

**ADDENDUM**  
**MEETING OF THE PLANNING COMMITTEE**  
**WEDNESDAY 27<sup>th</sup> JULY 2022**

**ITEM NO: 5**

**PLANNING APPLICATION: 21/03303/F - Titan House Crossoak Lane Salfords  
Surrey RH1 5EX**

**Applicant correspondence**

Following deferral at the 6 July meeting the applicant has asked their light consultants, point 2 Surveyors, to provide a response to the concerns raised at committee regarding the submitted Daylight and Sunlight Report. This is attached at **Appendix A**.

The report clarifies the findings of the report and concludes that “this application falls within the practical application of the BRE Guidelines and is acceptable on the ground of daylight and sunlight matters and therefore wholly satisfied Policy DES1 of the DMP and paragraph 127 of the NPPF.

The letter also includes comments on overshadowing analysis. Overshadowing analysis was not originally carried out because the distances and orientation mean that the scheme was considered to likely exceed BRE Guidelines in target values. Nevertheless, an assessment has now been carried out which shows that “that each assessed space records in excess of the BRE suggested target of 50% surface area that receives at least 2 hours in sunlight on March 21st. The drawings showing the results are included in **Appendix A**.

A follow up letter has also been provided from Point 2 Surveyors after a meeting on 25<sup>th</sup> July with the case officer and Cllr Chester. This summarises points discussed. A copy of the letter is included in **Appendix B**.

As set out in the latest Committee report it is important to note that the Council has not got any technical evidence, nor been provided with any, which contradicts or raises doubt about the findings of the submitted report or finds fault with the methodology used.

Therefore, officers are satisfied that the submitted Daylight and Sunlight report further demonstrates that the impact to the neighbouring residents will be acceptable and the attached letter provides further certainty for the decision makers on the potential impact.

## **Further representations**

To date one further representation has been received since the 6 July Planning Committee raising the following concerns:

- Inconvenience during construction
- Increase in traffic and congestion
- No need for the development
- Overdevelopment
- Overshadowing

These matters are already addressed within the numerous committee reports. The issue of right to light is also mentioned. It should be noted that right to light is not a material planning consideration. This is considered under a separate legislative process.

### **ITEM NO: 6**

### **PLANNING APPLICATION: 22/00557/F 80 CROYDON ROAD REIGATE SURREY RH2 0NH**

#### **Applicant correspondence**

The applicant has provided a letter from their daylight/ sunlight consultants, Rapleys LLP. The consultant has reviewed the application and considered the impact of the demolition of the existing single storey garage/storage structures and the erection of a semi-detached pair of 2.5 storey dwellings at 80 Croydon Road on the neighbouring property at 84 Croydon Road, north east of the site, particularly the rear garden. The letter confirms that, in accordance with the BRE guidance (Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice (2001 2nd Edition)) the test to be applied would be the 2 Hour Sunlight to Amenity test. The assessment of the application concludes that 'in this case the development does not extend into the south view of the rear garden and as such is unlikely to impact the back garden in a notable way. The closest window to the proposal is located on the flank wall at the first floor of number 84. This window has been identified to be non-habitable in use and as such would not be a consideration for Daylight & Sunlight purposes.' The letter concludes that development is unlikely to have an unreasonable impact on the amenity of number 84 as per BRE standards. This letter can be found in **Appendix D**. A photomontage has also been submitted by the applicants showing the existing site in relation to the neighbouring property 84 Croydon Road and the vegetation on the boundaries that currently exists between the two properties. This can be found in **Appendix E**.

#### **Plans**

The applicant has provided an additional cross section to more clearly illustrate the height of the proposed rear rooflights. The plans show that the cills of these windows would be 1.7m above floor level, which would allow for minimal views to the rear so as to negate harmful overlooking from the second floor bedrooms. This plan can be found in **Appendix C**.

## **Conditions**

The following amendment to condition 1 in relation to the approved plans is shown in *italics*:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Plan type</b>	<b>Reference</b>	<b>Version</b>	<b>Received</b>
Street Scene	2205	P2	26.04.2022
Elevation Plan	2200	P2	26.04.2022
Floor Plan	2100	P2	26.04.2022
Location Plan	0001	P1	09.03.2022
Site Layout Plan	1000	P1	09.03.2022
Floor Plan	1100	P1	09.03.2022
Elevation Plan	1200	P1	09.03.2022
Street Scene	1205	P1	09.03.2022
Section Plan	1305	P1	09.03.2022
Proposed Plans	2002	P1	09.03.2022
Site Layout Plan	2000	P2	26.04.2022
Proposed Plans	2001	P1	17.06.2022
Section Plan	2305	P1	09.03.2022
<b><i>Section Plan</i></b>	<b><i>2301</i></b>	<b><i>P1</i></b>	<b><i>22.07.2022</i></b>

Reason: To define the permission and ensure the development is carried out in accord with the approved plans and in accordance with National Planning Practice Guidance.

## **ITEM NO: 7**

### **PLANNING APPLICATION: REDHILL AMBULANCE STATION PENDLETON ROAD REDHILL SURREY RH1 6JU**

## **Representations**

Since the publication of the report, one additional representation has been received raising the following points:

- Inadequate parking
- Inconvenience during construction
- Increase in traffic and congestion
- Loss of private view – (not a material planning consideration)
- Loss of/harm to trees
- Noise & disturbance
- Overbearing relationship
- Overdevelopment
- Overlooking and loss of privacy
- Overshadowing

The issues raised have been discussed and addressed in the report.

**ITEM NO: 10**

**PLANNING APPLICATION: 21/03311/F ALVIS HOUSE PARK ROAD BANSTEAD SURREY SM7 3EF**

**Conditions/Informatives**

Additional condition is recommended to ensure that no further work is carried out to any of the retained trees within the site or which overhang the site for a period of 5 years after completion of the development. This is to ensure the retention of trees which provide good levels of amenity and screening within and along the border of the site.

32. No pruning, removal or other works to the retained trees and hedges located both within and overhanging the site, shall take place during construction, or for 5 years after completion except with the prior written approval of the Local Planning Authority. Any tree work already approved as part of this consent and any other work undertaken should be done in accordance with British Standard 3998 'Recommendations for Tree Work'. If any of the retained trees or hedges, within the site, controlled by this condition, are removed, die, or become damaged or diseased within five years of completion, it/they shall be replaced before the expiry of one calendar year by tree/s or hedge/s, to a planting specification agreed in writing by the Local Planning Authority.

Reason: To ensure good landscape practice in the interests of the maintenance of the character and appearance of the area and to comply with policies NHE3 and DES1 of the Reigate and Banstead Development Management Plan 2019 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

Additional informative recommended to ensure that the management plan required by condition 19 includes details of how parking will be managed during heritage open days:

13. It is expected that the Managed Plan submitted to meet the requirements of condition 19 include details of how visitor parking will be managed during heritage open days and other days when the site will be open to the public.

**ITEM NO: 11**

**PLANNING APPLICATION: 22/00791/F HEYSHAM, CHURCH LANE, HOOLEY, COULSDON, SURREY, CR5 3RD**

**Conditions**

On review condition 7 needs to be amended to secure a finalised Tree Protection Plan instead of being an implementation plan. Therefore it is recommended to replace condition 7 with:

*7. No development shall commence including groundworks until a detailed Tree Protection Plan (TPP) has been submitted to and approved in writing by the local planning authority. The TPP shall contain details of the specification and location of tree protection (barriers and/or ground protection) and any construction activity that may take place within the protected root areas of trees/hedges shown, where*

*retained on the TPP. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection barriers/ground protection shall only be removed on the completion of all construction activity, including hard landscaping. All works shall be carried out in strict accordance with these details when approved.*

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with Reigate and Banstead Development Management Plan 2019 policies NHE3, DES1 and DES3 and the recommendations within British Standard 5837:2012 Trees in relation to design, demolition and construction.

### **Representations**

To date since the publishing of the agenda two further representations have been received raising the following concerns:

- Drainage/sewage capacity
- Hazard to highway safety
- Health fears
- Inconvenience during construction
- Increase in traffic and congestion
- Loss of private view
- Loss of/harm to trees
- No need for the development
- Noise & disturbance
- Out of character with surrounding area
- Overdevelopment
- Overlooking and loss of privacy
- Overshadowing
- Property devalue (a non planning matter)

These matters are all addressed within the committee report.

# Appendix A

Paul Shuker  
6th Floor - 3 Hardman Street  
Spinningfields  
Manchester  
M3 3HF

15<sup>th</sup> July 2022

Dear Paul,

## **RE: CROSS OAK LANE, HORLEY COMMITTEE MEETING RESPONSE**

By way of background, Point 2 are industry award winning daylight and sunlight experts, with market leading software specialising in bespoke daylight and sunlight technical analysis.

Further to recent conversations and issue of the formal Point 2 daylight and sunlight report that accompanied the planning application, the outcome of the committee raised points for discussion.

During the committee meeting Councillor Chester, a visiting councillor, dissected the Point 2 technical daylight and sunlight report in length and highlighted what she considered a substantial breach of the BRE Guidelines and subsequent unacceptable light loss to the neighbouring buildings along Empire Villas.

From our perspective, whilst Councillor Chester has pulled quantitative information from the daylight and sunlight report, salient points throughout the report have been overlooked. For ease of reference, Cllr Chester's points are listed below:

- Vertical Sky Component (VSC): 11 Empire Villas record 4 windows that exceed 40% light loss
- Number of properties record values below BRE recommended 27% VSC
- No Sky Line (NSL): 11 Empire Villas demonstrates a substantial reduction in light
- Annual Probable Sunlight Hours (APSH): Results show considerable losses failed, particularly to winter months that demonstrates instances of 98% and 100% losses.
- Overshadowing assessment

Responses to Cllr Chester's points are outlined per methodology below.

### **Vertical Sky Component (VSC)**

The Councillor's points are generally focused on the light loss recorded within 11 Empire Villas. In respect of the VSC methodology for assessing daylight, 4 windows record light change beyond the BRE's permissible 20% from former value. However, as outlined within the report, 3 affected windows adjoin an aperture serving the same room that records a retained daylight value in excess of 30% VSC.

When looking at the affected 4 windows within 11 Empire Villas in isolation, each window records a retained value in excess of 17%, with 2 of these windows recording retained values in excess of 20%. Retained values of this nature are considered acceptable, particularly given the assessment overlooks a low-lying existing baseline (without treeline consideration) highlighted for future development.



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This is consistent across the remaining affected Empire Villas properties (2,3 & 4 Empire Villas). Each affected window either retains very good levels of light or adjoins an aperture serving the same room that retains light values in excess of 26%.

In respect of the BRE's 27% VSC 'threshold', this is a target value outlined within the BRE to establish the daylight availability at the centre point of a window (and does not consider the size of glazing or room dimensions behind the fenestration). A further criteria outlined within the BRE Guidelines pertains to a light change less than 0.80 times its former value (proportional reduction is greater than 20%). Where existing buildings have an unfettered view of the sky (ie Empire Villas in the assessment scenario not considering the vegetation), retained values of neighbouring buildings should be considered in conjunction with the latter BRE VSC criteria (proportional reduction is greater than 20%).

To note, Cllr Chester refers to banding associated with the VSC methodology (para 2.1.21 of the BRE Guidelines), that outlines the likely daylight availability and possible mitigating measures required to achieve greater light levels. This banding relates to the assessment of new dwellings and is applied at early stages of design to provide an indicative understanding of the potential retained light levels the proposed scheme may achieve. The rudimentary criteria is for indicative purposes and should not be relied upon to address potential light loss of neighbouring buildings.

### **No Sky Line (NSL)**

The NSL methodology records 1 transgression beyond the BRE's permissible 20% from former value isolated within 11 Empire Villas. The technical results record an extremely high existing condition to this affected room (exceeding 93% room distribution). The light reduction of 31.3% from former value translates into a retained NSL value of 64% daylight distribution behind the fenestration. A retained NSL value of this nature aligns with values not uncommon for an area of this context and therefore is an acceptable and tolerable position under BRE Guidance.

### **Annual Probable Sunlight Hours (APSH)**

The results of the APSH assessment record 1 transgression beyond the BRE Guidelines. Cllr Chester's focus has been on the sunlight reduction against the BRE's permissible 20% from former value and has overlooked the BRE's recommended target value for annual and winter months. Whilst the technical analysis records a number of transgressions beyond the BRE's permissible 20% from former value, in all but 1 room, the retained sunlight levels exceed the BRE target values (25 sunlight points during annual months and 5 sunlight points during winter).

### **Overshadowing Analysis**

Overshadowing analysis was not produced as part of the technical analysis that accompanied the planning application. This is by virtue of the applicable amenity spaces, that are situated to the front of the Empire Villas properties and the rear of 11 Empire Villas benefit from an orientation and distance separation from the proposal that would likely translate into results exceeding the BRE Guidelines target values. The criteria outlined by the BRE Guidelines states that 50% of the assessed surface area should receive at least 2 hours in sunlight on March 21<sup>st</sup>.

Since the committee meeting Point 2 have extended the technical analysis to consider the sunlight availability to the most likely challenged amenity spaces fronting Empire Villas. The results show that each assessed space records in excess of the BRE suggested target of 50% surface area that receives at least 2 hours in sunlight on March 21<sup>st</sup>. The drawings showing the results can be found appended to this letter.

### **Points to consider**

It should be minded that Cllr Chester's comments addressed the results that do not consider the vegetation (evergreen trees) situated between the Proposed Development and Empire Villas. During the committee meeting it was discussed and agreed that the vegetation should in fact be considered as this is the existing baseline that is seen today. This baseline (that considers the vegetation in situ) records full BRE compliance across the VSC and AP SH methodologies and 98% NSL compliance.

### **Conclusion**

It remains the position of Point 2 that this application falls within the practical application of the BRE Guidelines and is acceptable on the ground of daylight and sunlight matters and therefore wholly satisfies Policy DES1 of the DMP and paragraph 127 of the NPPF.

Kind Regards



Elliot Smith  
Senior Surveyor  
Point 2 Surveyors





Sources: Point 2 Surveyors  
Site Photos (received 22/03/22)

AccuCities  
3D Model (received 18/03/22)  
002562\_Cross Oak Ln, Redhill\_HD\_MASTER.dwg

Warren Rosing Architects  
Proposed Info (received 05/04/22)  
2105-PL-1002\_P2 Unit A Roof Plan.dwg  
2105-PL-1006\_P2 Unit B Roof Plan.dwg  
2105-PL-0021\_P2 Site Elevations.dwg

Key:

- Area analysed
- Area with more than 2 hours of direct sunlight
- Area with less than 2 hours of direct sunlight

50% Percentage of area with more than 2 hours of direct sunlight

Project: Cross Oak Lane  
Horley

Title: Sun Hours On Ground Analysis  
March 21st

**NO CHANGE**

Scheme Confirmed:  
Warren Rosing Architects

Date:  
12.04.22

Drawn By:  
AMM

Scale:  
NTS@A3

Date:  
July 22

Dwg No:  
**P2994/12**

Rel:  
**05**



# Appendix B

Paul Shuker  
6th Floor - 3 Hardman Street  
Spinningfields  
Manchester  
M3 3HF

26<sup>th</sup> July 2022

Dear Paul,

## **RE: CROSS OAK LANE, HORLEY – DAYLIGHT, SUNLIGHT AND OVERSHADOWING**

I write in connection with the Cross Oak Lane, Horley project and the subsequent committee meeting and discussions to date.

During the committee meeting, held on 06/07/22, there were points raised by Councillor Chester in relation the Point 2 daylight and sunlight technical report and the potential light alterations to the adjoining Empire Villas residents north of the Site.

As part of the project team response, a supplementary letter was assembled to address Cllr Chester's queries and provide further information as to the potential light change affect to the neighbouring residential properties. In short, the points raised during the meeting were drawn from quantitative data in isolation and overlooked salient details of the report that provided context. The letter sought to highlight these details.

In conjunction with the assembly and issue of the supplementary letter responding to Cllr Chester's queries, a meeting via teams was organised to discuss points further and bottom out any outstanding queries. This meeting took place on 25<sup>th</sup> July 2022.

As part of the meeting, it was agreed with Cllr Chester that the baseline 2 scenario (inc. vegetation) should be taken into consideration to reflect the existing baseline (rather than a hypothetical removal of the vegetation) and as such, the results record full BRE compliance across the VSC and APSH assessment and an NSL compliance of 98% (1 room marginally affected by reference to BRE's permissible 20% change from former value).

Separately, an explanation of the overshadowing analysis (2 Hour in Sun) and results to the Empire Villas amenity spaces facing the Proposed Development were discussed. The results record negligible change when compared against the existing baseline condition and the proposed condition demonstrated full BRE compliance when assessed against the 50% surface area that receives at least 2 hours in sunlight target value.

Cllr Chester primarily focused on the categorisation of the treeline that splits Empire Villas and the Proposed Development. Cllr Chester confirmed that the shorter treeline located towards 11 Empire Villas (measuring circa 5.2m) is evergreen and highlighted the treeline located closer to Bonehurst Road is of a deciduous nature (measuring circa 6.9m)<sup>1</sup>. In line with the BRE Guidelines, these two types

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<sup>1</sup> Heights calculated from online and site visit information



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of trees are considered differently (ie deciduous is commonly discounted from the BRE assessment, whereas the evergreens are included within BRE assessment consideration).

However, given the Point 2 technical report has considered two scenarios, with and without the vegetation, this matter has been settled. In any event, the consideration of scenario 1, albeit not representative of the true existing baseline and a worst-case, demonstrates the neighbouring Empire Villas record acceptable levels of light by reference to the BRE Guidelines.

I hope the above sufficient and clear.

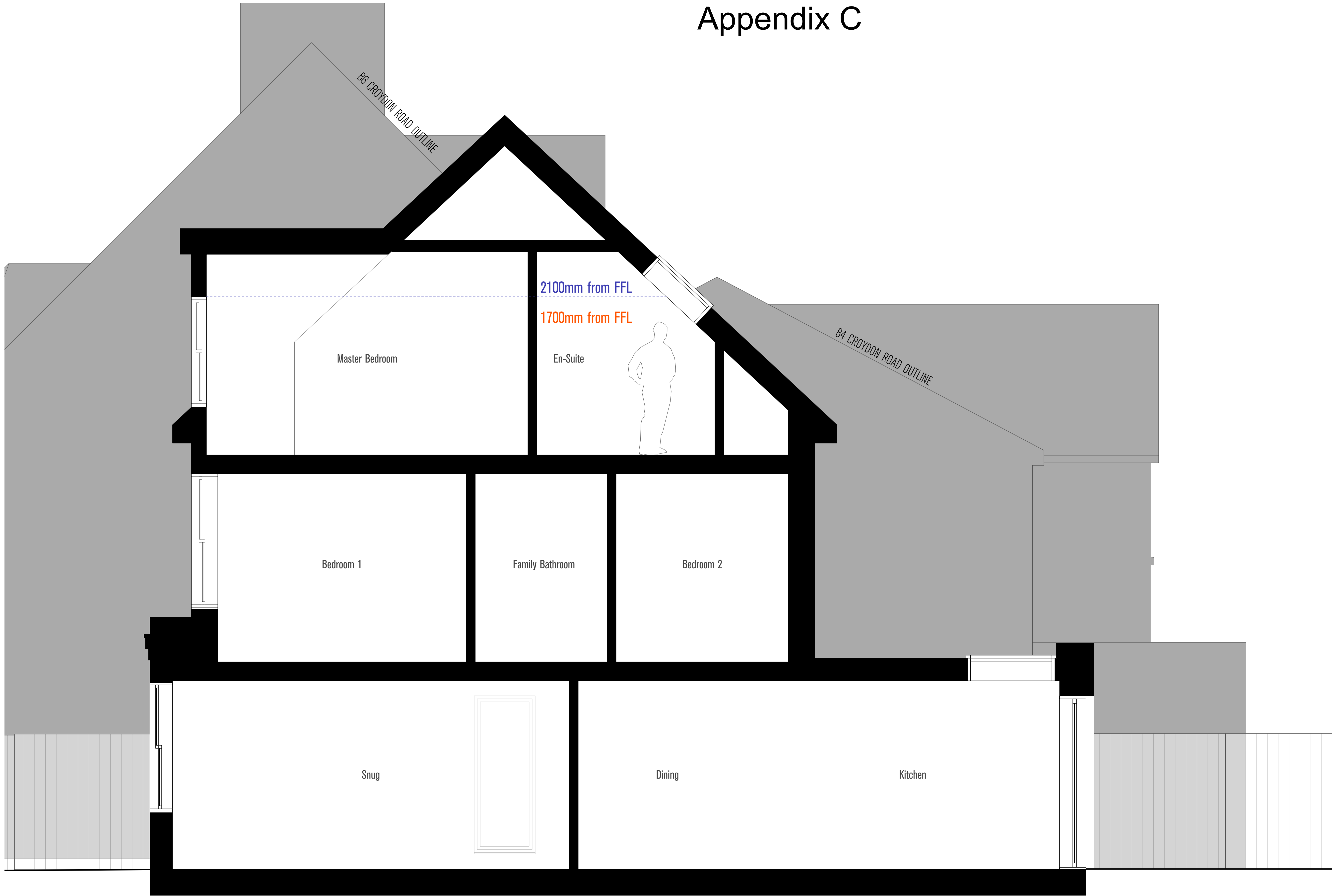
Kind Regards,



Elliot Smith  
Senior Surveyor  
Point 2 Surveyors



# Appendix C

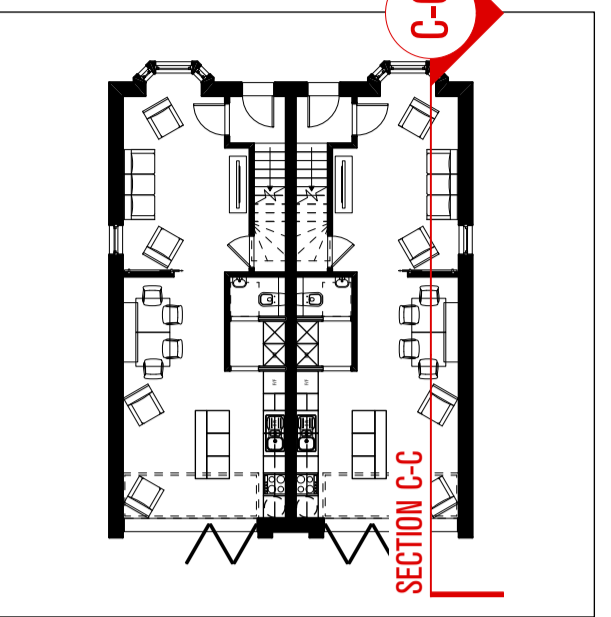


Section C-C (Long Section; Unit 2)

SCALE @ A1: 1:25  
SCALE @ A3: 1:50

A1  
A3

0 250 500 750 1000 mm



**NOTES**

- Default drawing size is A1
- To print at A3 please 'scale by 50%
- Check printed scale against scale bar above

DRAWING DATE: 21/07/2022  
SawKings Harper Architects Ltd copyright 2022  
This drawing must not be reproduced in part or whole without prior written consent.  
Scale to be checked against scale bar on this drawing has been provided electronically.  
Check and confirm all dimensions on site prior to commencing work.  
IF IN DOUBT ASK.

REV.	DATE	NOTES
P1	21/07/2022	Planning Issue

**PROJECT**  
80 Croydon Road, Reigate

**CLIENT**  
A & D Lippett

**SAWKINGS HARPER architects**

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RIBA Chartered Practice

STATUS <b>PLANNING</b>	DRAWN BY PT	CHECKED BY -
JOB NO. A4260	DRAWING NO. 2301	REV <b>P1</b>
DRAWING TITLE <b>Proposed GA Sections</b>		

HAZARDS LEADING TO UNUSUAL OR SIGNIFICANT RISK DURING THE CONSTRUCTION PROCESS ARE IDENTIFIED ON THIS DRAWING AS:  
SAWKINGS HARPER ARCHITECTS SPECIFIC RISKS & HAZARDS:

NOTE: THE LIST ABOVE IDENTIFIES CERTAIN RISKS WHICH ARE DEEMED TO BE UNUSUAL, ABNORMAL OR UNSPECTED TO A COMPETENT CONTRACTOR CARRYING OUT WORK OF THIS NATURE BUT DOES NOT COVER ALL POSSIBLE SITUATIONS WHICH MAY BE ENCOUNTERED DURING THE CONSTRUCTION PROCESS. IT IS THEREFORE THE MAIN CONTRACTOR'S RESPONSIBILITY TO IDENTIFY ANY FURTHER RISKS/HAZARDS AND TAKE APPROPRIATE ACTION.

# Appendix D

12th January 2022



9th July 2022



12th January 2022



9th July 2022



**A4260 80 CROYDON ROAD**  
2800 | 80-84 Croydon Road Boundary Photomontage  
PT. 21/07/2022. Rev. P1

# Appendix E



NBB/22-01362/By Email

21 July 2022

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LONDON  
BIRMINGHAM  
BRISTOL  
CAMBRIDGE  
EDINBURGH  
HUNTINGDON  
MANCHESTER

To Mr Lippett

**Re: Impact of the proposed development at 80 Croydon Road on the neighbouring property, 84 Croydon Road – Daylight & Sunlight**

Our review has considered the impact of the demolition of the existing single storey garage/storage structures and the erection of a semi-detached pair of 2.5 storey dwellings at 80 Croydon Road on the neighbouring property at 84 Croydon Road, north east of the site. Please note that we have not conducted any BRE related testing on this scheme. The following drawings were considered as part of this review:

- A4260-1000-P1-Existing Site Plan
- A4260-1100-P1 – Existing Floor Plans
- A4260-1200-P1 – Existing Elevations
- A4260-1205-P1 – Existing Street Scene
- A4260-1305-P1 – Existing Site Section
- A4260-2000-P2 – Proposed Site Plan
- A4260-2001-P1 – Proposed Constraints Plan
- A4260-2002-P1 – Proposed Visibility Splays
- A4260-2100-P2 – Proposed GA Plans
- A4260-2200-P2 – Proposed GA Elevations
- A4260-2205-P2 – Proposed Street Scene
- A4260-2300-P2 – Proposed GA Sections
- A4260-2305-P1 – Proposed Site Section

Concerns have been raised regarding the impact of the proposals on the general amenity at number 84, with particular emphasis on the rear garden.

To initially address the point in relation to the impact on the rear garden, the test that would be used as per the BRE guide (Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice (2001 2<sup>nd</sup> Edition)) would be the 2 Hour Sunlight to Amenity test. This test looks at the sunlight availability within an amenity space and accordingly would be affected by the position of the development in relation to the amenity space.

Impacts would usually be seen where developments are placed to the south of existing amenity spaces, as this is where the main sunlight hours would be received. In this case, the development does not extend into the south view of the rear garden and as such is unlikely to impact the back garden in a notable way.

RAPLEYS LLP IS REGISTERED AS A LIMITED LIABILITY PARTNERSHIP IN ENGLAND AND WALES

REGISTRATION NO: OC308311

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ENTERPRISE CAMPUS, ALCONBURY WEALD,  
HUNTINGDON, PE28 4XA

REGULATED BY RICS

In relation to the impact on the property generally (rooms and windows) the closest window to the proposal is located on the flank wall at the first floor of number 84. This window has been identified to be non habitable in use and as such would not be a consideration for Daylight & Sunlight purposes.

The proposed development also does not extend further back than the rear of number 84, which again will mean it is unlikely to have a notable impact on the rear elevation.

Looking to the front of the property, it should be noted that there is a dense belt of vegetation surrounding the boundary of the property. In real terms this will already block out light to the front of the property, meaning that any view of the proposed development is unlikely to take away further light to an unreasonable standard.

Considering all of the above, we are of the opinion that the proposed development is unlikely to have an unreasonable impact on the amenity of number 84 as per BRE standards. We therefore do not believe there is a Daylight & Sunlight related reason to refuse planning permission in this case.

Yours faithfully,



**Natasha Bray**  
LLB (Hons)  
Head of Rights to Light/Daylight & Sunlight, Neighbourly Matters  
natasha.bray@rapleys.com

