

MAYOR OF LONDON

Andrew Boff AM

Chair of the London Assembly

C/o Anna.Sutton@london.gov.uk

Our ref: MGLA150621-5878

Date: 17 August 2021

Dear Andrew,

London Assembly (Plenary) Meeting 10 June 2021 – Motions

Thank you for your letter of 11 June about the motions agreed at the London Assembly (Plenary) meeting on 10 June. Please see my reply to motion 10 below. I will reply to the remaining motions as soon as possible.

Motion 10 - Protect sunlight for green spaces and dwellings

I would like to make it clear that with the draft supplementary planning guidance for the London Plan – Good Quality Homes for All Londoners – there is no intention whatsoever of reducing the daylight and sunlight standards to which we expect developers to adhere – either for public parks or for people's homes.

For many years, various planning applications (both referable schemes and those dealt with by borough planning committees) have received planning permission even though they do not meet the Building Research Establishment (BRE) standards. This is for two reasons.

First, BRE guidance is not encoded as policies in a development plan but is simply professional guidance.

The BRE daylight and sunlight guidance states:

“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.”

Second, the standards therefore cannot be applied inflexibly. To do so would risk applications being overturned at appeal, or the refusal of an otherwise very positive scheme because of a minor negative impact on daylight.

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The BRE guidance states:

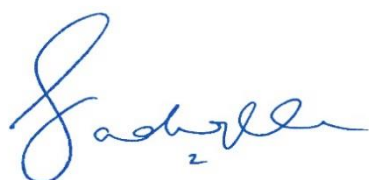
“In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.”

Given all this, the aim of the draft Good Quality Homes for All Londoners guidance was to provide clearer standards and guidance for applying the BRE guidance in the very complex London context. It also aimed to reflect some of the challenges that had been highlighted in relation to the current guidance set out in the 2016 Housing SPG.

It was never intended to set a new, lower standard for development, but instead to assist decision-makers in how to apply the BRE guidance within the challenging urban environment of London. Its primary purpose was to ensure more developments would exceed or be closer to BRE guidelines, avoiding unacceptable examples that have occurred in the past. The guidance on overshadowing of public open space in the Good Quality Homes for All Londoners guidance is the same as that given in the BRE guidance.

My officers are currently analysing consultation responses to the draft Good Quality Homes for All Londoners guidance and appreciate the strength of feeling on this issue. Officers have recently met with the author of the BRE guidelines (Paul Littlefair) to help inform the final guidance. We will be looking very carefully at how the draft guidance can be revised to make sure we are applying BRE guidance effectively across London's varied urban environment. This will include ensuring that any impacts on daylight and sunlight and residential and occupier amenity continue to be fully taken into account when determining planning applications across London, but with greater clarity and understanding.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Sadiq Khan', with a small '2' written below the name.

Sadiq Khan
Mayor of London