, New Build: ADF

5.32 ADF is a more accurate and representative measure of internal lighting conditions as it comprises a greater number of design factors and input variables/coefficients. That is, the value of ADF is derived from the following variables:

- the actual amount of daylight received by the window(s) serving the room expressed as the "angle of visible sky" which is derived from the VSC value and therefore represents the amount of light striking the face of the window,
- the loss of transmittance through the glazing,
- the size of the window (net area of glazing),
- the size of the room served by the window(s) (net internal surface area of the room),
- the internal reflectance values of the internal finishes within the room, and
- the specific use of the room.

5.33 One of the main reasons why ADF is more appropriate for New-Build dwellings is that any of the above input variables are in the control of the designer and therefore can be changed during the course of the design process in order to achieve the required internal lighting values. The ability to make such changes is not usually available when dealing with existing neighbouring buildings.

5.34 There is however a potential conflict with other design factors such as potential solar gain/ overheating and often an appropriate balance must be struck with these often competing priorities, for example in respect of glazing size.

5.35 Unlike the application of VSC and daylight distribution, the British Standard differentiates between different room uses. In dwellings, it states minimum ADF recommendation for habitable rooms. These are at least 2%ADF in kitchens, 1.5%ADF in living rooms and 1.0%ADF in bedrooms.

- 5.36 Where the space serves more than one purpose, for example a combined living room and kitchen, the default recommendation is that the minimum ADF should be that for the room type with the highest value, in this case 2%ADF (given the kitchen use).
- 5.37 In practice, most contemporary combined spaces are designed to feature galley kitchens at the rear of a deep open plan living/dining area and as such the kitchens are intended to be lit artificially, by specific task lighting.
- 5.38 Secondary Daylight Measure, New Build: DD (or NSL).
- 5.39 Within new build the use, layout and dimensions of rooms are known, thereby enabling more accurate consideration than when these are estimated.
- 5.40 Para 5.7 of BS 8206-2:2008 refers to the uniformity of daylight in new build, stating:

“it is considered to be unsatisfactory if:

A significant part of the working plane (normally more than 20%) lies behind the no-sky line;

or

In a room lit by windows in one wall only, the depth of the room is too large in comparison with the height and the width of the windows.”

- 5.41 When interpreted in conjunction with the ADF value, the likely internal lighting conditions, and hence the quality of lighting within the room, can be assessed.

Sunlighting

Sunlight Measure for Buildings: APSH

- 5.42 Recommendations for adequate sunlight amenity are set out in Parts 3.1 (new development) and 3.2 (existing residential neighbours) of the BRE Guidelines. This makes reference to the recommendations set out in BS 8206-2:2008 in respect of the Annual Probable Sunlight Hours (APSH) methodology.
- 5.43 The availability of sunlight varies throughout the year with the maximum amount of sunlight being available on the summer solstice and the minimum on the winter solstice.
- 5.44 The APSH method is based on the long term average of the total number of hours during the year in which direct sunlight reaches the unobstructed ground allowing for average levels of cloudiness.
- 5.45 APSH therefore also varies with location; however for reference in London a figure of 1,486 hours is used for the annual unobstructed total.
- 5.46 The correct sunlight availability indicator for the location is then used to plot what percentage of the annual unobstructed total will reach the window reference point when obstructions and orientation are taken into account.

5.47 For new development, APSH calculations are taken at the centre of each window being assessed, on the plane of the inside face of the window wall. For existing neighbours, the outside face of the window wall is used.

5.48 In addition to variability due to location, the site layout is considered the most important factor affecting the duration of sunlight in buildings. This is divided into two main issues, site orientation and degree of obstruction (overshadowing).

5.49 For these reasons, the BRE guidelines state in respect of new development (at paragraph 3.1.6):

“A south-facing window will, in general, receive most sunlight, while a north facing one will only receive it on a handful of occasions.”

5.50 In respect of sunlighting for existing neighbours the BRE guidelines state (at paragraph 3.2.3):

“To assess loss of sunlight to an existing building, it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90° of due south.”

5.51 The BRE guidelines state (at paragraph 3.1.2):

“In housing, the main requirement for sunlight is in living rooms, where it is valued at any time of day but especially in the afternoon. Sunlight is also required in conservatories. It is viewed as less important in bedrooms and in kitchens, where people prefer it in the morning rather than the afternoon.”

5.52 Paragraphs 3.2.5 and 3.2.6 of the BRE Guidelines sets the following recommendations:-

“If this window point can receive more than one quarter of APSH, including at least 5% of APSH in the winter months between 21 September and 21 March, then the room should still receive enough sunlight.” (paragraph 3.2.5)

“Any reduction in sunlight access below this level should be kept to a minimum. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value, either over the whole year or just during the winter months (21 September to 21 March), then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant.” (paragraph 3.2.6)

5.53 To summarise the above, the default recommendation to meet occupant’s sunlight expectations is 25% APSH, of which 5% should be in winter months. Where existing windows do not face within 90° of due south, as set out in the BRE guidance these were not assessed.

5.54 Where this recommendation is not met for the existing neighbouring properties a comparison with the existing condition is reviewed. If the ratio reduction is within 0.8 of its former value (in other words less than 20% reduction of existing/baseline APSH) then the sunlight loss will not be noticeable by the occupants.

5.55 The BRE guidelines add a further check of the overall annual loss, stating that when this is greater than 4% APSH the dwelling may be adversely affected. There is a clear emphasis on the primary requirement for sunlight amenity being in living rooms and conservatories.

- 5.56 The BRE guidance identifies the main influencing factors affecting access to available sunlight as site orientation and degree of obstruction. When considering existing neighbours these factors are clearly outside the control of the designer.
- 5.57 In new development the BRE suggest that the aim should be to minimise the number of northerly facing dwellings, however in larger developments it is accepted this may not be possible.
- 5.58 Paragraph 3.1.11 states that if a room faces significantly north of due east or west the recommended target is unlikely to be met. As such, any north facing windows have not been included in the testing of new-build dwellings.
- 5.59 The above default recommendations, analysis approaches and targets have been applied and informed our initial commentary/ reporting of assessment results.

Sunlight Measure for External Spaces: Time in Sun

- 5.60 The BRE Guidelines acknowledge that the spaces between buildings have an important impact on their overall appearance and ambience. They state that the sunlight reaching spaces is valuable for a number of reasons, namely to:
- Provide attractive sunlit views (all year);
 - Make outdoor activities like sitting out and children's play more pleasant (mainly warmer months);
 - Encourage plant growth (mainly spring and summer);
 - To dry out the ground, reducing moss and slime (mainly in colder months);
 - Melt frost, ice and snow (in winter); and
 - Dry clothes (all year).
- 5.61 As can be seen from the above list, it is important to ensure good sunlight penetration throughout the year for various reasons. They state that the availability of sunlight should be checked for all open spaces where it will be required.
- 5.62 This would normally include:
- Gardens, usually the main back garden of a house;
 - Parks and playing fields;
 - Children's playground;
 - Outdoor swimming pools and paddling pools;
 - Sitting out areas such as those between non-domestic buildings and in public squares; and

- Focal points for views such as a group of monuments or fountains.

- 5.63 The BRE Guidelines state that each of the above spaces will have different sunlighting requirements and therefore it is difficult to suggest a hard and fast rule for all. They state that the Equinox (21 March) can be selected as an assessment date as it represents average annual conditions.
- 5.64 The default recommendation is that at least half of the amenity area being assessed (i.e. 50% of its area) should receive at least 2 hours of sunlight on 21 March. The BRE Guidelines advise plotting the '2 hours sun contour' onto the amenity area in order to determine this.
- 5.65 The guidance applies both to new gardens and amenity areas as well as existing ones which are affected by new development.
- 5.66 If an existing garden or outdoor space is already heavily obstructed then any further loss of sunlight should be kept to a minimum.
- 5.67 In this poorly sunlit case (i.e. where a space is already heavily obstructed and does not achieve the recommendation), if as a result of new development the area which can receive 2 hours of direct sunlight on 21 March is reduced by a ratio of less than 0.8 (i.e. a greater than 20% difference in the existing 2 hours sun contour), this further loss of sunlight is likely to be noticeable.
- 5.68 In this situation a garden or amenity area would tend to look more heavily overshadowed.

Flexibility

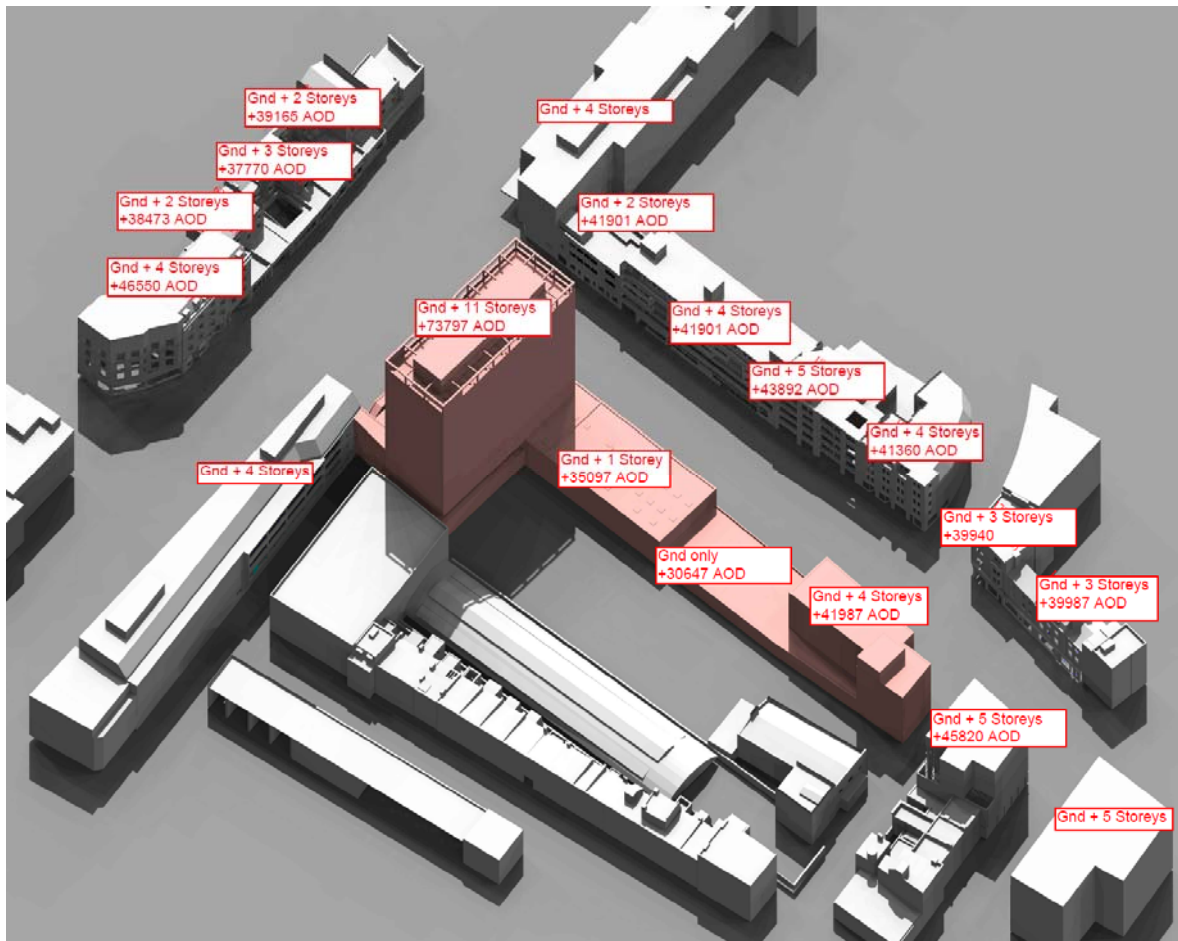
- 5.69 As set out in the BRE Guidelines and BS 8206-2:2008, these default recommendations are "purely advisory" (paragraph F1) and "should be interpreted flexibly" (paragraph 1.6).
- 5.70 This does not mean that the default recommendations and targets within the Guidelines can be disregarded but, instead, any 'flexibility' that is applied after applying the default recommendations should be founded on sound scientific principles that can be objectively supported and justified.
- 5.71 Where appropriate, if the initial assessments show non-compliance with the default target recommendations, the suggestions in the BRE guidance with respect to alternative targets have been applied, as follows.

Existing Neighbours

- 5.72 As part of the process of setting any alternative target values/ approach to the default recommendations, regard has been had to the recommendations in Appendix F of the BRE guidance, which states:

"F1: Sections 2.1, 2.2 and 2.3 give numerical target values in assessing how much light from the sky is blocked by obstructing buildings. These values are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. Such alternative targets may be generated from the layout dimensions of the existing development, or they may be derived from considering the internal layout and daylighting needs of the proposed development itself"

5.73 An analysis was undertaken of the heights of neighbouring buildings along the 'A' roads near the site, namely A402 (Notting Hill Gate) and A4204 (Kensington Church Street). A copy of this is shown below, with the existing buildings on the Site highlighted in pink.



5.74 As can be seen, a typical height along these roads is between ground + 3 storeys to ground + 5 storeys. The average height could therefore be considered as ground + 4.

5.75 In contrast, along most of the Kensington Church Street boundary, the current site massing is single or ground + 1 storey.

5.76 Based on the analysis undertaken, this is considered an unusual / uncharacteristic baseline for an A road in this dense, city centre location. As such, where this condition applies there would be unusually high baseline daylight and sunlight values for existing properties opposite the Site, greater than those for properties opposite a more typical scale of massing along an A road in a District Centre.

5.77 This condition applies opposite the following properties:

- The Old Swan Public House,
- 190-202 Kensington Church Street,
- 182-188 Kensington Church Street, and

- Carlyle Mansions, 174- 180 Kensington Church Street.

5.78 As such the following developments were considered as comparable:

- 15-37 Notting Hill Gate (PP/16/05212)
- 92-120 Notting Hill Gate (PP/16/05299)
- 47-69 Notting Hill Gate (PP/16/05236).

5.79 The daylight and sunlight assessments undertaken in respect of these comparable situations were reviewed in order to establish typical retained values.

5.80 In the Monmouth House case, retained VSC values in the 20s were considered reasonably good, mid-teens acceptable.

5.81 In respect of the 15-37 NHG decision, the retained VSC values ranged from 0.01% VSC to 39.42%. The average retained values per property were as follows:

Property	Retained VSC value
17-25 Rabbit Row	28.77%VSC
1-110 West Mall, Broadwalk Court	19.79%VSC
26-30 Kensington Palace Gardens	21.18%VSC
24B Notting Hill Gate	26.58%VSC
2 Clanricarde Gardens	24.46%VSC
26 Notting Hill Gate	29.47%VSC
28 Notting Hill Gate	30.29%VSC
30 Notting Hill Gate	30%VSC
32 Notting Hill Gate	28.54%VSC
34 Notting Hill Gate	27.43%VSC
36 Notting Hill Gate	21.88%VSC
38 Notting Hill Gate	27.15%VSC
40 Notting Hill Gate	26.78%VSC
42 Notting Hill Gate	23.39%VSC

44 Notting Hill Gate	23.89%VSC
46 Notting Hill Gate	25.73%VSC

5.82 In the 92-120 NHG decision, the retained VSC values ranged from 6.19% VSC to 39.62%. The average retained values per property were as follows:

Property	Retained VSC value
125 Notting Hill Gate	25.61%VSC
123 Notting Hill Gate	25.47%VSC
121 Notting Hill Gate	28.01%VSC
119 Notting Hill Gate	27.75%VSC
117 Notting Hill Gate	27.26%VSC
115 Notting Hill Gate	26.83%VSC
113 Notting Hill Gate	25.25%VSC
1 Hillgate Street	17.50%VSC
101 Notting Hill Gate	23.29%VSC
99 Notting Hill Gate	23.97%VSC
97 Notting Hill Gate	23.40%VSC
95 Notting Hill Gate	23.25%VSC
91-93 Notting Hill Gate	24.54%VSC
89 Notting Hill Gate	24.48%VSC
87 Notting Hill Gate	25.91%VSC
2-4 Farmer Street	24.87%VSC
83 Notting Hill Gate	25.06%VSC
5 Farmer Street	21.727%VSC
3 Farmer Street	22.67%VSC

1a Farmer Street	16.91%VSC
2 Jameson Street	15.28%VSC
4 Jameson Street	20.12%VSC
6 Jameson Street	20.84%VSC
2 Pembridge Road	32.27%VSC
4 Pembridge Road	24.97%VSC
6 Pembridge Road	25.38%VSC
8 Pembridge Road	25.82%VSC
10 Pembridge Road	26.49%VSC
12 Pembridge Road	28.28%VSC
14 Pembridge Road	29.81%VSC
11 Pembridge Road	16.56%VSC
1 Ladbroke Road	17.87%VSC
3 Ladbroke Road	18.07%VSC
5 Ladbroke Road	16.27%VSC
7 Ladbroke Road	21.13%VSC
7 Bulmers Mews	8.39%VSC
6 Bulmers Mews	9.48%VSC
5 Bulmers Mews	10.06%VSC
4 Bulmers Mews	9.78%VSC
3 Bulmers Mews	23.32%VSC
2 Bulmers Mews	27.01%VSC
1 Bulmers Mews	27.97%VSC
90 Notting Hill Gate	31.43%VSC

9 Ladbroke Road	25.01%VSC
11 Ladbroke Road	25.19%VSC

5.83 In the 47-69 NHG decision, the retained VSC values ranged from 0.01% VSC to 39.42%. The average retained values per property were as follows:

Property	Retained VSC value
2-4 Farmer Street	24.69%VSC
5 Farmer Street	21.79%VSC
3 Farmer Street	22.74%VSC
1a Farmer Street	16.33%VSC
2 Jameson Street	12.60%VSC
4 Jameson Street	19.51%VSC
6 Jameson Street	20.41%VSC
66 Notting Hill Gate	27.27%VSC
68 Notting Hill Gate	27.16%VSC
70 Notting Hill Gate	27.22%VSC
72-74 Notting Hill Gate	27.82%VSC
78 Notting Hill Gate	28.71%VSC
88 Notting Hill Gate	29.56%VSC
90 Notting Hill Gate	30.62%VSC

5.84 As can be seen from the above summary tables, the retained values are varied, with some being in excess of the BRE recommended target of at least 27%VSC, with many in the 20's, mid-teens and below.

5.85 This is consistent with the findings of the Monmouth House decision summary set out above.

Proposed Dwellings

- 5.86 Where the proposed dwellings are served by large areas of glazing, as set out in the BRE guidance (paragraph C10) any areas below the working plane have been re-weighted.
- 5.87 As advised by the design team, the type of glazing being used will be Interpane iplus top 1.1 on ipasafe laminated glass 44.2 ipawhite. The technical specification sheet for the glazing has a stated transmittance value of 0.76%, which has therefore been adopted in the Average Daylight Factor formula. Pure white walls and ceiling plus light wood finish floors have been assumed.
- 5.88 In several circumstances, there are two sets of glazing, which the simplified ADF formula does not adequately take into account.
- 5.89 These circumstances are present in respect of the winter gardens (which feature external weather screens/ glazing) and in proposed units which feature sliding partitions separating the kitchen and dining spaces from the living areas.
- 5.90 For the habitable room types which feature a central sliding partition, for robustness these have been assessed in both their open and closed states. While these partitions feature glazing, which will mean some light will pass through the partition, as set out above the simplified ADF formula does not adequately take this into account.
- 5.91 For the proposed winter gardens, the ADF assessment has been undertaken in respect of the habitable room behind, using the main glazing in the formula and taking full account of the overhang/recesses.
- 5.92 For these situations, supplementary "Radiance" assessments therefore have been undertaken to demonstrate the actual conditions within rooms where it is considered that the ADF result does not fully reflect these.
- 5.93 Radiance assessments are highly detailed renderings/ visualisations for use in daylight design and evaluation
- 5.94 A description of radiance is as follows:

"Radiance is intended to aid lighting designers and architects by predicting the light levels and appearance of a space prior to construction. The package includes programs for modelling and translating scene geometry, luminaire data and material properties, all of which are needed as input to the simulation. The lighting simulation itself uses ray tracing techniques to compute radiance values (i.e. the quantity of light passing through a specific point in a specific direction), which are typically arranged to form a photographic quality image. The resulting image may be analysed, displayed and manipulated within the package, and converted to other popular image file formats for export to other packages, facilitating the production of hard copy output."

- 5.95 Radiance is accepted among daylight professionals as a highly reliable and respected tool for assessing daylight performance in more complex situations where the ADF calculations set out in the BS 8206-2:2008 cannot accurately assess performance because of its simplified nature.

6. Previous Appeal

6.1 On 30 November 2015, the Applicant submitted an application to RBKC for planning permission for

"Demolition of the existing buildings and redevelopment to provide office, residential, and retail uses, and a flexible surgery/office use, across six buildings (ranging from ground plus two storeys to ground plus 17 storeys), together with landscaping to provide a new public square, ancillary parking and associated works"

(the "Appeal Scheme").

6.2 The Appeal Scheme was substantially identical in terms of external appearance to the proposed development which was the subject of the planning application submitted in September 2017, aside from in relation to affordable housing (9 onsite social housing units were provided within the September 2017 application, whereas the Appeal Scheme made an offsite contribution).

6.3 The Appeal Scheme was refused by RBKC by a notice dated 29 April 2016. On 3 May 2016, the Applicant made an appeal against the refusal to the Secretary of State. The appeal was heard at a public inquiry before an Inspector, David Nicholson, on 14-17 February 2017. By a decision notice dated 12 June 2017, the Inspector dismissed the appeal.

6.4 The Inspector found that the Appeal Scheme complied with the development plan in all but one respect: he did not think the viability evidence justified the lack of on-site affordable housing within the development. Specifically, the Inspector strongly endorsed the design of the Appeal Scheme (including the height and massing of the tower) and considered that any impact on heritage assets would be only very slight and would be outweighed by the substantial benefits of the scheme.

6.5 Relevant to daylight, sunlight and overshadowing considerations, the Inspector made a number of positive conclusions as follows:

"Amongst other concerns, residents of Hillgate Village and to the east of KCS in particular raised objections with regard to loss of privacy, and light, and from an unacceptable sense of enclosure for the occupants of the houses along Jameson Street...An unchallenged study shows that there would be no demonstrable loss of daylight..."

(paragraph 60 of the Decision Notice)

"For these reasons I find that the impact on neighbouring residents would not be unacceptable and I note that this was also the view in the report to committee. The proposals would therefore comply with the criteria in CLP policy CL5 on living conditions."

(paragraph 61 of the Decision Notice)

"The proposed public square would be a relatively long thin space which would limit its hours of daylight albeit that it would receive full sun in the heat of the day (Paragraph 19)...Coupled with the active frontages from the shops and restaurants on both sides, I am persuaded that the public square could make an attractive and welcoming amenity space."

(Paragraph 21 of the Decision Notice)

- 6.6 The addition of one storey to Kensington Church Street Building 1 within the Proposed Amendments could be expected to result in differing retained values in terms of daylight and sunlight to the surrounding properties in Kensington Church Street, than those which were concluded upon positively by the Inspector.
- 6.7 We have therefore conducted a comparison of the retained values for both the VSC and NSL indicators for the following properties, which are opposite the uncharacteristically low existing massing along the Kensington Church Street side of the site:
- 145 Kensington Church Street
 - 160 Kensington Church Street
 - 162 – 164 Kensington Church Street
 - 166 – 168 Kensington Church Street
 - 170 Kensington Church Street
 - 172 Kensington Church Street
 - 174 – 180 Kensington Church Street, Carlyle Mansions
 - 182 – 188 Kensington Church Street
 - 206 Kensington Church Street
- 6.8 This comparison is attached as Appendix I.
- 6.9 190 – 202 Kensington Church Street and 1-10 Campden Mansions were not assessed as part of the Appeal Scheme [because of the service apartment use (190-202 Kensington Church Street) and oblique relationship to the site (1-10 Campden Mansions)]. For completeness, these have now been added to the assessment scope.
- 6.10 Therefore, while these properties are included within this report, we have not carried out a comparison of the retained values for these properties against those considered by the Inspector.
- 6.11 Likewise, we have not carried out a comparison in relation to the surrounding properties located on Jameson Street or Notting Hill Gate because these are opposite more typical massing on the Proposed Development site.
- 6.12 As the comparison shows, the retained VSC in the proposed scenario would be either identical or within 1%VSC to 3%VSC of those retained in the appeal scenario, therefore considered very close. In respect of NSL, these followed a similar pattern in that most were within a few percent of the appeal scenario results, with the exception of 182-188 Kensington Church Street, where the unusually deep rooms have amplified these types of impact.

7. Assessment Results and Commentary

Daylight and Sunlight Impacts to Neighbouring Dwellings

Executive Summary

7.1 Unusually for a dense development, there would be a high degree of compliance with the default BRE recommendations overall, as shown in the summary table below:

Number of Properties Assessed	Windows Compliant with Default BRE Recommendations for VSC	Rooms Compliant with Default BRE Recommendations for NSL	Windows Compliant with Default BRE Recommendations for APSH
38	346 (86%)	225 (91%)	234 (94%)

7.2 GVA Schatunowski Brooks have worked closely with the architects throughout the design process to achieve optimal daylight and sunlight levels within the proposed dwellings and minimise as far as practicable the impact to existing neighbours.

7.3 As predicted in the BRE Guidelines, the limited non-compliance with the default recommendations largely occurs in the following specific circumstances:

- In heavily self-obstructed areas of neighbouring buildings, where the design of such neighbouring buildings is such that it limits the amount of natural light in both the existing and proposed scenarios;
- Where existing neighbouring buildings are opposite uncharacteristically low buildings on the Site, which would be replaced with more appropriate/ characteristic massing for a site of this nature; and
- Where existing neighbouring buildings feature unusually deep rooms and are lit from one side only from light which travels across the Site.

7.4 Where the above situations arise, alternative/ theoretical studies have been undertaken to better understand the self-limiting effect of the neighbouring properties. As set out above at Section 5, comparable developments have also been reviewed to establish whether the retained values are commensurate with the site context.

66-70 and 72-74 Notting Hill Gate

7.5 The consented drawings (ref: PP/15/05730) for the under construction dwellings were used for the purposes of the assessments.

7.6 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

7.7 In several instances there would be beneficial gains when compared against the existing values.

64 Notting Hill Gate

- 7.8 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

62 Notting Hill Gate

- 7.9 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.
- 7.10 In one instance there would be a beneficial gain when compared against the existing values.

56 Notting Hill Gate

- 7.11 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

54 Notting Hill Gate

- 7.12 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.
- 7.13 In one instance there would be a beneficial gain when compared against the existing values.

52 Notting Hill Gate

- 7.14 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

9 Jameson Street

- 7.15 The assessment drawings and results are appended and would be summarised as achieving near full compliance with the default BRE recommendations.
- 7.16 The property features two roof lights serving a basement kitchen area. These are heavily self-obstructed and as a result neither currently meets the default BRE recommendations.
- 7.17 Post-development, both would be reduced by either 1% or 3% APSH, considered a small difference. The less obstructed roof light would retain 19% total annual APSH, an unnoticeable 5% reduction of the existing value and means the room below would continue to receive similar sunlight access as at present, given both rooflights receive sunlight from the same area of sky.

11 Jameson Street

- 7.18 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

13 Jameson Street

7.19 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

15 Jameson Street

7.20 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

17 Jameson Street

7.21 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

19 Jameson Street

7.22 The assessment drawings and results are appended and would be summarised as achieving near full compliance with the default BRE recommendations for daylight and sunlight.

Primary Daylight Measure: VSC

7.23 All VSC results would be compliant with the default BRE recommendations.

Secondary Daylight Measure: NSL

7.24 One assumed single aspect ground floor room, denoted R1/400 on our assessment drawing, would retain 62.69% no-sky line. This is below the BRE default recommendation of 80%.

7.25 This result is considered to be mainly due to its self-obstructed ground floor level location and distance from the Proposed Development when compared to adjacent houses with similar arrangements.

7.26 For example, at 15 Jameson Street there is a similar arrangement and the comparable room R1/440 (i.e. ground floor, self-obstructed) this room (retains 77.42% no-sky line which is also below the BRE Guidelines recommendation of at least 80% and demonstrates that this is challenging to achieve in this location.

7.27 R1/440 retains higher NSL than at 19 Jameson Street as it is further away from the Proposed Development (due to the angle of the rear boundary to the Jameson Street houses). R1/440 also has a much taller opening through which it receives light, both of which mean a higher retained no-sky line result than the similar but more obstructed and closer room R1/400 at 19 Jameson Street.

7.28 R1/400 would experience a 28.20% reduction of existing daylight distribution, which is in excess of the default BRE recommendation of no greater than 20%. However, the retained value of 62.29% is considered an acceptable result for the site context.

Sunlight Measure: APSH

7.29 All but one APSH result would be within the default BRE recommendations.

7.30 This is window W1/411 at first floor level, which would experience a winter month's reductions from 4% APSH at present to 3% APSH post-development.

- 7.31 Despite being a very small difference, this would be a 25% reduction, in excess of the default BRE recommendation of no greater than 20%.
- 7.32 The BRE Guidelines recognises such situations can occur with winter months results, given that by their nature they are much smaller than the annual figures.
- 7.33 For such situations, the BRE guidance sets out in the summary table at paragraph 3.2.11 of the BRE Guidance that sunlighting may be adversely affected if there is a greater than 20% reduction and a reduction over the whole year greater than 4% APSH.
- 7.34 As can be seen from the attached result tables, the annual reduction is not greater than 4%, therefore by application of the BRE Guidelines the room would not be considered to be adversely affected.

21 Jameson Street

- 7.35 The assessment drawings and results of the current building are appended and would be summarised as achieving full compliance with the default BRE recommendations.
- 7.36 In addition to the current configuration, two alternative assessments were also undertaken, based on planning permissions PP/18/01778 & PP/18/01779.
- 7.37 These would be summarised as also meeting the default BRE guidance. One rooflight would experience a sunlight difference greater than 20%; however this room is served by a second rooflight which would retain sunlight access in excess of the BRE default recommendations.

23 Jameson Street

- 7.38 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

25 Jameson Street

- 7.39 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

27 Jameson Street

- 7.40 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

29 Jameson Street

- 7.41 The assessment drawings and results are appended and would be summarised as achieving near full compliance with the default BRE recommendations.
- 7.42 The exception being the orientation dependent sunlight results for the rooflight shown in the photograph below.

- 7.43 The 3 south facing windows are heavily obstructed, recording existing annual APSH figures of 4% APSH, 0%APSH and 8%APSH against a default recommendation of at least 25%. None achieve any APSH in the winter months.
- 7.44 These windows would experience reductions of 3%ASPH (W3/310) and 3%APSH (W5/310) which are considered small, given that the BRE would consider a room not be adversely affected if it experiences a loss of annual sun greater than 4% (para 3.2.6).



31 Jameson Street

- 7.45 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

33 Jameson Street

- 7.46 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

35 Jameson Street

- 7.47 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

37 Jameson Street

- 7.48 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

2 Jameson Street

- 7.49 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

4 Jameson Street

- 7.50 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

6 Jameson Street

- 7.51 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

8 Jameson Street

- 7.52 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

Pippa Pop-ins Nursery School, 5 Kensington Place

- 7.53 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

145 Kensington Church Street

- 7.54 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

160 Kensington Church Street

- 7.55 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

162-164 Kensington Church Street

- 7.56 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

166-168 Kensington Church Street

- 7.57 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

170 Kensington Church Street

- 7.58 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

172 Kensington Church Street

- 7.59 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations.

Carlyle Mansions, 174-180 Kensington Church Street

- 7.60 The assessment drawings and results are appended and would be summarised as achieving near full compliance with the default BRE recommendations for daylight and sunlight.
- 7.61 The areas of minor non-compliance would be limited to the lowest levels assessed, where the obstruction angle makes light access more difficult.

Primary Daylight Measure: VSC

- 7.62 Six first floor windows, denoted W1/151 to W6/151 on our assessment drawings and tables, would experience between 21.29% and 27.83% reductions of existing VSC, in excess of the default BRE recommendation of no greater than 20%.
- 7.63 At second floor level two windows, denoted W1/152 and W2/152, would experience a 21.93% and 21.67% reduction of existing VSC respectively.
- 7.64 As can be seen from the image below, these eight windows serve four rooms, as each pair effectively forms a double width window.



- 7.65 These eight windows would retain between 22.48% and 25.81% VSC, considered commensurate with the context, as evidenced by the list of comparable developments above at para 5.58.
- 7.66 This can be seen by comparison with the remaining adjacent first floor windows, which would retain between 21.83% and 24.47%VSC. At second floor level, the retained VSC values for the adjacent windows would generally range between 26.14%VSC and 27.68%VSC.
- 7.67 Despite retaining comparable VSC results, these adjacent windows would be considered compliant with the default BRE recommendations, as they would experience reductions marginally less than 20% of their existing values.

Secondary Daylight Measure: NSL

- 7.68 All no-sky line results would be within the default BRE recommendations.

Sunlight Measure: APSH

- 7.69 All but one APSH result would be within the default BRE recommendations.
- 7.70 This is window W4/154 at fourth floor level. Similar to the windows highlighted above, this is one of a double set of windows.
- 7.71 This window would experience winter month's APSH reductions from 4% APSH at present to 3% APSH post-development.
- 7.72 Despite being a very small difference, this would record as a 25% reduction, which is in excess of the default BRE recommendation which state that sunlight will be adversely affected where the centre of the window receives less than 5% APSH between 21 September and 21 March, and receives less than 0.8 times its former sunlight hours during this period (i.e. a 20% reduction).
- 7.73 The BRE guidance recognises such situations can occur with winter months results, given that by their nature they are, by their nature, much smaller than the annual figures.
- 7.74 For such situations, the BRE guidance sets out in the summary table at paragraph 3.2.11 of the BRE Guidance that sunlighting may be adversely affected if there is a greater than 20% reduction and a reduction over the whole year greater than 4% APSH.
- 7.75 As can be seen from the attached result tables, the annual reduction is not greater than 4%, therefore by application of the BRE guidance, the room would not be considered to be adversely affected.
- 7.76 The directly adjacent window (W3/154) retains 9% winter months APSH, in excess of the BRE default recommendation of at least 5%. This means the room behind will be served by a window achieving the default BRE winter months APSH recommendations.

1-10 Campden Mansions, Kensington Mall

- 7.77 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations for daylight and sunlight.

182-188 Kensington Church Street

- 7.78 The assessment drawings and results are appended and would be summarised as achieving full compliance with the default BRE recommendations for daylight and sunlight at the uppermost floor levels, with limited compliance lower down the building.
- 7.79 The windows assessed are opposite single storey massing on the Site which is considered uncharacteristic of Kensington Church Street as per the local heights study (see section 5 above).
- 7.80 As such, a greater difference than the default BRE guidance is to be expected when making efficient use of the Site, as it is clear the default targets could not be met if simply seeking to provide massing on the scheme which is more commensurate with the prevailing heights in the local area.
- 7.81 In overall terms the retained values would be considered as consistent with a dense urban environment, notwithstanding the inevitable noticeable differences between the unusually high baseline and more typical proposed/post-development values.

Primary Daylight Measure: VSC

- 7.82 At fourth, fifth and part of third floor levels, all windows and rooms would achieve the default BRE recommendations.
- 7.83 At first, second and part third floor levels, most windows would experience reductions greater than the default BRE recommendation of no greater than 20%. These reductions would range between 21.95% and 35.53% of existing VSC.
- 7.84 The retained VSC values for these windows would range between 19.69%VSC and 21.88%VSC at first floor, 22.66%VSC and 24.90%VSC at second floor level and 25.87%VSC and 26.63%VSC at third floor level.
- 7.85 Whilst these retained (post-development) VSC values are below the default BRE recommendation of at least 27%VSC, they are considered typical for the context, by reference to comparable developments as per the above list at para 5.58.
- 7.86 The same situation applies here as for Carlyle Mansions adjacent, that is, these windows face unusually low buildings at present, of only a single storey in height.
- 7.87 As can be seen from the heights plan of the site (see Section 5 above) and immediate context, this is uncharacteristic for the surrounding area and therefore when a more typical height of massing is introduced this would inevitably result in higher percentage differences than those recommended by the BRE Guidelines.

Secondary Daylight Measure: NSL

- 7.88 A similar pattern is demonstrated in the no-sky line results. At fourth, fifth and part third floor levels the results would be compliant with the default BRE recommendations, due to their elevated position.

- 7.89 Within the rooms at first to part third floors, of the 15 rooms assessed, two would be fully BRE compliant in respect of no-sky line. Within the remaining 13 rooms, there would be between 70.07% and 23.25% reduction of existing no-sky line, which exceed the default BRE recommendation of no greater than 20% reduction.
- 7.90 Seven of these 13 are bedrooms, which the BRE guidance states are "less important" in respect of no-sky line (para 2.2.8).
- 7.91 The remaining six are combined living/ kitchen/ dining rooms, which are between 8m and 8.5m deep and lit from one side only, according to the consented plans. These rooms are also lit from the direction of the uncharacteristically low existing massing on the Site.
- 7.92 These living/kitchen/dining rooms retain between 29.85% and 50.67% of their area covered by the no-sky line.
- 7.93 The BRE makes specific reference to situations such as this at paragraph 2.2.10, which states:

"The guidelines above need to be applied sensibly and flexibly. ...If an existing building contains rooms lit from one side only and greater than 5m deep, then a greater movement of the no-sky line may be unavoidable."

- 7.94 This is considered to apply to the results for these living/kitchen/dining rooms i.e. that achieving the default recommendations in such circumstances would not be possible if seeking to make most efficient use of the Site.

Sunlight Measure: APSH

- 7.95 In respect of sunlight access, all windows assessed would retain in excess of the default BRE recommendations for both annual and winter months APSH.

202 Luxury Serviced Apartments, 190-202 Kensington Church Street

- 7.96 From external inspection it has been assumed that the serviced apartment use commences at second floor level and extends up to fourth floor, with the first floor understood to be occupied by the Russian National Tourist Office.
- 7.97 Given the use, occupants of the apartments would be transient/ changing more frequently when compared to standard dwellings. As such, they would be expected to have a lowered expectation of daylight/sunlight amenity (due to their short occupation) and also less likely to notice changes in daylight and sunlight levels.
- 7.98 The assessment drawings and results are appended and would be summarised as achieving good compliance with the default BRE recommendations for daylight and sunlight for an urban environment.
- 7.99 Primary Daylight Measure: VSC
- 7.100 At fourth floor level, all windows and rooms achieve compliance with the default BRE recommendations for VSC.
- 7.101 At second and third floor levels, the windows would be characterised as either self-obstructed or unobstructed. Of the 25 windows assessed at these levels, 10 are heavily self-obstructed, as follows:

- W3/182, W4/182, W8/182, W9/182, W10/182, W11/182, W3/183, W4/183, W9/183, W10/183.

7.102 An example is shown below.



Unobstructed Windows

7.103 The results for the 15 unobstructed windows would register between 18.78% and 27.76% reductions of existing VSC values. Two of the 15 results would be compliant with the default BRE guidance as they are less than 20% reductions of existing values. The remainder would be slightly above, with the largest reduction being 27.76%.

7.104 At third floor level, the reductions are between 20.52% and 21.72% of existing values, considered marginally in excess of the 20% point at which the BRE guidance considers differences may be noticeable.

7.105 At second floor level, the post-development results would be expressed as between 22.73% and 27.76% reductions of existing VSC values.

7.106 In terms of retained values for the unobstructed windows, at third floor level these range between 22.84%VSC and 26.42%VSC. At second floor level they would range between 21.14%VSC and 23.48%VSC.

Self-Obstructed Windows

- 7.107 10 windows at second and third floor level feature deeply recessed areas, meaning extremely low baseline VSC values in these locations.
- 7.108 All 10 currently achieve between 6.21%VSC and 9.91%VSC, materially lower than the unobstructed windows directly adjacent as shown above.
- 7.109 This is considered to demonstrate the significant self-limitation in respect of these windows and their access to natural light.
- 7.110 For these 10 windows, their very low baseline values would mean even very small reductions would be expressed as misleadingly high percentage differences, as predicted in the BRE guidelines at paras 2.2.11 & 2.2.12.
- 7.111 For example, window W8/182 would alter from 9.10%VSC at present to 2.19% VSC post-development, an actual difference of around 7% VSC. This relatively small change would however be expressed as a 75.93% reduction.
- 7.112 As the VSC for this window is so far below the BRE recommendation in the baseline scenario, it is clear that there would be little natural light amenity and therefore artificial lighting would be necessary for much of the day at present as per para 2.2.7 of the BRE Guidelines
- 7.113 In this context, the change would therefore be considered to represent a “no-worsening” given the low baseline figure.
- 7.114 Occupants of short stay serviced apartments are likely to change often, meaning they are less likely to notice changes in daylight and sunlight levels.
- 7.115 In addition, the Inspector in the Whitechapel Appeal concluded that short term accommodation is less sensitive in daylight terms (para 117 of the decision notice).

Supplementary Theoretical VSC Studies

- 7.116 A set of theoretical studies were undertaken without the self-limiting features of the recessed windows, using the method set out in para 2.2.11 and 2.2.12 of the BRE guidance.
- 7.117 These showed similar results to the unobstructed windows, with very high baseline VSC values being reduced to those more commensurate with the context. The change from the existing to proposed would be comparable to the unobstructed windows, with differences of between 21.23% and 28.13% of existing values, slightly in excess of the BRE recommendations.

Secondary Daylight Measure: NSL

- 7.118 In respect of no-sky line, based on assumed layouts all but six rooms assessed would achieve the default BRE recommendations. Of these six, two are the self-limited areas referred to above.

Unobstructed Rooms

7.119 The four unobstructed rooms experience between 20.09% and 27.85% differences, in excess of the default BRE recommendations of no greater than 20%. All are located at the lowest level tested.

7.120 The retained values for these four rooms range between 71.54% and 79.18% no-sky line, considered close to the BRE default recommendation of 80%.

Self-Obstructed Rooms

7.121 The two obstructed rooms would experience greater reductions, equivalent to 33.96% and 34.58% of existing NSL values respectively. These would also retain lower no-sky line results, 62.36% and 62.76% respectively.

Alternative/ Theoretical NSL Studies

Self-Obstructed Rooms

7.122 A set of theoretical studies were undertaken without the self-limiting features of the recessed windows, as set out in para 2.2.11 and 2.2.12 of the BRE guidance.

7.123 These showed retained NSL between 78.47% and 97.42% with the proposed development in place.

Sunlight Measure: APSH

7.124 The APSH results follow a very similar pattern, in that generally the unobstructed areas would comfortably achieve the default BRE recommendations for APSH.

7.125 In the self-obstructed areas directly adjacent, these show materially reduced access to available sunlight, demonstrated by baseline APSH results which are significantly lower than those directly adjacent but unobstructed .

7.126 In the baseline scenario, these self-obstructed windows achieve between 7% and 14% total APSH and between 3% and 8% winter months APSH compared to between 43% and 54% total APSH and 12% and 19% winter months APSH for the unobstructed windows directly adjacent.

7.127 Due to this materially lowered baseline these windows, despite being directly adjacent to fully BRE compliant windows, would record between 25% and 100% reductions of existing APSH.

7.128 Given the marked difference with adjacent windows identical in every respect apart from featuring recesses, it is apparent that their self-limiting design / associated very low baseline are the primary factors in the non-compliant results.

Staff Accommodation Above The Old Swan Public House at 206 Kensington Church Street

7.129 An assessment was made of the ancillary accommodation to the Public House. Occupants of this accommodation are expected to be more transient/ change more frequently when compared to standard dwellings, given the dwelling is attached to their employment.

7.130 In addition, the opening hours of the PH are 11am to 11:30pm – 12:30am, meaning occupants are likely to use the accommodation for sleeping outside of the opening hours.

7.131 As such, they would be expected to have a lowered expectation of daylight/sunlight amenity and also less likely to notice changes in daylight and sunlight levels.

7.132 The assessment drawings and results are appended and would be summarised as showing some differences in excess of the default BRE recommendations and some fully compliant.

7.133 The retained values would generally be considered typical for the context, by reference to the comparable developments listed above at paragraph 5.58.

Primary Daylight Measure: VSC

7.134 The reductions of existing values would be between 26.76% and 29.83% at first floor level and between 23.99% and 26.81% at second floor level.

7.135 These all exceed the default BRE recommendation of no greater than 20%.

7.136 The retained values for these windows would range between 18.75%VSC and 21.07%VSC. Whilst these are below the default BRE recommendation of 27%VSC, they are considered typical for an urban environment, by comparison with retained VSC values in comparable situations.

Secondary Daylight Measure: NSL

7.137 All but one room would experience less than 20% reduction of existing no-sky line, the point at which the BRE considers changes may be noticeable to occupants.

7.138 This room, denoted R3/191 on our results tables, is thought to be a staff bedroom. As set out in para 2.2.8 of the BRE guidance, bedrooms are considered "less important" when considering no-sky line. It would experience a 30.48% reduction and retain 68.91% of its assumed area lit by the no-sky line, considered typical for an urban environment by comparison to comparable developments.

7.139 Furthermore given the reduced expectation due to its bedroom use and ancillary nature this is considered acceptable.

Sunlight Measure: APSH

7.140 Nearly all windows assessed would achieve the default BRE recommendations. The only exceptions are windows W2/191, W3/191 and W5/191, which would retain 24% total APSH, fractionally below the default BRE recommendation of at least 25%.

7.141 These windows are thought to serve staff bedrooms, in respect of which the BRE guidance also states as "less important" (para 3.2.3).

7.142 Given the near compliance with default targets for room uses with a higher expectation of sunlight (i.e. living rooms and conservatories as per para 3.2.3 of the BRE guidance) and that the retained values would exceed typically expected values by comparison with comparable developments these retained values would be considered acceptable.

Conclusion: Impact of Proposed Development to Daylight and Sunlight Amenity of Existing Neighbouring Dwellings

- 7.143 The proposed development seeks to introduce massing of a typical scale to parts of the site which feature surface car parking and low (i.e. single storey/ two storey) buildings.
- 7.144 In overall terms, the set of results are considered to demonstrate an acceptable balance between making efficient use of the site and unreasonably affecting existing daylight and sunlight amenity of neighbouring dwellings.
- 7.145 Unusually for a dense development, there would be a very high degree of compliance with the default BRE recommendations overall.
- 7.146 Along Kensington Church Street, the current massing on the eastern side of the proposed development site is uncharacteristically low, at one and two storeys in an area of predominantly four and five storey buildings.
- 7.147 As would be expected and indeed predicted by the BRE guidance, when introducing massing which matches the existing building heights, the resultant impacts for neighbours opposite would exceed the default BRE recommendations.
- 7.148 In several instances, these existing neighbours also have self-limiting design features, such as recessed windows and very deep rooms which significantly restrict their own access to natural light and exacerbate the impacts even further. As set out in the BRE guidance, where these neighbouring rooms are unusually deep and lit from one side only, a greater impact has been unavoidable.
- 7.149 Supplementary theoretical assessments were undertaken in these circumstances, without the effect of self-limiting recesses. In addition, several comparable developments were identified and the retained daylight/sunlight results from these were reviewed and benchmarked with those for the proposed development.
- 7.150 This confirmed that the self-limiting features are the main reason for any limited non-compliance for the relevant windows and rooms and that in general the retained values are commensurate with the specific circumstances.
- 7.151 On balance therefore the assessments are considered to show that there would be acceptable retained daylight and sunlight for existing neighbours, by reference to associated planning policy.

Impact of Proposed Development to Sunlight Provision in Existing Neighbouring Gardens and Amenity Areas

- 7.152 An assessment of the rear gardens and terraces serving the Jameson Street houses were undertaken, given these have the potential to be affected by the Proposed Development due to their relative location i.e. northwards of it.
- 7.153 In addition, the rear outdoor learning space serving the nursery school at 5 Kensington Place was analysed.

- 7.154 The results are appended and show that none of these spaces currently achieves the default recommendation of at least 2 hours of sunlight on March 21st, meaning they are poorly sunlit at this time of the year.
- 7.155 As sunlight availability is variable throughout the year, a set of studies were also undertaken on the summer solstice of June 21, the point of maximum annual sunlight availability.
- 7.156 This showed that even on this day, just two gardens would achieve the default BRE recommendation of at least 2 hours of sunlight.
- 7.157 The proposed results showed that there would be no worsening of the baseline.

Conclusion: Impact of Proposed Development to Sunlight Provision in Existing Neighbouring Gardens and Amenity Areas

- 7.158 The proposed development would have no material impact to existing sunlight access within the neighbouring gardens and amenity spaces.

Daylight and Sunlight Provision for Future Occupants of the Proposed Dwellings

- 7.159 Sunlight access, unlike daylight, is mainly affected by site orientation and degree of existing overshadowing (para 3.1.5).
- 7.160 As set out above, the site is roughly rectangular in shape, which clearly has a significant influence on the layout and orientation of the proposed blocks when seeking to make most efficient use of the site. The site is also located in a dense part of central London, which will create a degree of obstruction to available sunlight.
- 7.161 As set out in paragraph 3.1.11 of the BRE guidance, if a room faces significantly north of due east or west, the default APSH recommended targets are unlikely to be met. On this basis, where a window faces north it has not been analysed for sunlight access.

BLOCK CB/NHG

- 7.162 The daylight assessments showed full compliance with the default BRE/BS recommendations. All living areas would achieve in excess of 80% of their area covered by the NSL contour, as would all bedrooms.
- 7.163 In respect of orientation dependent sunlight, the living areas have been arranged so that they are south facing. All would exceed the default BRE recommendations.

Conclusion: Daylight and Sunlight Provision for Future Occupants of Block CB/NHG

- 7.164 The assessment results confirmed future occupants of this block would enjoy very good levels of natural light amenity.

BLOCK KCS1

- 7.165 The daylight assessments showed full compliance with the default BRE/BS recommendations. All living areas would achieve in excess of 80% of their area covered by the NSL contour, as would all but one bedroom, which would achieve marginally below i.e. 78.38%.
- 7.166 In respect of orientation dependent sunlight, of the 12 living areas in the block, 11 feature a southerly facing window. Therefore, as recommended in the BRE guidance, the living areas have been designed to minimise the number facing solely north, north east or north west.
- 7.167 The one living area without a southerly aspect features an openable central glazed partition separating it from the adjacent kitchen/dining space, which does feature a southerly aspect.
- 7.168 4 living areas would achieve the default BRE recommendation of 25% annual APSH, of which 5% are in winter months. Another 2 would be marginally below, achieving 23% annual APSH against a default recommendation of 25%.
- 7.169 The remaining 6 living areas would achieve between 9% and 18% total APSH, below the default BRE recommendation.
- 7.170 These would achieve between 0% and 7% winter months APSH. As such, 3 of these would achieve the default BRE recommendation for winter months APSH.
- 7.171 All 6 feature highly prized private amenity space, in the form of projecting balconies. As set out in the BRE guidance, a side effect of these types of balcony is that they will block out light entering windows beneath them.
- 7.172 The balconies themselves would provide access to available sunlight. Furthermore, most are arranged around the very well sunlit central courtyard, thereby offering attractive sunlit views.

Conclusion: Daylight and Sunlight Provision for Future Occupants of Block KCS1

- 7.173 The assessment results confirmed future occupants of this block would enjoy very good levels of natural light amenity given the existing site constraints and context.

BLOCK KCS2

- 7.174 The daylight assessments showed full compliance with the default BRE/BS recommendations. All living areas would achieve in excess of 80% of their area covered by the NSL contour, as would most bedrooms.
- 7.175 In respect of orientation dependent sunlight, of the 15 living areas in the block, 12 feature a southerly facing window. Therefore, as recommended in the BRE guidance, the living areas have been designed to minimise the number facing solely north, north east or north west.
- 7.176 9 of these 12 living areas would achieve the default BRE recommendation of 25% annual APSH, of which 5% are in winter months. Another 2 would be marginally below, achieving 22% or 23% annual APSH against a default recommendation of 25%. These 2 living areas achieve 4% or 5% winter months APSH, as such one meets the default winter month's recommendation.

- 7.177 The remaining living area would achieve 10% total APSH, of which 2% winter months, below the default BRE recommendation.
- 7.178 The living area features a large percentage of glazing looking into the very well sunlit central courtyard, thereby offering attractive sunlit views.

Conclusion: Daylight and Sunlight Provision for Future Occupants of Block KCS2

- 7.179 The assessment results confirmed future occupants of this block would enjoy very good levels of natural light amenity given the existing site constraints and context.

BLOCK WPB1

- 7.180 The daylight assessments showed near full compliance with the default BRE/BS recommendations, apart from two proposed units. All living areas would achieve in excess of 80% of their area covered by the NSL contour, as would all but one bedroom, which would achieve 75.19%.
- 7.181 One Living/Kitchen/Dining room (R4/2311) achieves 1.80%ADF. Whilst this comfortably exceeds the recommended target of at least 1.5%ADF in respect of living areas, given it also contains kitchen use the default BRE/BS recommendation is 2.0%ADF. The Inspector in the Whitechapel appeal considered that 1.5%ADF was a reasonable target for living/kitchen/dining rooms, which this room comfortably achieves.
- 7.182 A second Living/Kitchen/Dining room (R9/2311) features a sliding partition and when closed off from the kitchen, the living area would achieve 1.29%ADF, slightly below the default recommendation of at least 1.5%ADF. When open, the whole room achieves the default BRE/BS recommendation of at least 2.0%ADF for the combined uses.
- 7.183 In respect of orientation dependent sunlight, of the 4 proposed living areas, two (R1/2311 and R9/2311) feature southerly orientated windows when their central glazed partitions are open.
- 7.184 These would achieve 32% and 35% total APSH, of which 8% are in winter months, thereby achieving the default BRE recommendation when their central glazed partition is open.
- 7.185 Whilst the remaining 2 do not have south facing windows, they have been designed to feature vertical roof lights in addition to their northerly facing windows.
- 7.186 These rooflights provide sunlight amenity, recording 18% total APSH of which 6% are in winter months. As such the winter month's element meets the default BRE recommendation.
- 7.187 Whilst the total (annual) figure is below the default BRE/BS recommendation of 25%, this is clearly preferable to the lack of sunlight access that would be the case in their absence.

Conclusion: Daylight and Sunlight Provision for Future Occupants of Block WPB1

- 7.188 The assessment results confirmed future occupants of this block would enjoy very good levels of natural light amenity given the existing site constraints and context.

Sunlight Provision for Future Users of the Proposed Courtyard

- 7.189 The proposed public courtyard space was assessed for the provision of sunlight amenity for future users.
- 7.190 This showed that this would meet the default BRE recommendation on the average annual conditions day of March 21st, achieving 60.11% of its area lit for more than 2 hours of sunlight against a default recommendation of at least 50%.
- 7.191 A set of assessments were also undertaken on the summer solstice of June 21st in order to demonstrate sunlight conditions at the time of the year when the space is most likely to be used.
- 7.192 These showed 91.06% of the proposed amenity space would achieve the default BRE recommendation of greater than two hours of sun.

Conclusion: Sunlight Provision for Future Users of the Proposed Courtyard

- 7.193 The assessments result demonstrated future users of the courtyard areas would enjoy excellent access to sunlight throughout the year.
- 7.194 In addition, the sunlit space would provide additional amenity for occupiers of dwellings arranged around/ facing into it.
- 7.195 Given the amount of sunlight penetration to the central courtyard, it is evident that the terraces and gardens arranged around it would also be well sunlit.

8. Summary and Conclusions

- 8.1 The proposed development seeks to make efficient use of the site in terms of density.
- 8.2 The detailed assessments showed that unusually for a dense urban context, the majority of existing neighbours would experience no noticeable difference to existing daylight and sunlight amenity. In some locations there would indeed be beneficial gains.
- 8.3 The exception would be along Kensington Church Street to the east, where the existing massing on the Site is uncharacteristically low for the surrounding area.
- 8.4 The site, which is an under-utilised brownfield site in the District Centre, is earmarked for development and town planning policy aims for such a highly accessible site are to make the most efficient use of the site as possible, thereby providing much needed housing including affordable housing.
- 8.5 The Site is identified both within regional and local planning policy as one where higher density development would be appropriate. However, in the process of meeting this requirement, the massing across the site would need to be significantly revised. The largest relative differences would clearly be along the Kensington Church Street boundary, which is currently single or two storeys.
- 8.6 When massing commensurate with the prevailing heights in the local area is introduced to the site, there would inevitably be noticeable differences to existing neighbours opposite, given the unusually high baseline. Where these existing neighbours also feature self-limiting recesses and deep rooms, as set out in the BRE guidance a greater degree of impact would be considered unavoidable.
- 8.7 A study of comparable developments also confirmed that the retained / residual daylight and sunlight values for the existing neighbours would not be unusual. Furthermore, it is apparent that the proposed (post-development) relationship with these existing neighbours would not be uncommon, as evidenced by nearby streets such as Ossington Street, Linden Gardens, Clanricarde Gardens and Horbury Crescent.
- 8.8 Within the Proposed Development, future occupants would enjoy high levels of natural light provision, both in respect of the proposed dwellings and external central courtyard space.
- 8.9 When taken in the round, the proposed development is therefore concluded as acceptable on daylight and sunlight grounds and compliant with the London Plan, Housing SPG and Consolidated Local Plan.

Appendix I

Comparison Studies: Local Heights
and Appeal/ Proposed VSC & NSL
Results

Appendix II

Drawings

Appendix III

Tables

Appendix IV

Neighbouring Sites

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