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

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| **Assessment date:** | April 2021<br>v1.0 | **Reference:** | 108549-112/46/DTO/SMM |
| **Site ID:** | 11 | **Name/address:** | Garages Site off Wheel Farm Drive, Dagenham RM10 7AJ |
| **Size of plot:** | 732.8 sq. m (approx.) | | |
| **Existing use:** | Three rows of single vehicle garages with associated hardstanding/outdoor areas. | | |
| **Site description:** | Site<br>Outdoor area with three terraced rows of single-storey garages forming an equilateral triangular shape residing to the west of Wheel Farm Drive accessed by a long single-track driveway.<br>Neighbouring land<br>North and east: Two-storey semi-detached houses with rear gardens constructed circa 1930s located south and south west of Home Gardens and west of Wheel Farm Drive, with rear gardens and sheds abutting the boundaries of the Site.<br>East and south: Two-storey semi-detached houses with rear gardens constructed circa 1930s located north and west of Grove Gardens and west of Wheel Farm Drive, with rear gardens and sheds abutting the boundaries of the Site.<br>West: Two-storey terraced houses with rear gardens constructed circa 1930s and 1940s located east of Hardie Road, with rear gardens and sheds abutting the boundaries of the Site. | | |
| **Title number:** | The Site is shown shaded blue in the coloured block plan below.<br>The Site falls within, and forms a small part of, title number EGL400719 which is vested in London Borough of Barking & Dagenham (LBBD).<br>Title EGL400719 includes some of the land (and buildings thereon) that neighbours and surrounds the Site. | | |

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| **Site plan:** |  |
| **Site survey:** | This report has been prepared with reference to:<br>(1) a topographic measured survey for the Site produced for LBBD by 40Seven Limited land surveyors, and<br>(2) a 3D solid model of the Site the neighbouring land/buildings/structures prepared from photogrammetric information, and<br>(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:<br>(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<br>or:<br>(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.<br>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.<br>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). |

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| **RoL commentary:** | The key constraints are the semi-detached houses to the north east of the Site boundary on Home Gardens numbered 9 and 11 Home Gardens and the semi-detached houses to the south east of the Site boundary on Grove Gardens numbered 6 and 8 Grove Gardens. |
| **Daylight and Sunlight commentary:** | The key constraints are, again, the semi-detached houses to the north east of the Site boundary on Home Gardens numbered 9 and 11 Home Gardens and the semi-detached houses to the south east of the Site boundary on Grove Gardens numbered 6 and 8 Grove Gardens.<br><br>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 shows 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.<br><br>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. |

**Area schedule:**

Area schedule confirming estimated developable GEA based on the 3D envelope model in Appendix 1 to which the reader is referred:

**Additional GEA Area Schedule (Site 11)**

*Area measured at 1.5m above FFL (GEA)

| LEVEL / FLOOR | AREA SQ M | AREA SQ FT |
|---|---|---|
| Ground | 732.8 | 7,888 |
| First | 698.7 | 7,521 |
| Second | 598.4 | 6,441 |
| Third | 309.5 | 3,331 |
| Fourth | 22.8 | 245 |
| **OVERALL TOTAL** | **2,362.2** | **25,426** |

Note:

Storey height assumed - 3 metres floor to floor

GEA – Gross External Area

FFL – Finished Floor Level

**Comments on development volume:**

GEA is relatively unrestricted on the ground-floor storey through to the second-floor storey. The GEA reduces significantly on the third and fourth-floor levels.

Restrictions are more significant to the north east and south east of the plot, along the boundary with the residential properties numbered 9 and 11 Home Gardens (north east of the Site) and properties numbered 6 and 8 Grove Gardens (south east of the Site).

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

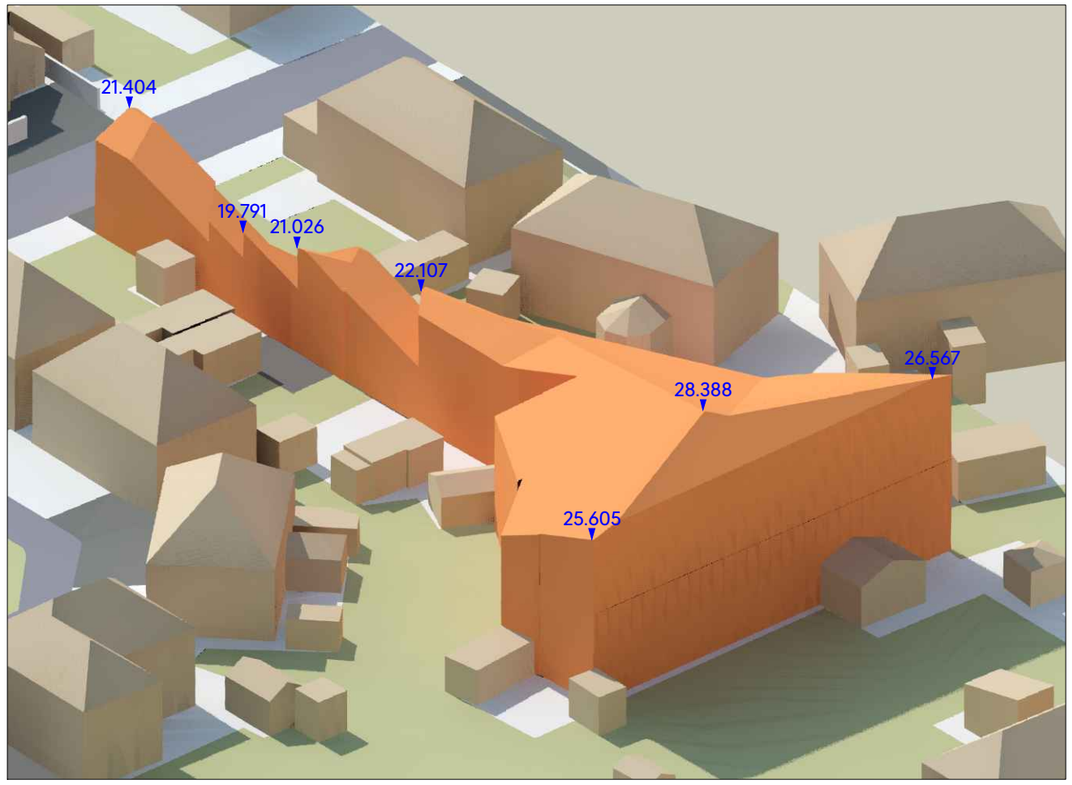
Construction of a development with an overall mass/volume that exceeds the envelope described in this report might be achievable, but his would need to be verified by more detail legal analysis and more detailed 3D CAD modelling and technical analysis.

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| **Risk rating:** | Medium – assuming that the development contemplated does not exceed the GEA, or envelope profiles advised in this report. |
| **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:<br>I. Measured surveys o elevations of the neighbouring properties identifying more accurately, inter alia, window locations and sizes,<br>II. Basic architects massing models of the scheme proposals; and<br>III. A solicitor's legal title review for the titles to the Site and the surrounding properties.<br>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.<br>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. |

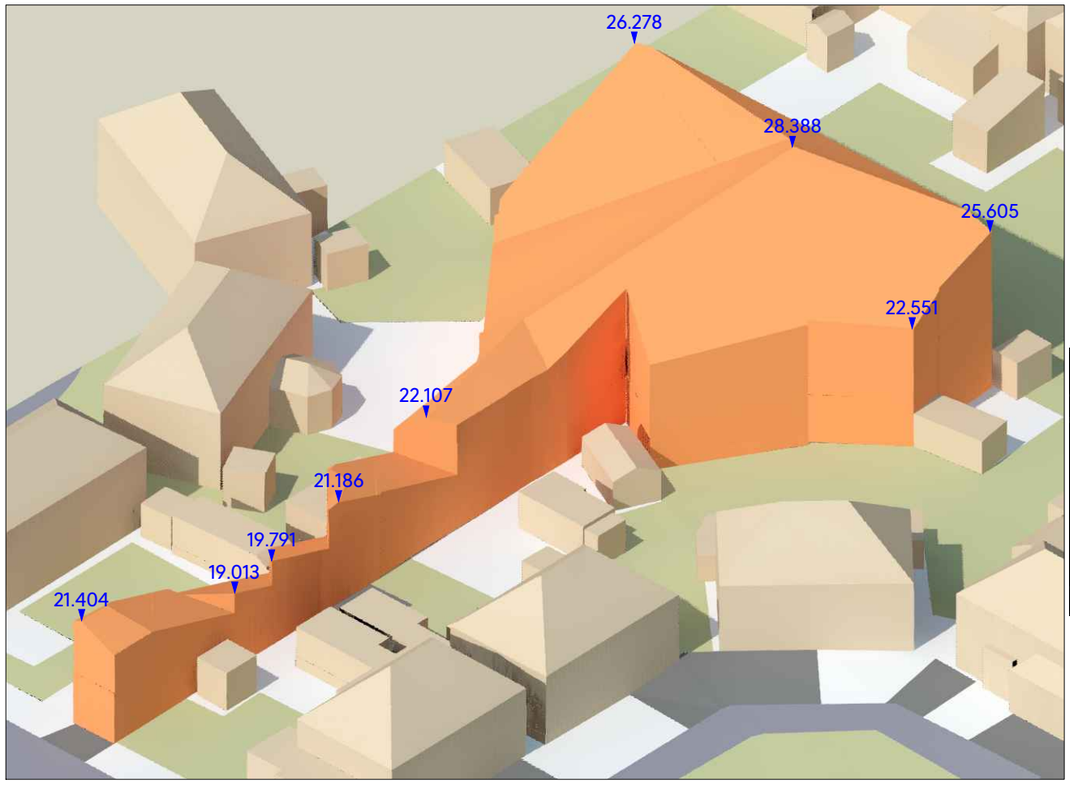
HOLLIS

# Appendix 1

## Hollis Drawing 108549_SITE11_01 showing envelope massing for Wheel Farm Drive RM10 7AJ




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




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

SOURCES OF INFORMATION:

40SEVEN

2176_P_Wheel Farm Drive 3D.dwg
Received 14th April 2021

ACCUCITIES

001722_Dagenham Sites_PART05_LD_MASTER.dwg
Received 9th March 2021

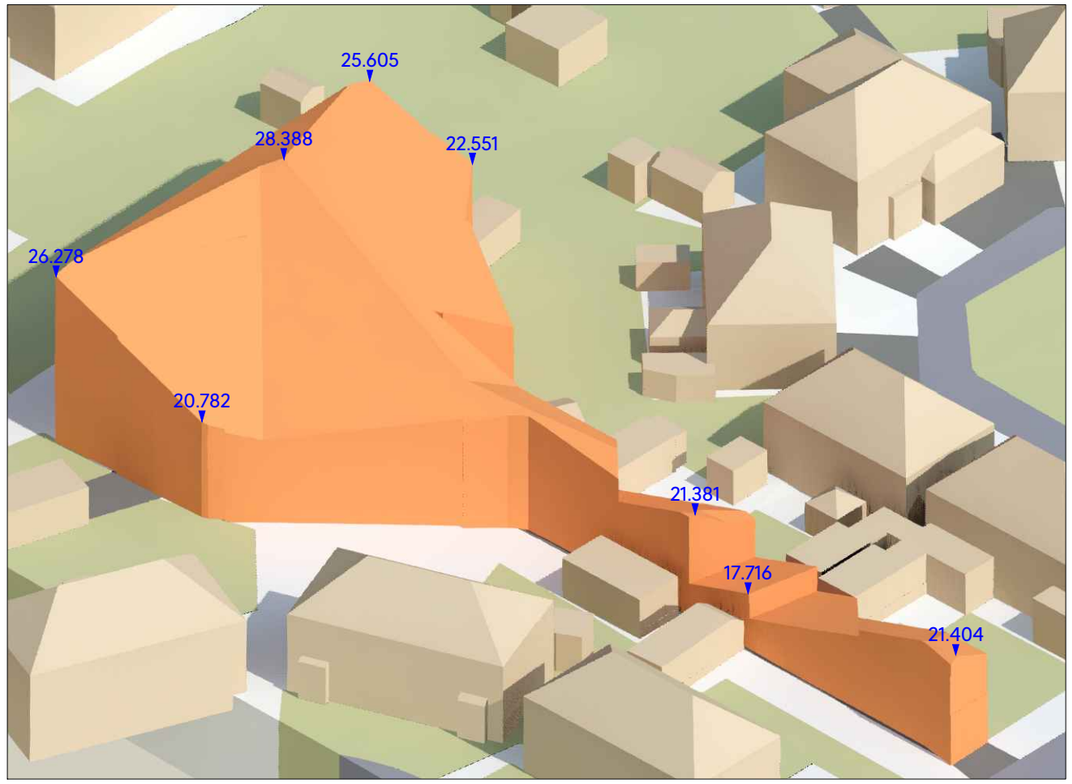
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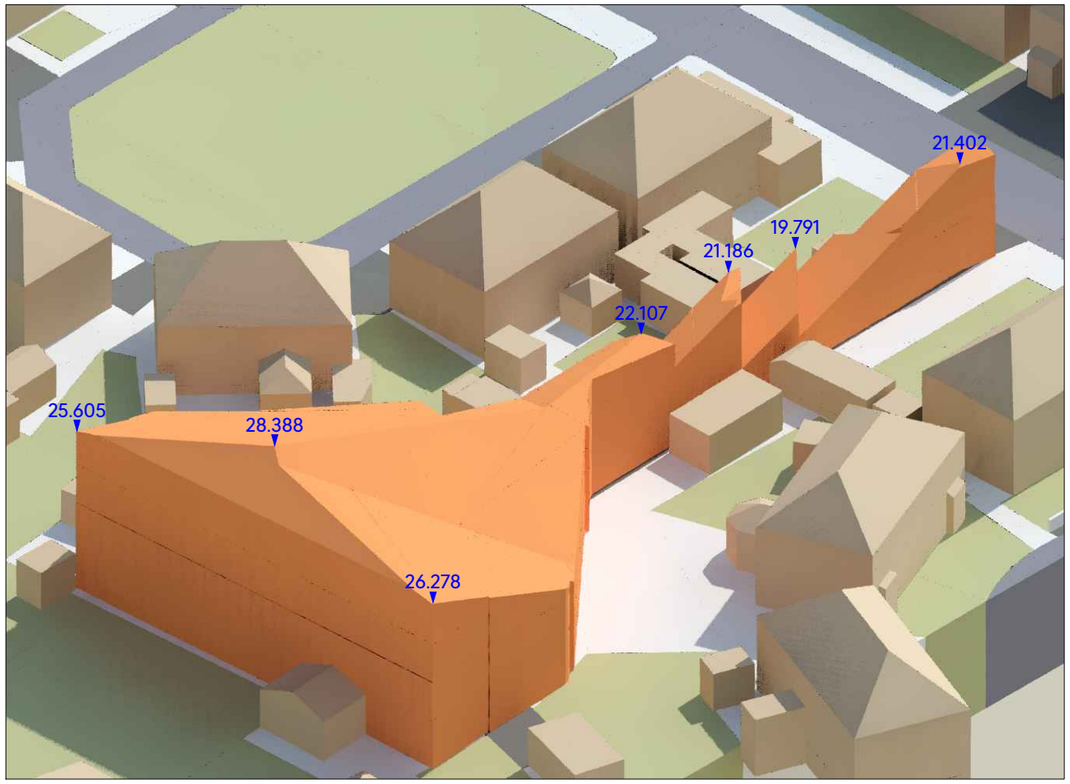
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Surrounding Properties

Proposed Site




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




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

**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

**Wheel Farm Drive, Dagenham, RM10 7AJ**

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

HOLLIS

80-82 Silverthorne Road
London
SW8 3HE

T 020 7622 9555
F 020 7627 9850
W hollisglobal.com

| DRAWING NO. | RELEASE NO. |
|---|---|
| 108549_SITE11_01 | 1 |