

30 WEST STREET HORSHAM SUSSEX RH12 1PB
DAYLIGHT/SUNLIGHT

INTRODUCTION

This Report has been prepared on behalf of the Applicant to support a Planning Permission Application for the proposed works at the above. The works proposed by this Application are the Introduction of Courtyard to the first floor, new windows, doors and associated external alterations, along with the rendering of the rear elevation

This Report examines the impact of daylight and sunlight on the adjacent residential property at 29 West Street, which has windows in habitable rooms that overlook the existing flat roof of 30 West Street.



Development Site

PROFESSIONAL QUALIFICATIONS

I would confirm that I am a Chartered Building Surveyor working predominately in the field of rights of light including daylight and sunlight assessments. I have an extensive and highly specialised knowledge, in these areas having worked in the past for both Anstey Horne & Co. for five years and Schatunowski Brooks (formerly known as Michael Brooks Associates as it was when I joined, then known as GVA Schatunowski Brooks and now part of Avison Young) for three years, as well as Delva Patman Associates - now known as Delva Patman Redler LLP - for four years prior to joining in Partnership Dixon Payne in 2001. All are acknowledged Experts in these fields; I now act under my own banner.

I regularly provide Expert Witness advice in respect of Planning Applications in respect of daylight and sunlight at Planning Inquiries acting for both Appellants and Planning Authorities. I was consulted by the *Building Research Establishment* prior to the revision of their guidelines in 2011 and was part of the consultation about further revisions currently being considered following the publication of BS EN 17037:2018. Those discussions have resulted in the publication of the guidance BR209 (2022) in June 2022, although the method of assessment for the effect upon adjoining properties' daylight/sunlight remains the same as for the previous guidance.

PLANNING POLICY

National Policy

The revised National Planning Policy Framework (NPPF) 2023 addresses the need for the flexible application of guidance relating to daylight and sunlight under Section 11 'Making effective use of land'. Paragraph 125(c) under subsection "Achieving appropriate densities" states the following;

- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

HORSHAM DISTRICT COUNCIL

Development Management Local Information Requirements for Validation February 2024

Daylight/Sunlight Assessment

Where there is a potential for significant adverse impact upon the current levels of daylight/sunlight enjoyed by adjoining properties or buildings including garden or amenity space resulting from any increase in height of proposed development in regards to adjacent buildings. - Policy 33 of Horsham District Planning Framework

Policy 33

Development Principles

In order to conserve and enhance the natural and built environment developments shall be required to:

1. Make efficient use of land, and prioritise the use of previously developed land and buildings whilst respecting any constraints that exist;
2. Ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development;
3. Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views;
4. Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments;
5. Use high standards of building materials, finishes and landscaping; and includes the provision of street furniture and public art where appropriate;
6. Presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development; and,
7. Ensure buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, unless this conflicts with the character of the surrounding townscape, landscape or topography where it is of good quality.

Proposals will also need to take the following into account where relevant:

8. Incorporate where appropriate convenient, safe and visually attractive areas for the parking of vehicles and cycles, and the storage of bins/recycling facilities without dominating the development or its surroundings;
9. Incorporate measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area; and create visually attractive frontages where adjoining streets and public spaces, including appropriate windows and doors to assist in the informal surveillance of public areas by occupants of the site;
10. Contribute to the removal of physical barriers; and,
11. Make a clear distinction between the public and private spaces within the site.

BR209 (2022)

Daylight/Sunlight

Following the publication of the information paper entitled "*Site Layout planning for daylight and sunlight: A guide to good practice*" by the *Building Research Establishment* in 1991, the assessment of daylight and sunlight has been generally carried out in accordance with the criteria set by this publication and which is generally taken to be the accepted basis for such assessment and adopted by most Planning Authorities. This publication was superseded by the *Second Edition* issued *October 2011* which itself has been superseded by *BR209 (2022)* which is the guidance against which the proposed development was assessed.

BR209 (2022) does give numerical guidelines, but recommends that these should be interpreted flexibly. Paragraph 1.6 of the *BR209 (2022)* states in entirety *The guide is intended for building designers and their clients, consultants, and planning officials. The advice given here is not mandatory and the guide 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 since 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 a historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. Alternatively, where natural light is of special importance, less obstruction and hence more sunlight and daylight may be deemed necessary. The calculation methods in Appendices A and B are entirely flexible in this respect. Appendix F gives advice on how to develop a consistent set of target values for skylight under such circumstances.*

The criteria against which the effect upon daylight/sunlight is considered as detailed within Appendix A of the *BR209 (2022)* whilst the criteria as to whether there is adequate daylight to the proposals themselves are stated within Appendix C of the *BR209 (2022)*.

Within *BR209 (2022)*, with regard to the effect upon the daylight of adjoining properties, the advice is detailed in paragraph 2.2.21 and provides

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:

- The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value
- 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."

The primary assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed conditions. The VSC, simply put, is the amount of light received at the centre of a window, with the maximum that can be received on a vertical face being 39.6%. It does not indicate distribution within a room for which other assessments are required. The guide states that if at the centre of a window the VSC is greater than 27% of the visible dome, then enough skylight should be reaching the window.

This said, a VSC of 27% is the ideal, but in most urban situations unlikely to be achieved. The guide states, however, that if the VSC is below 27%, and if any reduction is within 0.8 of the original value, no significant loss will occur (a reduction which is deemed to be of no consequence and not readily identifiable).

In respect of sunlight, the guide details the assessment of this by way of calculating the number of probable sunlight hours. Probable sunlight hours take into account the total number of hours a year that the sun is expected to shine taking into account average levels of cloud cover for the geographical location. Only windows which face within 90° of south meet the criteria for assessment.

Sunlight is considered important for living rooms, but less so for bedrooms and kitchens. If the assessment is appropriate, the guide states that a window should receive at least 25% of annual probable sunlight hours (APSH) with at least 5% of winter probable sunlight hours (WPSH), but no less than 0.8 times the former if the sunlight is originally below as well as a reduction in sunlight received over the whole year no greater than 4% of annual probable sunlight hours.

ANALYSIS

For the technical analysis under Appendix A of the BR209 (2022), the 3D model of the existing site, the proposed extensions and the massing of adjacent property at 29 West Street has been constructed by way of reference to the Project Architects and the Planning Portal. The massing of the surrounding contextual buildings has been obtained by way of a 3D OS model.

Specialist computer programs calculate the quantum of daylight/sunlight received in the existing and proposed conditions to windows of the adjoining properties has been calculated by way of Waldram analysis – Appendix B of the BR209 2022.

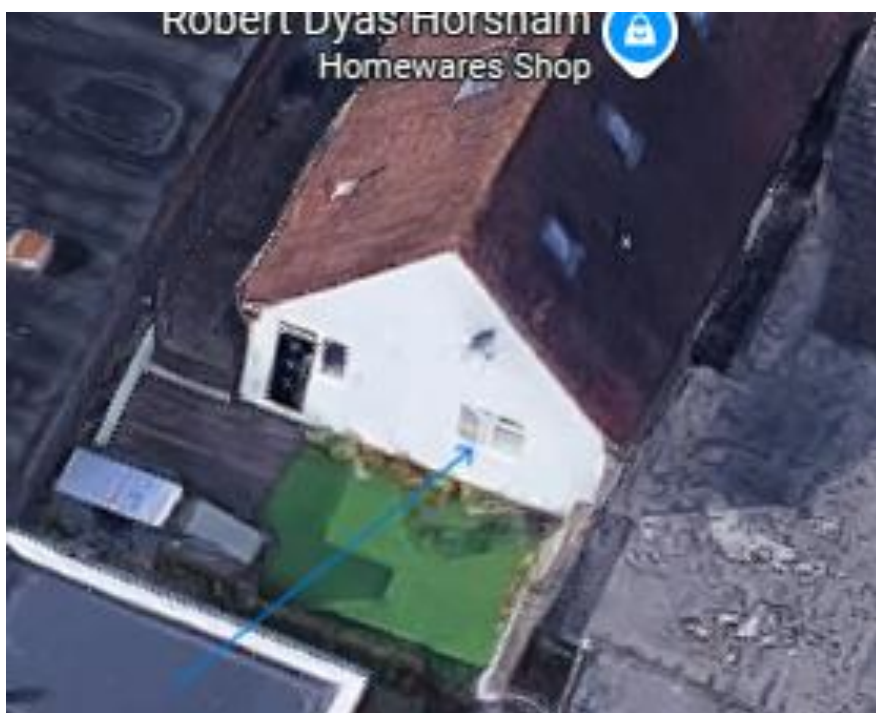
By way of explanation, Percy J. Waldram invented the Waldram diagram as a method of showing on a 2d image the curved and three-dimensional view of the sky from a fixed point. The area of a Waldram diagram drawn to scale is 396cm² which represents the total amount of unobscured sky that can be seen from a vertical plane. The vertical edges of any obstructions are plotted as vertical lines on the diagrams by reference to their angle from the reference point. The head of any obstruction are plotted along the droop line corresponding to their altitudes above the horizontal measured in the section perpendicular to the reference point.

RESULTS

Analysis of 29 West Street



W1 ID15



W2 ID16

Daylight

Floor Ref.	Window Ref.	Traffic Light Id	VSC	Meets BRE Criteria	Window Orientation
29WS					
First	W1	15	28.35	YES	25°N
First	W2	16	29.27	YES	209°

Sunlight

Floor Ref.	Window Ref.	Traffic Light Id	Window Orientation	Annual	Meets BRE Criteria	Winter	Meets BRE Criteria	Meets Both Window Criteria
29WS								
First	W1	15	25°N	*North	N/A	*North	N/A	N/A
First	W2	16	209°	62.00	YES	16.00	YES	YES

The technical analysis indicates that the daylight retained by the affected windows at 29 West Street exceeds the minimum requirement of 27% VSC which is considered acceptable in all circumstances. Regarding sunlight, the analysis criteria state that a window must face within 90° of south. Window W2 meets this criterion and retains adequate sunlight both annually and during the winter months, surpassing the minimum levels deemed acceptable in any circumstance.

CONCLUSION

The analysis conducted according to Appendix A of BR209 (2022) shows that the proposed plans will not have a negative impact on the daylight or sunlight received by the existing adjacent residential properties at 29 West Street. The retained levels of daylight and sunlight will exceed the minimum standards considered acceptable in any situation.

These proposals comply with the guidance of the National Planning Policy Framework (NPPF), Policy 33 of the Horsham District Planning Framework and BR209 (2022).

It is therefore my Expert opinion that Planning Permission should not be obstructed in respect of daylight or sunlight matters.

January 27, 2026

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