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Development Management Support
Planning Service
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11 July 2023

To Whom It May Concern

Re: ROL01116 – Planning Application Reference HGY/2023/1406 at 10 Ellington Road, London, N10 3DG – Daylight and Sunlight – 12D Ellington Road – Objection

Anstey Horne have been instructed to review the details of the proposed scheme submitted with the planning application HGY/2023/1406, and its potential adverse daylight and sunlight effects on 12D Ellington Road.

The existing site is occupied by a part two, part three-storey building in various uses, including residential, workshops and storage.

The proposal consists of the demolition of the existing building and the erection of 5 replacement dwellings, arranged as two terraced houses and three flats.

We have reviewed the information available online and documents published on the planning portal under the application number HGY/2023/1406. Moreover, our client has provided us with photos of their property. We noted that no daylight and sunlight report was submitted with the planning application and the reasons were outlined in the Design and Access Statement dated May 2023, prepared by Jane Duncan Architects and Interiors.

We do not agree that the information outlined within this document is complete and the reasons outlined are sufficient to disregard the need for the daylight and sunlight assessment. We discuss that in more detail below.

Planning Policy and Guidance

The development site is located within the London Borough of Haringey. Haringey's development plan is currently made up of various documents including the Strategic Policies, Development Management Policies, Site Allocations and Tottenham Area Action Plan, alongside the London Plan and the North London Waste Plan.



Paragraph 2.1.7 of Strategic Policies 2013-2026 (March 2013, consolidated with alterations since 2017) - 'Haringey's Spatial Strategy' states that:

"The Council will promote the most efficient use of land in Haringey and buildings while also seeking to improve the quality of our environment protect the amenity of occupiers and neighbours and meet other planning objectives."

Furthermore, paragraph 2.10 of Development Management DPD (July 2017) - 'Design and Character' states that:

"The design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. The Building Research Establishment (BRE) provides guidance on site layout planning to achieve good sun-lighting and daylighting (BRE Site Layout Planning for Daylight and Sunlight: a guide to good practice)."

The BRE Report 209, referred specifically to in DPD, are leading guidelines on daylight and sunlight amenity, and they are generally applied alongside the relevant national and local policies.

Concerns

Section 6 of the Design and Access Statement dated May 2023, prepared by Jane Duncan Architects and Interiors refers to the pre-application advice which stated that:

"None of the options would be sited in such a position to result in undue: overbearing impacts, loss of light, overshadowing or restriction of outlook affecting the front or rear areas of No.12d. This neighbour does have western side windows that would face the development ... Any future planning application should seek to retain some spacing to these windows and it would also be useful if the applicant were able to clarify which rooms these neighbouring windows serve."

The document went further to state that the windows in the flank elevation serve a staircase, therefore non-habitable spaces. Please note that the small windows on the side elevation indeed serve a staircase, however there are two more windows which do serve habitable rooms and should be considered in daylight and sunlight terms.

The image below (Fig.1) shows the two small staircase windows as well as a large ground floor patio door which serves a dining room. The dining room window faces the development site directly and given the scale of the scheme and its close proximity, it is expected that the daylight to this window will be reduced beyond the BRE guidelines.



Fig.1

Furthermore, the image illustrated in Fig.2 below shows the top floor window (outlined in red) which serves a spare bedroom/study room. As the roof level of the proposed scheme will sit higher than the position of the window, it is reasonable to assume that this window will also be affected by the proposed development.



Fig.2

Please note that paragraph 2.2.23 of the BRE guide (2022 edition) states:

*"If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25° to the horizontal, then the diffuse daylighting of the existing building may be adversely affected. This will be the case **if either**: [emphasis added]*

- the VSC [vertical sky component] measured at the centre of an existing main window is less than 27%, and less than 0.80 times its former value [or]

- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.80 times its former value."

Given the above, we request that the daylight and sunlight study and report are provided to demonstrate the impact of the proposed scheme on 12D Ellington Road. Moreover, we ask this is extended to show the direct sun availability to the patio area to satisfy our client's concerns.

Lastly, we note that the Design and Access Statement dated May 2023, prepared by Jane Duncan Architects and Interiors, indicates that the proposed development would be a sufficient distance from the built form of No. 20 - 26 Cranley Gardens, in order to avoid material loss of light. We have been asked to review this finding and we have found that the ground and first floor windows within No. 20 - 26 Cranley Gardens do breach the 25 degree section, an example of which is illustrated in the Fig.4 below. Therefore, according to the BRE guide (2022 edition), these properties should also be considered further and included in a full technical study.

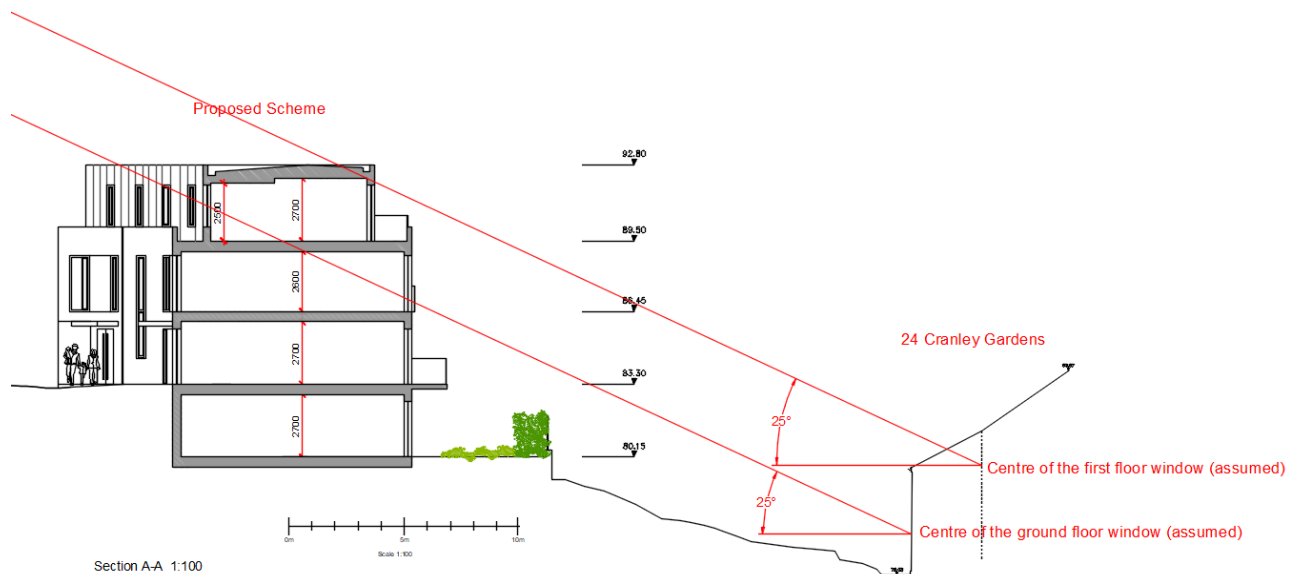


Fig.4

Summary

We have reviewed the information available under the planning application number HGY/2023/1406 and on behalf of our client, we object to the proposed scheme based on the reasons discussed above.

Moreover, our client would like the Applicant to be aware that they are prepared to assert their rights of light through legal means if such a need arises. To avoid that, they would welcome any necessary amendments to the scheme as early as possible.

We are of the opinion that the information provided by the Applicant is not complete at this stage and the Council is advised to request the full technical daylight, sunlight and overshadowing assessment and report to be provided so that the actual impact on the neighbouring properties is properly understood. Furthermore, upon submission of the additional elements, we would request a period of further consultation which would allow us to comment on the amended report if needed.

Yours sincerely,

Anstey Horne

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