



Daylight and Sunlight

**Tamarisk, Ferry Road,
Hayling Island**

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Contents Page

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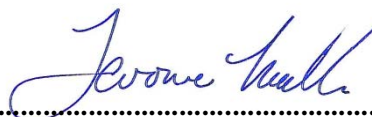
Document References:

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Principles of Daylight and Sunlight
Existing Drawings: 10506/01-03 (Rel01)
Proposed Drawings: 10506/04-06 (Rel01)
Daylight and Sunlight Results (Rel01)
Havant Borough Council Appeal Statement

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Section	Page
1.0 Executive Summary	1
2.0 Instructions	2
3.0 Introduction	3
4.0 Sources of Information	6
5.0 Assumptions	7
6.0 The Site	8
7.0 The Proposal	9
8.0 The Surrounding Properties	10
9.0 Conclusions	14

Appended to this report:

Appendix 01	-	Principles of Daylight and Sunlight
Appendix 02	-	Existing and Proposed Drawings
Appendix 03	-	Daylight and Sunlight Results
Appendix 04	-	Havant Borough Council Appeal Statement

1.0 Executive Summary

GIA have been instructed to provide a response to a planning Appeal Statement (reference PP/X1735/W/16/3158213) by Havant Borough Council, which relates to the proposed construction of a 2-storey residential property at Tamarisk, Ferry Road, on Hayling Island. The Appeal Statement made reference to concerns regarding possible daylight and sunlight impacts on the habitable rooms, a study room and the rear amenity space to a neighbouring residential property, The Deck House.

GIA have conducted a full technical analysis to understand the potential daylight and sunlight impacts by the proposed Tamarisk scheme on The Deck House. This analysis has shown that the proposed scheme at Tamarisk will not cause any noticeable alterations to the daylight and sunlight in any of the habitable rooms within The Deck House. All habitable rooms would experience full compliance with the BRE target values.

GIA have also analysed the possible daylight and sunlight impacts to the study at the front of The Deck House. The analysis has shown that this room and the window serving it would remain fully BRE compliant for both daylight and sunlight following implementation of the proposed scheme.

GIA have also undertaken a non-technical assessment of the possible impact to sunlight amenity at the ground floor deck and first floor balcony at The Deck House. The proposed scheme would be unlikely to cause any detrimental effect to the sunlight received by this rear amenity space, which would remain well within the BRE target values for probable sunlight hours.

2.0 Instructions

GIA have been instructed to undertake detailed technical assessments to understand the potential daylight and sunlight changes that the proposed JP Architects scheme dated 17/11/2016 for the Tamarisk site will have upon one surrounding residential property, specifically The Deck House to the east of the site.

The daylight and sunlight review within this report considers only habitable space within residential properties as they are recognised by the Building Research Establishment (BRE 2011) as having the highest expectation for natural light. The criteria suggested within the BRE have been used to understand and compare the existing levels of light and the light achieved subsequent to the development.

3.0 Introduction

Daylight and Sunlight

The technical analysis that forms the basis of this report has been predicated against the methodologies set out within the Building Research Establishment (BRE) Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)'. The guidelines in question are precisely that; guidelines which provide a recommendation to inform site layout and design. They are not mandatory nor do they form planning policy and their interpretation may be treated flexibly depending on the specifics of each site.

The BRE Guidelines provide three methodologies for daylight assessment, namely;

- 1) The Vertical Sky Component (VSC)
- 2) The No Sky Line (NSL); and
- 3) The Average Daylight Factor (ADF)

We have used the VSC and NSL assessment methods to analyse the effects of the proposed scheme on the surrounding properties. ADF is typically used to assess the effect on "new build" properties, where factors such as interior surface area, glazing materials and surface colours can be accurately modelled. However in the absence of being able to accurately determine these factors, assumptions can be made to provide a more general picture of interior illuminance.

While ADF not generally recommended by the BRE for assessing daylight to existing surrounding properties, it may be used in certain circumstances and these are explained in more detail within the BRE handbook.

In addition, we have used one methodology provided by the BRE Guidelines for sunlight assessment, denoted as Annual Probable Sunlight Hours (APSH).

Appendix 01 of this report elaborates on the mechanics of each of the above assessment criteria, explains the appropriateness of their use and the parameters of each specific recommendation.

Havant Borough Council Appeal Statement

The Appeal Statement (reference PP/X1735/W/16/3158213) cited daylight impact concerns to The Deck House in many sections, along with concern regarding the impact to "amenity" to the deck/garden at the rear of the property. GIA have identified four points within the Appeal Statement that are relevant to daylight and sunlight, and have formulated responses to these within this report.

(1) Potential daylight impact by the proposed scheme on the habitable rooms at the rear of The Deck House

The Appeal Statement raises concerns related to “the living area being relatively dark” (in the existing state, paragraph 6.9), and that “the impact on light (by the proposed scheme) would be significant, especially given the already low level of light entering the living room” (paragraph 6.9).

In response to these comments and following consultation with the client and John Pardey Architects, it was decided that a technical assessment would be required to quantify and demonstrate the existing levels of daylight within the habitable rooms at The Deck House, as well as to understand the potential impacts caused by the proposed scheme at Tamarisk.

A technical assessment will provide a conclusive picture of the levels of sky visibility and daylight at The Deck House as per the criteria set out in the BRE guidelines, and has the advantages of providing a definitive conclusion of the daylight conditions against a well-established and accepted criteria and thresholds. In contrast, a subjective assessment performed on site can be influenced by many variables particular to the conditions that day; such as the weather, time of year, time of day and foliage growth, and even from person to person.

(2) Impact on the daylight to the ground floor lounge in the existing state caused by the rear balcony at The Deck House

The Appeal Statement states that Havant Borough Council acknowledge that “light entering (the ground floor lounge) is impacted by the overhang of the balcony, and consequently the living area is relatively dark” (paragraph 6.9). As such GIA have considered it appropriate to perform another set of technical analysis, with this rear balcony at The Deck House removed, to understand what impact the balcony itself would be having on the levels of daylight within the ground floor lounge in the existing state. This is a permissible approach as per the BRE guidelines (page 8), which state that:

“2.2.11 Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact on the VSC (Vertical Sky Component), and on the area receiving direct skylight. One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situations, without the balcony in place. For example, if the proposed VSC with the balcony was under 0.8 times the existing value with the balcony, but the same ratio for the values without the balcony was well over 0.8, this would show that the presence of the balcony, rather than the size of the new obstruction, was the main factor in the relative loss of light.”

(3) Possible impact to the study at the front of The Deck House

The Appeal Statement refers to “similar considerations” (paragraph 6.10) being applied to the study at the front of the property regarding the proximity of massing and the potential effect this would have on daylight and sunlight to the study. This point was also raised by the occupants of The Deck House in a letter to the Havant Borough Council Planning Department. GIA have included the study within the technical assessment for all daylight and sunlight criteria in response to its inclusion in the Appeal Statement.

(4) Possible impact to rear amenity of The Deck House

The potential daylight and sunlight impacts are not specifically mentioned within the Appeal Statement with regards to the rear balcony/amenity area. However the Appeal Statement does raise concern with regards to any possible impacts to “the rear balcony and the amenity area below it and beyond” (paragraph 6.7). “Amenity” can be interpreted to encapsulate many factors, such as privacy and outlook, but also sunlight.

4.0 Sources of Information

In compiling this report we have used the following information:

GIA

3D CAD Model of the Scheme

FIND

OS Map

Aerial Photography

JP Architects

IR01-15.01.2016 – Site Photographs

IR04-17.11.2016 – Sketchup Model of the Proposed Scheme and Topographical Survey Data

IR06-18.11.2016 – Havant Borough Council Appeal Statement

Havant Borough Council website

Floor plans of The Deck House, part of the Planning Documents for application reference 03/61550/004

5.0 Assumptions

- a) We have relied upon a survey-based Sketchup model provided to us by JP Architects of the site and surrounds, supplemented with site photographs and topographical survey data, to produce the three dimensional computer model which forms the basis of the technical analysis. GIA have not conducted a site visit, and have relied on the photographs and data provided by JP Architects for this technical assessment.
- b) All residential buildings have been identified by reference to the Valuation Office Agency (VOA) search and/or external observation.
- c) We have acquired internal floor plans of The Deck House to the east of the site, and incorporated these layouts within our 3D CAD model for assessment. These floor plans were acquired from a planning application reference 03/61550/004 on the Havant Borough Council planning application website.
- d) Floor levels have been assumed for the adjoining properties. This dictates the level of the working plane which is relevant for the No Sky Line assessment.

6.0 The Site

The Tamarisk Site is located along Ferry Road, on Hayling Island. Figure 01 below shows a site plan.



Figure 01 – Site Location

The site is bounded by The Deck House to the east, Ferry Road to the south, vacant land to the west, and sea to the north. Our understanding of this existing building and the surrounding context is depicted within Appendix 02.

7.0 The Proposal

The proposal is to include the demolition of the existing building on site and the construction of a new two-storey residential development. GIA's understanding of the proposed scheme is illustrated within Appendix 02.

Our analysis of this option is based on the proposed scheme Sketchup model provided by JP Architects, received on 17th November 2016.

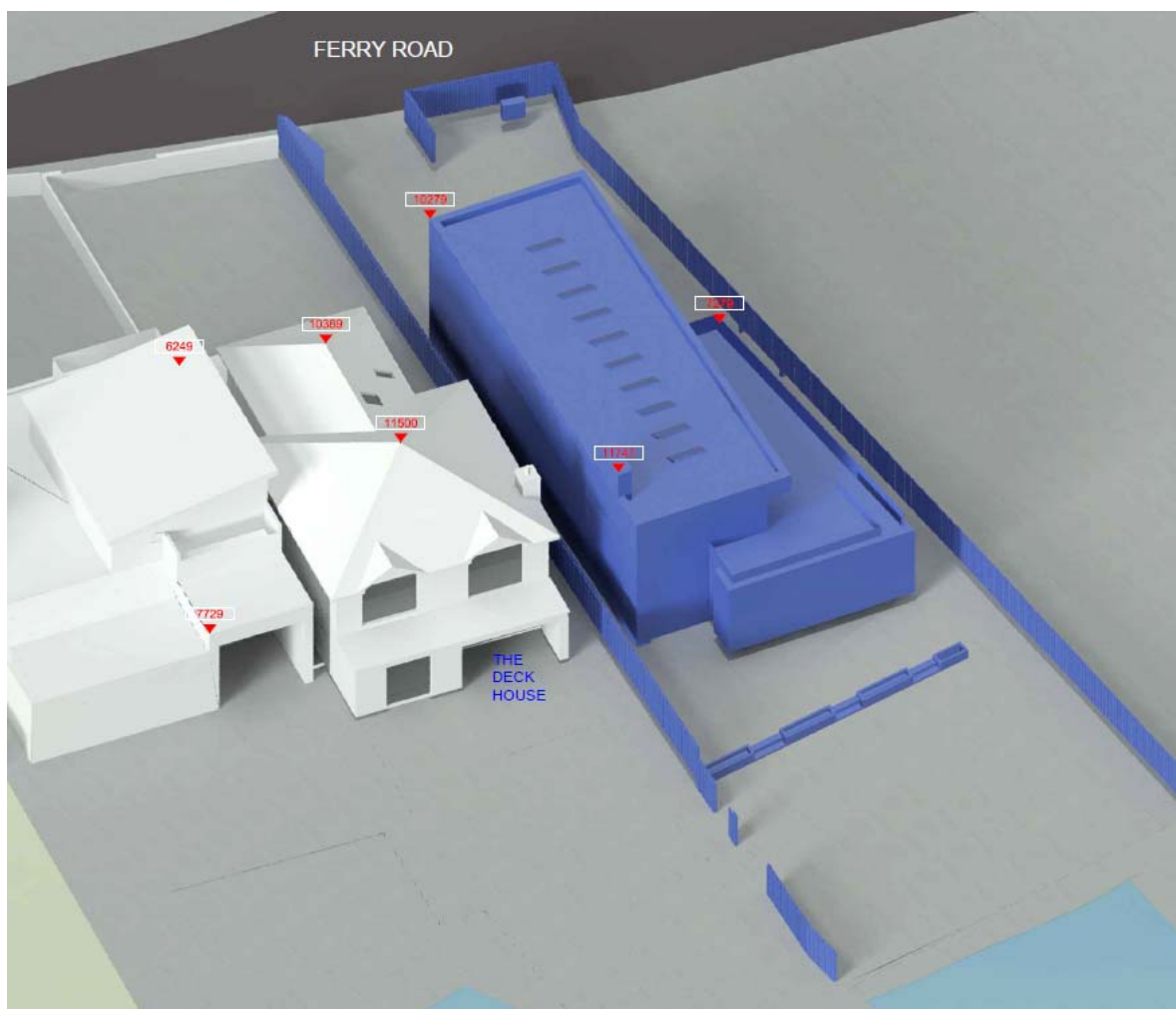


Figure 02 – 3D Perspective View of the Proposed Scheme

8.0 Surrounding Properties

We have created a three dimensional computer model of the site and the surrounding properties to allow for a detailed daylight and sunlight assessment.

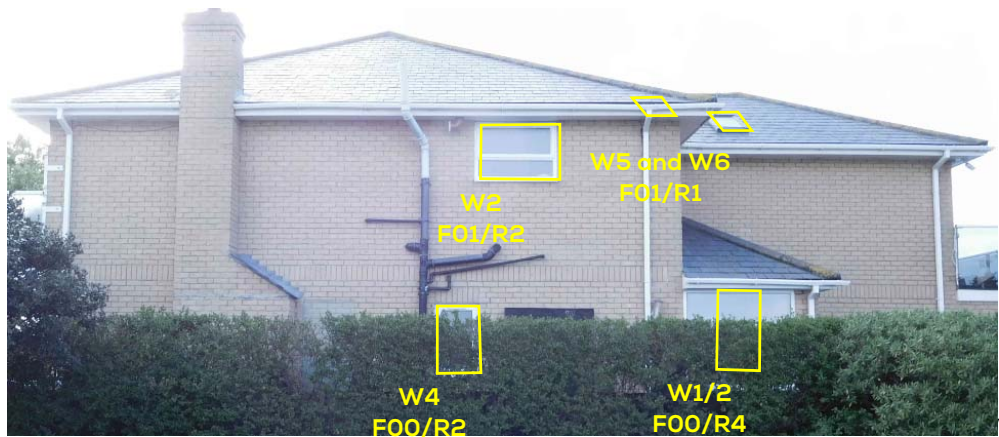
The only residential accommodation which is relevant for daylight and sunlight assessment is located to east of the site, at The Deck House. All windows and rooms within The Deck House are assigned a reference index, which will be referred to throughout this report, and can be used in conjunction with the full set of daylight and sunlight results in Appendix 02. Please see the images below for these reference indices.



(Left) Rear of The Deck House



(Right) Front of The Deck House



Site-facing façade at The Deck House

A commentary addressing each of the four points stated in the Introduction of this report follows.

(1) Potential daylight impact by the proposed scheme on the habitable rooms at the rear of The Deck House (overhanging balcony in place)

At the rear of The Deck House are two habitable rooms; a living room/kitchen served by two large windows, one of which is underneath an overhanging balcony, with the other unobscured. There is also a glazed door underneath this balcony. The principal source of daylight to this living room/kitchen is from the two large windows; it is these windows that have been taken into account and considered here. There are also two bedrooms at first floor also served by large windows. These windows and rooms can be clearly identified on the preceding page.

Table 01 below shows technical analysis results for VSC to the habitable rooms at the rear of The Deck House.

Room	Window	Existing VSC	Proposed VSC	Absolute VSC Loss
Ground Floor Rear Living Room (R1/F00)	W5	13	11.8	1.2
	W6	39.2	39	0.2
1 st Floor Rear Bedrooms (R3 and R4/F01)	W1	36.3	35.9	0.4
	W6	38.3	33.6	4.7

Table 01 – Vertical Sky Component technical results summary

The technical analysis shows that all four windows serving the habitable rooms to the rear of The Deck House will remain fully BRE compliant following implementation of the proposed scheme.

Table 02 below shows the technical analysis results for the No Sky Line (NSL) criteria, for all habitable rooms at the rear of the deck house.

Room	Percentage of the room with sky visibility – existing state	Percentage of the room with sky visibility – with proposed scheme	Absolute Loss (square feet)
Ground Floor Rear Living Room (R1/F00)	99.73%	99.63%	0.61
1 st Floor Rear Bedroom (R3/F01)	99.06%	98.26%	1.66
1 st Floor Rear Bedroom (R4/F01)	99.71%	99.59%	0.21

Table 02 – No Sky Line technical results summary

The technical analysis shows that any alteration to the NSL of the rear habitable rooms by the proposed scheme are so small as to be negligible, owing to the lack of any obstruction to the rear of The Deck House, generous levels of glazing, and very oblique view of the proposed scheme. Retained levels of NSL remain very high, with close to 100% sky visibility in all rooms.

None of these rooms are relevant for the sunlight assessment, due to them not facing within 90 degrees due south of the site.

The technical analysis has demonstrated that the daylight impact caused by the proposed scheme is so low as to be unlikely to be noticed by an occupant, with all rooms experiencing full compliance with the BRE guidelines.

(2) Impact on the daylight to the ground floor lounge in the existing state caused by the rear balcony at The Deck House

Table 01 below shows technical analysis for VSC to the ground floor lounge, with the overhanging balcony removed, to quantify and understand the effect of the balcony itself on the daylight to the lounge. The first floor habitable bedrooms have not been shown, as their daylight would not be affected by the removal of the balcony.

Room	Window	Existing VSC	Proposed VSC	Absolute Loss
Ground Floor Rear Living Room (R1/F00) with balcony in place	W5	13	11.8	1.2
	W6	39.2	39	0.2
Ground Floor Rear Living Room (R1/F00) with balcony removed	W5	35.4	33.7	1.7
	W6	39.2	39	0.2

Table 04 – Vertical Sky Component technical results summary to the ground floor lounge/kitchen, with and without the balcony in place

The technical analysis shows that with the balcony removed, the VSC to the window beneath it (W5) is significantly higher than with the balcony in place. As such it is clear that it is the overhanging balcony which is limiting the daylight to these windows in the existing state

The analysis also shows that with the balcony removed, the proposed scheme has a negligible effect on daylight.

Table 02 below shows the technical analysis results for the No Sky Line (NSL) criteria, to the ground floor lounge, with and without the balcony in place.

Room	Percentage of the room with sky visibility - existing	Percentage of the room with sky visibility - with proposed scheme	Absolute Loss (square feet)
Ground Floor Rear Living Room (R1/F00) – with balcony in place	99.73%	99.63%	0.61
Ground Floor Rear Living Room (R1/F00) – with balcony removed	99.74%	99.69%	0.28

Table 05 – No Sky Line technical results summary to the ground floor lounge/kitchen, with and without the balcony in place

The technical analysis shows that any alteration caused by the proposed scheme to the NSL within the ground floor lounge with the balcony removed is again so low as to be negligible, with close to 100% of the room retaining a view of the sky.

The analysis here has clearly demonstrated that it is the rear balcony at The Deck House which is causing a significant detrimental effect to the daylight entering the ground floor lounge, bringing the levels of daylight to the window beneath it well below the target BRE values in the existing state. The presence of the proposed scheme does little to further reduce this daylight, with only a negligible impact caused by the proposed scheme.

(3) Potential Impact on the Study at the front of The Deck House

While the study at the front of The Deck House has not been previously commented on by GIA, it was raised in the Appeal Statement as experiencing “similar considerations” (paragraph 6.10) as that of the lounge, in that the impact on light by the proposed scheme would be significant.

The BRE Guidelines state that only habitable rooms should be relevant for assessment, a point which has been acknowledged by Havant Borough Council in the Appeal Statement, paragraph 6.9. It is not specifically stated within the BRE guidelines that a study is considered a habitable room, instead stating that the guidelines should be applied to “living rooms, kitchens and bedrooms” (section 2.2.2) within domestic properties.

It is questionable as to whether a small study could be considered a habitable room, as it would not be enjoyed for leisure purposes such as a primary living space would, for example a lounge/kitchen, which has a greater need for natural daylight and sunlight, and ordinarily a small study such as this would be discounted from analysis.

However, given that it has been raised in the Appeal Statement, GIA have included this room and the window serving it in the technical assessment. The results of this analysis are shown in Appendix 02.

The results clearly demonstrate that the window and room would remain fully BRE compliant for both daylight and sunlight following implementation of the proposed scheme.

(4) Impact on sunlight to the rear amenity space by the proposed scheme

The potential daylight and sunlight impacts are not specifically mentioned within the Appeal Statement with regards to the rear balcony/ground floor amenity area. However the Appeal Statement does raise concern with regards the proximity of any massing and also the chimney (paragraph 6.6), and their “unacceptable harm to the amenities” (paragraph 6.7), specifically to “the rear balcony and the amenity area below it and beyond” (paragraph 6.7). “Amenities” can be interpreted to encapsulate many factors, such as privacy and outlook, but also sunlight, specifically the amount of sunlight reaching an amenity space over the course of a year.

The BRE guidelines does have a methodology and target values for assessing the probable sunlight hours for outdoor amenity spaces. GIA have not conducted a technical assessment because due to the nature of the site, specifically the orientation of the buildings and very open nature of the surrounds, we believe that the rear balcony and ground floor amenity space at The Deck House would retain sunlight levels well within the BRE target values for the number of sun hours on the ground over the course of a year, and a technical assessment would not be necessary.

9.0 Conclusions

GIA have completed full technical daylight and sunlight analysis on The Deck House, to understand and quantify the possible daylight and sunlight impacts caused by the proposed scheme, and in response to numerous points raised in an Appeal Statement by Havant Borough Council (paragraphs 6.2, 6.6, 6.7 and 6.9) regarding daylight and sunlight impacts.

This analysis has shown that the proposed scheme at Tamarisk will not cause any significant alterations to the daylight and sunlight in any of the habitable rooms within The Deck House, with all habitable rooms and windows serving them experiencing full compliance with the BRE target values.

This analysis has also shown that it is the balcony itself, rather than the proposed scheme, which is limiting the daylighting conditions within the lounge, specifically to the main rear window directly below it. This balcony reduces the daylight received by this window to far below the BRE target value, which when removed would experience daylight well within the BRE guidelines.

GIA have also analysed the possible daylight and sunlight impacts to the study at the front of The Deck House, following the issue being raised in the Appeal Statement by Havant Borough Council. This analysis has shown that this room and the window serving it would remain fully BRE compliant for both daylight and sunlight following implementation of the proposed scheme.

GIA have also looked at the possible impact to the proposed scheme to the amenity of the rear ground floor deck and first floor balcony, specifically with regards to sunlight. We believe that the proposed scheme would not cause any impact to the sunlight received at this rear amenity space owing to the open nature of the site and orientation of the buildings, and would remain well within the BRE target values for probable sunlight hours.

Appendix 01

Principles of Daylight and Sunlight

Principles of Daylight and Sunlight

Background

The quality of amenity and open spaces is often stipulated within planning policy for protection or enhancement and is often a concern for adjoining properties and other interested parties.

Historically the department of environment provided guidance with the issues, and in this country, this role has now been taken on by the Building Research Establishment (BRE), the British Standards Institutions (BSI) and the Chartered Institute of Building Services Engineers (CIBSE). Fortunately they have collaborated in many areas, to provide as much unified advice as possible in the form of industry best practice.

Many local planning authorities consider daylight and sunlight an important factor for determining planning applications. Policies refer to both the protection of daylight and sunlight amenity within existing properties as well as the creation of proposed dwellings with high levels of daylight and sunlight amenities.

In terms of considering what is material, local authorities typically refer to the BRE guidelines and apply their criteria set out within. The guidelines were originally produced in 1991, but superseded by the BRE guidelines (2011) *site layout planning for daylight and sunlight*.

Where developers are seeking to maximise their development value, it is often in the area of daylight and sunlight issues that they may seek to push the boundaries. Particularly in London, there is a priority on the creation of more housing thus resulting in the densification of urban areas. Local authorities vary in their attitude of how flexible they can be with the degree of impact on the daylight and sunlight amenity enjoyed by neighbouring owners and it is one factor among many planning aspects considered when determining an application. In city centres where high density is common, the protection of amenity is more challenging and there are many factors that need to be taken into account: each case has to be considered on its own merits.

The BRE Guidelines

The guidelines are typically referred to for daylight and sunlight amenity issues, however they were not intended to be used as an instrument of planning policy. In the introduction of 'Site Layout Planning for Daylight and Sunlight (2011)', section 1.6 (page 1), states that:-

"The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and this document should not be seen as an instrument of planning policy. Its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design (see Section 5). In special circumstances the developer or Planning Authority may wish to use different target values. For example, in an historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings".

Again, the paragraph 2.2.3 (page 7) of the document states:-

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

Principles of Daylight and Sunlight

The numerical criteria suggested by the BRE are therefore designed to provide industry advice/guidance to plan/design with daylight in mind. Alternative values may be appropriate in certain circumstances such as highly dense urban areas around London, for e.g. the approach to creating alternative criteria is detailed within Appendix F of the BRE.

Measurement and Criteria for Daylight and Sunlight as set out in the BRE Guidelines

The BRE guidelines state that they are;

"intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedroom. Windows to bathrooms, toilets, garages need not be analysed."

They are therefore primarily designed to be used for residential properties however, the BRE guidelines continue to state that they may be applied to any existing non-residential buildings where there may be a reasonable expectation of daylight including; schools, hospitals, hostels, small workshop and some offices.

Daylight

In the first instance, if a proposed development falls beneath a 25 degree angle taken from the centre point of the lowest window, then the BRE suggests that no further analysis is required as there will be adequate sky light (i.e. sky visibility). This rule is applied when considering the scope of any assessments.

The BRE guidelines provide two methods for calculating daylight to existing surrounding properties:

- Vertical Sky Component (VSC)
- No Sky Line (NSL) also referred to as daylight distribution

A further method, the Average Daylight Factor (ADF) is provided for calculating daylight within proposed properties. However, it is sometimes applied as a supplementary assessment for existing surrounding properties.

Each method is described below:

Vertical Sky Component

Methodology

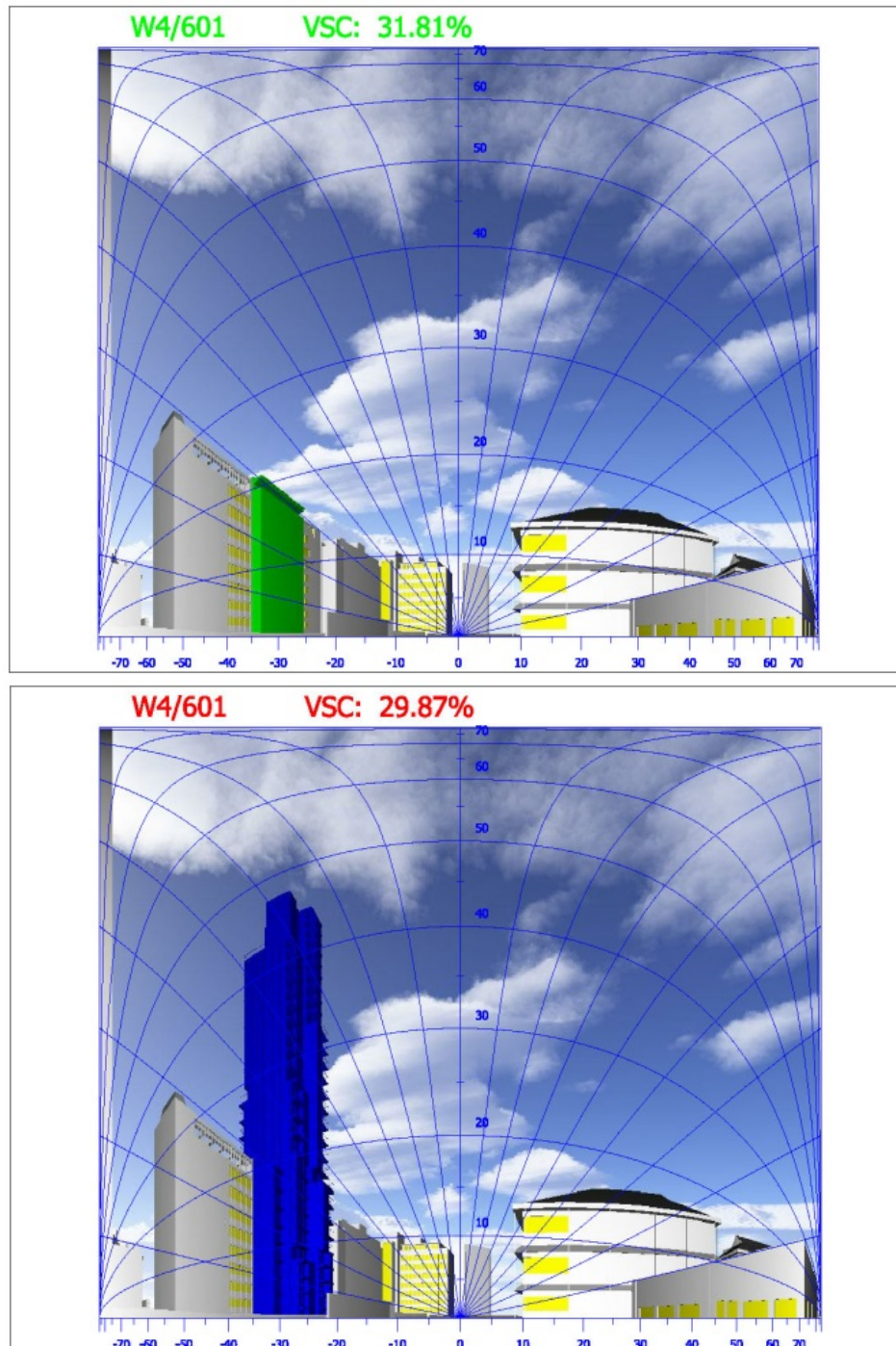
This is defined in the BRE as:-

"Ratio of that part of illuminance, at a point on a given vertical plane that, is received directly from a CIE standard overcast sky, to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky."

This statement means, in practice that if one had a totally unobstructed view of the sky, looking in a single direction, then just under 40% of the complete hemisphere would be visible. The measurement of this vertical sky component is undertaken using two indicators, namely a skylight indicator and a transparent direction finder.

Principles of Daylight and Sunlight

Alternatively a further method of measuring the VSC, which is easier to understand both in concept and analysis, is often more precise and can deal with more complex instructions, is that of the Waldram diagram.



The point of reference is the same as for the skylight indicator, at the centre of the outward window face. Effectively a snap shot is taken from that point of the sky in front of the window, before and after the obstruction is put in place together with all the relevant obstructions to it, i.e. the buildings.

Principles of Daylight and Sunlight

An unobstructed sky from that point of reference would give a vertical sky component of 39.6%, corresponding to 50% of the hemisphere, and therefore the purpose of the diagram is to discover how much sky remains once obstructions exist in front of that point.

Criteria

The BRE Handbook provides criteria for:

- (a) New Development
- (b) Existing Buildings
- (c) Adjoining Development Land

- (a) New Development

Paragraph 2.1.21 of the BRE states that:

"Obstructions can limit access to light from the sky. This can be checked by measuring or calculating the angle of visible sky 'theta', angle of obstruction or Vertical Sky Component (VSC) at the centre of the lowest window where daylight is required. If VSC is:

- at least 27% ('theta' is greater than 65 degrees, obstruction angle less than 25 degrees) conventional window design will usually give reasonable results.
- between 15% and 27% ('theta' is between 45 degrees and 65 degrees, obstruction angle between 25 degrees and 45 degrees) special measures (larger windows, changes to room layout) are usually needed to provide adequate daylight.
- between 5% and 15% ('theta' is between 25 degrees and 45 degrees, obstruction angle between 45 degrees and 65 degrees) it is very difficult to provide adequate daylight unless very large windows are used.
- less than 5% ('theta' less than 25 degrees, obstruction angle more than 65 degrees) it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed."

- (b) Existing Buildings

Para 2.2.21 (page 11) of the BRE 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 degree to the horizontal, then the diffuse daylighting of the existing building may be adversely affected. This will be the case if the vertical sky component measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value".

The VSC provides a quick and simple test which looks to give an early indication of the potential for light at the window face. However considered in isolation, it does not, in any fashion, indicate the quality of actual light within a space. It does not take into account the window size, the room size or room use. It helps by indicating that if there is an appreciable amount of sky visible from a given point there will be a reasonable potential for daylighting.

Principles of Daylight and Sunlight

(c) Adjoining Development Land

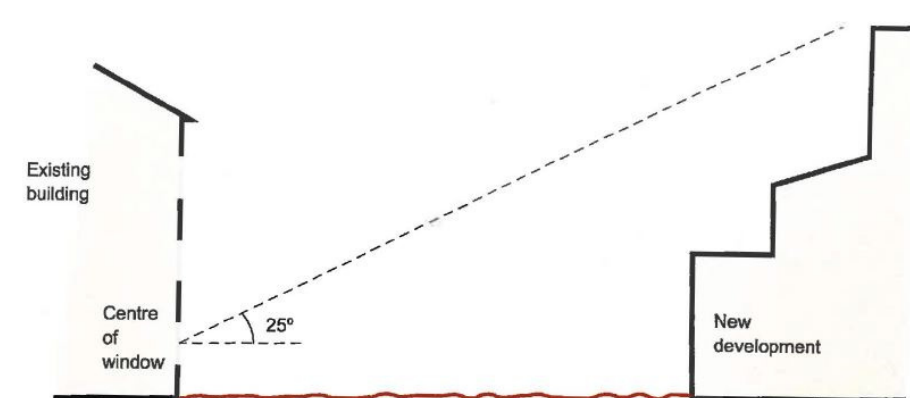
Paragraph 2.3.10 of the BRE guidelines states:

"in broad general terms, a development site next to a proposed new building will retain the potential for good diffuse daylighting provided that on each common boundary:

- (a) no new building, measured in a vertical section perpendicular to the boundary, from a point 1.6m above ground level, subtends an angle of more than 43 degrees to the horizontal;*
- (b) or, if (a) is not satisfied, then all points 16m above the boundary line are within 4m (measured along the boundary) of a point which has a VSC (looking towards the new building(s)) of 17% or more 2m above ground level are within 4m (measured sideways) of a point which has a vertical sky component of 27% or more.*

Alternative VSC criteria as per Appendix F of the BRE guidelines

The 27% VSC target criteria is based upon a sub-urban type environment whereby a 25 degree line was taken from the centre point on a ground floor window as shown below:



However, in city centre locations and urban areas where density levels are increasing, these values may not be considered appropriate. The BRE guidelines provide that *"different targets may be used based on the special requirements of the proposed development or its location"* (paragraph F1).

Appendix F of the BRE suggests several approaches as to how alternative targets may be considered including:

- Consented scheme – use of an extant planning permission to establish alternative benchmark criteria for VSC and APSH. It is not appropriate to treat a permitted scheme in the same manner as an existing building and allow a 20% reduction beyond this. If the levels of daylight and sunlight retained are similar to a previously consented scheme then it follows that these levels should be considered acceptable again, notwithstanding other planning considerations.
- Mirror massing – to ensure a development matches the height and proportions of existing buildings, the VSC and APSH targets could be set to those of a mirror image of the same height and size, an equal distance away from the boundary (paragraph F5).
- Consider surrounding context and existing obstruction angles as well as spacing to height ratios.

Principles of Daylight and Sunlight

In addition, due to the requirements for external amenity space within local planning policies, many residential buildings are served by balconies. Balconies can restrict the view of the sky dome whereby even the modest obstruction may result in a large relative impact on the VSC. The BRE guidelines therefore provide that an assessment can be carried out comparing the levels of VSC with and without the balconies in place for both the existing and proposed scenarios, to establish whether it is the presence of the balcony or the size of the new obstruction that is the main factor in the loss of light (paragraph 2.2.11).

No Sky Line

Methodology

The NSL method is a measure of the distribution of daylight at the working plane within a room. The 'working plane' means a horizontal 'desktop' plane 0.85m in height for residential properties. The NSL divides those areas of the working plane which can receive direct sky light from those which cannot. If a significant area of the working plane lies beyond the NSL (i.e. it receives no direct sky light), then the distribution of daylight in the room will be poor and supplementary electric lighting may be required.

It is similar to the VSC approach in that a reduction of 0.8 times in the area of sky visibility at the working plane may be deemed to be noticeable. It is however, very dependent upon knowing the actual room layouts or having a reasonable understanding of the likely layouts.

It is assessed by plotting the area of a room which can see the sky and which cannot, referred to as the NSL contour or daylight distribution contour. The contours assist in helping to understand the way the daylight is distributed within a room and the comparisons of existing and limitations of proposed circumstances within neighbouring properties. Like the VSC method, it relates to the amount of visible sky but does not consider the room use in its criteria, it is simply a test to assess the change in position of the No Sky Line, between the existing and proposed situation. It does take into account the number and size of windows to a room, but does not give any quantitative or qualitative assessment of the light in the rooms, only where sky can or cannot be seen.

Criteria

BS 8206 Part 2 (para 5.7) that the:

"uniformity of daylight is considered to be unsatisfactory if a significant part of the working plane (normally more than 20%) lies behind the no-sky line".

Therefore, it is implied that an NSL of at least 80% would be considered satisfactory in regards to deep rooms which are lit by windows on one side, the BRE Guidelines state (para, 2.2.10):

In regards to the alteration as a result of a proposed development or obstruction the BRE provide that the daylight may be adversely affected if *"the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value."*

Principles of Daylight and Sunlight

Average Daylight Factor

Methodology

The Average Daylight Factor (ADF) is defined within the 2011 BRE Guidelines as:

'a ratio of total daylight flux incident on a reference area to the total area of the reference area, expressed as a percentage of outdoor luminance on a horizontal plane, due to an unobstructed sky of assumed or known luminance distribution'.

Whilst the BRE guidelines provide this measure as a tool to understand daylight within proposed dwellings not existing dwellings, if room layouts are known it can provide a useful supplementary measure of daylight and is often requested by many local authorities.

The ADF method of assessment considers:

- The diffuse visible transmittance of the glazing to the room in question (i.e. how much light gets through the window glass). A transmittance value of 0.8% is assumed for single glazing and 0.65% for double glazed windows;
- The net glazed area of the window in question;
- The total area of the room surfaces (ceiling, walls, floor and windows); and
- The angle of visible sky reaching the window(s) in question

In addition, the ADF method makes allowance for the average reflectance of the internal surfaces of the room and of external obstruction (assumed to be 0.5 unless otherwise stated).

Criteria

The criteria for ADF is taken from the British Standard 8206 part II which gives the following criteria based on the room use:

- Bedroom – 1% ADF
- Living room – 1.5% ADF
- Kitchen – 2% ADF

Where a room has multiple uses such as a living kitchen diner (LKD) or a studio apartment, the highest value is taken so in these cases the required ADF is 2%.

Sunlight

Methodology

The BS 8206 part 2 (section 5.2) states that:

"Provided that the entry of sunlight is properly controlled, it is generally welcome in most buildings in the UK. Dissatisfaction can arise as much from the permanent exclusion of sunlight as from its excess. The provision of sunlight is important in dwellings, particularly during winter months. Sunlight is especially valued in habitable rooms used for long periods during the day."

Principles of Daylight and Sunlight

Sunlight is measured using a sun indicator which contains 100 spots, each representing 1% of Annual Probable Sunlight Hours (APSH). Where no obstruction exists the total APSH would amount to 1486 hours and therefore each spot equates to 14.86 hours of the total annual sunlight hours.

The number of spots is calculated for both the whole year and also during the winter period (21st September to 21st March) prior to an obstruction and after the obstruction is put in place. This provides a percentage of APSH for each of the time periods for each window assessed. The 2011 BRE Guidelines note that:

- *"In housing, the main requirement for sunlight is in living rooms, where it is valued at any time of day, but especially in the afternoon."*
- *"all main living rooms of dwellings...should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun";*
- *"If the main living room to a dwelling has a main window facing within 90° of due north, but a secondary window facing within 90° of due south, sunlight to the secondary window should be checked."*
- *"...a south facing window will, in general, receive most sunlight, while a north facing one will receive it only on a handful of occasions. East and west facing windows will receive sunlight only at certain times of day".*

When a room has multiple windows, not all may have a southerly orientation however, these windows may contribute to the levels of sunlight within a given room even if by 1-2% APSH. As well as the assessment on a window basis the BRE guidelines provide that an assessment can be undertaken on a room basis.

Whilst the emphasis of the BRE guidelines is in regards to living rooms, it is not always possible to determine the room uses within all of the properties assessed and therefore typically all windows or all rooms with windows facing within 90 degrees of due south and facing the site are assessed.

Criteria

The BRE provide that for existing buildings a window maybe adversely affected if a point at the centre of a window receives:

- Less than 25% of the APSH during the whole year, of which 5% APSH must be in the winter period; and
- Receives less than 0.8 times its former sunlight hours in either time period; and
- Has a reduction in sunlight for the whole year more than 4% APSH.

In terms of the assessment on a room basis the criteria applied is the same.

For proposed buildings the BRE provide (paragraph 3.1.15) that a dwelling or building which has a particular requirement for sunlight will appear reasonably sunlit provided:

- At least one main window faces within 90 degrees of due south; and

Principles of Daylight and Sunlight

- Centre of one main living room window can receive 25% of APSH including 5% APSH in the winter months.

It continues that where groups of dwellings are planned the layout should aim to maximise the number of living rooms that meet the above recommendations.

Overshadowing

As well as daylight and sunlight amenity to neighbouring dwellings, planning policy often refers to the levels of overshadowing to amenity areas such as parks, public squares, playgrounds etc. The BRE guidelines provide two methods of calculation in regards to overshadowing which are as follows:

Sun Hours on Ground

Methodology

This method of overshadowing assessment uses the sun on ground indicator to determine the areas which receive direct sunlight and those which do not. This method applies to both new and existing areas of amenity space. The BRE Guidelines suggest that the Spring Equinox (21st March) is a suitable date for the assessment as this is the midpoint of the sun's position throughout the year. Using specialist software, the path of the sun is tracked to determine where the sun would reach the ground and where it would not.

Criteria

The BRE guidelines recommend that at least half of an amenity space should receive at least two hours of direct sunlight on March 21st. In regards to existing spaces where the existing sunlit area is less than half of the area, the area which receives two hours of sunlight should not be reduced by more than 20% (it should retain 0.8 times its former value).

Transient Overshadowing

The BRE guidelines suggest that where large buildings are proposed which may affect a number of gardens or open spaces, it is useful to plot a shadow plan to illustrate the location of shadows at different times of the day and year. For the purpose of this assessment, shadow has been mapped at the following times of the year:

- 21st March (Spring equinox)
- 21st June (Summer solstice)
- 21st December (Winter solstice)

The September equinox is not assessed as this would provide the same results as those for March 21st.

For each of these dates the overshadowing is calculated at hourly intervals throughout the day however some images may not be present given the early sunset during the Winter period.

The BRE guidelines do not provide any criteria for transient overshadowing. Therefore the analysis provides a description of where additional shadow is cast as a result of a development with professional judgement to determine the effect comparing the shadow resulting from the proposed development against that of the existing site.

Principles of Daylight and Sunlight

Light pollution and Solar Glare

Light pollution is defined as any light emitting from artificial sources into spaces where it is not wanted for example from offices into neighbouring residential properties where it could cause a nuisance. The ILP Guidance notes provide details of how to measure light pollution and criteria based on the urban density of the respective area to determine the acceptability of the light levels.

Solar glare is particularly important at pedestrian and road junctions as well as along railway lines where the glare can cause a temporary blinding to drivers or pedestrians. Glare can occur from reflective materials such as glazed areas or metal cladding on the facades. This assessment is therefore undertaken from viewpoints surrounding the site at junctions and positioned at the driver's eye level. Focal points are dictated by the location of signals or oncoming traffic.

Other Amenity Considerations

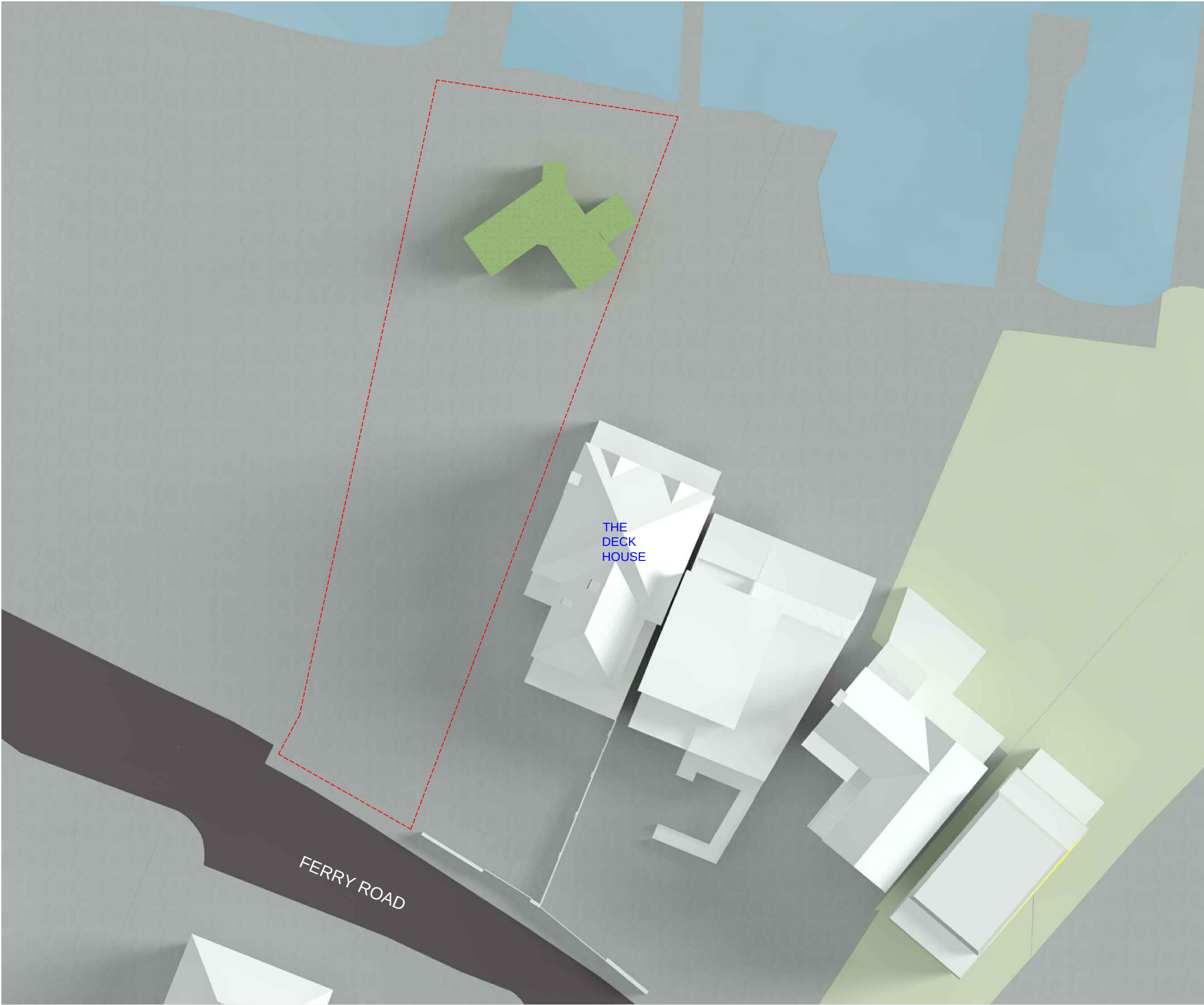
Daylight and sunlight is one factor among many under the heading of residential amenity considerations for any given development design or planning application; others include:

- outlook
- sense of enclosure
- privacy
- access to outdoor space e.g. balconies or communal garden/courtyard

Appendix 02

Drawings

Existing



SOURCES OF INFORMATION

IR04_PROPOSED SCHEME (17.11.16)

IR05_flnD MAPS

ALL INFORMATION DISPLAYED IS SUBJECT TO A COMPLETE VERIFIABLE SITE SURVEY BEING UNDERTAKEN. GIA TAKES NO RESPONSIBILITY ON THE ACCURACY OR RELIABILITY OF THE DISPLAYED DATA SINCE A VERIFIED SITE SURVEY WAS NOT MADE AVAILABLE PRIOR TO THE GENERATION OF SUCH INFORMATION.

--- SITE BOUNDARY

NOTES:

N.B. DO NOT SCALE OFF THIS DRAWING



ALL HEIGHTS AND DIMENSIONS GIVEN IN mm AOD

EXISTING BUILDING SHOWN IN GREEN

PROJECT:

MANTAGUE HOUSE
FERRY ROAD
HAYLING ISLAND

DRAWING NAME:

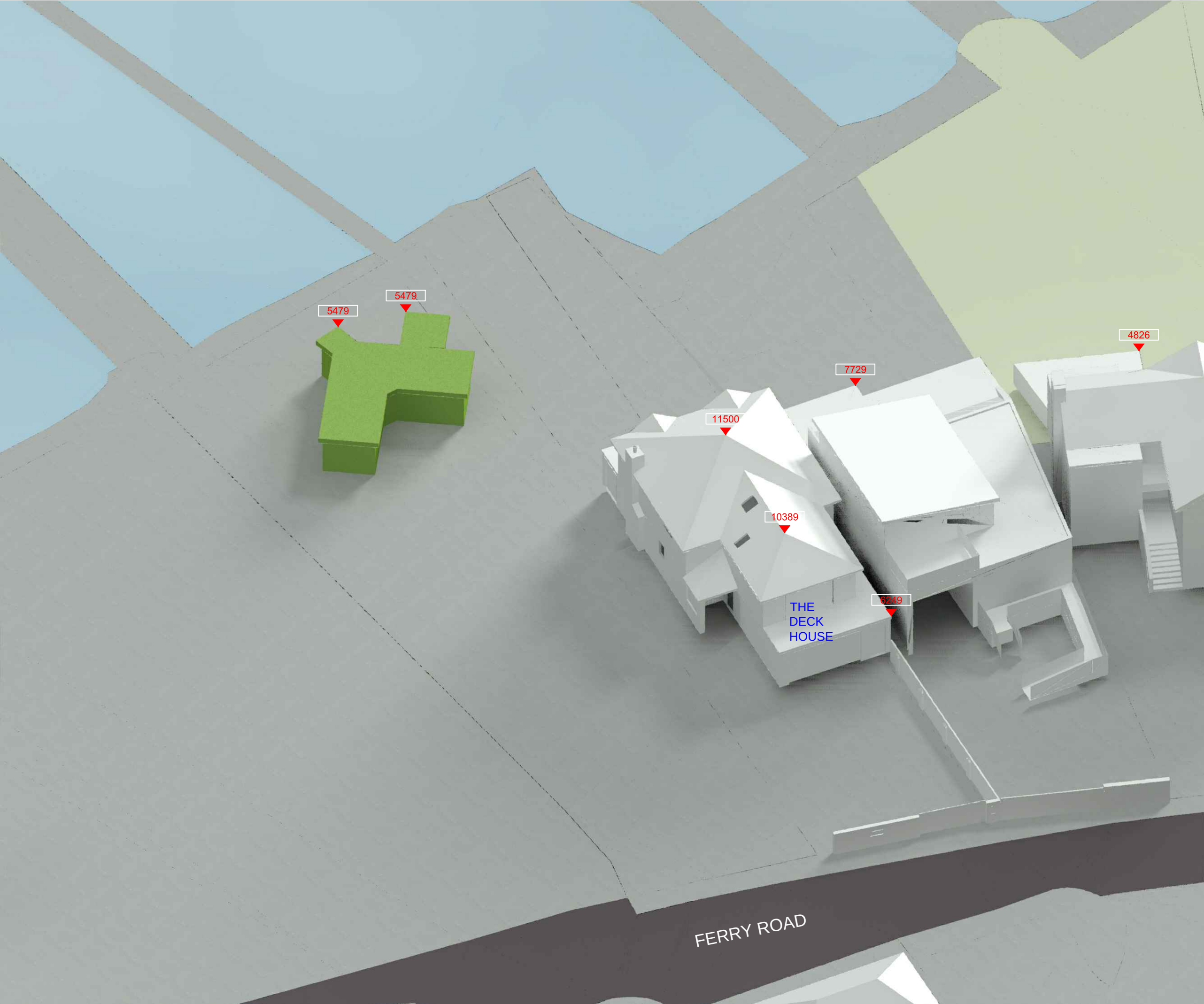
PLAN VIEW
EXISTING SCHEME

DWN BY	SCALE	CHK BY	STATUS	DATE
RVDL	NTS	AH	3D & ROL	NOV 16
PROJ No.	REL No.	IS No.	DWG No.	REV No.
10506	REL001	IS001	01	A



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SOURCES OF INFORMATION

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IR05_find MAPS

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EXISTING BUILDING SHOWN IN GREEN

PROJECT:

MANTAGUE HOUSE
FERRY ROAD
HAYLING ISLAND

DRAWING NAME:

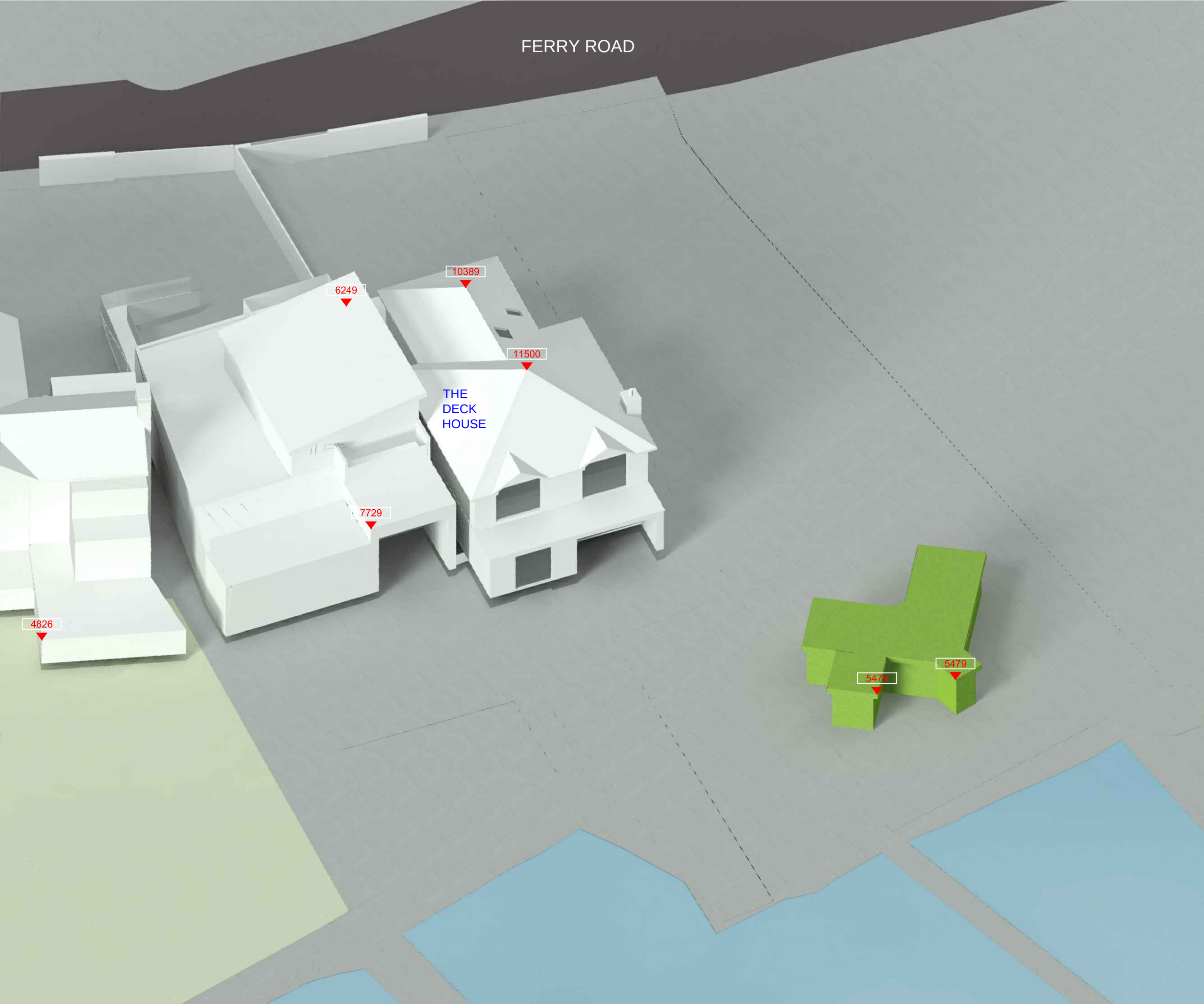
3D VIEW
EXISTING SCHEME

DWN BY	SCALE	CHK BY	STATUS	DATE
RVDL	NTS	AH	3D & ROL	NOV 16
PROJ No.	REL No.	IS No.	DWG No.	REV No.
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EXISTING BUILDING SHOWN IN GREEN

PROJECT:

MANTAGUE HOUSE
FERRY ROAD
HAYLING ISLAND

DRAWING NAME:

3D VIEW
EXISTING SCHEME

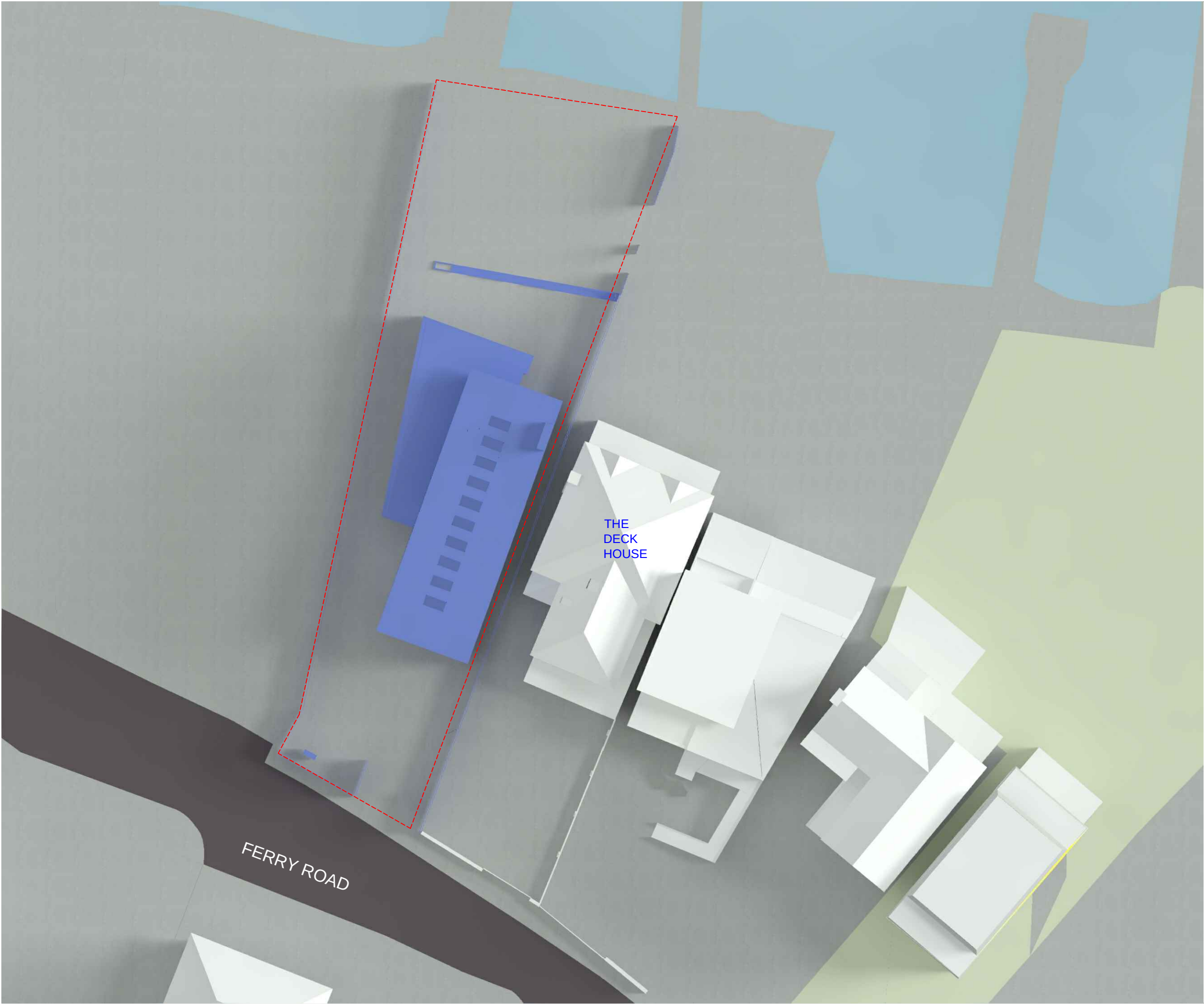
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RVDL	NTS	AH	3D & ROL	NOV 16
PROJ No.	REL No.	IS No.	DWG No.	REV No.
10506	REL001	IS001	03	A



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Proposed



SOURCES OF INFORMATION

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PROPOSED SCHEME SHOWN IN BLUE

PROJECT:

MANTAGUE HOUSE
FERRY ROAD
HAYLING ISLAND

DRAWING NAME:

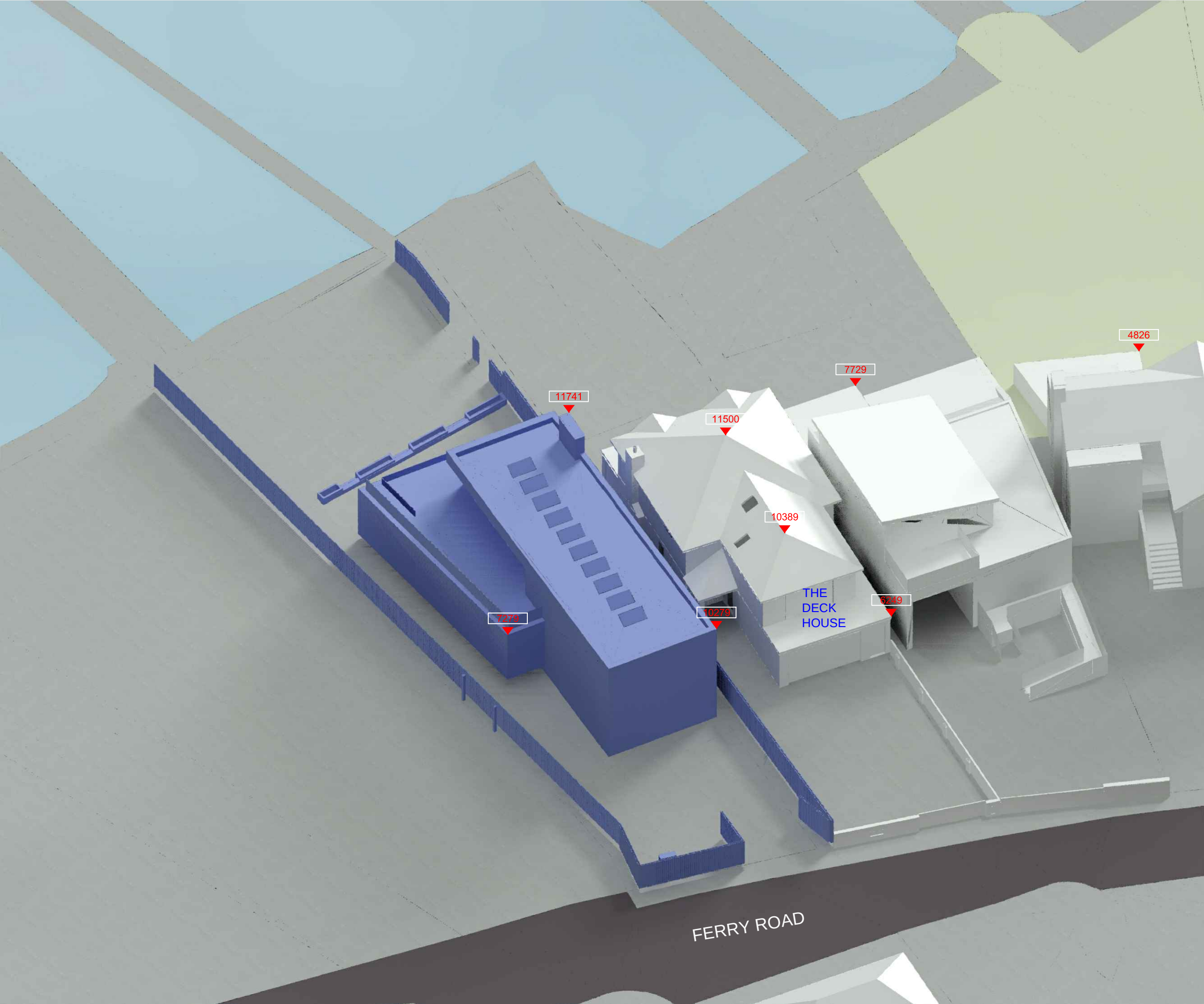
PLAN VIEW
PROPOSED SCHEME IR04

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RVDL	NTS	AH	3D & ROL	NOV 16
PROJ No.	REL No.	IS No.	DWG No.	REV No.
10506	REL001	IS001	04	A



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PROJECT:

MANTAGUE HOUSE
FERRY ROAD
HAYLING ISLAND

DRAWING NAME:

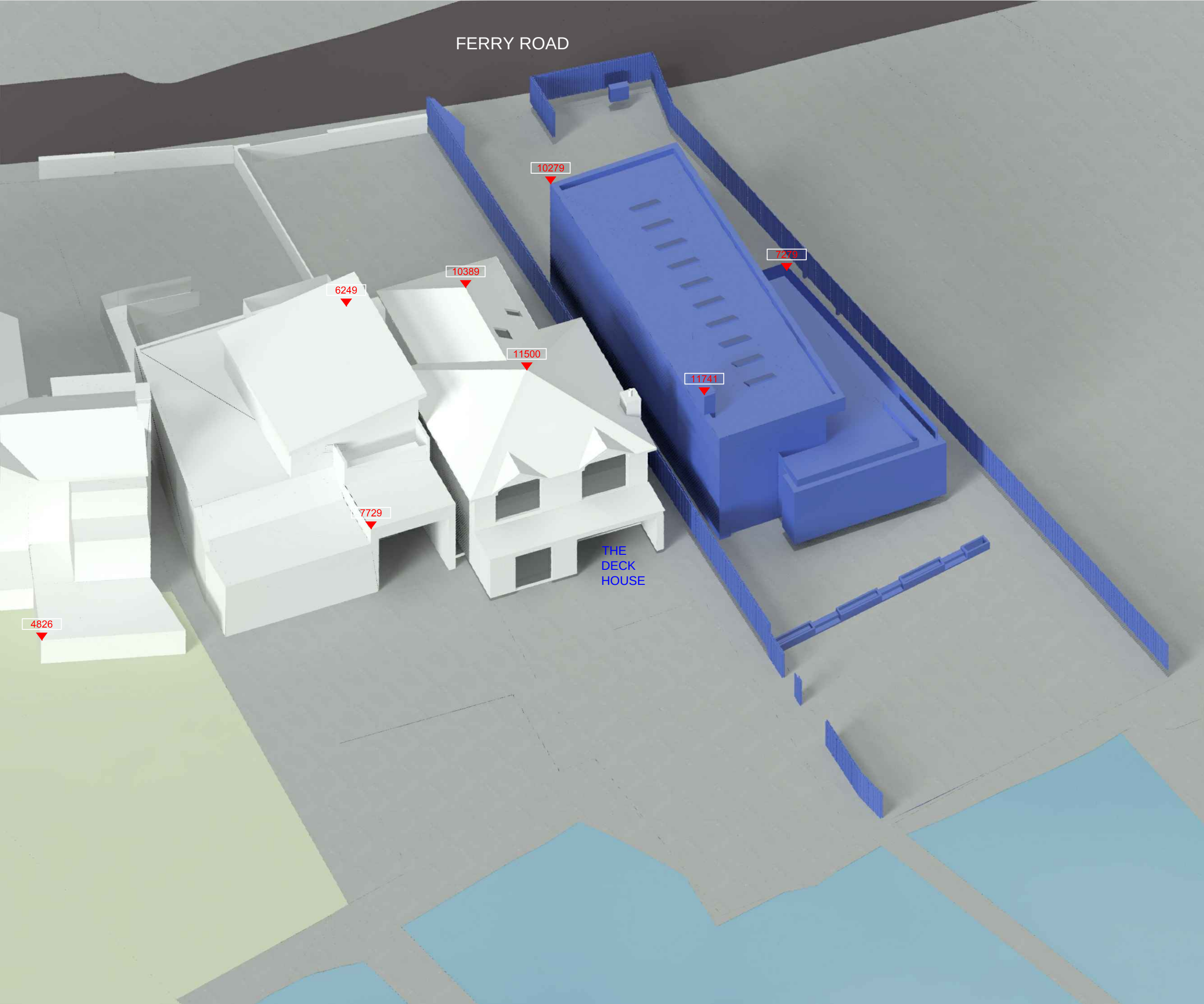
3D VIEW
PROPOSED SCHEME IR04

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RVDL	NTS	AH	3D & ROL	NOV 16
PROJ No.	REL No.	IS No.	DWG No.	REV No.
10506	REL001	IS001	05	A

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PROPOSED SCHEME SHOWN IN BLUE

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FERRY ROAD
HAYLING ISLAND

DRAWING NAME:
3D VIEW
PROPOSED SCHEME IR04

DWN BY	SCALE	CHK BY	STATUS	DATE
RVDL	NTS	AH	3D & ROL	NOV 16
PROJ No.	REL No.	IS No.	DWG No.	REV No.
10506	REL001	IS001	06	A

Appendix 03

Daylight and Sunlight Results

Vertical Sky Component (VSC)

Vertical Sky Component						
Room	Window	Room Use	Existing	Proposed	Loss	%
THE DECK HOUSE						
R1/F00	W5/F00	Living Room	13	11.8	1.2	9.2
R1/F00	W6/F00	Living Room	39.2	39	0.2	0.5
R2/F00	W4/F00	Bathroom	37.7	5.5	32.2	85.4
R3/F00	W3/F00	Study	4.4	3.7	0.7	15.9
R4/F00	W1/F00	Foyer	6.4	2	4.4	68.8
R4/F00	W2/F00	Foyer	4.1	1.3	2.8	68.3
R4/F00	W5/F01	Foyer	38.1	37.3	0.8	2.1
R1/F01	W1/F01	Bedroom	36.3	35.9	0.4	1.1
R1/F01	W6/F01	Bedroom	38.3	33.6	4.7	12.3
R2/F01	W2/F01	Bathroom	28.7	6.7	22	76.7
R3/F01	W3/F01	Bathroom	38.2	37.4	0.8	2.1
R4/F01	W4/F01	Bathroom	38.1	37.9	0.2	0.5

Vertical Sky Component (VSC)
(Without Balcony)

DAYLIGHT ANALYSIS

Vertical Sky Component						
Room	Window	Room Use	Existing	Proposed	Loss	%
THE DECK HOUSE						
R1/F00	W5/F00	Living Room	35.4	33.7	1.7	4.8
R1/F00	W6/F00	Living Room	39.2	39	0.2	0.5
R2/F00	W4/F00	Bathroom	37.7	5.5	32.2	85.4
R3/F00	W3/F00	Study	4.4	3.7	0.7	15.9
R4/F00	W1/F00	Foyer	6.4	2	4.4	68.8
R4/F00	W2/F00	Foyer	4.1	1.3	2.8	68.3
R4/F00	W5/F01	Foyer	38.1	37.3	0.8	2.1
R1/F01	W1/F01	Bedroom	36.3	35.9	0.4	1.1
R1/F01	W6/F01	Bedroom	38.3	33.6	4.7	12.3
R2/F01	W2/F01	Bathroom	28.7	6.7	22	76.7
R3/F01	W3/F01	Bathroom	38.2	37.4	0.8	2.1
R4/F01	W4/F01	Bathroom	38.1	37.9	0.2	0.5

No Skyline (NSL)

Room / Floor	Room Use	Flat Number	Whole Room	Prev sq ft	New sq ft	Loss sq ft	% Loss	% Prev	% New
THE DECK HOUSE									
R1/F00	Living Room	Flat1	566.35	564.84	564.23	0.61	0.11	99.73	99.63
R2/F00	Bathroom	Flat1	27.21	25.53	5.56	19.97	78.22	93.82	20.43
R3/F00	Study	Flat1	60.15	47.34	43.38	3.96	8.36	78.70	72.12
R4/F00	Foyer	Flat1	71.04	58.23	50.84	7.39	12.69	81.97	71.57
R1/F01	Bedroom	Flat1	284.82	284.12	284.12	0.00	0.00	99.75	99.75
R2/F01	Bathroom	Flat1	76.91	64.20	30.79	33.41	52.04	83.47	40.03
R3/F01	Bathroom	Flat1	208.90	206.93	205.27	1.66	0.80	99.06	98.26
R4/F01	Bathroom	Flat1	172.47	171.98	171.77	0.21	0.12	99.71	99.59

No Skyline (NSL)
(Without Balcony)

DAYLIGHT DISTRIBUTION ANALYSIS

Room / Floor	Room Use	Flat Number	Whole Room	Prev sq ft	New sq ft	Loss sq ft	% Loss	% Prev	% New
THE DECK HOUSE									
R1/F00	Living Room	Flat1	566.35	564.87	564.60	0.28	0.05	99.74	99.69
R2/F00	Bathroom	Flat1	27.21	25.53	5.56	19.97	78.22	93.82	20.43
R3/F00	Study	Flat1	60.15	47.34	43.38	3.96	8.36	78.70	72.11
R4/F00	Foyer	Flat1	71.04	58.23	50.84	7.39	12.69	81.97	71.57
R1/F01	Bedroom	Flat1	284.82	284.12	284.12	0.00	0.00	99.75	99.75
R2/F01	Bathroom	Flat1	76.91	64.20	30.79	33.41	52.04	83.47	40.03
R3/F01	Bathroom	Flat1	208.90	206.93	205.27	1.66	0.80	99.06	98.26
R4/F01	Bathroom	Flat1	172.47	171.98	171.77	0.21	0.12	99.71	99.59

Annual Probable Sunlight Hours (APSH)

Room	Window	Room Use	Flat Number	Orientation	Existing		Window Proposed		Winter Loss	Annual Loss	Winter %Loss	Annual %Loss	Room					
					Winter APSH	Annual APSH	Winter APSH	Annual APSH					Existing Winter APSH	Existing Annual APSH	Proposed Winter APSH	Proposed Annual APSH	Winter %Loss	Annual %Loss
THE DECK HOUSE																		
R3/F00	W3/F00	Study	Flat1	-156.9680439	6	6	5	5	1	1	16.67	16.67	6	6	5	5	16.7	17
R1/F01	W1/F01	Bedroom	Flat1	-156.9680439	27	76	27	71	0	5	0.00	6.58						
R1/F01	W6/F01	Bedroom	Flat1	-67.16429103	9	36	8	33	1	3	11.11	8.33	9	36	9	36	0.0	0

Annual Probable Sunlight Hours (APSH)
(Without Balcony)

SUNLIGHT ANALYSIS

Room	Window	Room Use	Flat Number	Orientation	Existing		Window Proposed		Winter Loss	Annual Loss	Winter %Loss	Annual %Loss	Room					
					Winter APSH	Annual APSH	Winter APSH	Annual APSH					Existing Winter APSH	Existing Annual APSH	Proposed Winter APSH	Proposed Annual APSH	Winter %Loss	Annual %Loss
THE DECK HOUSE																		
R3/F00	W3/F00	Study	Flat1	-156.9680439	6	6	5	5	1	1	16.67	16.67	6	6	5	5	16.7	17
R1/F01	W1/F01	Bedroom	Flat1	-156.9680439	27	76	27	71	0	5	0.00	6.58						
R1/F01	W6/F01	Bedroom	Flat1	-67.16429103	9	36	8	33	1	3	11.11	8.33	9	36	9	36	0.0	0

Appendix 04

Havant Borough Council Appeal Statement

**TOWN AND COUNTRY PLANNING
ACT 1990 (AS AMENDED)**

**STATEMENT OF
HAVANT BOROUGH COUNCIL**

Tamarisk, Ferry Road, Hayling Island, PO11 0DG

Local Planning Authority Reference: APP/15/01355

**Planning Inspectorate Reference:
APP/X1735/W/16/3158213**

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MRS LISA MONTAGUE AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR THE - Demolition of existing dwelling and construction of new dwelling with associated landscaping and improvements to sea-defences at Tamarisk, Ferry Road, Hayling Island, PO11 0DG

Planning Inspectorate Reference: APP/X1735/W/16/3158213

LPA REF: APP/15/01355

1.0 THE APPEAL SITE AND ITS SURROUNDINGS

- 1.1 The site lies in West Hayling at the western end of Ferry Road and comprises a vacant 2 bedroom single storey dwelling with a water frontage to the north. It is the last in a line of mainly 2 storey development beyond which lies the compound and offices to Langstone Harbour Board. To the south lies the Ferry Boat Inn, public toilets and car park with Sinah Common and the golf course beyond. The site is located outside of the urban area for Development Plan purposes, and within the Coastal Zone and Flood Zone 2 and adjacent to the Langstone Harbour Site of Special Scientific Interest (SSSI), the Chichester and Langstone Harbours Ramsar and Special Protection Area (SPA) and the Solent Maritime Special Area of Conservation (SAC).
- 1.2 The existing bungalow sits back from the road on a long and narrow, slightly wedge shaped plot of some 0.07 ha. It has a chain link fence and gates to Ferry Road and a tall concrete panelled wall along its western boundary to the boatyard. Onto the harbour, it has a slipway situated between the Hampshire County Council pontoon to the west and a privately owned pontoon serving the neighbouring house immediately to the east.
- 1.3 The adjacent dwelling to the east comprises the Deck House, a two storey dwelling constructed under planning permission 03/61550/004. This property has its main aspects to the front and rear and incorporates front and rear balconies.

2.0 PLANNING HISTORY

- 2.1 None for application site

The Deck House APP/03/61550- replacement dwelling. Permitted 2003

3.0 THE APPLICATION

- 3.1 The application the subject of this appeal seeks permission for the demolition of existing dwelling and construction of new dwelling with associated landscaping and improvements to sea-defences.

3.2 The application was determined by committee on the 4 may 2016 for the follow reason;

The proposed development would result in excessive building bulk adjacent to an existing property, detrimental to the visual outlook and amenities of the occupiers of this property by reason of overbearing impact, loss of light to ground floor accommodation and loss of privacy to private amenity space. The proposal is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

4.0 PLANNING POLICY

4.1 The Development Plan comprises the Havant Borough Local Plan (Core Strategy) 2011 and the Havant Borough Local Plan (Allocations) 2014. In addition the National Planning Policy Framework sets the national framework for the consideration and determination of planning applications.

4.2 The following policies of the Havant Borough Local Plan (Core Strategy) 2011 (HBLP (CS) 2011) are considered relevant:-

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

And to be particularly relevant to the determination of this appeal is:

CS16 1e) Which states:-

e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

More details in relation to the relevance of this policy will be provided in part 6 of this appeal statement.

5.0 REPRESENTATIONS

5.1 The application which is the subject of this appeal was published in accordance with the Council's adopted publicity procedures, including neighbour notification letters

and a site notice was posted. Copies of the representations received have been forwarded with the questionnaire.

5.2 Consultations were carried out and consultation replies were received from the following:

Natural England Government Team

Chichester and Langstone Harbours SPA and Ramsar Site and Solent

Maritime SAC: In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment

SSSI: No objection – with conditions

Protected Species: We have not assessed this application and associated documents for impacts on protected species.

Environment Agency

No objection in principle to the proposed development; condition recommended relating to adherence to submitted Flood Risk Assessment.

The proposed development has been considered a replacement dwelling of a single residential property with another single residential property. The proposed development is located within flood zones 2 and 3. The proposed development raises finished floor levels from 3.01mAOD to 3.70mAOD and so, provides betterment with respect to flood risk mitigation.

However, it must be noted that the predicted sea level for 2115 is 4.5m AOD. Therefore, over its lifetime the proposed development could experience flood depths of 1.77m. Safe refuge against the predicted 2115 sea level is available within the property, however, safe access and egress is unlikely. The applicant proposed use of flood warning procedures and an evacuation place but may wish to consider further flood resistance and resilience measures.

Langstone Harbour Board

The Board's Planning Sub Committee has considered this application and has no objections to the proposals but request that major construction work takes place outside the wintering bird season (Oct – March inc).

Officer comment: This would be covered by the conditions requested by Natural England.

Engineer

No comments received

County Minerals

No comments received

Hampshire Wildlife Trust

No comments received

Royal Society for the Protection of Birds

No comments received

Building Control

Unprotected areas on the east elevation would exceed permitted limits due to the timber cladding.

Officer comment: The timber cladding on the east elevation would be treated with a suitable flame retardant and fire protection coating to meet Building Control requirements

Coastal Engineering

I can confirm that the Eastern Solent Coastal Partnership has no objection to the above proposal. The improved coastal defences, raised floor levels and other resilience and resistant measures mitigate the flood risk appropriately. It should be noted that access to the site via Ferry Road may be limited during an extreme tidal flood event (in particular the locality adjacent to 'the Kench').

County Ecologist

Protected and notable species within 50m

The application site is immediately adjacent to Langstone & Chichester Harbours SPA and Ramsar, the Solent Maritime SAC and Langstone Harbour SSSI. As such there is potential for any construction-related activities to impact upon these sites e.g. through disturbance of overwintering bird species, deposition of dust, waterborne pollutants etc. Any application documents will need to provide sufficient information to demonstrate that these issues have been understood and addressed.

The proposals entail the demolition of the existing dwelling. Although unlikely, there may be potential for legally-protected species such as bats and birds to occur and be affected. Suitable information should be provided. In common with other similar areas on Hayling, any garden grassland may support populations of notable plant species such as orchids.

A Phase 1 ecological survey of the site: this including an assessment of the potential for the site to support protected species is required.

Officer comment: A preliminary Ecological Appraisal, comprising the Phase 1 survey and desktop study, has been undertaken to ascertain the potential for protected habitats and species to be present within the site. Additionally a Phase 2 reptile survey was undertaken to establish the status of these species on the site. The report concludes that the site supports habitats of low ecological value. There is limited suitable habitat for nesting birds; the results of the reptile survey suggest reptiles are absent from the site. The site offers no suitability for any other protected species.

Development Engineer - Highways

No adverse comments

Waste Services Manager

I have no concerns over waste collection regarding this planning application.

- 5.3 Copies of the consultation replies have previously been forwarded to The Planning Inspectorate.

6.0 PLANNING CONSIDERATIONS

- 6.1 The planning application raised a number of considerations which are set out in the committee report, however, having regard to the relevant policies of the development plan, and the reason for refusal given in the Decision Notice dated 4th May 2016, it is considered that the main issue for consideration in respect to the appeal is:
- 6.2 Whether the proposed development would result in an adverse impact on the amenities of the adjacent dwelling to the east at the Deck House and in particular overbearing impact, loss of light to ground floor accommodation and loss of privacy to private amenity space.
- 6.3 The Deck House comprises a two story dwelling built under planning permission APP/03/61550 (replacement dwelling. Permitted 2003). The existing windows in the west elevation of The Deck House facing the application site comprise a bathroom and toilet window. These windows serve no-habitable rooms and as such the impact on these rooms is considered acceptable.
- 6.4 The windows to the main habitable rooms face the front and rear and comprise at ground floor an open plan living area to the rear and a study to the front, with bedrooms at first floor. Both the living area and the study sit beyond the roof overhangs to a balcony and porch respectively.
- 6.5 In terms of the impact of the appeal development the main impact relates to the ground floor habitable rooms, the first floor rear balcony and the rear amenity area.
- 6.6 The proposed dwelling would be of contemporary design with the main living accommodation located at first floor to take advantage of the sea views. It would be sited between 1m and 1.5m from the side boundary with the Deck House, and the length of 2 storey development along this boundary would be in the order of 20m. Whilst this is similar to the overall length of the Deck House, the western part of the Deck House adjacent the boundary with the appeal site is set in from the boundary. The appeal proposal's east elevation onto the Deck House is unbroken and would form a continuous length of construction which would extend beyond both the front and rear of the western elevation of the Deck House with a further projection at single storey of 4 m to the rear. The height of the two story element would be 6.6m and that of the single storey element would be 3.6 m. The Deck House has a two storey height of approx. 4.9m. Hence the proposed 2 storey element would be 1.7m higher than the eaves of The Deck House (equivalent to half a storey higher) and that of the single storey element would be only 1.3m below that of the two storey eaves height of the Deck House. Additionally the eastern elevation incorporates a substantial chimney which has a height of 7.7m, i.e. nearly 3m above the eaves of the Deck House. It is these dimensions for both the appeal proposal and the Deck House, together with the associated raised floor level at first floor and the upside down nature of the proposed development which are relevant in respect to the impact on the amenities of the Deck House.
- 6.7 In terms of the impact in respect to outlook the appeal development owing to its length, height and projection beyond the west elevation of the dwelling at the Deck House would have an overbearing impact on that property. The residents of the Deck House in their day to day occupation of the dwelling would be conscious of the extensive built form of the proposed east elevation. This would be particularly apparent from the rear balcony and the amenity area below it and beyond, where this would replace the current open outlook to the west. As such the proposal would

result in unacceptable harm to the amenities of the neighbouring properties from loss of amenity contrary to Policy CS16 1e)

- 6.8 In respect to privacy this relates to the impact of the proposed balcony on the amenities of the Deck House. It is noted that the depth of the balcony has been reduced, the main area lies to the west and the stairs relocated. However, the rear area would be located only 4.5m from the side boundary with the Deck House and would allow direct overlooking of the balcony and rear amenity area to the Deck House from an elevated level. Whilst it is noted that the rear balcony is of relatively modest depth, its depth which is similar to that of the balcony to the Deck House would allow for outdoor furniture and given the upside down layout of the appeal proposal with the living room leading onto the balcony the use of the proposed balcony would be more than occasional and the impact on privacy would be detrimental. As such the proposal would result in unacceptable harm to the amenities of the neighbouring properties from loss of amenity contrary to Policy CS16 1e)
- 6.9 In terms of the impact in respect to light, the windows in the west elevation serve non-habitable rooms and the impact is considered acceptable. In respect to the ground floor habitable room windows, the main source of light to the living rooms is from the rear facing windows. The design of the Deck House is such that light entering this window is impacted by the overhang of the balcony, and consequently the living area is relatively dark. It is noted that the standard 45 degree test is satisfied, however, both the Deck House and the proposed dwelling can be considered non-standard in that the ground floor windows to the Deck House are located below an overhanging balcony and the proposed dwelling has high eaves levels. The proposed 2 storey eaves height is 1.7m higher than that of the Deck House and the proposed single storey eaves would be only 1.3m below that of the two storey eaves height of the Deck House. Given this relationship the 45 degree guide whilst useful cannot be applied in isolation of the details of the proposal and the context. The proposed development would extend 2.5 m at 2 storeys and a further 4m at single storey beyond the living room windows. Given the height of development and this projection the impact on light would be significant, especially given the already low level of light entering the living room, and as such would be detrimental to the amenities of the Deck House. As such the proposal would result in unacceptable harm to the amenities of the neighbouring properties from loss of amenity contrary to Policy CS16 1e)
- 6.10 Similar considerations apply to the study, but in this case the projection of the proposed development is greater, extending 15m forward of the study window.

COMMENTS ON THE APPELAANT'S STATEMENT

- 7.1 Paragraph 4.8 refers to the planning conditions in respect to the Deck House, and whilst these required a screen to the balcony and tree planting, these have not been provided and could not now be enforced.
- 7.2 Paragraph 5.9 and 6.4 The comparison of foot print and volume needs to be related to proximity and height as set out in the Council's statement to provide a full assessment of the impact.
- 7.3 Paragraph 6.3 refers to the proposed eaves being below the ridge of the deck house. Whilst this is noted, the Deck House has a shallow hipped roof sloping away from the boundaries and of limited bulk and therefore a more relevant comparison is the eaves heights which are considered in the Council's statement.

8.0 CONCLUSION

- 8.1 It is considered that the proposal, which seeks permission for demolition of existing dwelling and construction of new dwelling with associated landscaping and improvements to sea-defences, for the reasons set out above would be detrimental to the amenities of the Deck House and would not accord with policy and CS16.1e) of the Local Plan.
- 8.2 The Inspector is respectfully requested to dismiss the appeal



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

**APPEAL BY MRS LISA MONTAGUE AGAINST THE DECISION OF
HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING
PERMISSION FOR THE - Demolition of existing dwelling and construction of new
dwelling with associated landscaping and improvements to sea-defences at Tamarisk,
Ferry Road, Hayling Island, PO11 0DG**

Planning Inspectorate Reference: APP/X1735/W/16/3158213

LPA REF: APP/15/01355

List of Suggested Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed site location plan and block plan 1505-PP-100-RevA
Existing site plan 1505-PP-110
Proposed site plan 1505-PP-150 Rev A
Proposed ground floor plan 1505-PP-200-RevA.
Proposed first floor plan 1505-PP-201-RevA.
Proposed ground roof plan 1505-PP-202-RevA.
sections 1505-PP-300-RevB.
East and west elevations 1505-PP-400-RevB,
North and south elevations 1505-PP-401-RevB

Reason: - To ensure provision of a satisfactory development.

- 3 The development shall not be occupied until further details of the landscaping works shown on the approved plans have been submitted to and approved in writing by the Local Planning authority. The landscaping shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following first occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension or building alterations shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 The development hereby permitted shall not be first occupied unless and until the existing dwelling has been demolished and all resultant materials removed from the site unless otherwise approved in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 Notwithstanding the submitted plans the rear balcony/first floor terrace hereby permitted shall not be brought into use unless and until details of a 1.8 metre high screen to the eastern side has been submitted to and agreed in writing by the local planning authority and subsequently erected in accordance with the approved details. The screen shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning

Authority.

Reason: To protect the amenities of adjoining residents and uses having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) October 2015 (reference 2398) which was prepared by Ambiental for John Pardey Architects and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set at 3.7m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To reduce the risk of flooding to the proposed development and future occupants and having due regard to policy CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken during the bird overwintering period (i.e. October to March inclusive).

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA and SSSI, and Solent Maritime SAC and having due regard to policy CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

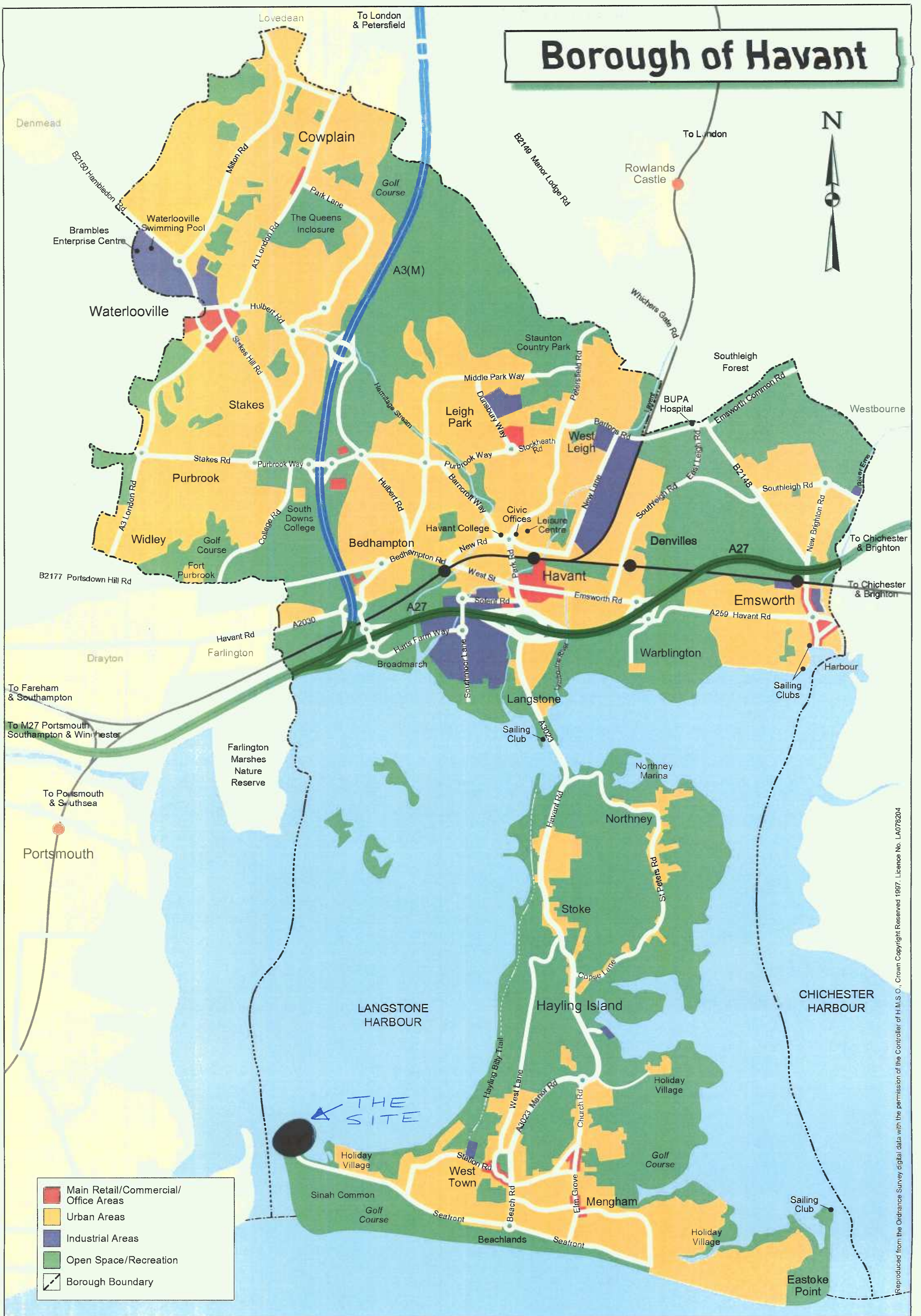
- 12 Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan over seen by a qualified ecologist shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of dust, pollution of the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA and SSSI, and Solent Maritime SAC and having due regard to policy CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 Any works to the sea wall shall not encroach on to the SPA, both in final design nor during construction

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA and SSSI, and Solent Maritime SAC and having due regard to policy CS11, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Borough of Havant



- Main Retail/Commercial/Office Areas
- Urban Areas
- Industrial Areas
- Open Space/Recreation
- Borough Boundary

ADDRESS

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