# Research

08 June 2023

17 SLINGSBY PLACE
LONDON | WC2E 9AB

## CONTEXTUAL DAYLIGHT & SUNLIGHT STUDY

## Newcombe House, Notting Hill Gate, The Royal Borough of Kensington and Chelsea

### 1. Instruction

1.1. Point 2 Surveyors Ltd. are instructed to provide a Contextual Daylight and Sunlight Study in respect of the planning submission for the Squire & Partners Proposed Development for Land at 43-45 and 39-41 Notting Hill Gate and 161-237 (odd), Kensington Church Street, London, W11 3LQ ("the Site" / "the Proposed Development"), located within the Royal Borough of Kensington and Chelsea ("RBKC"). This document will provide:

1. An overview of the daylight and sunlight impact to neighbouring residential properties surrounding the Site within the context of the BRE Guidelines[1];
2. The process and rationale of setting alternative daylight targets for urban locations;
3. The prevailing daylight levels within the immediate context of the Site; and
4. Conclusions and recommendations for acceptable levels of daylight in this central urban context.

1.2. This Contextual Daylight Study should be read in conjunction with the *Daylight, Sunlight and Overshadowing Report*, dated June 2023 ("the Report").

### 1. Daylight and Sunlight Impact Overview:

1.1. With reference to the Report, the impact the Proposed Development has on the daylight and sunlight amenity of 50 neighbouring properties containing / assumed to contain an element of residential accommodation has been assessed, in accordance with the BRE Guidelines.

1.2. It is understood that planning permission was granted on 25th June 2020 for the Extant Consent under Appeal Ref. APP/G6100/V/19/3225884 ("the Consented Development"). Analysis of the neighbouring residential properties has therefore been undertaken in two main assessment scenarios:

[1] Building Research Establishment 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice, 3rd Edition, 2022 (BRE Guidelines)

1. Existing Baseline vs. Proposed Development
    - With the effect of balconies
    - Without the effect of balconies

2. Consented Baseline vs. Proposed Development
    - With the effect of balconies
    - Without the effect of balconies

1.3. It should be noted however that all discussion is focussed on Scenario 1. With 50 properties containing / assumed to contain an element of residential accommodation, the following conclusions have been drawn:

**Sunlight:**

- A total of 27 properties contain / are assumed to contain main living areas with a window orientated within 90° due south and as such are eligible for sunlight assessment. Of these, 26 properties remain BRE compliant in Annual Probable Sunlight Hours ("APSH"). Just 3 assumed rooms in the remaining property 206 Kensington Church Street, will experience isolated incidences of derogation from BRE Guidance and the overall sunlight amenity after the Proposed Development is constructed is considered acceptable.

**Daylight:**

- A total of 25 properties will experience BRE compliant alterations in Vertical Sky Component ("VSC") and No Sky-line ("NSL"). Most of these properties are located to the north and south of the Site;

- The building form and architecture of several neighbouring properties to the east and west of the Site, such as balcony overhangs and rear building projections, inevitably restrict daylight provision in the existing and proposed conditions. These characteristics disproportionately accentuate the relative change in daylight to habitable windows and constrain the development potential of the Site; and

- Naturally there are some noticeable reductions due to the inconsistent scale of development across the Site, in particular the currently underdeveloped central portion. Nevertheless, with most retained VSCs in the mid- to late-teens, and / or small actual percentage changes in VSC, the daylight amenity after development should be considered acceptable and commensurate with the central urban location.

1.4. Our understanding of the existing, consented, and proposed baselines is illustrated on the drawings contained within Appendices 1, 2 and 3 of the Report. The following discussion will explain the process and rationale in arriving at the above daylight conclusions.

## 2. <u>Setting Alternative Daylight Targets for Urban Locations:</u>

2.1. When assessing daylight to surrounding properties, the BRE Guidelines state at Appendix F (Paragraph F7), "*the VSC is generally recommended as the appropriate parameter to use. This is because the VSC depends only on obstruction and is therefore a measure of the daylit*

*environment as a whole.*" As the principal measurement of daylight, it should be noted that the maximum VSC a vertical window can receive is circa 39%. The BRE Guidelines recommend a VSC target of 27% for a habitable window, stipulating that if the VSC is reduced to below 27%, and the proportional reduction is greater than 20% of its former value, then the reduction in daylight may be 'noticeable' to occupiers.

2.2. However, '*noticeable*' does not always correlate directly to '*unacceptable*' and, in recent years, the National Planning Policy Framework ("NPPF") and Mayor of London Supplementary Planning Guidance ("SPG10") encourages a more flexible interpretation of the BRE Guidelines to properly optimise site potential. This should necessitate the use of considering alternate daylight targets and, in urban areas retained VSC targets between 15% and 18% have frequently been considered acceptable by local authorities, the Greater London Authority ("GLA") and Inspectors at appeal.

2.3. Oftentimes, retained daylight values are the more appropriate parameter to assess daylight impact in a dense urban location over the relative change, which typically impedes appropriate scale and density of massing. Focus on retained daylight levels is particularly important in respect of the Application Site given that here, even a modest massing will cause larger relative light losses to identified neighbouring windows, due to the varied baseline condition featuring an underdeveloped central portion of the existing baseline and wider urban context.

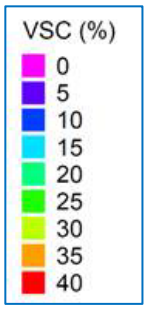
***Figure 01: Suburban Street – BRE Recommendation***

***Figure 02: Site in Context***

2.4. The BRE Guidelines are predicated on a suburban environment (Figure 01) and cannot reasonably be applied strictly to environments such as the Application Site (Figure 02). Given the variation in existing massing and neighbouring building typologies, the Proposed Development must respond to multiple constraints whilst respecting daylight to existing buildings. Therefore, the BRE Guidelines acknowledge at paragraph 1.6 that "*in special circumstances the developer or planning authority may wish to use different target values*." On this basis, when the level of impact is ultimately weighed in the planning balance, there are two main areas where alternate VSC targets should be considered acceptable: Kensington Church Street to the east and Jameson Street to the west (See Figure 03).


***Figure 03: Properties with alternative targets***

## 3. Prevailing daylight levels within the immediate context




3.1. To gauge what range of alternative targets should be considered acceptable, contextual daylight façade studies have been undertaken within the immediate locality to better understand the prevailing daylight levels in the area.

3.2. Façade Studies are a high-level assessment tool to show the daylight availability on a façade using false-colour imagery. The façades are divided into approximately 500mm square meshes, the VSC is calculated at the centre of each and assigned a colour for the associated percentage.

3.3. Four areas in proximity to the Application Site have been identified as reflecting a similar typology to the Jameson Street terraces and / or the Kensington Church Street properties. These features include property age, usage, scale and massing, internal arrangement, orientation and, most importantly, windows in recessed locations behind balconies and / or building projections.

***Kensington Church Street:***

3.4. Located to the east of the Application Site, five properties (174-180, 182-188, 202 and 206 Kensington Church Street) overlook the underdeveloped central portion of the varied existing baseline condition. Because of this, it is inevitable that any meaningful development will naturally result in larger relative changes to the habitable windows and associated rooms in these properties. Based on this and the information stated at Section 2, alternative daylight targets should be considered in this locality. With retained levels of daylight (Figure 04) of at least 15% (orange) to 18% (yellow) at the lowest levels of residential accommodation when the effect of balconies is removed (as per BRE Guidelines[2]), the daylight levels are commensurate with the NPPF and SPG10 recommendations.

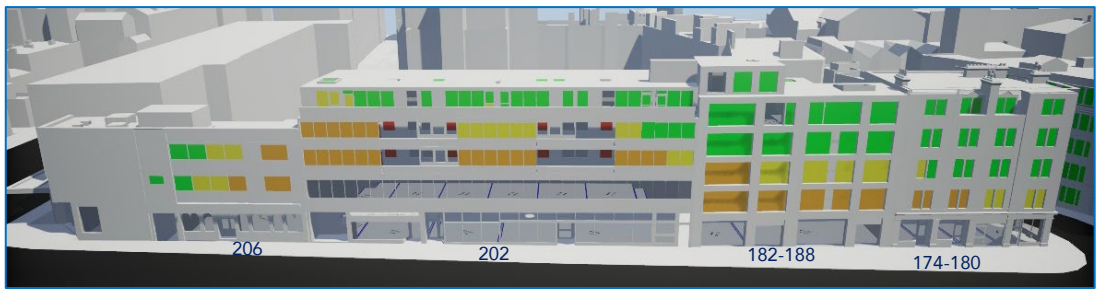



***Figure 04: Retained VSC levels – 15% orange, 18% yellow, 20%+ green***

3.5. In addition to this, the following façade studies demonstrate that the alternative daylight target of approximately 15% at the lowest levels of residential has been established within the immediate vicinity, with reference to Broadwalk Court located to the rear of Kensington Church Street.

[2] BRE Guidelines, Paragraph 2.2.13

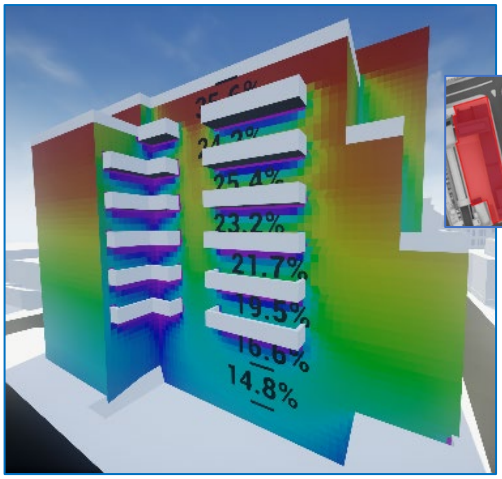



*Figure 05: (1) Broadwalk Court North Side with Location Key*

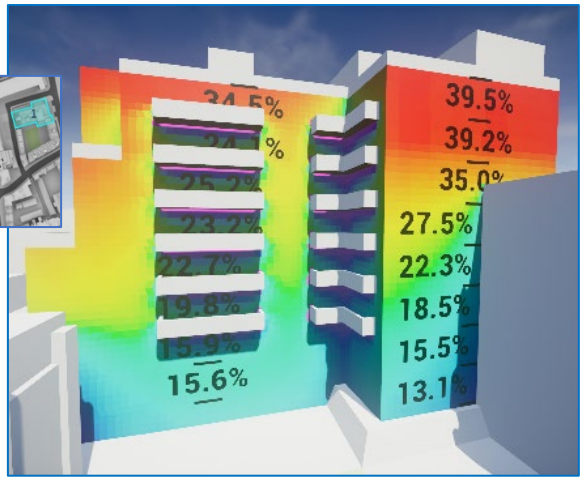



*Figure 06: (1) Broadwalk Court South Side*

3.6. The retained levels of VSC experienced on Kensington Church Street therefore align with the NPPF, SPG10 etc. and are also within an appropriate range to that of neighbouring properties with similar characteristics; thus, should be considered an acceptable level of daylight in this central urban location.

***Jameson Street:***

3.7. Located to the west of the Application Site, like above, the impact of the Proposed Development on this terrace of 15 properties (9-37 odd numbers only), is accentuated in places due to its outlook over the underdeveloped central portion of the varied existing baseline condition. However, most importantly, the blinkering effect of the terraced rear returns naturally lower daylight provision in the existing and proposed conditions. The BRE Guidelines state at paragraph 2.2.14, *"A larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above".* Whilst it should be noted that most of these windows are likely to serve secondary bedrooms where daylight amenity is less important, the low existing daylight levels to the rear facades suggest the need for alternative daylight targets.

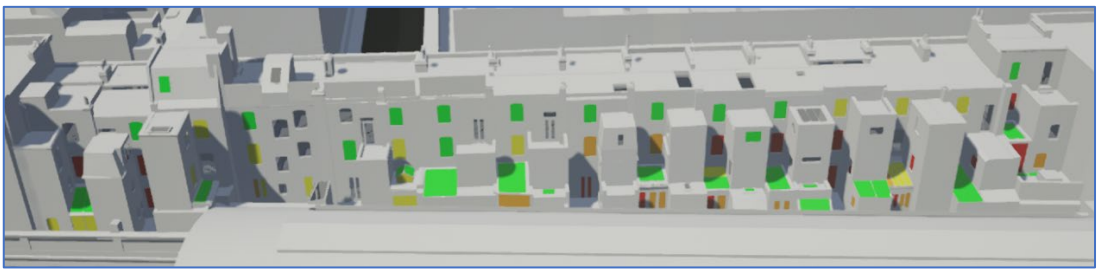


*Figure 04: Jameson Street Retained VSCs – 5%-10% red, 10%-15% orange, 15%-20% yellow, 20%+ green*

3.8. In accordance with the NPPF and SPG10, where windows are not obstructed by massing, most achieve and exceed the alternative daylight target of 15%+ (see in yellow and green at Figure 04). Where windows are blinkered, the daylight provision is lower after development (between 5% and 15%, see red and orange at Figure 04). To gauge whether these represent acceptable levels of daylight for the locality, the following façade studies have been undertaken to demonstrate that low existing daylight levels have been established within the immediate vicinity.

*Figure 05: Location Key*

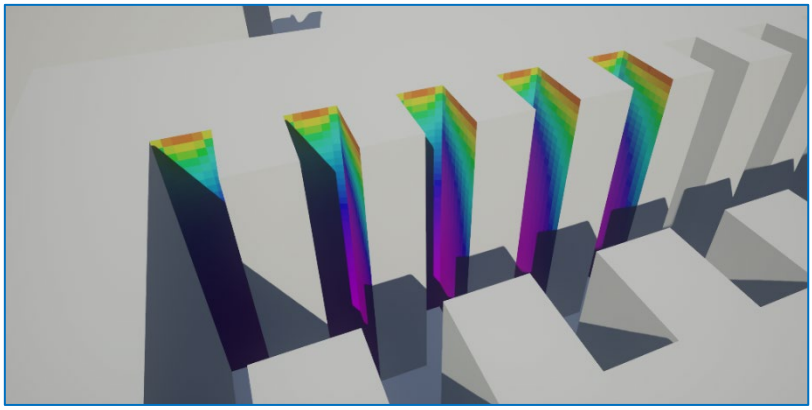


*Figure 06: (2) Linden Gardens – Retained VSCs 0%-5% at Ground Floor*

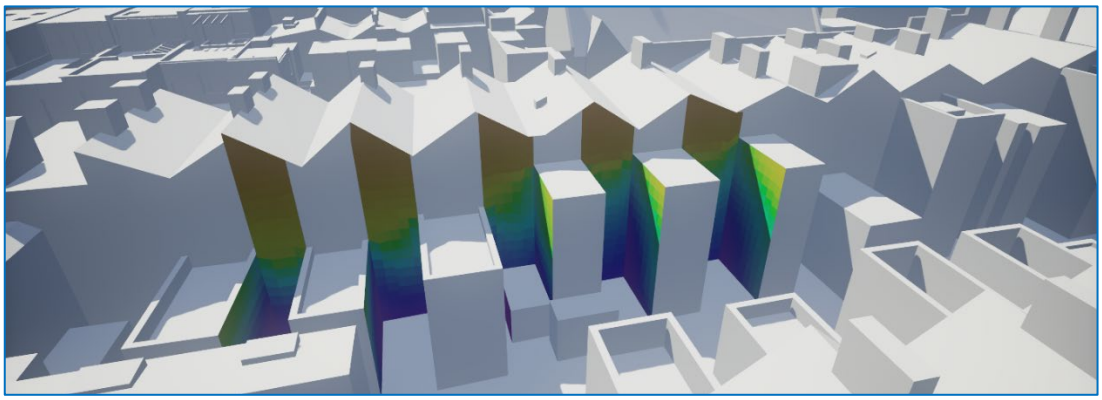


*Figure 07: (3) Kensington Place – Retained VSCs 5%-10% at Ground Floor*

3.9. With reference to Figures 06, 07 and 08, the retained levels of daylight to the rear façade of Jameson are better than those established at Linden Gardens and are within an appropriate and comparable range to those established at Farmer Street and Kensington Place. Therefore, with deeper understanding of the prevailing daylight levels in the immediate context, the retained levels of daylight should be considered acceptable for this central urban location.

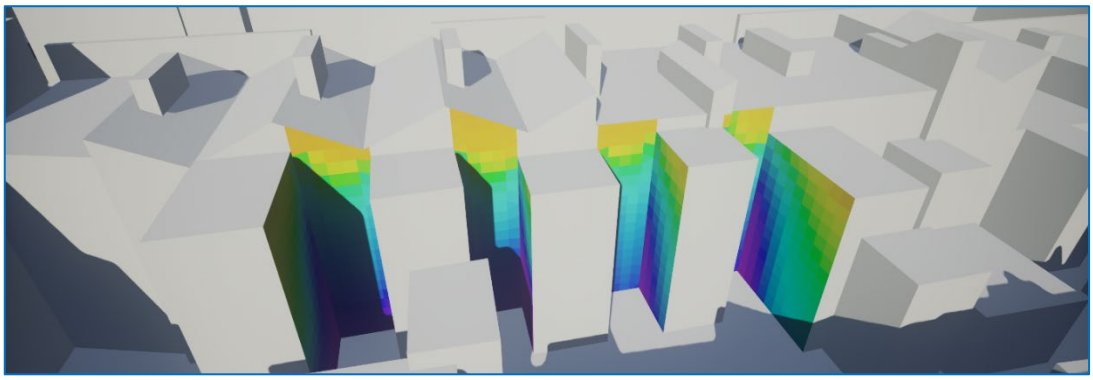


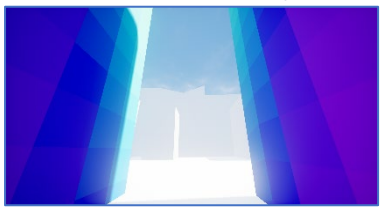
*Figure 08: Farmer Street – Retained VSCs 10%-15% at Ground Floor*

3.10. Furthermore, due to the setting back of the design from Jameson Street, the view from three critical windows along the length of the terrace is not dissimilar to the outlook from the ground floor of the identified terraced properties with similar characteristics. See images below with comparable sky visibility.

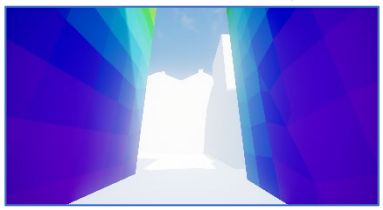
15 Jameson Street - W4/220

19 Jameson Street – W4/221

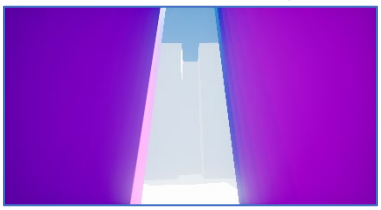
35 Jameson Street – W5/240



Kensington Place



Farmer Street



Linden Gardens

## 4. Conclusion and Recommendations:

4.1. This Contextual Daylight and Sunlight Study concludes, with reference to the BRE Guidelines, NPPF, SPG10 and neighbouring Façade Study analysis and outlooks, that the retained levels of daylight to Kensington Church Street and Jameson Street after construction of the Proposed Development are comparable to the prevailing daylight levels to nearby residential properties with similar characteristics. As such, the daylight levels should be considered acceptable for this central urban location.

4.2. Point 2 Surveyors have worked closely with the Design Team throughout the design stages to ensure that the Proposed Development sensitively respects the daylight amenity to all neighbouring residential accommodation and to establish, where necessary, appropriate alternative daylight targets for more nuanced properties.

4.3. We trust this letter provides a useful overview of our initial contextual daylight research to support the planning application for the redevelopment of Newcombe House. If you have any questions, please do not hesitate to contact us.

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**Lucy Goldthorpe**
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For and on behalf of Point 2 Surveyors Ltd.

CC: **Liam Dunford**
Senior Director

Ref: *Daylight, Sunlight and Overshadowing Report*, dated June 2023