

Report to Meeting of Planning Services Scrutiny Standing Panel



SCRUTINY



Date of meeting: 3 March 2011

Subject: General Approach to Assessing Impact on Light

Officer contact for further information: Nigel Richardson

Committee Secretary:

Recommendations/Decisions Required:

1. That Members note the general approach taken by Officers when assessing impact of extensions on daylight and sunlight to neighbouring dwellings.

Report:

2. Members have asked officers to advise how they assess the impact of new development on daylight and sunlight to neighbouring dwellings. A particular concern is the impact of extensions to houses.
3. The purpose of assessing impact on light is to gauge whether the living conditions of the neighbouring dwellings would be excessively harmed by the development. While some harm is accepted as a reasonable balance between safeguarding the amenities enjoyed by neighbours and the right of residents to enlarge their house in order to improve their own living conditions, development that is assessed as likely to cause excessive harm to amenity is resisted.
4. The British Research Establishment report "Site layout planning for daylight and sunlight: a guide to good practice" sets out an accepted approach to measuring the impact of development on daylight and sunlight received by neighbouring buildings. That approach is very time consuming and in order to make best use of resources it is only used in very exceptional circumstances, normally only where the Council's decision is challenged at appeal and the appellant makes a case based on the BRE practice guide.
5. In respect of extensions to dwellings, the BRE practice guide advocates quick methods for assessing the impact of extensions on daylight and sunlight. These are generally applied by officers and described below.

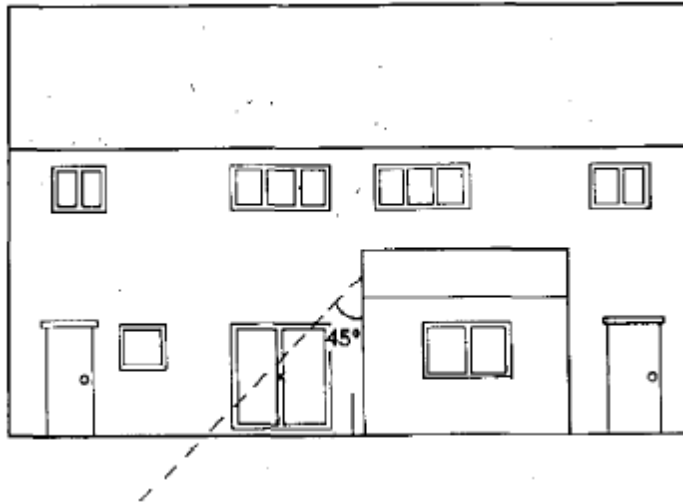
Sunlight:

6. Impact on sunlight is assessed by considering the relationship of the proposal to the passage of the sun across the sky from dawn to dusk that is typical during the equinox. That allows a general indication of where the development would cast a shadow throughout the day. Windows orientated in any direction within 90° of due south will enjoy reasonable to good levels of sunlight. If it appears that a shadow would be cast towards them by a new development then further consideration needs to be given to the matter of impact on daylight. In general, development to the north of any window in an adjoining house would not cause a loss of sunlight to that window and consequently would not impact on daylight. Because of the variation in orientation of windows greater weight is normally given to impact on daylight when assessing development.

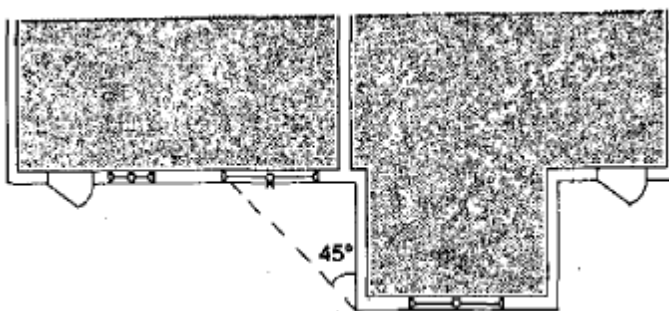
Daylight:

7. Most extensions built are to the front or rear of a house. They are normally orientated at right angles to any potentially affected window. When assessing their impact on daylight the following quick method advocated by the BRE practice guide is applied by Officers:

- a. Take the elevation drawing showing the potentially affected window in relation to the extension. Then draw a line at 45° to the vertical from the highest part of the extension to ground level across the elevation containing the window.

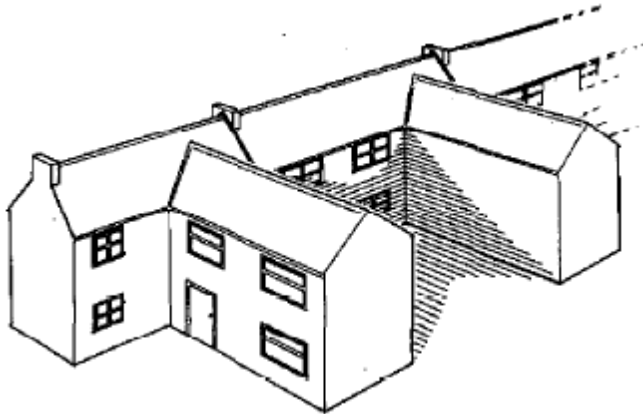


- b. Take the plan drawing that corresponds to the floor including the potentially affected window in relation to the extension and draw a line at 45° from the end of the extension nearest the property boundary back to the wall containing the potentially affected window.

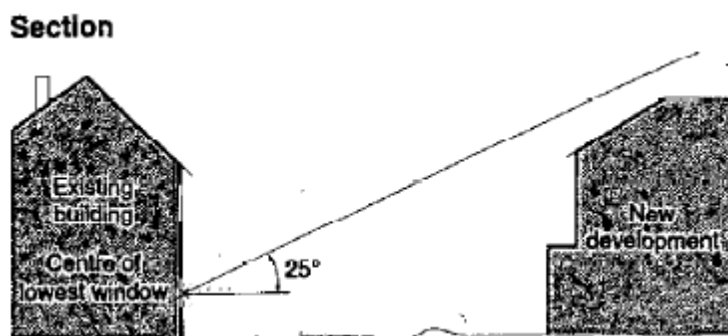


8. For the purposes of gauging impact on living conditions potentially affected windows are taken as being those that serve habitable rooms, i.e. bedrooms, living rooms and, in most cases, kitchens. The BRE practice guide advises that where the centre of the potentially affected window lies on the extension side of BOTH 45° LINES, the extension may well cause a significant reduction in daylight received by the window.
9. The guide advises a flexibly approach when using these methods. For example, if the

extension has a much larger building behind it then the daylight from that direction may be blocked anyway. If the extension has a pitched roof then the top of the extension can be taken as the height of its roof halfway along the slope. Special care needs to be taken in cases where an extension already exists on the other side of the potentially affected window to avoid a tunnel effect.



10. Where an extension would be situated opposite a potentially affected window, a different approach to assessing impact on daylight is required and set out below.
11. Take a section drawing that shows the wall of the building containing the potentially affected window and the new development in relation to each other. Then draw a line from the centre of the potentially affected window towards the new development at an angle of 25° to the horizontal.



12. The BRE practice guide advises that if the new development projects above that line then it is likely to cause a significant reduction in daylight received by the window. Again, the guide advises some flexibility when using this method. If a development breaks the 25° line, good daylighting may still be achievable if it does not amount to a continuous obstruction and is narrow enough to allow adequate daylight around its sides
13. Members are requested to note this report on the basis that it describes a “rule of thumb” approach to assessing the impact of development on daylight and sunlight that is appropriate and proportionate to apply in nearly all planning applications.

Reason for decision:

None required

Options considered and rejected:

N/A

Consultation undertaken:

None

Resource implications:

Budget provision: None

Personnel: Planning Officers and Members

Land: None

Community Plan/BVPP reference: None

Relevant statutory powers: Town and Country Planning Act 1990

Background papers: British Research Establishment report "Site layout planning for daylight and sunlight: a guide to good practice" and Epping Forest District adopted Local Plan and Alterations

Environmental/Human Rights Act/Crime and Disorder Act Implications: None

Key Decision reference: N/A