



**aaprojects**

**Ref: AC/7/A**

**Former B&Q Site  
Great Stone Road  
Stretford  
M32 0YP**

**Appeal by Accrue (Forum) 1  
LLP**

**LPA Ref:  
100400/OUT/20  
Appeal Ref:  
APP/Q4245/W/20/3258552**

**Summary Proof of Evidence  
by David Radcliffe BSc  
(Hons) MRICS**

**Daylight Sunlight  
Viability**

**On behalf of**

**Accrue (Forum) 1 LLP**

**December 2021**

**vision into  
reality**

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## 1.0 Summary Proof of Evidence

### 1.1 Introduction

- 1.1.1 My name is David Radcliffe and I am the Appellant's expert witness in relation to Daylight Sunlight viability matters.
- 1.1.2 I have worked in Private Practice as a Building Surveyor since June 1989 and am now a Director at AA Projects Ltd, Chartered Building Surveyors of Prescot, Liverpool.
- 1.1.3 I was elected a Member (MRICS) of the Royal Institution of Chartered Surveyors (RICS) in 1990 and have therefore been professionally qualified for approximately 30 years.
- 1.1.4 During the 30 years of my career as a Chartered Building Surveyor, I have extensively been involved in the assessment of light within proposed developments or the impact of proposed developments on surrounding buildings (using both planning Daylight Sunlight criteria and common law Rights of Light calculations) and in the preparation of associated expert reports.
- 1.1.5 AA Projects Ltd prepared a Daylight Sunlight study in connection with the proposed development at Former B&Q Site, Great Stone Road, Stretford and associated planning application. The report was titled Daylight Sunlight Report Rev 2 and dated February 2020 (the Original Report). This has recently been updated to Rev 3 as attached at Appendix F (the Updated Report), to correct a slight discrepancy in total room numbers within the development (noted in the Average Daylight Factor (ADF) within the development section).
- 1.1.6 The proposed development staggers in height; the lowest part of the proposed development will be four storeys including ground floor level, the tallest part of the proposed will be nine storeys including ground floor level. There is also a basement parking area which is not taken into account in number of storeys described above.
- 1.1.7 Following the Trafford Council planning committee meeting on 15 October 2020, I understand that the planning committee endorsed officers' recommended putative reasons for refusal and some of those reasons relate to daylight and sunlight both in terms of impact on surrounding adjacent properties and also the levels that will be experienced by occupiers of the new development.
- 1.1.8 The putative reasons for refusal associated with daylight and sunlight are set out below:
- 1.1.8.1 Reason for Refusal 5 - the proposed development by virtue of its height, massing, scale and layout would result in a poor level of amenity and unacceptable living standards for future occupiers of the development, by virtue of inadequate daylight and outlook in both apartments and amenity areas. The proposed development is therefore contrary to Policies SL3 and L7 of the adopted Core Strategy and the NPPF
- 1.1.8.2 Reason for Refusal 6 - the proposed development by virtue of its height, massing, scale and layout would result in harm to the amenity of existing residential properties on Great Stone Road and Trent Bridge Walk by virtue of noticeable reductions in the amount of daylight and sunlight that they receive and would also have an overbearing impact on these properties and other residential properties in the wider 'Gorses' area. The proposed development is therefore contrary to Policies SL3, L3 and L7 and the NPPF

1.1.9 I was involved in preparation of the Original Report (Rev 2) and have prepared the Updated Report (Rev 3). I am now instructed to prepare a Proof of Evidence to expand upon my findings and provide additional substantiation to address the above concerns.

1.1.10 This document summarises the main points discussed in the Proof of Evidence document reference AC/7/B.

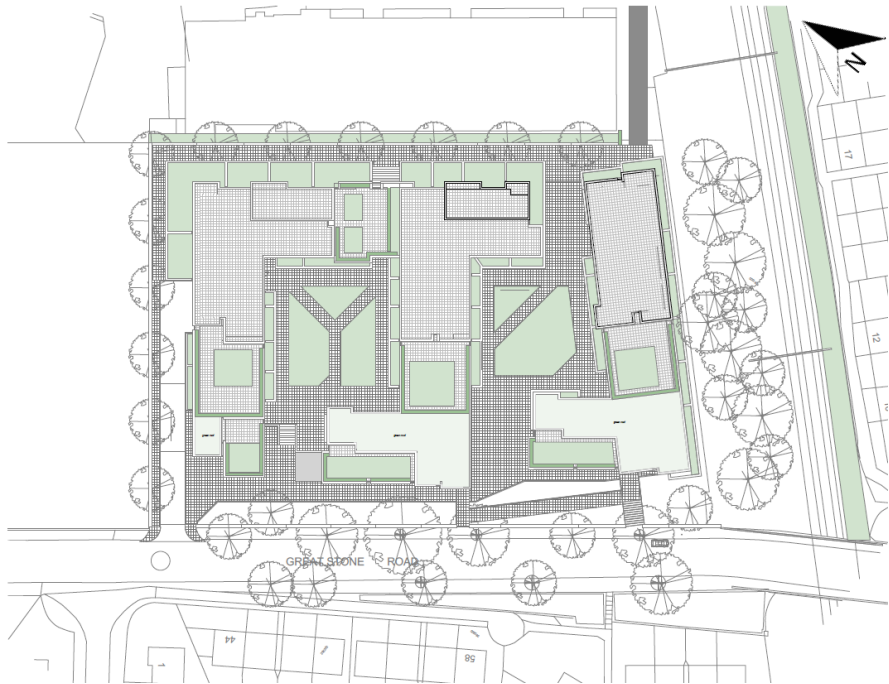
1.2 Site

1.2.1 To assist, an aerial photograph, site plan and building number plan of the development site are included below for information.

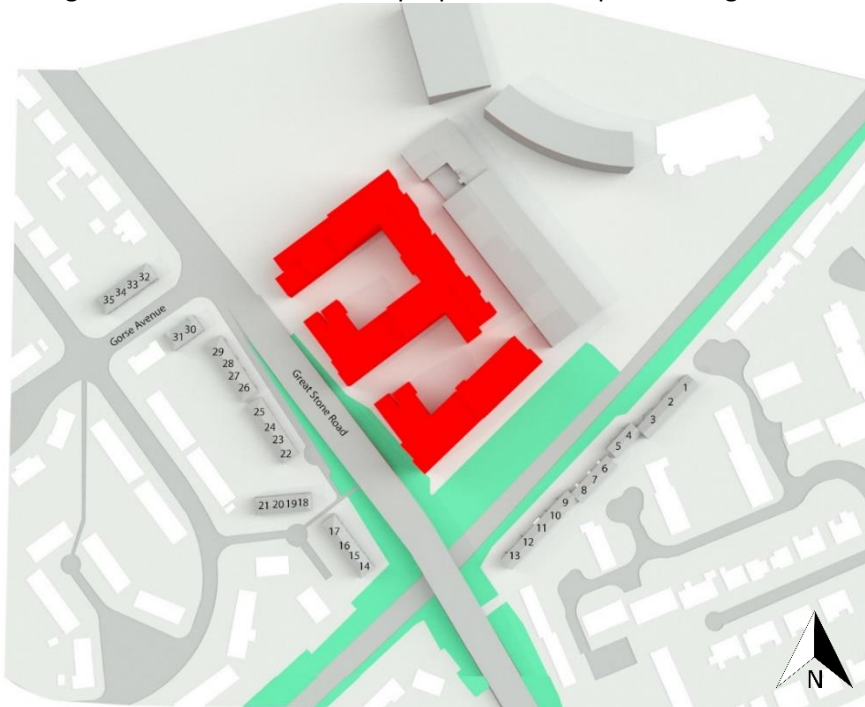
1.2.2 Aerial Photograph of the site as existing – Figure 1



1.2.3 Site Plan of the proposed development – Figure 2



### 1.2.4 Building Identification Plan for the proposed development – Figure 3



### 1.3 Reason for Refusal 5 – Amenity of Future Occupiers (page 53 para 4.166)

#### 1.3.1 Applying the Building Research Establishment 2011 Publication Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, ('the BRE guide') Flexibly

1.3.2 Recent Planning Inspectorate appeal decisions provide useful illustration of how analysis of Daylight Sunlight results should be undertaken. The principles that the BRE guide should be interpreted flexibly and in context are set out in great detail in the Whitechapel Estate appeal decision ref APP/E5900/W/17/3171437 included in Appendix D.

1.3.3 In this appeal decision, specific criteria of how daylight sunlight measures should be interpreted flexibly were discussed as follows:

1.3.3.1 Residual vertical sky component (VSC) values in the mid-teens (as opposed to the BRE target value of 27%) are appropriate and have been accepted on many schemes (note, we haven't utilised this guidance as all adjacent properties fully pass the BRE VSC criteria and residual values are excellent – see section 3.0 above), (Paragraph 112).

1.3.3.2 It was acknowledged that light to bedrooms is less important (Paragraph 116).

1.3.3.3 That using a target value of 1.5% for mixed use living/dining/kitchens within a proposed development is reasonable (where the BRE targets are 2% for kitchens and 1.5% for living rooms) (Paragraph 128).

1.3.3.4 Comparing the daylight sunlight results for impact on adjacent properties or within the proposed development by reference to other approved similar schemes either by looking at an approved schemes daylight sunlight report or undertaking calculations where that report is missing (or was not requested) was reasonable (Paragraph 111).

#### 1.3.4 Development Daylight Sunlight Results

1.3.5 Average Daylight Factor results have been generated for the development (using 1.5% as the target value for a mixed use rooms within the proposed development) and the results are:

1.3.6 360 out of 428 (84%) of rooms assessed in detail fully satisfy the BRE Average Daylight Factor (ADF) criteria (note 4 class as passes as extremely close to 1.5% highlighted yellow on the detailed spreadsheet attached at Appendix G). In addition, there were a further 489 rooms not assessed in detail as these pass the BRE guide ADF requirements based on the 25 degree rule of thumb. Thus, 93% of rooms (849 out of 917 - the total number of rooms) fully pass the BRE ADF criteria. A further 40 were negligibly and 14 a minor amount below the required values. Thus, a very good level of the rooms, 903 out of 917 (98%) either meet or are a negligible/minor amount below the target ADF values. Of the remaining 2%, all but one are bedrooms.

1.3.7 Whilst there are a number of windows at the lower levels that do not meet the mid teen VSC criteria, this is not unusual for any substantial development as maintaining sky visibility (the measure of VSC) is difficult where there are surrounding obstructions.

1.3.8 In addition, VSC is a relatively basic measure of light reaching a window. VSC is a measure of the light (based on sky visibility) reaching a point at the centre of a window, and the BRE guideline is based on the loss of VSC at a single window. It is therefore not a fully appropriate measure in cases where rooms are served by multiple windows and in particular when a room is dual or multi-aspect. If one window fails the criterion, in reality the daylight to the room may not necessarily be seriously impacted, and the daylight within the room can remain good. In addition, VSC takes no account of the size of a window. The VSC at the centre of a very small window is identical to VSC at the centre of a large window.

1.3.9 Due to this, when assessing light within the room of a proposed development, it is important (and more helpful) to look at Average Daylight Factor (ADF). ADF is a measure of the daylight within a room and accounts for factors such as the number of windows and their size in relation to the size of the room. Clearly a small room with a large window will be better illuminated by daylight than a large room with a small window. It also accounts for the window transmittance and internal reflectance.

1.3.10 Thus, in calculating ADF the VSC figure is actually used in the ADF calculation to determine whether the overall light in the room behind that window is acceptable. ADF should therefore in my opinion be the overriding criteria that is considered. This is recognised at paragraph 2.1.22 of the BRE guide which states:

1.3.11 *'To check that adequate daylight is provided in new rooms, the ADF may be calculated and compared with the recommendation in BS 8206-2 Code of practice for daylighting'*

1.3.12 On sunlight within the development (APSH), the BRE guide isn't concerned with windows that aren't within 90 degrees of due South (i.e. face North) as they will never see the sun. They are therefore discounted from any calculations. Of those that will see the sun, all pass except 2 in summer and 12 in winter. These are extremely good APSH summer results. In winter, sunlight isn't really expected or a priority as it is always short lived in any event.

1.4 Reason for Refusal 6 – Amenity of Existing Properties (para 4.197 page 59)

1.4.1 Adjacent Property Daylight Sunlight Results

1.4.2 All of the adjacent properties fully meet the VSC (daylight) and APSH (sunlight) criteria and thus fully comply with the BRE criteria for those measures. Note ADF (discussed for the development) is not used for adjacent properties as insufficient detail is usually known about the windows, room layouts and internal surface reflectance. Thus, the only recommended measure of daylight reaching the room / window of an adjacent property (VSC) is fully passed.

1.4.3 In addition, the VSC target levels used in the calculations use the unadjusted VSC requirement of 27% in the BRE guide rather than the lower mid-teens target set out in the recent appeal decision (discussed above), and this therefore indicates a very high level of compliance.

1.4.4 In the report it was also concluded that 82 out of 92 rooms fully passed the BRE criteria for NSL (daylight distribution in a room). An additional 3 rooms fell outside the BRE criteria by only a very small minor amount.

1.4.5 Whilst there were 10 rooms that didn't fully pass the BRE criteria (3 of which only experienced minor effects), these were all bedrooms, which the BRE guide recommends should be treated as less significant. This is not disputed at 4.211 of the LPA SOC.

1.4.6 Also, the overall majority of bedrooms would have good absolute levels of Daylight Distribution remaining after the development at 70%, 77%, 49%, 77%, 46%, 59%, 55%, 66%, 62%, 38%, which in my opinion would be acceptable for a bedroom (although the BRE guide wasn't fully satisfied due to there being a greater than 20% reduction in distribution). In practice, this means that the majority of bedrooms would have a very good level of light distribution across the room despite the reductions being in excess of 20%.

1.4.7 Due to the weaknesses of the BRE NSL calculations (discussed in detail in the main Proof of Evidence), I feel it is very important to consider absolute levels of NSL remaining when reviewing NSL calculations. A simple example would be that a room that has an 80% NSL falling to 61% NSL would not pass the criteria whereas a room with 60% NSL falling to 48% would.

1.5 Comparables

1.5.1 Adjacent Properties

1.5.2 The daylight sunlight results for adjacent properties are extremely good but I have compared the results against other similar approved schemes in the area, either by checking the daylight sunlight report submitted or creating a 3D model and running calculations where those results were either not requested or missing on the portal. The comparable schemes identified are:

1.5.3 Sale Square ref 94986/FUL/18, approved subject to legal agreement

1.5.4 MKM House/Warwick Road ref 84703/FUL/15, approved (note, there is a later application ref 88279/FUL/16 which was also approved but this only dealt with minor internal alterations to the proposal)

- 1.5.5 Wharf Road ref 93153/FUL/17, originally refused by notice dated 13 July 2018 but approved on appeal (Planning Inspectorate decision ref APP/Q4245/W/19/3220262 – see Appendix E)
- 1.5.6 The results for the appeal scheme show significantly greater compliance with the BRE guide requirements than has been accepted on other similar schemes in the area.
- 1.5.7 Light Within Proposed Development
- 1.5.8 I have looked at the daylight sunlight report for a Sale Square ref 94986/FUL/18 which has been approved subject to legal agreement. The report was prepared by BDP and was noted as rev P5 dated 2 March 2018 (attached at Appendix A). This report only looks at a very small proportion of rooms in the proposed development (based on apartment type) and not many from the lower floor levels (where you would expect the worst results) have been assessed. Having said this, the results fall significantly outside the BRE criteria and demonstrate that the local authority have accepted inferior values previously when electing to approve a similar development.

## **2.0 Overall Summary Proof of Evidence**

- 2.1 In summary, the daylight sunlight impact results for this proposed development on adjacent properties has been shown to be compliant with the BRE guide to a very substantial level (100% in terms of VSC – daylight and APSH – sunlight) and to a much greater overall level than has already been accepted on several other similar schemes in the area.
- 2.2 In addition, a large proportion of the rooms within the proposed development will either be fully compliant (93%) or within a negligible (4%) / minor (1%) amount of the required BRE ADF target figures. These results show significantly greater compliance with the BRE guide requirements than has been accepted on other similar schemes in the area.
- 2.3 On sunlight within the development (APSH), the BRE guide isn't concerned with windows that aren't within 90 degrees of due South (i.e. face North) as they will never see the sun. They are therefore discounted from any calculations. Of those that will see the sun, all pass except 2 in summer and 12 in winter. These are extremely good APSH summer results. In winter, sunlight isn't really expected or a priority as it is always short lived in any event.
- 2.4 The new NPPF (2021) does states in paragraph 125 (c) that "a flexible approach should be taken in applying policies relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site". In my opinion, the development sits comfortably within the parameters of the flexible approach that is advocated in this policy.