TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Town and Country Planning (Inquiry Procedure) (England) Rules 2000

PROOF OF EVIDENCE

CAMBRIDGE CITY COUNCIL

EVIDENCE OF: Ian Dias BSc (Hons) MRICS

on

DAYLIGHT, SUNLIGHT & OVERSHADOWING

PLANNING APPLICATION CALLED-IN BY THE SECRETARY OF STATE

LOCAL PLANNING AUTHORITY REFERENCE: 23/03204/OUT

INSPECTORATE REFERENCE: APP/Q0505/V/25/3360616

APPLICATION MADE BY RAILWAY PENSION NOMINEES LTD

ADDRESS: BEEHIVE CENTRE, COLDHAMS LANE, CAMBRIDGE, CAMBRIDGESHIRE, CB1 3ET

MAY 2025

CONTENTS

APPENDICES

1.0 EXECUTIVE SUMMARY

1.1 This Proof of Evidence on Daylight, Sunlight & Overshadowing has been prepared on behalf of Cambridge City Council (the 'LPA'). My Proof of Evidence relates to the Maximum Parameters Scheme and with only high-level limited commentary on the 'Illustrative Scheme'.

1.2 It is my opinion that whilst the site is in an urban location, both the site and immediate surrounding neighbouring properties, is low-rise in terms of characteristic with typologies, that typically have good existing levels of daylight (and sunlight). Indeed, the neighbouring density is less, for St Matthew's Gardens and especially, Silverwood Close which feels more sub-urban in context. The site is not within an allocated Opportunity Area nor regeneration area and is in an edge of city location.

1.3 The post-planning daylight and sunlight analysis considered within this proof (as provided by eb7, the Appellant's Daylight and Sunlight consultant), is registering a decrease in harm to the planning analysis considered within my peer review at that time of the planning application submission. For the sake of clarity, the 'Maximum Parameters Scheme' massing has not changed but the way the effect of such massing is interpreted and effecting neighbouring properties is now different. This is due to such factors as further research on neighbouring properties undertaken thereby changing some neighbouring room uses and layouts for analysis, introduction of room weighted VSC analysis (greater detailed analysis review), correction of some analysis errors etc.

1.4 However, notwithstanding the above, there is still a significant level of harm relating to this most current post-planning analysis with such harm considered within this proof on a holistic and professional judgement.

1.5 There are 13 No. neighbouring properties which would suffer 'major adverse' harm (including 4 No. instances of 'moderate to major harm') and 15 No. properties which would suffer 'moderate adverse' harm (including 1 instance of 'minor to moderate harm'), to their daylight and /or sunlight (though harm to daylight is the predominant issue).

1.6 There are also at least 24 No. neighbouring properties which would suffer 'minor adverse' harm. Such effects will ordinarily be noticeable.

1.7 For the greater levels of harm, reductions in daylight VSC and / or daylight distribution and / or sunlight are typically significantly beyond the BRE Guidelines and below contextual levels as identified. In terms of these overall losses to daylight, such affected rooms will appear gloomier and electric lighting will be needed more of the time.

1.8 I consider this quantum of harm is significant, both in terms of adversity and overall quantum for the given context of the site. This harm has been considered in the planning balance by the LPA officer.

1.9 Whilst I have not considered in detail as to how the updated analysis (post planning) for the 'Illustrative Scheme' would translate, this would have a significantly lesser effect to the daylight and sunlight to neighbouring properties compared to the 'Maximum Parameters Scheme'.

1.10 This aligns with my findings within my peer review report; I had highlighted this to be the case for the analysis submitted and reviewed at that time.

1.11 However, the 'Illustrative Scheme' is not the planning application and represents just one possible massing proposal option solution that would, in effect, sit within the proposed Maximum Parameters Scheme envelope.

1.12 Given the level of harm to neighbouring daylight and sunlight from the 'Maximum Parameters Scheme', it does raise the question as to why the 'Maximum Parameters Scheme' has been submitted for planning permission given that clearly, the scheme has not sought to mitigate harm to the daylight and sunlight of neighbouring properties.

1.13 A scheme such as the 'Illustrative Scheme' would result in less harm (compared to the Maximum Parameters Scheme') and would be more in line with the ethos of the BRE Guide and other sources, which indicate that noticeable reductions / harm should be kept to a minimum.

1.14 Whilst ultimately matters are for consideration in the planning balance, it is apparent that the planning application for the 'Maximum Parameters Scheme' has not sought to minimise harm, given that there is an example of a massing volume within the 'Illustrative Scheme' that presumably may potentially deliver a suitable workable proposal in terms of use order, floor space, preliminary design, viability etc that results in **less harm** (although this should not be deemed to be interpreted as acceptable harm as I have not quantified such harm in detail given that the 'Illustrative Scheme' is not the submitted planning application scheme).

2.0 AUTHOR BACKGROUND

Qualifications & Experience

2.1 I am Ian Dias BSc (Hons), MRICS. I am a Partner at Schroeders Begg (UK) LLP, Chartered Surveyors.

2.2 I have been a Partner (or Director when formerly a Limited company) at Schroeders Begg for 15 years. Schroeders Begg (UK) LLP specialise in providing professional services relating to 'neighbourly matters' namely; daylight and sunlight, rights of light, party wall legislation, access licences and other aspects relating to neighbouring input and review. Prior to Schroeders Begg, I was a Partner at Bollingbrook Chartered Surveyors (now part of Colliers plc) and previously an Associate Director at McBains (formerly McBains Cooper) a multi-disciplinary practice including Chartered Building Surveying.

2.3 I became an Associate (now Member) of the Royal Institution of Chartered Surveyors (RICS) in 1999 and have a BSc (Hons) in a surveying RICS accredited degree.

2.4 During my career as a Chartered Building Surveyor, I have undertaken a wide range of commercial building surveying activities before specialising in daylight and sunlight review and rights of light and party wall legislation.

2.5 I have provided daylight and sunlight services on numerous wide-ranging schemes over the years for private and public sector clients alike, including major schemes / high-rise proposals and master planning and including providing strategic high-level advice historically to Crossrail on a number of Over-Site Developments (OSDs) in terms of daylight and sunlight. I have provided expert reports for various appeals and inquires. I have provided independent daylight and sunlight advice to the London Borough of Lambeth planning officers and committees (for circa 10 years) and also provided such services to a number of other London Boroughs. I have assisted in provision of review and comments within Schroeders Begg's role on the sub-panel for both daylight and sunlight (and rights of light) culminating in the publication 'Daylighting and Sunlighting – RICS professional guidance', UK. I provide seminars and training on daylight & sunlight.

2.6 I am a previous RICS Assessment of Professional Competence (APC) Assessor for the final examine interview process for becoming a chartered building surveyor and support the development of the next generation.

Statement of Truth

2.7 I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

……..

Ian Dias BSc (Hons) MRICS

27th May 2025

3.0 INTRODUCTION AND CONTEXT

3.1 This Proof of Evidence on Daylight, Sunlight & Overshadowing has been prepared on behalf of Cambridge City Council (the 'LPA') regarding the planning application made by Railway Pension Nominees Ltd (the 'Applicant') for the development of the Site. The application was called-in by the Secretary of State (the 'SoS') on 12 February 2025.

3.2 The supplementary Statement of Common Ground for specific for Daylight, Sunlight & Overshadowing (the 'DSO SoCG') was agreed with the Applicant on 28 March 2025 (**CD6.05**). I rely on these documents in respect of matters which are not disputed between the parties.

The Application

3.3 The application (LPA ref: 23/03204/OUT) was submitted on 18 August 2022 and was valid on receipt. It sought planning permission for:

"Outline Application (with all matters reserved) for the demolition of existing buildings and structures and redevelopment of the Site for a new local centre (E(a-f), F1(b-f), F2(b,d), open space and employment (office and laboratory) floorspace (E(g)(i)(ii) to the ground floor and employment floorspace (office and laboratory) (E(g)(i)(ii) to the upper floors; along with supporting infrastructure, including pedestrian and cycle routes, vehicular access, car and cycle parking, servicing areas, landscaping and utilities."

3.4 A significant revision to the application was made by the Applicant on 30 August 2024 and was completed on 3 September 2024 when along with a revised Daylight and Sunlight Report (**CD2.31**). A Daylight and Sunlight Report Addendum (**CD2.63a**) along with Appendices (**CD2.63b**) was submitted. My Daylight and Sunlight Independent Review report (**CD11.04**) had considered these reports.

Reasons for Refusal

3.5 The application was reported to Planning Committee on 12 February 2025, where, in light of the SoS call-in, Members considered a 'minded to' refuse recommendation. The Planning Committee unanimously endorsed the recommendation and reason for refusal. The single reason for refusal and the background to this, on the ground of harm to residential amenity, is set out in Section 2.0 of the LPA's Statement of Case (SoC) (**CD6.06**), plus Appendices A-G (**CD6.07 - CD6.013**).

Main Issues

3.6 At the Case Management Conference on 2 April 2025, the Inspector identified the following four main issues for consideration:

1. *The extent to which the proposed development is consistent with Government policies for building a strong, competitive economy (NPPF Chapter 6)*
2. *The extent to which the proposed development is consistent with Government policies for ensuring the vitality of town centres (NPPF Chapter 7)*
3. *The extent to which the proposed development is consistent with Government policies for achieving well-designed places (NPPF Chapter 12)*
4. *The extent to which the proposed development is consistent with the development plan for the area.*

3.7 These main issues reflect the matters outlined in the Secretary of State's call-in letter dated 12 February 2025.

Scope of Evidence

3.8 My Proof of Evidence addresses the harm to neighbouring amenity in terms of the effect to daylight, sunlight and overshadowing that would result from the Maximum Parameters Scheme in consideration of the technical analysis and reports as applicable prepared by the eb7 (eb7 being the Applicant's daylight and sunlight consultant).

3.9 The analysis and reporting prepared by eb7 relates to both the Maximum Parameters Scheme and an Illustrative Scheme. The Illustrative Scheme is not the planning application and is considered as one possible massing option proposal that would sit within the 'Maximum Parameters Scheme'. Accordingly, my Proof of Evidence relates to the Maximum Parameters Scheme and with only high-level limited commentary on the Illustrative Scheme.

3.10 Whilst my Proof of Evidence considers the harm to neighbouring daylight and sunlight from the Maximum Parameters Scheme, it does not go as far as to consider the 'acceptability' as that is outside of my remit and falls within the planning balance (of overall harm versus benefits of the scheme).

3.11 It is acknowledged that eb7 have provided me (post-planning) with a working electronic model developed and utilised by eb7 for their analysis review. This has enabled 'spot-checks' to be undertaken of the analysis although by no means, full verification of the results which I have relied upon.

3.12 As stated, the provision of the electronic working model was post-planning, included 'updated analysis' was provided on 26th March 2025.

3.13 I use the term 'updated analysis' as for some properties, the analysis results have changed and / or the applicable interpretation of them is now different, in comparison to the analysis provided at planning stage and available at the time of the peer review on daylight and sunlight (**CD11.04**). Differences within the analysis, is due to a number of factors including but not limited to:

a) Further research and the benefit of accessing a limited number of neighbouring properties during a joint site inspection on 13th March, thereby resulting in the updating / changing of some room arrangements and uses in comparison to that presented within the pre-committee analysis. It is considered that the net outcome of such updates relating to this aspect has resulted in a net reduction of harm (planning submission compared to post planning / Inquiry analysis);

b) The submission of VSC analysis now also includes the detailed assessment of 'room weighted VSC' analysis (provided on 15th May 2025). The BRE Guide recognises that where the main window serving a room has a reductions not meeting BRE Guide default target criteria, where there are further windows serving that room and effectively, serving the same space, then these windows can be accounted in an additional calculation on a to arrive at a 'room weighted VSC' and if the reduction then meets BRE Guide target then that can be considered the VSC analysis for the room (in effect, overriding the main window room VSC outcome providing that the analysis follows the methodology within the BRE Guide). As background, details on room layouts are required, size of glazing to each window, etc. to then factor and proportion the VSC analysis for each window within the overall VSC analysis for a room weighted VSC. Eb7 provided such analysis on 15th May 2025 for circa 40 rooms. It would appear for 7 No. rooms, where harm is identified to a VSC, now meets BRE target default target criteria on a 'room weighted VSC'.

c) A number of limited and isolated errors have been corrected. For example, within the analysis at planning submission, analysis not meeting BRE Guide default target criteria was presented for the lower ground floor within No. 169 St Matthew's Gardens; this particular property does not have a lower ground floor and so such analysis is now omitted / not applicable for this particular room which previously had analysis results that did not meet BRE Guide default target criteria;

d) Some smaller analysis changes may relate to software upgrades between differing analysis dates.

3.14 As background, relating to the updated analysis and electronic model provided on 26th March 2025 and following review, I identified a modelling issue relating to this particular set of results which was communicated to eb7 on 2nd May 2025. This culminated in updated analysis on 8th March 2025 which addressed the modelling error highlighted. Subsequent analysis was also provided on 15th May 2025 containing some small changes eb7 had identified and again, a further iteration for small changes provided on 20th May 2025. Windows maps and no sky line contour plots have also provided in respect of the updated analysis. Within this proof, I have taken account of the analysis provided on 20th May 2025.

3.15 My scope within this proof of evidence considers to summarise, categorise and professionally comment upon the effects of the Maximum Parameters Scheme upon the daylight and sunlight to applicable neighbouring properties, in consideration of the analysis prepared by eb7.

3.16 In terms of daylight and sunlight, to confirm my remit does not extend to consideration of outlook and visual enclosure although as background, fellow colleagues within Schroeders Begg have been engaged by the Local Planning Authority (LPA) to provide requested views obtainable from the analysis model provided by eb7.

4.0 DOCUMENTS INSPECTED AND LIMITATIONS

4.1 The main documents that I have inspected relating to this report are summarised below (list is not deemed to be exhaustive);

Core doc ref.	Title
CD2.31	Daylight and Sunlight Report
CD2.63a	Daylight and Sunlight Report Addendum
CD2.63b	Daylight and Sunlight Report Addendum Appendices
CD6.05	Agreed Daylight, Sunlight & Overshadowing SoCG
CD8. 01	BRE Guideline document 209– Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (3rd Ed)
CD11.04	Daylight & Sunlight – Independent Review
CD11.05	Supporting letter – Daylight and Sunlight
CB11.06	Supporting Letter (EB7) – Daylight and Sunlight
Eb7	Analysis and supplementary updates by eb7 of a5th, 16th 19th and 20th of May 2025

4.2 In terms of limitations, I have not inspected internally, the arrangements of neighbouring properties other than access to Nos. 35, 38 & 39 Silverwood Close and Nos. 173, 175 & 179 St Matthew's Gardens. For properties not accessed, I have considered the researched information from eb7 on anticipated floor plan arrangements for applicable properties, along with our own research, within the public realm.

4.3 I have been reliant on the technical analysis from eb7 but with benefit of analysis 'spot checks' from the working electronic analysis model provided by eb7 although, by no means, full verification of the results which I have relied upon.

5.0 ASSESSMENT FRAMEWORK

5.1 When determining the degree of harm to daylight and / or sunlight from a proposed development and whether that harm leads to an unacceptable impact on residential amenity, the judgment in '*Rainbird'*[1] provides a two-stage process for evaluating effects of scheme proposal upon neighbouring daylight and sunlight;

Stage 1: analysis to confirm whether the effect is noticeable in reference to and applying the assessments with the BRE Guide[2]

Stage 2: a professional judgement, as to whether a noticeable impact (in reference to the BRE Guide[2]) is unacceptable in the particular circumstances of the case.

5.2 In reference to Stage 2, consideration of the particular circumstances of the case covers a multitude of related aspects, including but not limited to consideration of such factors as:

a) designation by the local authority e.g. whether the area around a site has been designated as an opportunity area etc;
b) the potential for future change in the area and the likely extent of any change;
c) the extent of the reduction in existing levels of amenity by reference to the given typologies in the area;
d) the room uses affected.

5.3 All these factors may contribute to an overall planning judgement on the acceptability or otherwise of the harm. The BRE Guide methodology not only identifies harm but can also assist on the judgement consideration of such harm, as set out in the BRE Guide Appendix H – Environmental Impact Assessment).

5.4 In the present case, the Council's planning witness, Andrew Martin, will focus on the second stage of that test and will apply the relevant policies in the Cambridge Local Plan (adopted October 2018) (**CD4.04**) to determine whether the impacts of the scheme are unacceptable in planning terms. The focus of my evidence is on the extent to which the daylight and sunlight effects of the scheme on neighbouring properties will be noticeable, in line with the first stage of the test in *Rainbird*.

[1] Rainbird, R (on the application of) v The Council of the London Borough of Tower Hamlets [2018] EWHC 657 (Admin) (28 March 2018)
[2] Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide' 2022 ('BRE Guide').

6.0 DAYLIGHT & SUNLIGHT GUIDELINES

Introduction

6.1 The application was accompanied by a Daylight and Sunlight Assessment prepared by the applicant's consultant eb7. This provides an assessment of the potential impact of the development on daylight, sunlight and overshadowing to neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide' (the 'BRE Guide'). The latest edition of the BRE Guide 2022 has been considered.

6.2 The BRE guidelines are not mandatory (BRE Guide para 1.6); they do however, act as a guide to help understand the impact of a development upon neighbouring properties.

6.3 In accordance with the BRE Guide, alternative target values can be set to those presented within the main body of the BRE Guide. Such alternative target values may be more appropriate for a particular site context / a more appropriate benchmark than the default target criteria referenced within the main body of the BRE Guide. Such alternative target approaches are referenced within Appendix F of the BRE Guide and often sought for agreement with the local authority prior to submission if being utilised.

6.4 More commonly, the standard BRE Guide target criteria are utilised but with appropriate judgement made in respect of departures from those target criteria; the BRE Guide supports a suitable and flexible approach as reasonably applicable, for site development and context.

Background to Analysis

6.5 The impact of the proposal upon loss of daylight to neighbouring properties is primarily considered in reference to vertical sky component (VSC) and daylight distribution.

6.6 Daylight distribution is also known as No Sky Line (NSL) review, as this represents the point or contour within the room which divides the room area into 'able' and 'not able' to receive direct skylight at the working plane, where room layouts are known. As per the BRE Guide, working plane is ordinarily assumed to be horizontal and 85cm above the floor level in residential rooms.

6.7 I consider it is appropriate that some consideration is also given to retained values of daylight in the proposed scenario i.e. retained values with the proposed development in situ.

6.8 For background on daylight analysis review, I provide the following definitions;

Daylight VSC : The BRE Guide considers that;

"…If the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear gloomier, and electric lighting will be needed more of the time." (part extract of BRE Guide para. 2.2.7)

As background, the maximum value obtainable at a flat window in a vertical wall is effectively 40%.

VSC represents a ratio of the part of illuminance at a point on a given vertical plane (usually the centre point of window on the window wall face), that would be received directly from an overcast sky (CIE standard overcast sky) to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky. The VSC does not include reflected light, either from the ground or from other buildings.

VSC may also be considered in terms of a 'room weighted' VSC in reference to para. 2.2.8 of the BRE Guide whereby;

"If there would be a significant loss of light to the main window but the room also has one or more smaller windows, an overall VSC may be derived by weighting each VSC element in accordance with the proportion of the total glazing area represented by its window. For example, a room has a main window of area 2 m2 whose VSC would drop from 24% to 18%, 0.75 times the value before. However, it also has a smaller window, area 1 m2, for which the VSC would be unchanged at 30%. The area weighted VSC 'before' would be (24x2+30)/3 = 26%. 'After' it would be (18x2+30)/3 = 22%, 0.85 times the value 'before'. Thus, loss of VSC to the room as a whole would meet the guideline. This method would only be appropriate in situations where the windows light the same areas of the room. It should not be used in situations such as a through lounge more than 5m from window to window, where, for example, a loss of light to the front windows and front portion of the room may not be mitigated by daylight from the rear windows."

Daylight Distribution: The BRE Guide considers that;

"If, following construction of a new development, the no sky line moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.80 times its former value this will be noticeable to the occupants, and more of the room will appear poorly lit..." (part extract of BRE Guide para. 2.2.11).

As background, daylight distribution, is often abbreviated to NSL / no sky line as this represents the point / the contour within the room which divides the room area into able (daylight distribution often expressed as a percentage of room area) and not able to receive direct skylight at the working plane , as per the BRE Guide (working plane is ordinarily assumed to be horizontal and 85cm above the floor level in residential).

Sunlight (to neighbouring dwelling): The BRE Guide considers that;

"If a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:

- *receives less than 25% of annual probable sunlight hours and less than 0.80 times its former annual value; or less than 5% of annual probable sunlight hours between 21 September and 21 March and less than 0.80 times its former value during that period;*
- *and also has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours."*

(extract of BRE Guide para. 3.2.13).

Sunlight to amenity: The BRE Guide considers that;

"It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area that can receive two hours of sun on 21 March is less than 0.80 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March."

(extract of BRE Guide para. 3.3.17).

6.9 Whilst effects to daylight and sunlight were not 'scoped-in' to the Environmental Statement, the Daylight and Sunlight Assessment and Addendum categorise transgressions outside of the BRE Guide default target in terms of reduction significance. The extent of any 'adverse reduction' has been categorised, as quite common for the measurement data to be interpreted within the industry, on an initial basis of 'minor', 'moderate' and 'major' in reference to the extent of each respective reduction that exceeds 20% and therefore does not meet the BRE Guide default target criteria (i.e. adverse / noticeable effect);

Minor Adverse Reduction: Reductions in VSC or NSL of >20% to 30%;
Moderate Adverse Reduction: Reductions in VSC or NSL of >30% to 40%; and
Major Adverse Reduction: Reductions in VSC or NSL of >40%.

6.10 However, subsequent interpretation of such initial numeric categorisation is still needed for an appropriate judgement to be made, based upon an assessment of harm in reference to the Environmental Impact Assessment (EIA) review of the greater definition within Appendix H of the BRE Guide and other associated considerations.

6.11 In this consideration, I make reference to Appendix H: Environmental Impact Assessment within the BRE Guide and highlight the following extracts;

H6 "Where the loss of skylight or sunlight does not meet the guidelines in this document, the impact is assessed as minor, moderate or major adverse. Factors tending towards a minor adverse impact include:
- only a small number of windows or limited area of open space are affected
- the loss of light is only marginally outside the guidelines
- an affected room has other sources of skylight or sunlight
- the affected building or open space only has a low level requirement for skylight or sunlight
- there are particular reasons why an alternative, less stringent, guideline should be applied, for example an overhang above the window or a window standing unusually close to the boundary."

H7 "Factors tending towards a major adverse impact include:
- a large number of windows or large area of open space are affected
- the loss of light is substantially outside the guidelines
- all the windows in a particular property are affected the affected
- indoor or outdoor spaces have a particularly strong requirement for skylight or sunlight, e.g. a living room in a dwelling or a children's playground."

6.12 Thus, the final assessment of 'minor', 'moderate' or 'major' adverse impacts is different to the initial consideration, which focuses purely on the extent of reduction.

6.13 When considering the scheme's impact on daylight, it is important to highlight that the impact from the scheme to daylight VSC is of equal importance to the impact from the scheme upon daylight distribution (with the exception of bedrooms, where the BRE Guide indicates that daylight distribution is less important).

7.0 CONTEXTUAL CONSIDERATION FOR RETAINED VALUES OF DAYLIGHT

7.1 It is noted that eb7 have made various references to the setting of 'Alternative Target' values in reference to BRE Guide Appendix F. This is also referenced within the BRE Guide in para. 1.6;

…"In special circumstances the developer or planning authority may wish to use different target values. For example, in a 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. Alternatively, where natural light is of special importance, less obstruction and hence more sunlight and daylight may be deemed necessary. The calculation methods in Appendices A and B are entirely flexible in this respect. Appendix F gives advice on how to develop a consistent set of target values for skylight under such circumstances." (part extract para. 1.6 of the BRE Guide).

7.2 It is acknowledged within the peer review at para 1.4 that *"…the current massing on site is retail style commercial warehouse units and with a large associated car parking area thus, massing is fairly limited on the application site. For meaningful re-development, there is the potential that some reductions in daylight and sunlight may not meet BRE Guide default target criteria; as background, alternative target values can be set if considered appropriate (as set by the Local Planning Authority (LPA)."*

7.3 However, this statement does not translate into a justification for adopting an Alternative Target due to special circumstances in relation to the proposed development.

7.4 In terms of the context of the site and neighbouring properties, I highlight, in particular the following;

a) As noted, it is recognised that the current massing on site is retail style commercial warehouse units and with a large associated car parking area thus, massing is fairly limited on the application site;

b) The surrounding properties to this site are also low-rise (housing being typically, 2-3 storey) summarised as follows;

Sleaford Street: Two storey houses plus loft accommodation located to the south / south west corner of the site.

York Street: Two-storey terraced housing to the west of the site.

St Matthew's Gardens: Typically, three-storey townhouses. Some maisonettes in 2 storey blocks and some flats within blocks up to 4 storey plus lower ground floor broadly to the north of the site.

Silverwood Close: Two storey housing (limited number with dormer accommodation to roof) broadly to the north of the site.

Pym Court: Four-storey flats to the east of the site, across the railway.

Hampden Gardens: Four to five-storey flats to the east / south-east also across the railway line.

The Terrace: Three-storey flats also across the railway line situated to the east immediately to the south of Hampden Gardens.

c) Whilst the site and immediate surrounding properties are overall within an urban locality, the immediate typology is clearly low rise and for St Mathew's Gardens and Silverwood Close the density is less, especially Silverwood Close which feels more sub-urban in context;

d) The majority of properties surrounding the site enjoy very good levels of daylight and sunlight, especially in respect of St Matthew's Gardens and Silverwood Close. Indeed, for St Matthew's Close and Silverwood Close in particular, existing VSC values are high (the majority of existing VSCs readily over a VSC value of 30%) and for daylight distribution, rooms have typically over 90% of the room area at working plane able to receive direct sky light);

e) The site and neighbouring properties do not sit within an allocated regeneration or opportunity area or similar.

7.5 To assist towards consideration on harm, I have considered two concepts as a broad gauge in terms of providing the context within which the retained values for daylight VSC fall to be considered (although neither should be understood to create an 'Alternative Target' for the site). The two applicable concepts are;

i) The built development typologies present in the area around the site, with regard to existing VSC values.

ii) What could be considered a fair and equitable share of daylight between neighbouring properties and the site ('mirror-development').

7.6 I will present each of these aspects separately.

<u>Typology in the area with regard to existing VSC values</u>

7.7 It is evident that very good levels of daylight (and sunlight) are typically enjoyed by the neighbouring properties considered for analysis in St Matthew's Gardens and Silverwood Close in particular. This is unsurprising, given that, with the exception of the extreme north-east and north-west of site, the immediate area bordering the site is effectively car parking, with the existing commercial units set-off a significant distance away to the south.

7.8 Many windows within rear elevations on St Matthew's Gardens, Silverwood Close and York Street are facing the site, including the open car parking area, and therefore experience unusually high current VSC values. To realistically understand what might be considered typical daylighting values for properties within these streets, it is appropriate to consider current VSC values for rear windows which are already facing existing context massing obstruction (i.e. for rear windows facing other buildings rather than the car parking area).

7.9 Accordingly, I have undertaken 11 No. analysis readings across 7 No. sample points as presented within **Appendix B**. For ground floor windows, I have utilised the model provided by eb7 to enable sampling of such results for ground floor windows at the centre of such windows or at an appropriate height of 1.6m above main ground levels. I have also included some additional sample points for lower ground floor windows (as relevant to some properties on St Matthews Gardens). It is important to highlight that these sample points typically, relate to main window positions and not windows in 'recessed' positions. The rationale of not taking readings for 'recessed' windows is that if non-recessed main window positions are considered, these can be readily applied to non-recessed windows, whilst for recessed windows with some inherent limitations and subsequent sensitivities to daylight, each is dependent on the individual circumstances specific to the situation and requires judgement on its own particular circumstances.

7.10 The output of this analysis review is presented within the following **Table A** – Summary of Sample VSC Analysis for Typology Review.

Table A – Summary of Sample VSC Analysis for Typology Review.

Test Point	**Property Utilised**	**Massing that Rear of Property is Backing onto**	**VSC value obtained**
For Ground Floor Window Position			
TP1	25 Silverwood Close	Rear of St Matthew's Gardens	33.4%
TP2	141 St Matthew's Gardens	Rear of Silverwood Close	36.7%
TP3	149 St Matthew's Gardens	Rear of Silverwood Close	36.7%
TP4	92 St Matthew's Gardens	Rear of St Matthew's Gardens block opposite	30.9%
TP5	207 or 209 St Matthew's Gardens	Opposite central part / worst case of closest existing commercial unit on site (gable end)	32.0% (from eb7 analysis)
TP6	71 York Street	Rear of massing to west	31.0%
TP7	91 York Street	Rear of Fairsford Place	30.9%

For Lower Ground Floor Window Position			
TP2-LG	141 St Matthew's Gardens	Rear of Silverwood Close	22.7%
TP3-LG	149 St Matthew's Gardens	Rear of Silverwood Close	21.0%
TP4-LG	92 St Matthew's Gardens	Rear of St Matthew's Gardens	27.9%
TP5-LG	209 St Matthew's Gardens	Opposite central part / worst case of closest existing commercial unit on site (gable end)	22.8%

7.11 As can be seen in **Table A**, for non-recessed ground floor main window positions, contextual VSCs for the rear elevations sampled range in value from a VSC of 30.9% to 36.7%, representing very good levels of daylight VSC and indeed, significantly above a VSC of 27%. Overall, therefore, existing values in the context of the area around the site can generally be expected to be above a VSC value of 27% for a main ground floor non-recessed typical window position. This is in reference to the built context within reasonable proximity of site and already having development massing opposite such sample points. It is reflective of the well-spaced rear of elevations to properties within St Mathew's Gardens and especially of Silverwood Close, which has a sub-urban feel given the general open spacing and long gardens.

7.12 For lower ground floor window positions, from **Table A,** existing VSC values range 21.0% to 27.9%. Unsurprisingly, such values are lower when compared to ground floor window positions and only really relevant to some properties within St Matthew's Gardens. A low 20's VSC (say a VSC of 22%) could be considered as a contextual value in such situations.

7.13 Within the Daylight and Sunlight Report Addendum (**CD2.63a**) along with Appendices (**CD2.63b**), it is noted in para. 5.1.12, eb7 appear to present a 'pre-existing VSC range' of '18%-24%'. Whilst some properties are listed, it is not known exactly which sample points are referred to, but I anticipate these lower values relate to a number of windows recessed / having projecting walls adjacent. Given the worst impacts of the scheme are to properties within St Matthew's Gardens and Silverwood Close, I note in particular, the absence of any review or understanding of contextual VSCs in relation to these properties, which seems a fundamental oversight.

What could be considered a fair and equitable share of daylight between neighbouring properties and the site ('mirror-development')

7.14 Within Appendix F of the BRE Guide (**CD8.01**), 'mirror development' can be a useful hypothetical review to explore fair and equitable share of daylight between respective sites. I have explored this for St Matthew's Gardens and Silverwood Close.

7.15 This theoretical approach substitutes the Beehive proposed development massing with a 'mirrored version' of St Matthew's Gardens and also Silverwood Close respectively onto the Beehive site, to assess the equitable distribution of daylight between the respective sites. Below is an extract of Figure F3 which assists to convey this consideration;

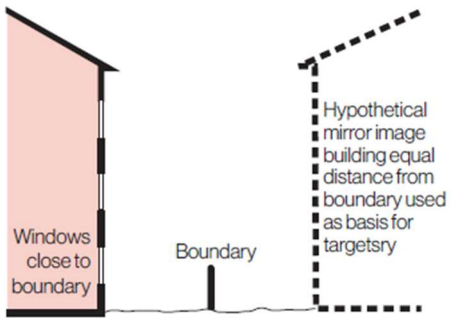


Figure F3: Use of a hypothetical mirror image building to set target daylight values

Courtesy of the BRE Guide – extract from Appendix F of the BRE Guide

7.16 Following the same methodology, a 'mirror' of the St Matthew's Gardens massing is placed upon the Beehive site (the end garden fencing being the boundary / mirror line) and visually presented within **Image No. 1** and additional, for Silverwood Close within **Image No. 2** as follows;

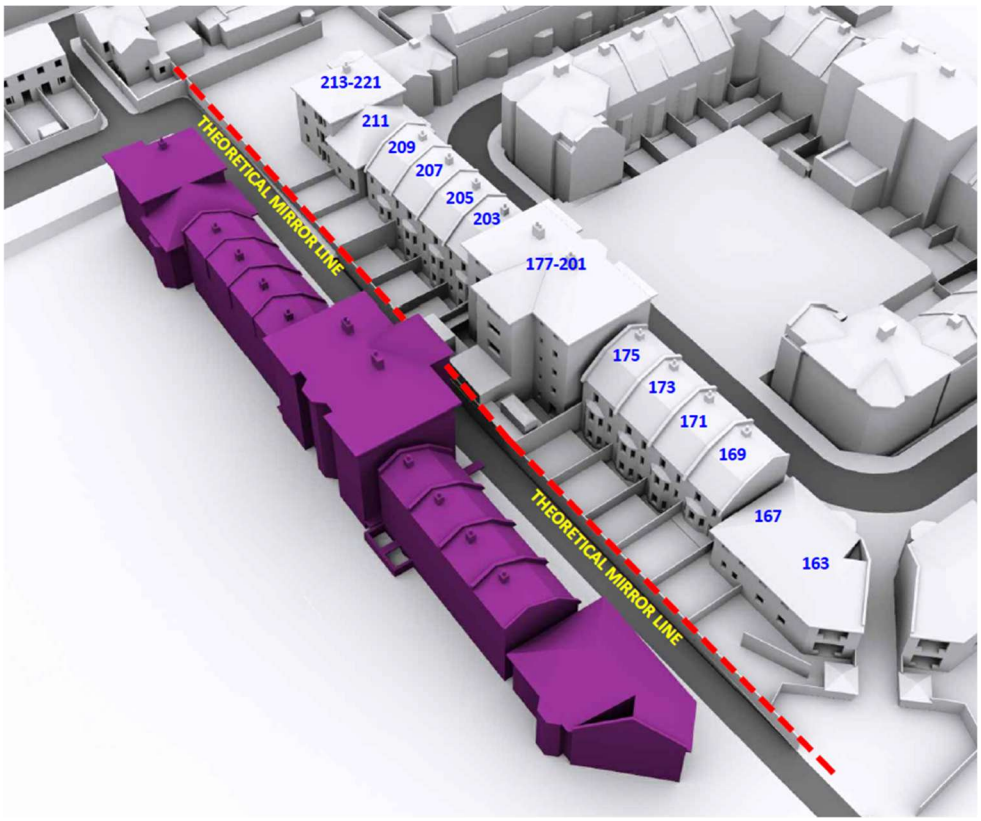


Image 1 – Mirror massing of St Matthew's Gardens onto the Beehive site

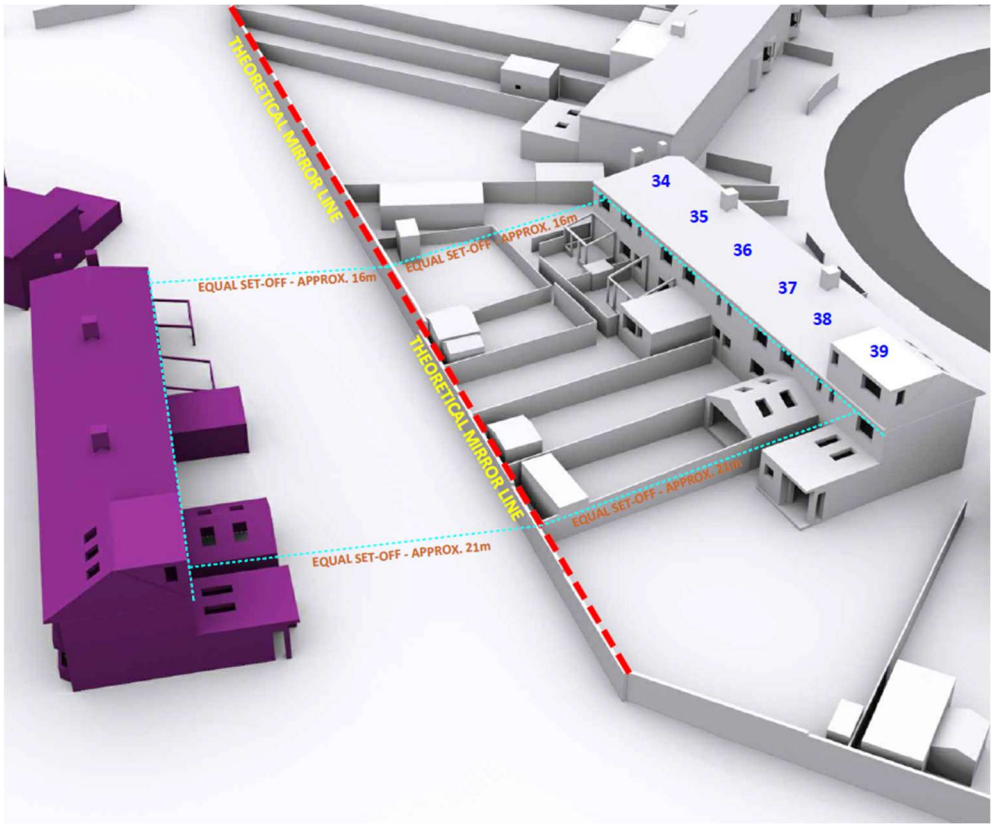


Image 2 – Mirror massing of Silverwood Close onto the Beehive site

7.17 For the purpose of the 'mirror development' analysis review, the windows respectively within St Matthew's Gardens and Silverwood Place are analysed with the massing of these properties which border the site reflected opposite upon the Beehive site (all other massing on the Beehive site being removed for this analysis review but all existing surrounding massing retained for context and continuity). To highlight, for Silverwood Close, Nos. 34-39 Silverwood Close has been explored as being in effect, the most relevant / closest neighbouring terrace row of houses that borders the site within Silverwood Close.

7.18 **Appendix C** presents the output of analysis the following;

St Matthew's Gardens:

- Ground floor non-recessed main windows relating to windows other than in the apartment block for Nos 177-201 St Matthew's Gardens would have a proposed level of VSC typically, not less than a VSC value of 27% (i.e. in the mirror analysis obstruction scenario).
- For Nos. 177-201 St Matthew's Gardens at ground floor window level (above the lower ground floor level), a VSC value of circa 20% is applicable (as being a taller massing obstruction reflected onto the Beehive site).

7.19 **Appendix D** presents the output of analysis the following;

- Silverwood Close: For non-recessed ground floor main windows, proposed VSC values (i.e. in the mirror analysis obstruction scenario) are comfortably in excess of a VSC of 27% reflective of the lesser contextual density of the properties within Silverwood Close.

7.20 Thus, in summary, in consideration of a contextual VSC for the equitable share of daylight in reference to the theoretical 'mirror development' review, it is considered proposed VSC values of 27% for main non-recessed ground floor window positions is applicable for St Matthew's Gardens and Silverwood Close with the exception of VSC value of 20% at the ground floor level (above lower ground) for the taller block forming Nos. 177-201 St Matthew's Gardens.

Conclusion on Site Contextual VSC values

7.21 Contextual VSC values have been explored in both real terms and theoretical terms, in reference to mirror-development.

7.22 It is evident in both instances that for the properties on St Matthew's Gardens and Silverwood Close, for a ground floor non-recessed window, a VSC value of not less than 27% is expected, other than relating to Nos. 177-201 St Matthew's Gardens, where 20% is appropriate at ground floor (above lower ground) level.

7.23 The aforementioned review is on local scale, specific to the site and in reference to the most pertinent neighbouring properties.

7.24 It is acknowledged that on a wider scale, it is sometimes appropriate to also consider relevant outcomes for similar sites with similar context through various appeal cases and similar references. However, I consider this site to be unique in respect of the contextual setting. The various appeal cases included by the Applicant within the evidence before this Inquiry do not align closely with the context of this site and therefore, I consider a greater weight should be placed on appropriate contextual values of amenity which I have considered in some detail.

8.0 EFFECTS TO DAYLIGHT TO NEIGHBOURING PROPERTIES (Maximum Parameters Scheme)

Initial Background & Analysis Reductions Summary

8.1 Provided within **Table C** is a summary of the Maximum Parameters Scheme effects upon neighbouring daylight for VSC, where reductions do not meet BRE Guidelines based upon the current post-planning analysis;

Table C – VSC Summary not meeting BRE Guide target - Post-planning Analysis

Property Location	Total No. of rooms with reductions not meet BRE Guidelines for VSC	Reduction Significance		
		Minor >20% – 30%	Moderate >30% to 40%	Major >40%
St Matthews	29	7	11	11
Silverwood	20	9	10	1
Subtotal	**49**	**16**	**21**	**12**
Sleaford Street	2	-	-	2
York Street	-	-	-	-
Hampden Gardens	3	3	-	-
11-17 The Terrace	-	-	-	-
TOTAL	**54**	**19 (35%)**	**21 (39%)**	**14 (26%)**

8.2 For comparison, I also provide a summary on the same basis for the analysis results for VSC relating to the planning application within **Table D** as follows;

Table D – VSC Summary not meeting BRE Guide target - Planning Submission Analysis

Property Location	Total No. of rooms with reductions not meet BRE Guidelines for VSC	Reduction Significance		
		Minor >20% – 30%	Moderate >30% to 40%	Major >40%
St Matthews	36	10	13	13
Silverwood	26	8	16	2
Subtotal	**62**	**18**	**29**	**15**
Sleaford Street	2	-	-	2
York Street	1	1	-	-
Hampden Gardens	4	4	-	-
11-17 The Terrace	-	-	-	-
TOTAL	**69**	**23 (33%)**	**29 (42%)**	**17 (25%)**

8.3 In comparison with the summary analysis for daylight VSC within **Table C** and **Table D**, it is evident that the post-planning analysis is registering a lesser effect than that of the planning analysis; some of the reasons for this have been highlighted within para. 3.14 of this proof of evidence. Indeed, for moderate and major reductions, I am seeing a circa 25% reduction in extent (comparing the planning application submission analysis to now the post-planning / Inquiry analysis).

8.4 Lessening effects are also applicable to daylight distribution and also winter sunlight hours analysis.

8.5 Thus, the post-planning / Inquiry analysis is registering a decrease in harm when compared to the planning submission analysis. For the sake of clarity, the Maximum Parameters Scheme massing has not changed but rather the way that same massing is interpreted and effecting neighbouring properties is now different.

8.6 However, notwithstanding the above, there is still a significant level of harm relating to the latest post-planning / Inquiry analysis and that is the subject I now examine with harm considered on a holistic and professional judgement and not solely relying on a single factor approach of reduction.

Neighbouring Property Grouping

8.7 For ease of presentation, I have considered those properties with reductions not meeting BRE Guidelines to be grouped as follows (location visually presented within **Appendix A**);

Neighbouring Property Group	Neighbouring Property Address Nos.
Group A	Nos. 203, 175, 173, 171 & 169 St Matthew's Gardens
Group B	Flat Nos. 177-201 (odds) St Mathew's Gardens
Group C	Nos. 167, 165, 163 St Matthew's Gardens
Group D	Nos. 157-161 St Matthew's Gardens
Group E	Nos. 34-39 Silverwood Close
Group F	Nos. 40-45 Silverwood Close
Group G	Nos. 49-50, 51 & 65-65A Silverwood Close
Group H	Nos. 148 & 150 Sleaford Street and Nos. 34, 42, 44, 48, 52, 54, 56, 72, 74, 76, 78 & 86 York Street

Group I	Hampden Gardens (Nos. 55-68, 69-83 & 84-97) and The Terrace (Nos. 11-17)

8.8 Common to all neighbouring properties Groups (A - I inclusive) is that they all have reductions in daylight VSC and / or Daylight Distribution from the proposal that do not meet BRE Guide default target criteria thus an 'adverse effect' applicable (BRE Guide para. 2.2.23).

8.9 For such reductions in daylight VSC;
"…If the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. ***The area lit by the window is likely to appear gloomier, and electric lighting will be needed more of the time****."* (part extract of BRE Guide para. 2.2.7) – **bold** added for emphasis)

8.10 For such reductions in Daylight Distribution;
"If, following construction of a new development, the no sky line moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.80 times its former value this will be noticeable to the occupants, ***and more of the room will appear poorly lit****..."* (part extract of BRE Guide para. 2.2.11 - **bold** added for emphasis).

8.11 In terms of summarising the reductions in analysis to these properties, there are a total of 54 No. habitable rooms having reductions in daylight VSC that results in noticeable effects (with consideration also to VSC review on a 'room-weighted' basis). For daylight distribution, this would equate to 72 No. rooms.

8.12 In terms of the 2-stage process, I present only and comment on those neighbouring properties with reductions not meeting BRE Guidelines. I will shortly examine each group, first presenting a summary on the effects in terms of reduction significance ('minor' 'moderate and 'major') and then placing the consideration with the fuller realms of harm review in reference to Appendix H (EIA) of the BRE Guide (**CD8.01**).

8.13 Whilst main categories of harm are present within Appendix H of the BRE Guide as 'minor', 'moderate' and 'major', in some isolated instances I have also sub-divided into 'minor to moderate' and also 'moderate to major' where I consider there is transition between such groups as applicable.

8.14 I now consider each property group and summarise level of harm at the end of each property group. However, to highlight, a summary table is also provided within Section 10.0 of this proof which draws together respective harm for neighbouring daylight and neighbouring sunlight, to arrive at an overall harm outcome for each property under consideration.

8.15 As background, for ease of visual reference, I have also colour referenced 'minor' in colour yellow, 'moderate' in colour orange and 'major' in colour red (and 'negligible' in colour green). For references which cross category boundaries (e.g. 'moderate to major'), I have colour referenced to the higher grading. Thus, in the example of 'moderate to major', colour reference would still be colour red.

Context of Site and Neighbouring Properties and Consideration on a retained VSC value

8.16 This aspect has already been examined in Section 7.0 of this proof of evidence.

8.17 However, from Section 7.0, for ease of reference I highlight the follow;

> Para. 7.22: *"It is evident in both instances that for the properties on St Matthew's Gardens and Silverwood Close, for a ground floor non-recessed window, a VSC value of not less than 27% is expected other than relating to Nos. 177-201 St Matthew's Gardens, where 20% is appropriate at ground floor (above lower ground level)."*
>
> Para. 7.23: *"The aforementioned review is on local scale specific to the site and in reference to the most pertinent neighbouring properties".*

8.18 For VSC review, analysis of the 'main' window has been considered (being predominantly the largest within the main elevation serving a room or central window within a bay); in instances where a room is served by more than one window, a room-weighted VSC has been considered in reference to the methodology within the BRE Guide.

8.19 For daylight, both VSC and daylight distribution have duly been considered.

8.20 I now consider reductions and subsequent harm to daylight for each neighbouring property group (**Appendix A** providing location reference);

Property Grouping A: Nos. 203, 175, 173, 171 & 169 St Matthew's Gardens

8.21 **Background:** These 'townhouse style' properties are arranged over lower ground, ground, 1st floor (plus 2nd floor but for the rear elevation facing site, there are no windows / comprises roof detailing); excepting for No. 169, there is no lower ground. The layouts are based upon estate agent details for these style of properties (details obtained for Nos. 175, 173 & 171).

8.22 Thus, it is assumed Nos. 203, 175, 173 & 171 are the same excepting at lower ground floor for No. 175, the rear dining room and kitchen is open-plan / combined. There are no details for No. 169 (which has no lower ground floor) but at ground and 1st floor, the same rear room layouts have been assumed which is reasonable. Access for gained to Nos. 173 & 175 St Matthew's Gardens during a joint site inspection.

8.23 A typical layout is depicted in **Image No. 3**

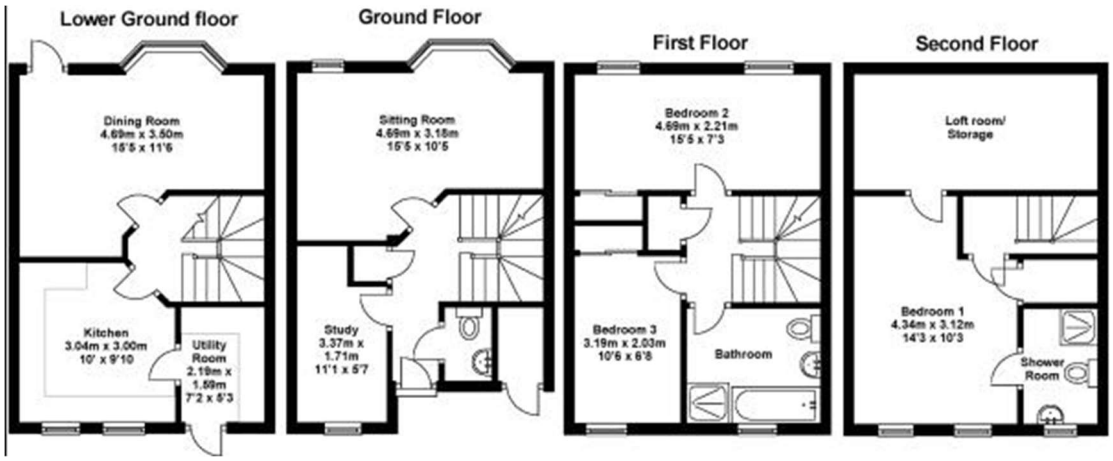


Image No. 3 – Typical layout (lower ground floor depicted – not applicable to No. 169)

8.24 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows in **Table A1** for VSC and **Table A2** for Daylight Distribution;

Table A1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
203 St Matthew's Gardens										
GF-R1	W3	living	30.6	23.3	24%	minor	28.6	22.0	23%	minor
1st-R1	W2	bedroom	33.7	24.8	27%	minor	33.9	25.2	26%	minor
175 St Matthew's Gardens										
Lower GF-R1	W2	Kitchen/ dining	22.9	14.5	37%	moderate	19.5	12.5	36%	moderate
GF-R1	W2	living	34.9	20.1	42%	major	33.0	19.1	42%	major
1st-R1	W1	bedroom	35.6	21.5	40%	moderate	36.0	21.7	40%	moderate
173 St Matthew's Gardens										
Lower GF-R1	W2	dining	27.6	17.4	37%	moderate	23.5	15.0	36%	moderate
GF-R1	W2	living	36.4	20.9	43%	major	35.0	20.4	42%	major
1st-R1	W1	bedroom	37.4	22.7	39%	moderate	37.4	22.6	40%	moderate
171 St Matthew's Gardens										
Lower GF-R1	W2	dining	24.1	15.8	34%	moderate	19.4	12.6	35%	moderate
GF-R1	W2	living	37.0	20.9	43%	major	35.6	20.5	42%	major
1st-R1	W1	bedroom	37.8	22.7	40%	moderate	37.8	22.6	40%	moderate
169 St Matthew's Gardens										
GF-R1	W2	living	36.7	20.3	45%	major	33.1	18.4	45%	major
1st-R1	W1	bedroom	37.6	22.5	40%	moderate	36.6	21.6	41%	major

Table A2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
175 St Matthew's Gardens						
Lower GF-R1	W1-W6	Kitchen /dining	97	54	45%	major
173 St Matthew's Gardens						
Lower GF-R1	W1-W4	dining	99	46	54%	major
171 St Matthew's Gardens						
Lower GF-R1	W1-W4	dining	99	45	54%	major
169 St Matthew's Gardens						
GF-R1	W1-W4	living	99	70	30%	minor

8.25 **Analysis review and consideration on harm ('EIA'):** The effects to each property are considered as follows;

No. 203 St Matthew's Gardens:

8.26 VSC: From **Table A1**, reductions to the ground floor living room and 1st floor bedroom, do not meet BRE Guide default target criteria / will be noticeable. Review on a 'VSC main window' basis compared to a 'VSC room weighted' basis provides similar results on a 'VSC room weighted' basis there is a 23% reduction to the living room and 26% to the bedroom. Such reductions are considered 'minor adverse'.

8.27 Daylight Distribution: For applicable reductions, BRE Guide default target criteria is met (thus, results absent from the summary **Table A2**).

8.28 **Harm:** Based upon Environmental Impact Assessment ('EIA'), in respect of BRE Guide Appendix H, considered **'minor adverse' for daylight to No. 203 St Matthew's Gardens.**

Nos. 175, 173 & 171 St Matthew's Gardens:

8.29 The effects to these particular properties are similar, so presented together;

8.30 VSC: From **Table A1**, the following reductions do not meet BRE Guide default target criteria / will be noticeable;

8.31 Lower ground floor dining rooms (kitchen/dining relating to No. 175) reduction adversity is 'moderate';

- No. 175: 'VSC main window' 37% reduction (similar for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in a particularly low VSC retained value of 14.5% ('VSC main window') and 12.5% ('VSC room weighted').

- No. 173: 'VSC main window' 37% reduction (similar for 'VSC room weighted' basis 36% reduction) thus, significantly beyond BRE Guidelines. This results in low VSC retained value of 17.4% ('VSC main window') and 15.0% ('VSC room weighted').

- No. 171: 'VSC main window' 34% reduction (similar for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in particularly in a low VSC retained value of 15.8% ('VSC main window') and 12.6% ('VSC room weighted').

8.32 Ground floor living rooms reduction adversity is 'major';

- No. 175: 'VSC main window' 42% reduction (and same for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained value of 20.1% ('VSC main window') and 19.1% ('VSC room weighted').

- No. 173: 'VSC main window' 43% reduction (similar for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 20.9% ('VSC main window') and 20.4% ('VSC room weighted').

- No. 171: 'VSC main window' 43% reduction (similar for 'VSC room weighted' basis 42% reduction) thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained value of 20.9% ('VSC main window') and 20.5% ('VSC room weighted').

8.33 First floor bedroom reduction adversity are at the high end of 'moderate' (almost low end of 'major');

- No. 175: 'VSC main window' 40% reduction (and same for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained value of 21.5% ('VSC main window') and 21.7% ('VSC room weighted').

- No. 173: 'VSC main window' 39% reduction (similar for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 22.7% ('VSC main window') and 22.6% ('VSC room weighted').

- No. 171: 'VSC main window' 40% reduction (and same for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained value of 22.7% ('VSC main window') and 22.6% ('VSC room weighted').

8.34 Daylight Distribution: From **Table A2**, the following reductions do not meet BRE Guide default target criteria / will be noticeable;

8.35 Lower ground floor dining rooms (kitchen/dining relating to No. 175) reduction adversity is 'major';

- No. 175: Daylight distribution of 45% thus, significantly beyond BRE Guidelines (even though this room is dual aspect). This results in particularly low retained value in the proposed scenario of 54% daylight distribution (existing being 97% / existing having almost all the room area at working plane able to receive direct sky light).

- No. 173: Daylight distribution reduction of 54% thus, significantly beyond BRE Guidelines. This results in a particularly low retained value in the proposed scenario of 46% (existing being 99% / existing having almost all the room area at working plane able to receive direct sky light).

- No. 171: Daylight distribution reduction of 54% thus, significantly beyond BRE Guidelines. This results in a particularly low retained value in the proposed scenario of 45% (existing being 99% / existing having almost all the room area at working plane able to receive direct sky light).

8.36 **Harm:** Based upon 'EIA', I conclude as '**major adverse' for Nos. 175, 173 & 171 St Matthew's Gardens.** This includes consideration of living rooms having 'major' noticeable reductions (for VSC) and retained value significantly below contextually VSC values. Such rooms will appear more gloomier and electric lighting will be needed more of the time. In addition, for applicable lower ground floor VSC reductions, these are at the high end of 'moderate' combined with 'major' reductions in daylight distribution, the latter results in circa half of the room no longer able to

receive direct sky light / low retained level. For the first-floor bedrooms, there are also daylight VSC reductions at the high end of 'moderate' (almost low end of 'major').

No. 169 St Matthew's Gardens:

8.37 VSC: From **Table A1**, reductions to the ground floor living room and 1st floor bedroom do not meet BRE Guide default target criteria / will be noticeable.

8.38 VSC reduction to the ground floor living rooms would be 45% (reduction the same for either 'VSC main window' or a 'VSC room weighted' basis); thus, 'major reduction'. On a room-weighted basis the retained VSC is contextually particularly low 18.4% (20.3% on a 'VSC main window' basis).

8.39 VSC reduction to the 1st floor bedroom is 41% on a room-weighted basis thus, 'major' reduction' (40% on a 'VSC main window' basis, at top end of 'moderate'). This results in a contextually low VSC retained value of 21.6% on a 'VSC room weighted' basis (and 22.5% on a 'VSC main window' basis).

8.40 Daylight Distribution: From **Table A2**, the following reductions do not meet BRE Guide default target criteria / will be noticeable; ground floor living room will have a reduction adversity at the high end of 'minor' (almost low end of 'moderate'); 30% reduction; retained value in the proposed scenario of 70% daylight distribution (existing being 99% / existing having almost all the room area at working plane able to receive direct sky light).

8.41 **Harm:** Based upon 'EIA', I conclude as **'major adverse' No. 169 St Matthew's Gardens**. This includes consideration of the living rooms having a 'major' noticeable reduction (for VSC) and retained value significantly below contextually VSC values. There will also be a noticeable effect to the daylight distribution within this room. The room will appear more gloomier and electric lighting will be needed more of the time. For the first-floor bedroom, there is also a noticeable reduction in daylight VSC at the high end of 'moderate' (almost low end of 'major') and contextual low retained VSC.

Property Grouping B: Flat Nos. 177-201 (odds) St Mathew's Gardens

8.42 **Background:** This building provides 13 No. flats; 10 No. of these have windows in the rear / southern elevation serving a room which facing towards site (2 No. flats applicable per floor, either side of the central staircase at lower ground, ground, 1st , 2nd & 3rd floor).

8.43 For the 2 No. applicable flats at lower ground floor, the living / dining room is served by windows facing site. For the remaining 8 No. applicable flats also having windows facing site, they have a bedroom window facing site; these are one bedroom flats excepting at ground floor, which have a second smaller bedroom on the front elevation / not facing site).

8.44 Thus, for these 8 No. flats, the bedroom facing site is the sole bedroom except in the case of the ground floor flats which has larger / main of the two bedrooms facing site. On this basis, I consider such a room takes an increased importance when compared to say a bedroom in a flat with multiple bedrooms.

8.45 Access was gained to No. 179 (lower ground) during a joint site inspection.

8.46 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows in **Table B1** for VSC and **Table B2** for Daylight Distribution;

Table B1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
177-201 St Matthew's Gardens										
GF-R1	W1	bedroom	28.4	20.4	28%	minor	Not applicable			
GF-R5	W5	bedroom	30.3	17.8	41%	major	Not applicable			
1st -R1	W1	bedroom	32.6	22.5	31%	moderate	Not applicable			
1st -R5	W5	bedroom	33.6	19.8	41%	major	Not applicable			
2nd -R1	W1	bedroom	34.9	25.0	28%	minor	Not applicable			
2nd -R5	W5	bedroom	34.9	22.1	37%	moderate	Not applicable			
3rd -R1	W1	bedroom	30.4	22.1	27%	minor	Not applicable			
3rd -R5	W5	bedroom	30.4	19.1	37%	moderate	Not applicable			

To note: VSC to main window to Lower Ground floor flats meets BRE Guide target.

Table B2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
177-201 St Matthew's Gardens						
Lower GF-R1	W1, W2	living	76	52	31%	moderate
Lower GF-R3	W5, W6	living	70	36	48%	major
GF-R1	W1	bedroom	92	52	43%	major
GF-R5	W5	bedroom	91	46	49%	major
1st-R1	W1	bedroom	92	66	27%	minor
1st-R5	W5	bedroom	92	53	42%	major
2nd-R5	W5	bedroom	92	59	36%	moderate
3rd -R5	W5	bedroom	92	67	27%	minor

8.47 **Analysis review and consideration on harm ('EIA'):** The effects to each property are considered as follows;

8.48 VSC: From **Table B1**, 8 No. bedrooms (one bedroom per flat and typically, being the sole bedroom within the flat), have reductions in VSC not meet BRE Guide default target criteria / will be noticeable. The 8 No. windows are a single window thus, consideration on a 'VSC room weighted' is not applicable.

8.49 Reductions can be summarised as follows;

- 2 No. 'Major' reductions to bedrooms;

  Ground floor room ref. GF-R5, window W5; 41% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 17.8% (existing VSC of 30.3%).

  1st floor room ref. 1st-R5, window W5; 41% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 19.8% (existing VSC of 33.6%).

- 3 No. 'moderate' reductions;

  1st floor room ref. 1st-R1, window W1; 31% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 22.5% (existing VSC of 32.6%).

  2nd floor room ref. 2nd-R5, window W5; 37% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 22.1% (existing VSC of 34.9%).

  3rd floor room ref. 3rd-R5, window W5; 37% reduction thus, significantly beyond BRE Guidelines. This results in a contextually limited VSC retained values of 19.1% (existing VSC of 30.4%).

- 3 No. 'minor' reductions;

  Ground floor room ref. GF-R1, window W1; 28% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 20.4% (existing VSC of 28.4%).

  2nd floor room ref. 2nd-R1, window W1; 28% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 25.0% (existing VSC of 34.9%).

  3rd floor room ref. 3rd-R1, window W1; 27% reduction thus, significantly beyond BRE Guidelines. This results in a contextually low VSC retained values of 22.1% (existing VSC of 30.4%).

8.50 Daylight Distribution: From **Table B2**, reduction to these neighbouring properties do not meet BRE Guide default target criteria for daylight distribution to 2 No. lower ground floor living rooms and 6 No. bedrooms (one bedroom per flat and typically, being the sole bedroom within the flat); the latter also having reductions in daylight VSC not meeting target.

8.51 The reductions to the lower ground floor living rooms can be summarised as;

- 1 No. major reduction to living room;
  Lower Ground floor room ref. GF-R3 (served by windows W5 & W6); 48% reduction thus, significantly beyond BRE Guidelines. This would result in a retained daylight distribution of just 36% (circa one-third) of the room area at working plane able to receive direct sky light (existing value at 70%).

- 1 No. moderate reduction to living room;
  Lower Ground floor room ref. GF-R1 (served by window W1& W2); 31% reduction thus, significantly beyond BRE Guidelines. This would result in a retained daylight distribution of just 52% (circa one-half) of the room area at working plane able to receive direct sky light (existing value at 76%).

8.52 For reductions to the 6 No. bedrooms, these can be summarised as;

- 3 No. major reductions to bedrooms;
  Bedroom reference: Ground floor ref. GF-R1 & GF-R5 and 1st floor 1st-R5; reductions range 42% to 49% and whilst the BRE Guide highlights daylight distribution to bedrooms is less important, these reductions are significantly beyond BRE Guidelines. Retained daylight distribution levels would range 46% to 53% (circa one-half) of the room area at working plane able to receive direct sky light (compared to existing value of circa 92% typical for the 6 No. bedrooms not meeting target guidelines).

- 1 No. moderate reduction to bedroom;
  Bedroom reference: 2nd floor ref. 2nd -R5; reductions of 36% and whilst the BRE Guide highlights daylight distribution to bedrooms is less important, this reduction is significantly beyond BRE Guidelines. Retained daylight distribution level is 59% (compared to existing value of circa 92% typical for the 6 No. bedrooms not meeting target guidelines).

- 2 No. minor reduction to bedrooms;
  Bedroom reference: 1st floor ref. 1st-R1 & 3rd floor ref. 3rd-R5; reductions both 27% and retained values respectively of 66% and 67% (compared to existing value of circa 92% typical for the 6 No. bedrooms not meeting target guidelines).

8.53 **Harm:** Based upon 'EIA', I conclude for each affected flat with a noticeable reduction as follows;

a) **No. 177 St Matthew's Gardens: 1 No. flat as 'Major'** (lower ground living room ref. R3): Whilst it is appreciated there is the projecting wall of the staircase close to 1 No. window serving a ground floor living room (main window sits much further away), daylight distribution is more sensitive to obstruction directly opposite (as opposed to VSC which is more sensitive to projecting walls etc). It is also appreciated the room is at lower ground floor level and with some context obstruction resulting in existing lower daylighting levels / some inherent sensitivity. However, despite this, the room has a 70% existing daylight distribution, and in part, due to a shallower depth room (circa 2.7m deep), easier to maintain daylight distribution. Within the proposed scenario, the retained daylight distribution would be very limited at just 36% / circa one-third of the room area at working plane able to receive direct skylight. I

consider this is a significant effect loss and the room will appear more gloomier and electric lighting will be needed more of the time.

b) **No. 179 St Matthew's Gardens: 1 No. flat as 'Moderate'** (lower ground – living room ref. R1) whilst similar consideration applicable for the other ground floor flat, given the results presented, the results are more moderate / at lower end of moderate and for this flat, I consider harm is also more 'moderate' (but still noticeable).

c) In consideration of the 8 No. bedrooms, these would have either reductions in daylight VSC and / or daylight distribution not meeting BRE Guide target. Whilst it is appreciated there is some inherent sensitively resulting from the communal staircase projection, the bedroom window is a reasonable distance way (set off from a bathroom which is next to the staircase). In consideration of the effects to both daylight VSC and daylight distribution, I consider the harm as;

No. 181 St Matthew's Gardens: 1 No. 'moderate to major' for ground floor bedroom GF-R5; significant adversity for both daylight VSC (major) and daylight distribution (major);

No. 183 St Matthew's Gardens: 1 No. 'moderate' for ground floor bedroom ref. GF-R1.

No. 185 St Matthew's Gardens: 1 No. 'moderate' for 1st floor bedroom ref. 1st F-R5.

St Matthew's Gardens 5 No. remaining flats: Nos. 189 (1st-R1), No. 195 (2nd-R1), No, 191 (2nd-R5), No. 201 (3rd-R1) and No, 197 (3rd-R5); these 5 No. flats as overall 'minor' adversity.

Property Grouping C: Nos. 167, 165, 163 St Matthew's Gardens

8.54 **Background:** These 3 No. dwellings comprise 1 No. house (No. 167) and 2 No. maisonettes; ground floor (No. 163) and at 1st floor (No. 165).

8.55 No layouts have been located but a narrative overview on arrangement was obtained during the site inspection and now incorporated within this 'post -planning / Inquiry analysis' which differs to the 'planning application' submission analysis.

8.56 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table C1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
167 St Matthew's Gardens										
GF-R1	W1	Kitchen/ dining	37.2	19.8	47%	major	37.2	19.8	47%	major
1st-R1	W1	bedroom	30.5	14.1	54%	major	Not applicable			
165 St Matthew's Gardens – 1st floor										
1st-R1	W1	bedroom	30.5	14.4	53%	major	Not applicable			
1st-R2	W4	LKD	35.8	22.7	37%	moderate	34.6	21.1	39%	moderate
163 St Matthew's Gardens – ground floor										
GF-R1	W3	bedroom	36.7	20.2	45%	major	Not applicable			
GF-R2	W6	LKD	30.3	22.7	25%	minor	31.6	22.5	29%	minor

Table C2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
167 St Matthew's Gardens						
GF-R1	W1-W2	Kitchen/ dining	96	35	64%	major
1st -R1	W1	bedroom	98	42	57%	major
165 St Matthew's Gardens – 1st floor						
1st -R1	W1	bedroom	97	58	40%	moderate
163 St Matthew's Gardens – ground floor						
GF -R1	W3	bedroom	98	58	41%	major

8.57 VSC: From **Table C1**, the following reductions do not meet BRE Guide default target criteria / will be noticeable;

- No. 167 St Matthew's Gardens: 'Major' reduction to ground floor kitchen/dining room (room GF-R1); 'VSC main window' 47% reduction (same for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in particularly low contextual VSC retained value of 19.8% ('VSC main window'); to highlight, existing value was 37.2%.

- No. 165 St Matthew's Gardens: 1 No. LKD (room ref. 1st-R2) having a 'moderate' reduction. On a 'VSC room weighted' basis, a 39% reduction (top end of moderate). Retained 'VSC room weighted' is 21.1% (existing 34.6%).

- No. 163 St Matthew's Gardens: 1 No. LKD (room ref. GF-R2) having a 'minor' reduction. On a 'VSC room weighted' basis, 29% reduction (top-end of minor). Retained 'VSC room weighted' is 22.5% (existing 31.6%).

- 3 No. bedrooms all having 'major; reduction (No. 167 room ref 1st R1, No.165 room ref. 1st-R1 and No. 163 room ref. GF-R1). Reduction at ground floor (re. No. 163) is 45% and retained VSC of 20.2% (existing 36.7%). For the respective 1st floor bedrooms (one each to No. 167 & 165), reductions are circa 53% with retained values circa 14% (existing values circa 30%). It is appreciated the projecting roof eaves at 1st floor is having some inherent effect upon these 1st floor VSCs (window head in close proximity

to roof eaves); whilst the theoretical 'without soffits' analysis has not been provided, theoretical 'without soffit' results are anticipated to be only slightly better than indicated at the ground floor for No. 163 which still had a 45% reduction and retained VSC of 20.2% (existing 36.7%).

8.58 Daylight Distribution: From **Table C2**, The following reductions do not meet BRE Guide default target criteria / will be noticeable;

- 'Major' reduction to ground floor kitchen/dining room (relating to No. 167 – room GF-R1). Daylight distribution reduction of 64% thus, significantly beyond BRE Guidelines This results in particularly low retained value in the proposed scenario of 35% (existing being 96% / existing having almost all the room area at working plane able to receive direct sky light).

- 3 No. bedrooms typically having 'major reductions; No. 167 St Matthew's Gardens (room ref 1st R1), No.165 St Matthew's Gardens (room ref. 1st-R1) and No. 163 St Matthew's Gardens (room ref. GF-R1). Reductions range 40% to 57% and whilst the BRE Guide highlighted daylight distribution to bedrooms is less important, these reductions are significantly beyond BRE Guidelines. Retained daylight distribution levels would range 42% to 58% of the room area at working plane able to receive direct sky light (compared to existing value of circa 97% typical for the 3 No. bedrooms not meeting target guidelines).

8.59 **Harm:** Based upon 'EIA', I conclude;

8.60 **'Major adverse' effect for No. 167 St Matthew's Gardens**, which includes consideration of the kitchen/dining room having 'major' reductions (for VSC), with contextually low retained VSCs and a very significant effect to the daylight distribution also to this room (reduction of 64%). There is also some significant effect to the daylight to a bedroom within this dwelling. These rooms will appear more gloomier and electric lighting will be needed more of the time.

8.61 **'Moderate adverse' effect for Nos. 165 & 163 St Matthew's Gardens**, which includes consideration of the LKD room having reductions (for VSC), with contextually low retained VSCs (circa 22%) compared to existing of circa 32%. There is also some significant effect to the daylight to a bedroom. It is appreciated the projecting roof eaves at 1st floor is having some inherent effect upon the 1st floor daylight (relating to No. 165) but for the LKDs, I consider this is limited effect due to the Juliet balcony doors which places the analysis assessment points lower down thus, further from and less influence from the projecting eaves. These rooms will appear more gloomier and electric lighting will be needed more of the time.

Property Grouping D: Nos. 157-161 St Matthew's Gardens

8.62 **Background:** These are anticipated to comprise 3 No. dwellings comprise 1 No. house (No. 157 and 2 No. maisonettes; ground floor (No. 159) and at 1st floor (No. 161).

8.63 No layouts have been located but could be anticipated to be similar to 'Property Group C' (but handed).

8.64 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table D1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
157-161 St Matthew's Gardens: No. 159 (ground)										
GF-R1	W2	LKD	32.2	25.3	21%	minor	*Allow as similar*			
157-161 St Matthew's Gardens: No. 161 (1st floor)										
1st -R1	W2	LKD	38.1	26.1	31%	moderate	*Allow as similar*			

8.65 There are no reductions presented for Daylight Distribution since these meet BRE Guide default target.

8.66 **Harm:** In consideration of **Table D1**, and based upon 'EIA', I conclude as **'minor' for both Nos. 159 & 161 St Matthew's Gardens** given the presented retained VSCs (although potentially, these LKDs may be served by an additional window which is likely to slightly alter the analysis).

Property Grouping E: Nos. 34-39 Silverwood Close

8.67 **Background:** These properties comprise a row of 6 No. terrace houses with rear elevation facing site. These properties follow a similar layout with kitchen and dining rooms at ground floor (rear) and also at the rear at 1st floor, a bedroom (adjacent a bathroom). Many of these properties have some form of rear extension at ground floor typically, either extending the kitchen/dining room spaces or forming a living room area.

8.68 Access was gained to Nos. 35, 38 & 39 during a joint site inspection.

8.69 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table E1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
34 Silverwood Close										
GF-R1	W3	living	35.1	22.2	37%	moderate	49.5	42.3	15%	negligible
GF-R2	W8	kitchen	33.2	21.6	35%	moderate	Not applicable			
1st-R1	W1	bedroom	38.3	24.9	35%	moderate	Not applicable			
35 Silverwood Close										
GF-R1	W1	Kitchen/ dining	34.7	22.5	35%	moderate	29.7	20.0	33%	moderate
GF-R2	W4	Living *conserv*	31.5	20.4	35%	moderate	*Allow as meeting (rooflights)*			negligible
1st-R2	W2	bedroom	38.3	24.8	35%	moderate	Not applicable			
36 Silverwood Close										
GF-R1	W1	dining	37.6	21.3	43%	major	37.6	21.3	43%	Major
GF-R2	W3	kitchen	26.4	17.8	32%	moderate	Not applicable			
1st-R1	W1	bedroom	38.3	24.7	35%	moderate	Not applicable			
37 Silverwood Close										
GF-R1	W2	Kitchen/ dining	33.7	21.8	35%	moderate	33.6	21.9	35%	Moderate
1st-R2	W2	bedroom	38.3	24.7	36%	moderate	Not applicable			
38 Silverwood Close										
GF-R1	W1	Kitchen/ dining	32.9	19.8	40%	moderate	47.9	37.3	22%	Negligible (retained VSC of 37.3)
1st-R1	W1	bedroom	38.2	24.7	35%	moderate	Not applicable			
39 Silverwood Close										
GF-R1	W2	LKD	31.7	15.9	50%	major	43.0	31.6	27%	negligible
1st-R2	W2	bedroom	38.3	24.7	35%	moderate	Not applicable			

8.70 From **Table E1**, it is evident that for the additional analysis now made available (not available at planning submission), on a 'VSC room weighted' basis 4 No. ground floor rooms (being living rooms so key rooms), would now meet BRE Guide target for reductions to VSC (previously not meeting target). This relates to the main rear ground floor 'living' rooms Nos 34, 35, 38 & 39 Silverwood Close. As background, for No. 38 Silverwood Close, this now meets target as the retained VSV is 37.3% due to accurate inclusion of the rooflights within the 'VSC room weighted' analysis.

8.71 I also note the existing high levels of daylight VSC evident for all windows within **Table E1**.

8.72 However, the windows serving these rooms with VSC reductions which do not meet BRE Guide default target criteria / will be noticeable, as follows from **Table E1**;

- No. 36 Silverwood Close: 'Major' reduction to ground floor dining room (room ref. GF-R1); 'VSC main window' 43% reduction (same for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in particularly low contextual VSC retained value of 21.3% ('VSC main window'); to highlight, existing value was 37.6%.

- No. 37 Silverwood Close: 'Moderate' reduction to ground floor kitchen/dining room (room GF-R1); 'VSC main window' 35% reduction (same for 'VSC room weighted' basis) thus, significantly beyond BRE Guidelines. This results in particularly low contextual VSC retained value of circa 22% (based upon either main window or room weighted review); to highlight, existing value was 33.6%).

- Nos. 34, 35 & 36 Silverwood Close: 'Moderate' reduction to 3 No. kitchens with served by single window (No. 34 for room ref GF-R2, No.35 for room ref. GF-R1 and No.36 room ref. GF-R2). Reductions are similar ranging 32% to 35%. For 1 No. kitchen (No. 36 Silverwood Close), the retained VSC value is 17.8% (existing VSC of 26.4%). For the remaining 2 No. kitchens (Nos.34 & 35 Silverwood Close), the retained VSC is circa 21% (existing circa 34%).

- 'Moderate' reduction to the rear bedroom within each property (thus 6 No. bedrooms); reduction circa 35%. Retained VSCs are just below 25% (existing values just above 38%).

8.73 Daylight Distribution: The following reductions do not meet BRE Guide default target criteria / will be noticeable as presented within **Table E2**;

Table E2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
34 Silverwood Close						
GF-R2	W8	kitchen	99	59	40%	Moderate
1st -R1	W1	bedroom	99	55	44%	Major
35 Silverwood Close						
GF-R1	W1 &W 8	Kitchen/ dining	98	65	33%	moderate
1st -R2	W2	bedroom	98	56	42%	major
36 Silverwood Close						
GF-R1	W1 &W 2	dining	99	53	47%	major
GF -R2	W3	kitchen	95	49	48%	major
1st -R1	W1	bedroom	98	52	47%	major
37 Silverwood Close						
GF-R1	W1 &W 2	Kitchen/ dining	98	63	35%	moderate
1st -R2	W2	bedroom	98	58	41%	major
38 Silverwood Close						
1st -R1	W1	bedroom	98	57	42%	major
39 Silverwood Close						
1st -R2	W2	bedroom	99	61	38%	moderate

8.74 From **Table E2**, I summarise these noticeable reductions;

- No. 36 Silverwood Close: 'Major' reduction in daylight distribution to both the rear extension dining room (room ref. GF-R1) and kitchen room (room ref. GF-R2). The dining room has a reduction of 47% and kitchen room has reduction of 48%; thus, significantly beyond BRE Guidelines This results in particularly low retained value in the proposed scenario of 53% (dining room) and 49% kitchen when compared to the existing

of not less than 95% thus almost all the room area at working plane able to receive direct sky light as existing.

- No. 34 Silverwood Close: Moderate reduction of 40% (high end of moderate / almost low end of major) in daylight distribution to 1 No. kitchen; No. 34 Silverwood Close (room ref. GF-R2). Reduction significant exceed BRE Guidelines and retained value is low at 59% (given that the existing being 99% / existing having almost all the room area at working plane able to receive direct sky light).

- No. 37 Silverwood Close; 'Moderate' reduction in daylight distribution of 35% to ground floor kitchen/dining room (room ref. GF-R1); thus, significantly beyond BRE Guidelines This results in low retained value in the proposed scenario of 63% given that the existing being 98% / existing having almost all the room area at working plane able to receive direct sky light.

- No. 35 Silverwood Close; 'Moderate' reduction in daylight distribution of 33% to ground floor kitchen/dining room (room ref. GF-R1); thus, significantly beyond BRE Guidelines This results in low retained value in the proposed scenario of 65% given that the existing being 98% / existing having almost all the room area at working plane able to receive direct sky light.

- Typically, 'Major' reduction to the rear bedroom within each property (thus 6 No. bedrooms); average reduction is circa 42%. Retained VSCs range 52% to 61% (existing values not less than 98%).

8.75 **Harm:** Based upon 'EIA', I conclude;

8.76 **No. 36 Silverwood Close as 'major adverse'** effect as major noticeable reductions to daylight VSC and /or daylight distribution to 3 No. habitable rooms and retained levels are contextually low.

8.77 **Nos. 34 & 35 Silverwood Close as 'moderate to major' adverse** for given effects to kitchen / kitchen dining and bedroom.

8.78 **Nos. 37 Silverwood Close as 'moderate' adverse** for given effects to kitchen /dining and bedroom.

8.79 **Nos. 38 & 39 Silverwood Close as minor** adverse effect (retained VSC circa 25% and daylight distribution circa 60% and retaining to noticeable effects to one bedroom within each property).

Property Grouping F: Nos. 40-45 Silverwood Close

8.80 **Background:** These properties comprise a row of 6 No. terrace houses with rear elevation facing site. These properties follow a similar layout with kitchen and dining rooms at ground floor (rear) and also at the rear at 1st floor, a bedroom (adjacent a bathroom). Many of these properties have some form of rear extension at ground floor typically, either added a conservatory or living / kitchen / dining similar.

8.81 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table F1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
40 Silverwood Close										
GF-R1	W4	Kitchen/ dining	38.0	26.3	31%	moderate	50.1	41.2	18%	negligible
GF-R2	W5	living	38.0	26.5	30%	minor	Not applicable			
41 Silverwood Close										
GF-R3	W7 int	dining	29.8	23.3	22%	minor	Not applicable			
43 Silverwood Close										
GF-R1	W8 int	dining	28.1	22.2	21%	minor	Not applicable			
GF-R3	W1	kitchen	33.4	25.9	22%	minor	Not applicable			
44 Silverwood Close										
GF-R1	W1	dining	34.1	26.2	22%	minor	Not applicable			
45 Silverwood Close										
GF-R1	W1	resi	28.9	22.8	21%	minor	Not applicable			
GF-R3	W10	living	37.5	26.7	29%	minor	32.9	24.9	24%	minor

Table F2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
40 Silverwood Close						
1st -R1	W1	bedroom	98	64	35%	moderate
41 Silverwood Close						
1st -R1	W1	kitchen	98	69	29%	minor
1st -R2	W2	bedroom	98	68	30%	minor
42 Silverwood Close						
GF -R3	W6	kitchen	99	71	28%	minor
1st -R1	W1	bedroom	98	65	33%	moderate
43 Silverwood Close						
GF -R1	W8	dining	95	61	35%	moderate
GF -R3	W1	kitchen	99	71	28%	minor
1st -R2	W2	bedroom	98	68	31%	moderate
44 Silverwood Close						
GF -R1	W1	dining	98	70	29%	minor
GF -R2	W2	kitchen	99	71	28%	minor
1st -R1	W1	bedroom	98	73	26%	minor
45 Silverwood Close						
GF -R1	W1	resi	100	71	29%	minor
1st -R2	W2	bedroom	98	65	34%	moderate

8.82 From **Table F1**, for the sake of efficient, in terms of daylight VSC, reductions are either minor and where towards the top-end of minor reduction will typically, have a retained VSC close to 27% before reductions are considered or where lower retained VSCs are apparent, reductions are typically, at the lower end of minor reduction.

8.83 It is also noted that the moderate reduction in VSC to the kitchen/dining room within No. 40 Silverwood Close, now meets BRE Guide target based upon a VSC 'room weighted' analysis.

8.84 I also note existing high levels of daylight VSC to the rooms within **Table F1**.

8.85 Daylight Distribution: From **Table F2**, again reductions are a mixture of moderate or minor reductions. The majority of 'moderate adverse' reductions (reductions ranging 31% to 35%) relates to bedroom uses which the BRE Guide recognises as less important for daylight distribution.

8.86 However, the dining room (GF-R1) within 43 Silverwood Close also has a moderate adverse reduction in daylight distribution. Whilst his now has an 'inner-room' arrangement', I do not consider significant inherent sensitively resulting from the conservatory extension which is effectively fully glazed.

8.87 **Harm:** Based upon 'EIA', I conclude;

8.88 **No. 40 Silverwood Close: 'minor adverse' effect** relating to bedroom (reduction downgraded for daylight distribution as bedroom). Living room close to 27% retained VSC.

8.89 **Nos. 41, 42, 44 & 45 Silverwood Close: considered overall, typically 'minor adverse'** effect to daylight.

8.90 **No. 43 Silverwood Close as 'moderate adverse**' as a number of rooms affected and dining room having a moderate adverse reduction for daylight distribution.

Property Grouping G: Nos. 49-50, 51 & 65-65A Silverwood Close

8.91 **Background:** These properties comprise the remaining properties within Silverwood Close with reductions in daylight not meeting BRE Guide target. These properties fall across a row of 6 No. terrace houses with rear elevation facing site excepting 65-65A is within a separate terrace row. These properties follow a similar layout with kitchen and dining rooms at ground floor (rear) and at the rear at 1st floor, a bedroom (adjacent a bathroom). Many of these properties have some form of rear extension at ground floor which have typically, either added a conservatory or living / kitchen / dining similar.

8.92 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table G1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
49-50 Silverwood Close*										
GF-R2	Av W4 &W 5	LKD	37.3	26.5	29%	minor	32.2	23.9	26%	minor
51 Silverwood Close										
GF-R2	W2	dining	37.0	25.8	30%	minor	Not applicable			
65-65A Silverwood Close										
GF-R2	W5	LKD	15.3	10.3	32%	moderate	20.2	17.0	16%	negligible

*Excludes room R1 (served by W9 & W10) as minimal VSC

Table G2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
49-50 Silverwood Close						
GF-R1	W9 &W 10	dining	97	39	59%	Major
GF -R2	W1-W7	LKD	98	67	32%	moderate
51 Silverwood Close						
GF-R2	W2	dining	99	57	43%	Major
1st -R3	W3	bedroom	99	45	54%	Major
65-65A Silverwood Close						
1st -R2	W2	bedroom	97	77	21%	Minor

8.93 VSC: From **Table G1**, for the sake of efficient, in terms of daylight VSC, whilst reductions are towards the top-end of minor reduction, they will have a retained VSC close to 27% before reductions are considered.

8.94 It is also noted that the moderate reduction in VSC to the LKD room within No. 65-65A Silverwood Close, now meets BRE Guide target based upon a 'VSC room weighted' analysis (existing levels are low due to inherent sensitivity to this particular property).

8.95 Daylight Distribution: From **Table G2,** reductions can be summarised;

- No. 49-50 Silverwood Close: whilst there is a 'moderate' reduction to the ground floor LKD rooms of 32% (existing 98% to proposed 67%), it is recognised from the analysis daylight distribution contour plots now provided, that loss of daylight distribution primarily relates to an area within the original property footprint, at the back of the extension, so an overall room depth is significant in that locality (over 5 m deep) resulting in some inherent sensitivity. Equally, the major reduction of 59% (existing 97% to proposed 39%), to the adjoining dining room is in effect, an 'inner room' and reliant on daylight flow through the outer room; thus, some inherent sensitivity recognised also in this context.

- No 51 Silverwood Close; 2 No. Major' reductions in daylight distribution to both rooms in the end extension; dining room (room ref. GF-R2) and bedroom above (room ref. 1st-R3). The dining room has a reduction of 57% and bedroom has a reduction of 45%; thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 57% (dining room) and 45% bedroom when compared to the existing of 99% thus, almost all the room area at working plane able to receive direct sky light.

- No. 65-65A Silverwood Close: One isolated bedroom not meeting BRE Guide target but at a daylight distribution of 21%, this is very close.

8.96 **Harm:** Based upon 'EIA', I conclude;

8.97 **Nos. 49-50 Silverwood Close: 'minor to moderate'** (downgraded from moderate & major) in recognition of inherent sensitivity for the affected rooms.

8.98 **No. 51 Silverwood Close: 'major'** adverse as due to significant reduction to 2 No. rooms that where effectively, having full 99% daylight distribution as existing but reduced to retained 57% (dining room) and 45% living rooms).

8.99 No 65-65A Silverwood Close: effectively negligible.

Property Grouping H: Nos. 148 & 150 Sleaford Street and Nos. 34, 42, 44, 48, 52, 54, 56, 72, 74, 76, 78 & 86 York Street

8.100 **Background:** Nos. 148 & 150 Sleaford Street are back-to-back end terrace maisonette style properties closest to the south side of the site. The York Steet properties are terrace houses with rear elevations facing; whilst these properties follow a similar layout, various extensions and alterations result in some non-uniformity on the rear elevations.

8.101 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table H1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
150 Sleaford Street										
1st -R2	W2	kitchen	34.1	20.1	41%	major	Not applicable			
148 Sleaford Street										
GF -R1	W1	bedroom	33.1	16.8	49%	major	Not applicable			
74 York Street										
GF-R1	W1-W3	resi	32.1	25.1	22%	minor	45.5	40.2	12%	negligible

Table H2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
148 Sleaford Street						
GF -R1	W1	bedroom	97	55	44%	major
34 York Street						
GF -R1	W1	kitchen	98	75	24%	minor
42 York Street						
1st -R1	W1	bedroom	83	64	23%	minor
44 York Street						
1st -R2	W2	bedroom	95	72	25%	minor
48 York Street						
GF -R1	W1-W4	LKD	88	54	38%	moderate
52 York Street						
GF -R1	W1-W2	kitchen	93	50	46%	major
GF -R2	W3	dining	48	34	30%	minor
54 York Street						
GF -R1	W1	resi	97	64	34%	moderate
56 York Street						
GF -R2	W2	resi	100	59	41%	major
1st -R2	W2	resi	100	73	27%	minor
72 York Street						
GF -R1	W1	resi	94	70	26%	minor
1st -R1	W1	resi	98	77	21%	minor

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
74 York Street						
1st -R1	W1	resi	92	31	66%	major
1st -R2	W2	resi	94	65	31%	moderate
76 York Street						
GF -R2	W2	kitchen	100	57	42%	major
78 York Street						
1st -R2	W2	resi	99	73	26%	minor
86 York Street						
1st -R1	W1	resi	98	74	25%	minor
1st -R2	W2	resi	98	76	22%	minor

8.102 VSC: From **Table H1**, the following reductions do not meet BRE Guide default target criteria / will be noticeable;

- No. 150 Sleaford Street: 'Major' reduction to 1st floor kitchen (room 1st-R2); 'VSC main window' has a 41% reduction ('VSC room weighted' not applicable) thus, significantly beyond BRE Guidelines. This results in particularly contextually low VSC retained value of 20.1% for this well-spaced neighbouring context (as evidence by all properties within Sleaford Street having existing values ranging circa 32% to 38%).

- No. 148 Sleaford Street: 'Major' reduction to ground floor bedroom (room GF-R1); 'VSC main window' has a 49% reduction ('VSC room weighted' not applicable) thus, significantly beyond BRE Guidelines. This results in particularly contextually low VSC retained value of 16.8% for this well-spaced neighbouring context (as evidence by all properties within Sleaford Street having existing values ranging circa 32% to 38%).

- No. 74 York Street: It is noted that the minor reduction in VSC to a ground floor room within No. 74 York Street (room ref. GF-R1), now meets BRE Guide target based upon a VSC room weighted' analysis.

8.103 Daylight Distribution: From **Table H2**, reductions can be summarised;

a) No. 148 Sleaford Street: 1 No. 'Major' reduction in daylight distribution to a ground floor bedroom (room ref. GF-R1). The bedroom has a reduction of 44% thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 55% when compared to the existing of 97% i.e. as existing, almost all the room area at working plane able to receive direct sky light.

b) Major reductions to 4 No. habitable rooms across 4 No. properties on York Street;

- No. 52 York Street: Reduction in daylight distribution to a ground floor kitchen of 46% (room ref. GF-R1) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 50% when compared to the existing of 93% i.e. as existing, almost all the room area at working plane able to receive direct sky light.

- No. 56 York Street: Reduction in daylight distribution to a ground floor unknown resi room use of 41% (room ref. GF-R2) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 59% when compared to the existing of 100% i.e. the whole room area at working plane able to receive direct sky light.

- No. 74 York Street: Reduction in daylight distribution to 1st floor unknown resi room use of 66% (room ref. 1st-R1) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 31% when compared to the existing of 92% i.e. as existing almost of the whole room area at working plane able to receive direct sky light.

- No. 76 York Street: Reduction in daylight distribution to a ground floor kitchen of 42% (room ref. GF-R2) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 57% when compared to the existing of 100% thus, the whole room area at working plane able to receive direct sky light.

c) Moderate reductions to 3 No. habitable rooms across 3 No. properties on York Street;

- No. 48 York Street: Reduction in daylight distribution to a ground floor LKD of 38% (room ref. GF-R1) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 54% when compared to the existing of 88% thus, a very high level of room area at working plane able to receive direct sky light.

- No. 54 York Street: Reduction in daylight distribution to ground floor unknown resi room use of 34% (room ref. GF-R1) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 64% when compared to the existing of 97% thus, almost of the whole room area at working plane able to receive direct sky light.

- No. 74 York Street: Reduction in daylight distribution to ground floor unknown resi room use of 31% (room ref. 1st-R1) thus, significantly beyond BRE Guidelines. This results in low retained value in the proposed scenario of 65% when compared to the existing of 94% thus, almost of the whole room area at working plane able to receive direct sky light.

d) There are 10 No. 'minor' reductions in daylight distribution across a number of properties in York Street and best summarised per room use as follows;

- 1 No. Kitchen: No. 34 York Street; reduction 24% (retained NSL 75%)
- 1 No. dining room: 48 York Street; reduction 30% (retained NSL 34% but existing was limited at 48%)
- 2 No. bedrooms: 1 No. at No. 42 York Street; reduction 23% (retained NSL 64%). 1 No. at No. 44 York Street; reduction 25% (retained NSL 72%).
- 6 No. resi rooms of unknown use: 1 No. in each of Nos. 56 & 78 York Street and 2 No. in each of Nos. 72 & 86 York Street. In all instances, reductions range 21% to 27% (retained NSL ranges 70% to 77%); all existing levels of NSL ranging 94% to 100%.

8.104 **Harm:** Based upon 'EIA', I conclude;

8.105 **No.150 Sleaford Street: 'Moderate adverse'**

8.106 **No. 148 Sleaford Street: 'Moderate to Major Adverse'**; a significant loss to daylight VSC and daylight distribution and whilst relating to a bedroom (daylight distribution less important) the loss appears to relate to a one-bedroom ground floor maisonette so a significant part of this dwelling affected.

8.107 **34 York Street: 'Minor Adverse'.**

8.108 **42 York Street: 'Minor Adverse'.**

8.109 **44 York Street: 'Minor Adverse'.**

8.110 **48 York Street: 'Moderate adverse'**; whilst relating to a LKD it is appreciated that the significant adversity relates to a room area beyond the extension area (extension having no rooflights) so, adversity has not been increased to account that this room use has ordinarily a high requirement for daylight.

8.111 **No. 52 York Street: 'Moderate Adverse'**; a significant loss to daylight distribution to both a kitchen and dining room (the latter where existing levels are already low) but recognised inherent sensitivity to this property due to position of windows in relation to the surrounding massing context which places some limitations already on daylight availability.

8.112 **No. 54 York Street: 'Moderate Adverse'**; room use unknown.

8.113 **No. 56 York Street: 'Moderate Adverse'**

8.114 **No. 72 York Street: 'Minor Adverse'**

8.115 **No. 74 York Street: 'Moderate Adverse**; balance of a major and moderate reduction but recognised some inherent sensitivity (window size / positioning).

8.116 **No. 76 York Street: 'Moderate Adverse**; balance of a major reduction but recognised some inherent sensitivity (appears deep narrow single-aspect room).

8.117 **No. 78 York Street: 'Minor adverse'**.

8.118 **No. 86 York Street: 'Minor adverse'**.

Property Grouping I: Hampden Gardens (Nos. 55-68, 69-83 & 84-97) and The Terrace (Nos. 11-17)

8.119 **Background:** Hampdens Gardens is a part 4, part 5 storey apartment block and The Terrace is a 3 storey block. These neighbouring properties, to the south-east, are more remote from site and on the opposite side of the railway lines.

8.120 **Analysis summary:** For reductions to these neighbouring properties not meeting BRE Guide default target criteria, these can be summarised as follows;

Table I1 - VSC reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	VSC for main window				VSC room weighted			
			Existing	Proposed	Reduction	Reduction adversity	Existing	Proposed	Reduction	Reduction adversity
84-97 Hampden Gardens										
4th -R3	W3	bedroom	19.0	14.5	24%	minor	Not applicable			
55-68 Hampden Gardens										
3rd -R7	W8	kitchen	23.6	18.0	24%	minor	Not applicable			
4th -R3	W4	bedroom	18.3	13.2	28%	minor	Not applicable			

Table I2 - Daylight Distribution reductions **not meeting BRE Guide** default target

Floor / Room	Window	Room use	NSL			
			Existing %	Proposed %	Reduction	Reduction adversity
69-83 Hampden Gardens						
GF -R4	W5-W6	resi	90	69	24%	minor
GF -R5	W7	resi	94	68	28%	minor
11-17 The Terrace						
GF -R1	W1	kitchen	99	71	28%	minor
GF -R2	W2	resi	97	70	28%	minor
GF -R3	W3	resi	99	68	31%	moderate
GF -R5	W7	resi	99	71	29%	minor
GF -R6	W8	resi	97	71	27%	minor
1st -R1	W1	kitchen	99	73	26%	minor
1st -R4	W4	kitchen	94	74	22%	minor

8.121 VSC: From **Table I1**, there are sideration of the 3 No. isolated instances of windows having minor reductions within Hampden Gardens, it is evident that each of these windows is positioned below a large projecting eaves resulting in inherent sensitivities to daylight.

8.122 Daylight Distribution: From **Table I2**, whilst there are 9 No. isolated instances for rooms having reductions not meeting BRE Guide default target criteria (relating to the lower floors), these typically relate to 'minor' reductions and retained values range values range 68% to 74%.

8.123 **Harm: Based upon 'EIA', I conclude that the effects can be considered overall as 'minor adverse' to Hampden Gardens (within Nos. 55-68, 69-83 & 84-97) and 11-17 The Terrace; although it is unknown as to how many individual dwellings that this would relate to, I anticipate circa 7 flats.**

9.0 EFFECTS TO SUNLIGHT TO NEIGHBOURING PROPERTIES (Maximum Parameters Scheme)

Sunlight – Effect upon neighbouring habitable rooms (main focus upon living rooms):

9.1 Neighbouring properties have been considered in terms of sunlight reductions. It is accepted that the main focus for analysis is upon living rooms (and conservatories where applicable), served by windows facing within 90° of south although the BRE Guide highlights that, whilst consideration of kitchens and bedrooms is less important, care should be taken not to block too much sunlight.

9.2 For any applicable reductions in Annual Probable Sunlight Hours (APSH) to living room use, these meet BRE Guide default target criteria.

9.3 For winter hours, there is one isolated instance of a living room with reductions not meeting BRE Guide default target criteria which is summarised as follows;

Table S1 - Maximum Parameters Scheme – St. Matthew's Gardens – Sunlight Winter Hours to Living Rooms not meeting BRE Guide target

Property. No.	Floor / Room Ref.	Window Ref.	Existing Winter Hours %	Proposed Winter Hours %	Reduction %	Reduction Adversity
Living Rooms						
177-201	LGF-R1	W1&2	3	1	67%	Major

9.4 As background, this isolated noticeable reduction in winter sun hours not meeting BRE Guide target instance compares with the analysis at planning application submission which had 4 No. instances of winter sunlight not meeting target.

9.5 **Harm:** In reference to **Table S1**, this living room relates to **No. 179 St Matthew's Gardens and given some inherent sensitivity to this property and that APSH meets target, I consider a 'moderate adverse'** effect in terms of EIA harm.

Sunlight – Effect upon neighbouring amenity:

9.6 There is no update on the analysis for sunlight availability to amenity areas, in terms of the BRE Guide 2 hour test. From the eb7 analysis (planning submission), applicable reductions relating to the 2 hour analysis review (21st March), these would meet BRE Guide target criteria with the isolated exception of 5 No. amenity areas for which the results are summarised in **Table S2**;

9.7 **Table S2 – Maximum Parameters Scheme – Sunlight Availability to Amenity Area (21st March) - not meeting BRE Guide target**

Property. No.	Amenity Ref.	Existing Area for sun (2 hours) %	Proposed Area for sun (2 hours) %	Reduction %	Reduction Adversity
St Matthew's Gardens					
175	56	88	48	46%	Major
163-167	60	77	47	39%	Major (as retained below 50%)
Silverwood Close					
36	72	83	49	42%	Major
37	73	79	46	42%	Major
38	74	77	26	66%	Major

9.8 From **Table S2**, it can now be seen that for the 5 No. reductions in Sunlight Availability to Amenity areas (2 hours – 21st March test) that are not meeting BRE Guide default target criteria, these are all 'major' adverse reductions. However, given that the threshold for consideration on reduction is only once the sunlit area falls below 50%, it can be seen in terms of retained values, 4 No. have a retained value ranging 46% to 49% thus, still fairly close to target (but significant reduction). However, for the remaining amenity area not meeting target, this would only have a retained value of 26%, constituting a significantly noticeable reduction.

9.9 **Harm:** In reference to **Table S2** I consider that in terms of sunlight amenity, EIA harm is generally **'moderate' adverse to Nos. 175 & 163-167 St Mathew's Gardens and Nos. 36 & 37 Silverwood Close**. For **No. 38 Silverwood Close where this is a significant shortfall to BRE Guidelines, this is considered 'major adverse'.**

10.0 SUMMARY TABLE ON HARM TO DAYLIGHT & SUNLIGHT TO NEIGHBOURING PROPERTIES (Maximum Parameters Scheme)

10.1 Extracted from the review within Section 8.0 (Daylight) and Section 9.0 (Sunlight), I provide a summary within **Table Z** of overall harm for each property (where reductions would not meet BRE Guidelines), for both Daylight Harm and Sunlight Harm and then a combined Harm (I consider the higher harm applicable for the overall 'harm adversity').

10.2 It is noted from the **Table Z**, that there are 13 No. properties which would suffer 'major adverse' harm (including 4 No. instances of 'moderate to major harm') and 15 No. properties which would suffer 'moderate adverse' harm (including 1 instance of 'minor to moderate harm').

10.3 There are also at least 24 No. properties which would suffer 'minor adverse' harm which are still likely to be noticeable and resulting in some deterioration in daylight amenity.

10.4 For such effects, these will ordinarily be noticeable and for the greater levels of harm, reductions in daylight VSC and / or daylight distribution and / or sunlight are typically significantly beyond the BRE Guidelines and below contextual levels as identified. In terms of these overall losses to daylight, such affected rooms will appear gloomier and electric lighting will be needed more of the time.

10.5 I consider this quantum of harm is significant, both in terms of adversity and overall quantum for the given context of the site.

Table Z – Summary of EIA Harm to Daylight, Sunlight and Combined per Neighbouring Property having noticeable reductions form the Maximum Parameters Scheme.

Property Grouping	Property	Daylight Harm Adversity	Sunlight Harm Adversity	Overall Harm Adversity
A	203 St Mathew's Gardens	Minor		Minor
	175 St Mathew's Gardens	**Major**	Moderate	**Major**
	173 St Mathew's Gardens	**Major**		**Major**
	171 St Mathew's Gardens	**Major**		**Major**
	169 St Mathew's Gardens	**Major**		**Major**
B	177-201 St Mathew's Gardens:-			
	Flat LGF - 177	**Major**		**Major**
	Flat LGF - 179	Moderate	Moderate	Moderate
	Flat GF - 181	**Moderate to Major**		**Moderate to Major**
	Flat GF - 183	Moderate		Moderate
	Flat 1st - 185	Moderate		Moderate
	Flat 1st - 189	Minor		Minor
	Flat 2nd - 191	Minor		Minor
	Flat 2nd - 195	Minor		Minor
	Flat 3rd - 197	Minor		Minor
	Flat 3rd - 201	Minor		Minor
C	167 St Mathew's Gardens	**Major**	Moderate	**Major**
	165 St Mathew's Gardens	Moderate	Moderate	Moderate
	163 St Mathew's Gardens	Moderate	Moderate	Moderate
D	159 St Mathew's Gardens	Minor		Minor
	161 St Mathew's Gardens	Minor		Minor
E	34 Silverwood Close	**Moderate to Major**		**Moderate to Major**
	35 Silverwood Close	**Moderate to Major**		**Moderate to Major**
	36 Silverwood Close	**Major**	Moderate	**Major**
	37 Silverwood Close	Moderate	Moderate	Moderate
	38 Silverwood Close	Minor	**Major**	**Major**
	39 Silverwood Close	Minor		Minor
F	40 Silverwood Close	Minor		Minor
	41 Silverwood Close	Minor		Minor
	42 Silverwood Close	Minor		Minor
	43 Silverwood Close	Moderate		Moderate
	44 Silverwood Close	Minor		Minor
	45 Silverwood Close	Minor		Minor
G	49-50 Silverwood Close	Minor to Moderate		Minor to Moderate
	51 Silverwood Close	**Major**		**Major**
	65 & 65A Silverwood Close	Negligible		Negligible
H	148 Sleaford Street	**Moderate to Major**		**Moderate to Major**

	150 Sleaford Street	Moderate		Moderate
	34 York Street	Minor		Minor
	42 York Street	Minor		Minor
	44 York Street	Minor		Minor
	48 York Street	Moderate		Moderate
	52 York Street	Moderate		Moderate
	54 York Street	Moderate		Moderate
	56 York Street	Moderate		Moderate
	72 York Street	Minor		Minor
	74 York Street	Moderate		Moderate
	76 York Street	Moderate		Moderate
	78 York Street	Minor		Minor
	86 York Street	Minor		Minor
I	Circa 7 No. isolated flats in overall total across;			
	55-68 Hampden Gardens	Minor		Minor
	69-83 Hampden Gardens	Minor		Minor
	84-97 Hampden Gardens	Minor		Minor
	11-17 The Terrace	Minor		Minor

11.0 COMMENTS ON THE ILLUSTRATIVE SCHEME IN RESEPCT OF EFFECTS TO DAYLIGHT & SUNLIGHT TO NEIGHBOURING PROPERTIES

11.1 Whilst I have not considered in detail as to how the updated analysis (post planning) for the 'Illustrative Scheme' would translate, this would have a significantly lesser effect on the daylight and sunlight to neighbouring properties compared to the 'Maximum Parameters Scheme'.

11.2 This aligns with my findings within our peer review report. I had highlighted this to be the case for the analysis submitted and reviewed at that time.

11.3 However, the 'Illustrative Scheme' is not the planning application and represents just one possible massing proposal option solution that would, in effect, sit within the proposed Maximum Parameters Scheme envelope.

11.4 Given the level of harm to neighbouring daylight and sunlight from the 'Maximum Parameters Scheme', it does raise the question as to why the 'Maximum Parameters Scheme' has been submitted for planning permission given that clearly, the scheme has not sought to mitigate harm to the daylight and sunlight of neighbouring properties.

11.5 A scheme, such as the 'Illustrative Scheme' would indeed result in less harm when compared to the Maximum Parameters Scheme', which in respect of the ethos of the BRE Guide and other sources, noticeable reductions / harm should be kept to a minimum.

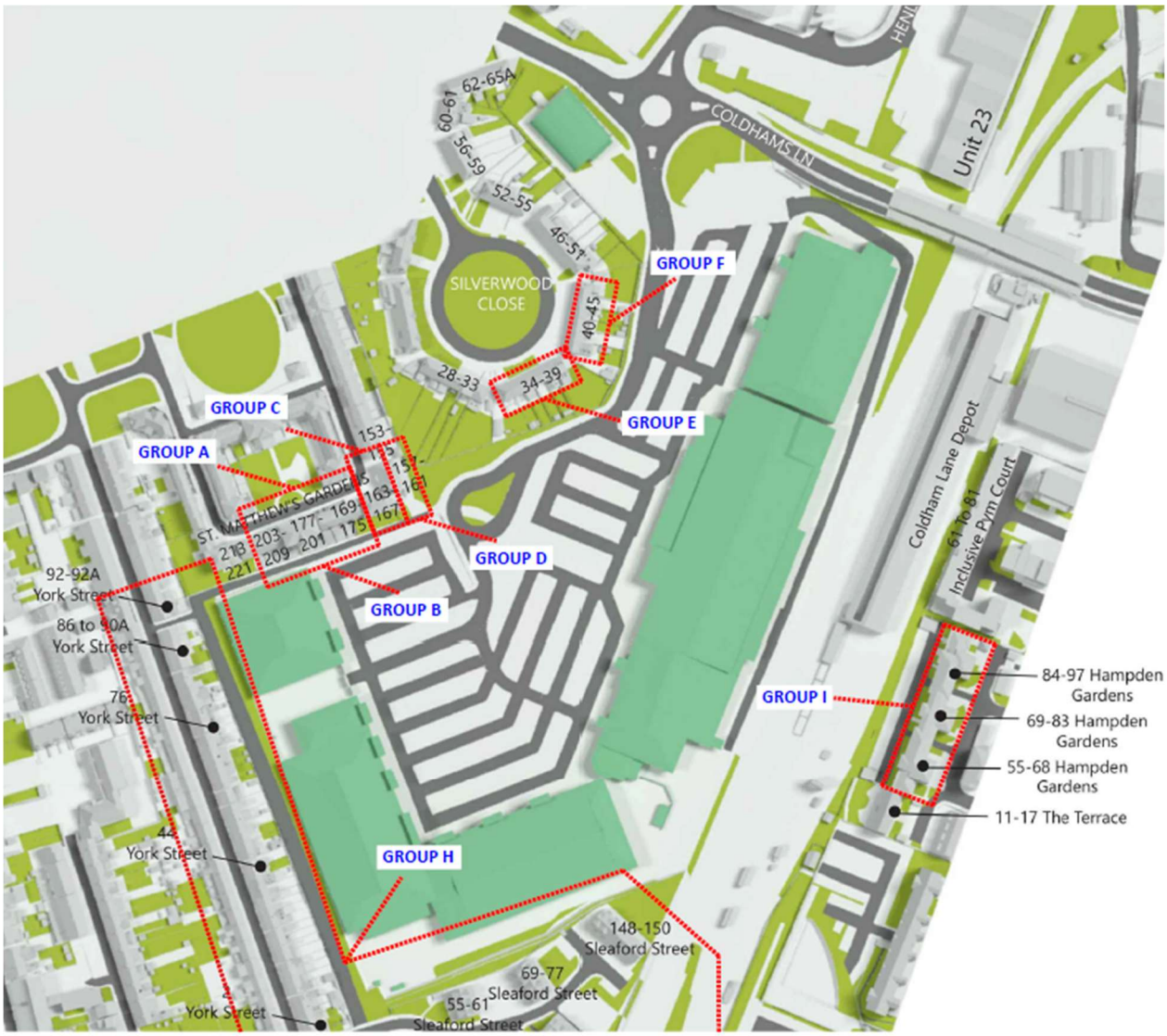
11.6 Whilst ultimately matters are for consideration in the planning balance, it is apparent that the planning application for the 'Maximum Parameters Scheme' has not sought to minimise harm, given that there is an example of a massing volume within the 'Illustrative Scheme' that presumably may potentially deliver a suitable workable proposal in terms of use order, floor space, preliminary design, viability etc that results in **less harm** (although this should not be deemed to be interpreted as acceptable harm as I have not quantified such harm in detail given that the 'Illustrative Scheme' is not the submitted planning application scheme).

APPENDICES

APPENDIX A	**Location of Neighbouring Properties having reductions not meeting BRE Guidelines**
APPENDIX B	**Vertical Sky Component (VSC) Test Points for Contextual Consideration**
APPENDIX C	**'Mirror Development' analysis for VSC review for St Matthew's Gardens**
APPENDIX C	**'Mirror Development' analysis for VSC review for Silverwood Close**

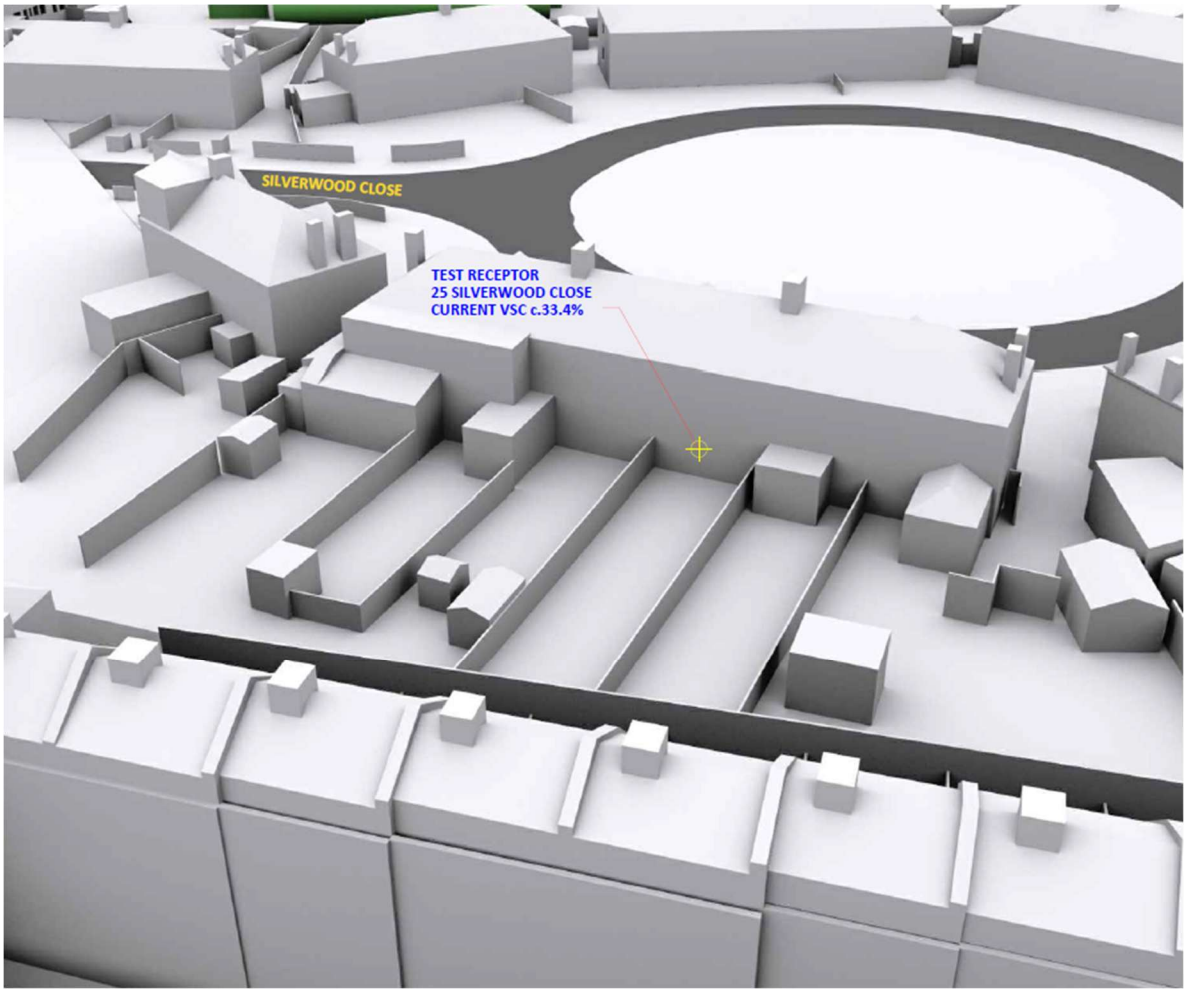
Appendix A

Location of Neighbouring Properties having reductions not meeting BRE Guidelines

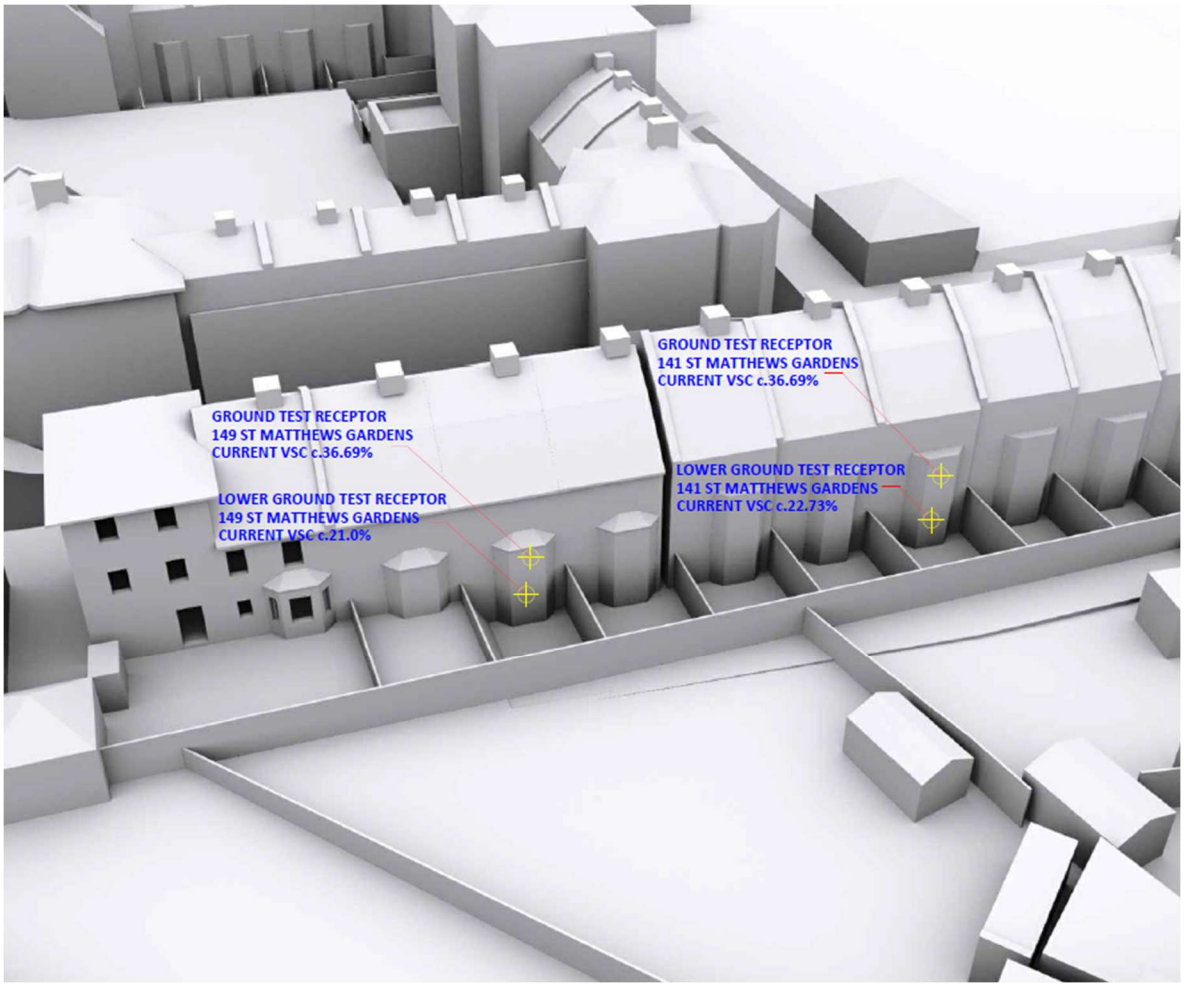


Appendix B

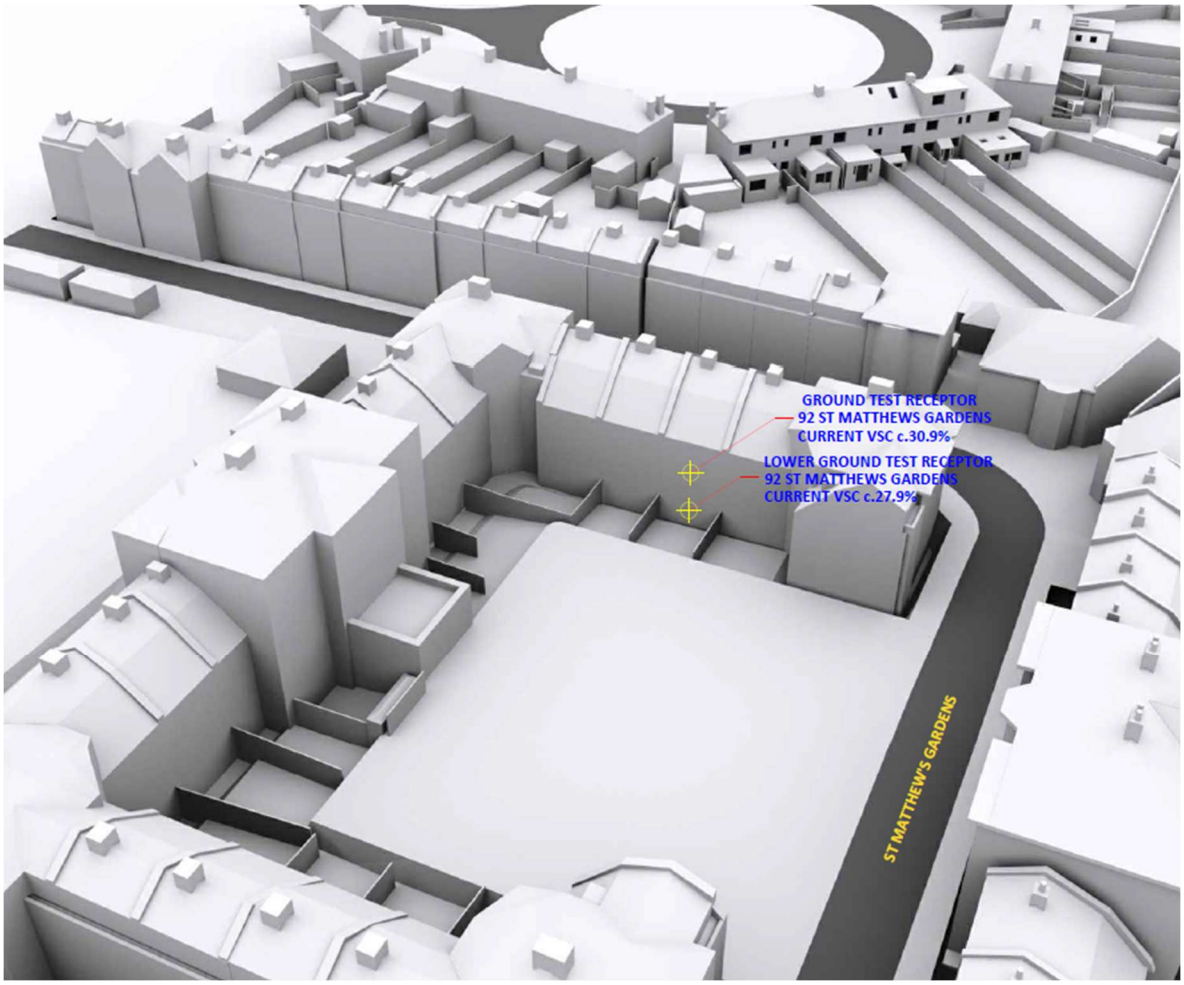
Vertical Sky Component (VSC) Test Points for Contextual Consideration



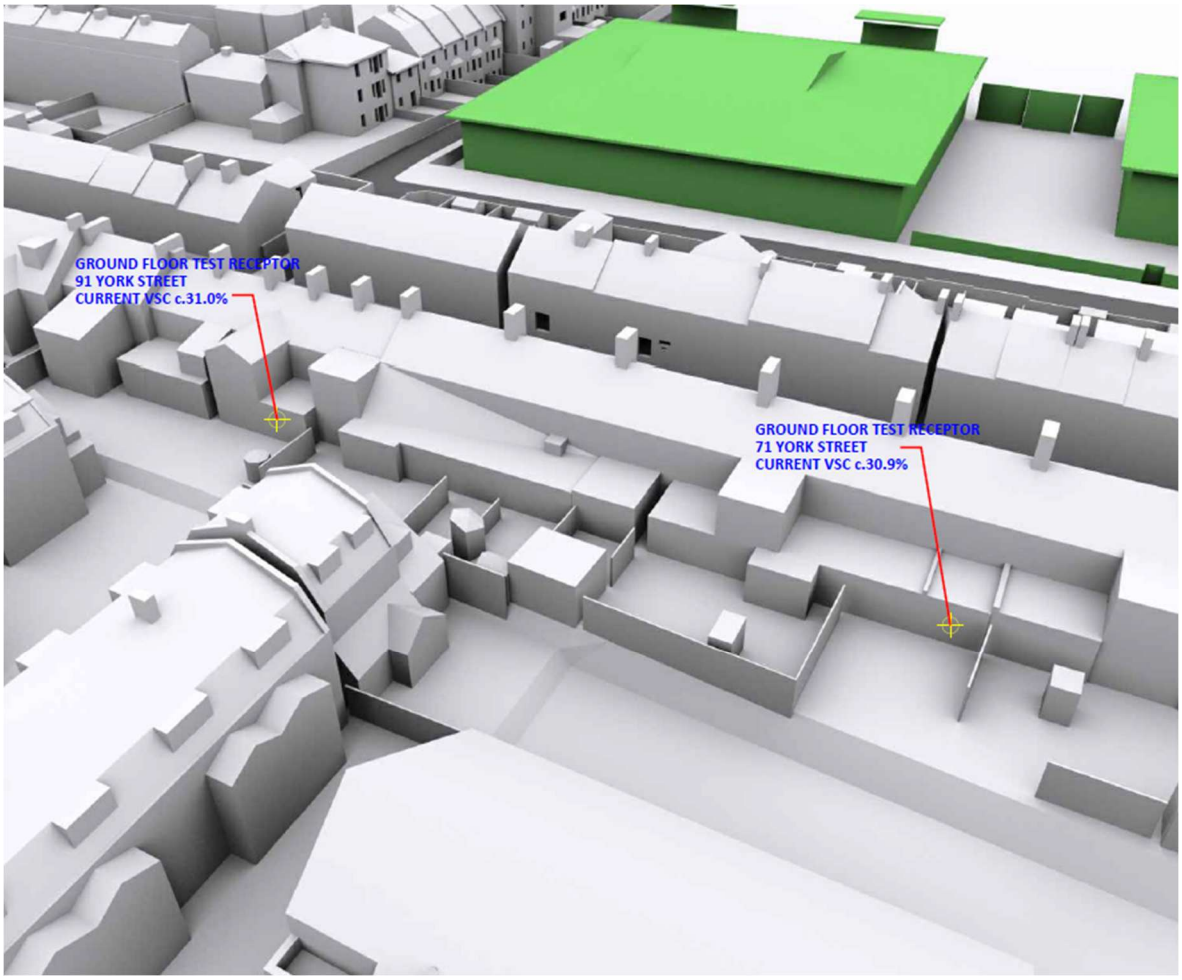
Test Point – TP1



Test Point – TP2, TP3, TP2-LG & TP3-LG



Test Point – TP4 & TP4-LG



Test Point – TP6 & TP7

Appendix C

'Mirror Development' analysis for VSC review for St Matthew's Gardens

Nos. 221-163 St Matthew's Gardens (excluding Nos. 177-201) - Summary from attached analysis (taken from proposed VSC values highlighted in blue – ground floor main windows)

Property No. (St Matthews Gardens)	Room ref.	Window ref.	VSC value
213-221	R1	W1	30.40%
	R2	W3	28.78%
211	R1	W1	28.42%
	R2	W2	27.80%
209	R1	W3	28.28%
207	R1	W3	27.68%
205	R1	W3	26.57%
203	R1	W3	24.20%
175	R1	W2	25.04%
173	R1	W2	27.52%
171	R1	W2	28.87%
169	R1	W2	29.11%
167	R1	W1	29.76%
163	R1	W1	30.09%
	R2	W6	29.98%
		Average	**28.20%**

177-201 St Matthew's Gardens - Summary from attached analysis (taken from proposed VSC values highlighted in green – ground floor windows)

Property No. (St Matthews Gardens)	Room ref.	Window ref.	VSC value
177-201	R1	W1	19.61%
	R5	W5	20.32%

Mirror Development Analysis for VSC review for St Matthew's Gardens					
Floor Ref.	Room Ref.	Room Use	Window Ref.		VSC
213-221 St Matthew's Gardens					
Ground	R1	Residential	W1	Existing	33.02
				Proposed	30.40
Ground	R2	Residential	W2	Existing	32.42
				Proposed	29.38
Ground	R2	Residential	W3	Existing	31.90
				Proposed	28.78
Ground	R2	Residential	W4	Existing	31.91
				Proposed	28.63
211 St Matthew's Gardens					
Ground	R1	Residential	W1	Existing	31.99
				Proposed	28.42
Ground	R2	Residential	W2	Existing	31.26
				Proposed	27.80
209 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	31.55
				Proposed	28.00
Ground	R1	Living Room	W2	Existing	28.83
				Proposed	26.30
Ground	R1	Living Room	W3	Existing	31.97
				Proposed	28.28
Ground	R1	Living Room	W4	Existing	29.60
				Proposed	25.78
207 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	31.80
				Proposed	27.84
Ground	R1	Living Room	W2	Existing	29.85
				Proposed	27.11
Ground	R1	Living Room	W3	Existing	31.98
				Proposed	27.68
Ground	R1	Living Room	W4	Existing	29.31
				Proposed	24.48
205 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	31.71
				Proposed	26.96
Ground	R1	Living Room	W2	Existing	29.97
				Proposed	26.67
Ground	R1	Living Room	W3	Existing	31.82
				Proposed	26.57
Ground	R1	Living Room	W4	Existing	27.86
				Proposed	22.07

Mirror Development Analysis for VSC review for St Matthew's Gardens					
Floor Ref.	Room Ref.	Room Use	Window Ref.		VSC
203 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	31.07
				Proposed	25.35
Ground	R1	Living Room	W2	Existing	29.97
				Proposed	25.81
Ground	R1	Living Room	W3	Existing	30.64
				Proposed	24.20
Ground	R1	Living Room	W4	Existing	21.95
				Proposed	15.35
177-201 Odd St Matthew's Gardens					
Ground	R1	Bedroom	W1	Existing	28.43
				Proposed	19.61
Ground	R2	Bathroom	W2	Existing	22.40
				Proposed	15.19
Ground	R4	Bathroom	W4	Existing	24.01
				Proposed	15.90
Ground	R5	Bedroom	W5	Existing	30.27
				Proposed	20.32
175 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	25.09
				Proposed	16.48
Ground	R1	Living Room	W2	Existing	34.86
				Proposed	25.04
Ground	R1	Living Room	W3	Existing	34.99
				Proposed	27.24
Ground	R1	Living Room	W4	Existing	35.45
				Proposed	26.34
173 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	30.80
				Proposed	22.53
Ground	R1	Living Room	W2	Existing	36.44
				Proposed	27.52
Ground	R1	Living Room	W3	Existing	35.14
				Proposed	28.22
Ground	R1	Living Room	W4	Existing	36.49
				Proposed	28.19

Mirror Development Analysis for VSC review for St Matthew's Gardens					
Floor Ref.	Room Ref.	Room Use	Window Ref.		VSC
171 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	32.83
				Proposed	25.17
Ground	R1	Living Room	W2	Existing	37.00
				Proposed	28.87
Ground	R1	Living Room	W3	Existing	34.79
				Proposed	28.52
Ground	R1	Living Room	W4	Existing	36.66
				Proposed	29.12
169 St Matthew's Gardens					
Ground	R1	Living Room	W1	Existing	31.58
				Proposed	25.86
Ground	R1	Living Room	W2	Existing	36.65
				Proposed	29.11
Ground	R1	Living Room	W3	Existing	30.32
				Proposed	24.65
Ground	R1	Living Room	W4	Existing	31.29
				Proposed	24.43
167 St Matthew's Gardens					
Ground	R1	Kitchen	W1	Existing	37.24
				Proposed	29.76
Ground	R1	Kitchen	W2	Existing	37.17
				Proposed	29.94
163 St Matthew's Gardens					
Ground	R1	Bedroom	W3	Existing	36.66
				Proposed	30.09
Ground	R2	LKD	W4	Existing	34.90
				Proposed	30.21
Ground	R2	LKD	W5	Existing	32.67
				Proposed	32.06
Ground	R2	LKD	W6	Existing	30.26
				Proposed	29.98
Ground	R2	LKD	W7	Existing	31.13
				Proposed	30.42

Appendix D

'Mirror Development' analysis for VSC review for Silverwood Close

Please Note : VSC values typically in excess of a VSC of 27% for ground floor main windows (non-recessed) . Analysis also includes recessed windows.

Mirror Development Analysis for VSC review for Silverwood Close Nos. 34-39 Silverwood Close					
Floor Ref.	Room Ref.	Room Use	Window Ref.		VSC
34 Silverwood Close					
Ground	R1	Living Room	W1	Existing	33.25
				Proposed	33.06
Ground	R1	Living Room	W2	Existing	35.60
				Proposed	34.83
Ground	R1	Living Room	W3	Existing	35.08
				Proposed	34.41
Ground	R1	Living Room	W4	Existing	36.26
				Proposed	35.39
Ground	R1	Living Room	W5	Existing	22.96
				Proposed	22.91
Ground	R1	Living Room	W6	Existing	80.09
				Proposed	79.66
Ground	R2	Kitchen	W8	Existing	33.17
				Proposed	32.18
35 Silverwood Close					
Ground	R1	Kitchen	W1	Existing	34.66
				Proposed	33.57
Ground	R1	Kitchen	W8	Existing	27.56
				Proposed	26.97
Ground	R2	Living Room	W2	Existing	25.01
				Proposed	24.80
Ground	R2	Living Room	W3	Existing	32.62
				Proposed	32.62
Ground	R2	Living Room	W4	Existing	31.49
				Proposed	31.49
Ground	R2	Living Room	W5	Existing	25.09
				Proposed	25.09
Ground	R2	Living Room	W6	Existing	2.47
				Proposed	2.45
Ground	R2	Living Room	W7	Existing	84.24
				Proposed	83.75
36 Silverwood Close					
Ground	R1	Dining Room	W1	Existing	37.61
				Proposed	36.12
Ground	R1	Dining Room	W2	Existing	37.84
				Proposed	36.26
Ground	R2	Kitchen	W3	Existing	26.35
				Proposed	25.78
37 Silverwood Close					
Ground	R1	Kitchen-Dining	W1	Existing	33.46
				Proposed	32.74
Ground	R1	Kitchen-Dining	W2	Existing	33.73
				Proposed	32.39

Mirror Development Analysis for VSC review for Silverwood Close Nos. 34-39 Silverwood Close					
Floor Ref.	Room Ref.	Room Use	Window Ref.		VSC
38 Silverwood Close					
Ground	R1	Kitchen-Dining	W1	Existing	32.89
				Proposed	32.17
Ground	R1	Kitchen-Dining	W2	Existing	71.57
				Proposed	71.29
Ground	R1	Kitchen-Dining	W3	Existing	84.40
				Proposed	84.09
Ground	R1	Kitchen-Dining	W4	Existing	80.57
				Proposed	80.47
Ground	R1	Kitchen-Dining	W5	Existing	67.51
				Proposed	67.41
39 Silverwood Close					
Ground	R1	LKD	W1	Existing	36.27
				Proposed	35.87
Ground	R1	LKD	W2	Existing	31.73
				Proposed	31.33
Ground	R1	LKD	W3	Existing	35.62
				Proposed	35.19
Ground	R1	LKD	W4	Existing	68.15
				Proposed	68.06
Ground	R1	LKD	W5	Existing	70.15
				Proposed	70.07
Ground	R1	LKD	W7	Existing	28.50
				Proposed	28.50
Ground	R1	LKD	W8	Existing	35.78
				Proposed	35.78
Ground	R1	LKD	W9	Existing	25.24
				Proposed	25.23
Ground	R2	Utility	W6	Existing	18.15
				Proposed	18.03