LONDON BOROUGH OF BARKING AND DAGENHAM
RIGHTS OF LIGHT/DAYLIGHT AND SUNLIGHT PRELIMINARY DESK-TOP ENVELOPE ASSESSMENT

Assessment date:	April 2021 v1.0	**Reference:**	108549-102/46/DTO/SMM
Site ID:	3	**Name/address:**	Garages Site off Rainham Road North, Dagenham RM10 7EH
Size of plot:	496 sq. m (approx.)		
Existing use:	Single vehicle garages with associated hardstanding/outdoor areas.		
Site description:	Site Outdoor area with terraced, single-storey garages residing to the west of Rainham Road North accessed by a short single-track driveway. Neighbouring land North: Two-storey semi-detached houses gardens constructed in circa 1950s to the west of Rainham Road North, with rear gardens and sheds abutting the boundary of the Site. East: Two-storey terraced houses with rear gardens abutting the eastern boundary of the Site, constructed circa 1950s to the west of Rainham Road North. South: End of terrace two-storey house with rear garden and shed constructed in circa 1950s to the southern boundary of the Site, located west of Rainham Road North. West: Garden areas to the west of the site, serving a circa, 1950s two and three-storey block of flats fronting on to Sparrow Green.		
Title number:	The Site is shown shaded blue in the coloured block plan below. The Site falls within, and forms a small part of, title number EGL402745 which is vested in London Borough of Barking & Dagenham (LBBD). Title EGL402745 includes some of the land (and buildings thereon) that neighbours and surrounds the Site.		

Site plan:	 
Site survey:	This report has been prepared with reference to: (1) a topographic measured survey for the Site produced for LBBD by 40Seven Limited land surveyors, and (2) a 3D solid model of the Site the neighbouring land/buildings/structures prepared from photogrammetric information, and (3) photographic images available via online portal or taken on site.
Important assumptions:	The envelope study described in this report, assumes that all windows to the buildings neighbouring the Site will have acquired rights of light because either: 1. the freehold titles of the buildings neighbouring the Site are not owned by the LBBD, but have been independently owned for more than 20 years or: 2. the freehold titles of the buildings neighbouring the Site are owned by the LBBD, but the lessees occupying the buildings enjoy rights under the terms of their respective leases. We believe some of the neighbouring freehold interests once formed part of the title owned by LBBD, but have been the subject of disposal in the past. A detailed forensic legal review of the title to the Site and the surrounding buildings is beyond the scope of our instructions, but should be considered to confirm whether rights of light were at the time of disposal. If rights were reserved to LBBD, owners of the neighbouring freehold interest will not be able to exert rights of light to frustrate development. Following a cursory review Official Copy of the Register, it is noted that the title contains information which affects the land including the right to the access of light and air and concerning both the Estate and those areas of land that were included in the title but that are now removed which are subject to leasehold interests in their rented property (Right to Buy).

RoL commentary:	The key constraints are the outbuildings located within the rear gardens of the row of terraced houses pertaining 167, 169, 171 Rainham Road North located to the south west of the Site.
Daylight and Sunlight commentary:	The key constraints are, again, the outbuildings located within the rear gardens of the row of terraced houses pertaining 167, 169, 171 Rainham Road North located to the south west of the Site, however in daylight and sunlight terms these buildings are not habitable and therefore would not be considered. Nevertheless, all neighbouring properties are in residential use. As such the residential properties, would need to be assessed for sunlight and daylight.
Approach to Envelope Study	The envelope show the approximate volume which can be placed on the Site without causing material impacts to the right to light and daylight amenity of the existing surrounding residential properties. The approach taken to producing the envelope is based on the 25-degree principle, namely: where development does not subtend a line projected at an angle of 25 degrees from the horizontal (from the centre of the lowest habitable room windows in adjacent residential properties) then sufficient natural light should remain available to the rooms lit by those windows.

<table>
<tr><td>Area schedule:</td><td>Area schedule confirming estimated developable GEA based on the 3D envelope model in Appendix 1 to which the reader is referred:

<table>
<tr><th colspan="4">Additional GEA Area Schedule (Site 3)

*Area measured at 1.5m above FFL (GEA)</th></tr>
<tr><th>LEVEL / FLOOR</th><th></th><th>AREA SQ M</th><th>AREA SQ FT</th></tr>
<tr><td>Ground</td><td></td><td>496.0</td><td>5,339</td></tr>
<tr><td>First</td><td></td><td>421.7</td><td>4,539</td></tr>
<tr><td>Second</td><td></td><td>221.6</td><td>2,385</td></tr>
<tr><td></td><td>OVERALL TOTAL</td><td>1,139.3</td><td>12,263</td></tr>
</table>

Note:
Storey height assumed 3 metres floor to floor
GEA – Gross External Area
FFL – Finished Floor Level</td></tr>
<tr><td>Comments on development volume:</td><td>GEA is relatively unrestricted on the ground-floor storey through to the first-floor storey. The GEA reduces significantly on the second-floor level.

Restrictions are more significant to the south west of the plot, along the boundary with the residential properties numbered 167, 169 and 171 Rainham Road North.

The envelope study suggests that a two-storey new development would be feasible. Although detailed technical studies might confirm fewer problems than anticipated, we, nevertheless, suggest that a two-storey new development would be a low risk proposal in both daylight/sunlight amenity terms and rights of light terms.

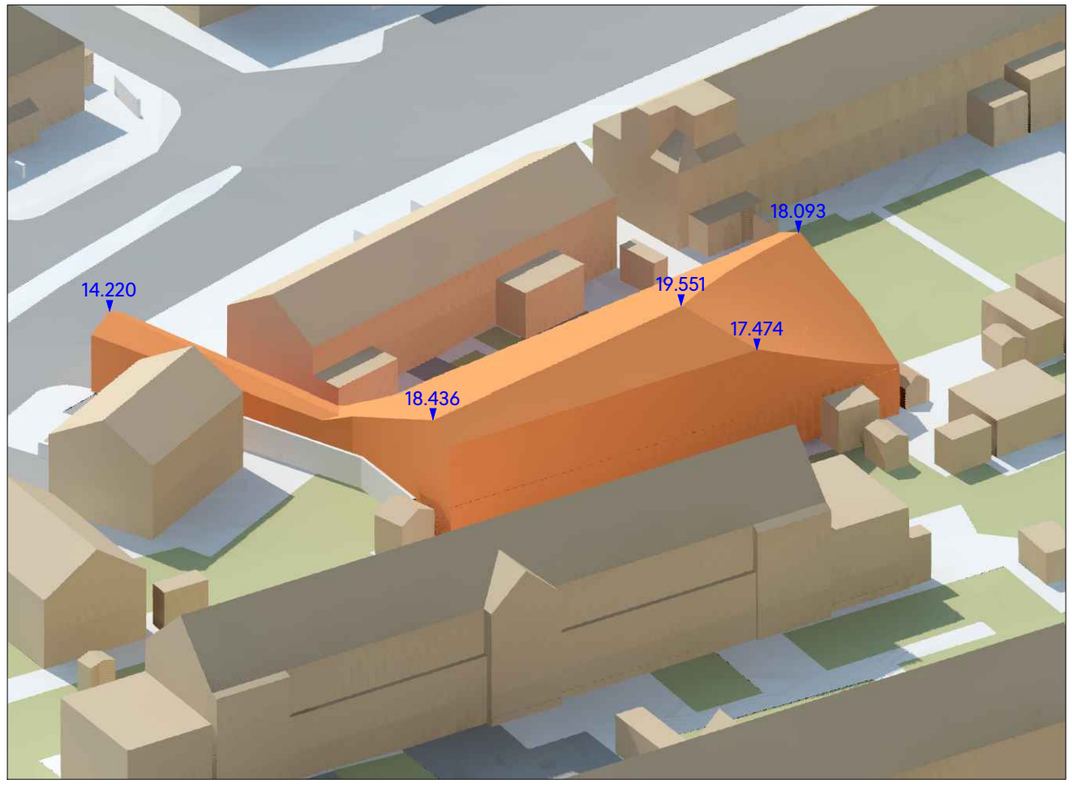
Construction of a development with an overall mass/volume that exceeds the envelope described in this report might be achievable, but his would need to be verified by more detail legal analysis and more detailed 3D CAD modelling and technical analysis.</td></tr>
<tr><td>Risk rating:</td><td>Low – assuming that the development contemplated does not exceed the GEA, or envelope profiles advised in this report.</td></tr>
</table>

Further comments:	As the interpretation of levels, height and volume is not precise, the following would be beneficial in developing the accuracy of the risk rating and may result in the risk reducing: I. Measured surveys of elevations of the neighbouring properties identifying more accurately, inter alia, window locations and sizes, II. Basic architects massing models of the scheme proposals; and III. A solicitor's legal title review for the titles to the Site and the surrounding properties. In relation to mitigation of risks, at this early stage, only limited advice can be offered; we recommend that any new development proposed seeks to minimise the exceedance of the envelope wherever possible. This will reduce adverse impacts and limit planning risk and compensation exposure/injunction risk in relation to rights to light. In relation to rights of light compensation exposure, the full effects cannot be determined until the proposed massing and its position on the Site is fully defined. It is therefore, recommended that once the design has evolved/been fixed, a more detailed assessment should be carried out so that rights of light injury risks and compensation estimates can be better identified, and mitigation strategies can be suggested.

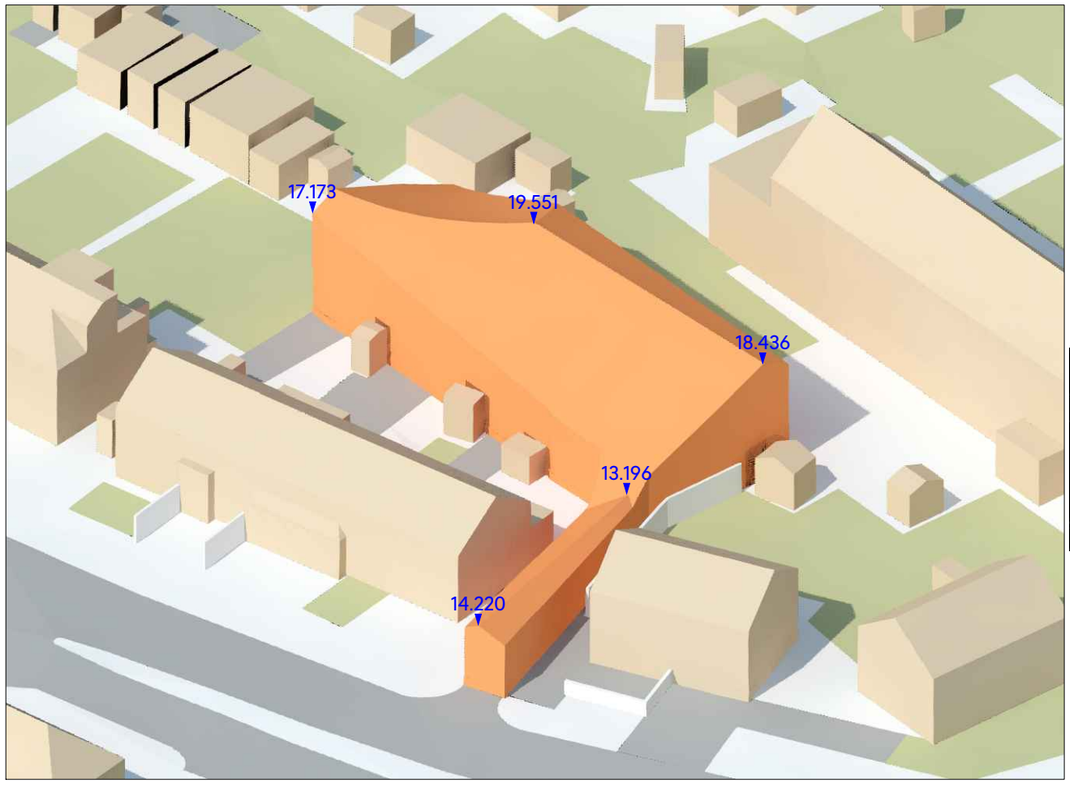
HOLLIS

Appendix 1

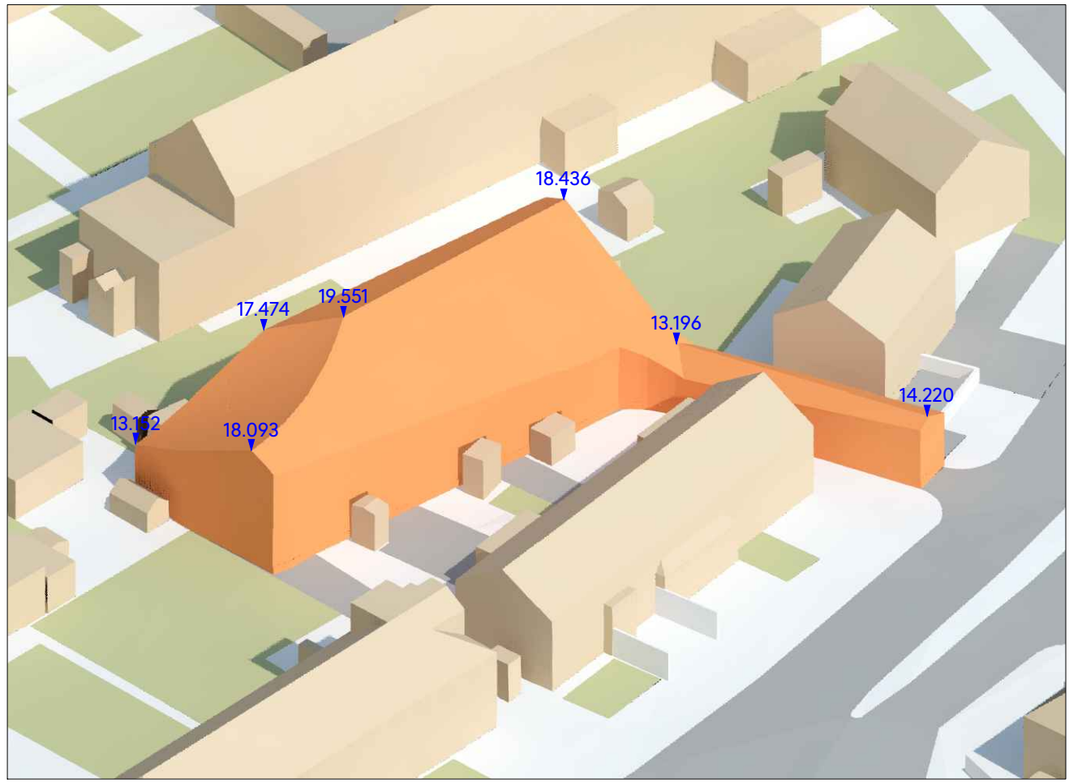
Hollis Drawing 08549_SITE3_01 showing envelope massing for Rainham Road North IG11 9AP



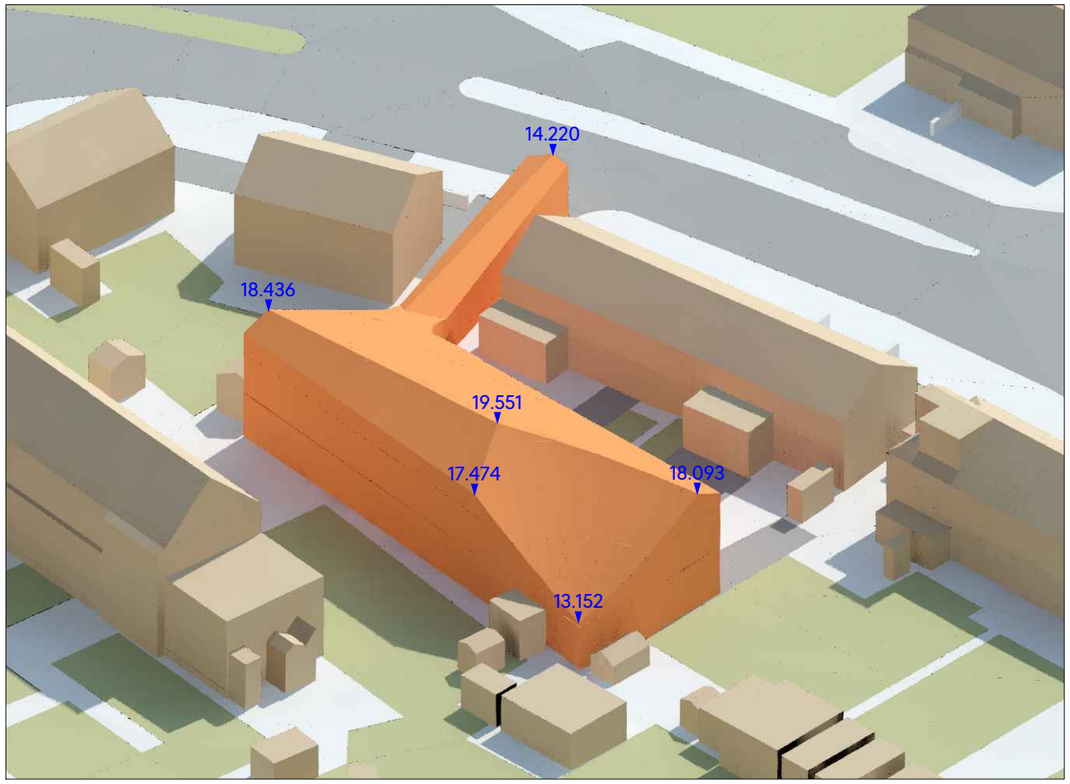
3D Context View - View from North West (Proposed Envelope)



3D Context View - View from North East (Proposed Envelope)



3D Context View - View from South East (Proposed Envelope)



3D Context View - View from South West (Proposed Envelope)

SOURCES OF INFORMATION:

40SEVEN

2176_P_Rainham Road North 3D.dwg
Received 14th April 2021

ACCUCITIES

001722_Dagenham Sites_PART04_LD_MASTER.dwg
Received 9th March 2021

Additional GEA Area Schedule (Site 3)

*Area measured at 1.5m above FFL (GEA)

LEVEL / FLOOR	AREA SQ M	AREA SQ FT
Ground	496.0	5,339
First	421.7	4,539
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OVERALL TOTAL	1,139.3	12,263

Surrounding Properties

Proposed Site

ALL HEIGHTS IN M AOD

'INDICATIVE ONLY'

Rev.	Date	Amendments	Initial

HOLLIS SHALL BE INFORMED IN WRITING OF ANY DISCREPANCIES. ALL DIMENSIONS ARE IN METERS ONLY

TITLE

Approximate Right to Light and Daylight Envelope

CLIENT

Arcadis

PROJECT

Rainham Road North, Dagenham, RM10 7EH

DRAWN BY	CHECKED
SL	DO
SCALE	DATE
NTS@A3	April 2021

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DRAWING NO.	RELEASE NO.
108549_SITE3_01	1