

**Notice of Review: Planning application 18/01207/APP - Erect extension at 13 Bishops Court, Lossiemouth.**

**Request for further information – daylight/sunlight assessment.**

The information below sets out the daylight/sunlight assessment that was undertaken in this case which informed consideration of the proposal against policies H4 House Alterations and Extensions and IMP1 Developer Requirements of the Moray Local Development Plan 2015. These policies require domestic extensions to relate satisfactorily to the appearance of the parent property and surrounding area in terms of design, form and materials and to be designed to minimise the loss of daylight and excessive overshadowing (loss of sunlight) of neighbouring properties.

Factors which affect the amount of loss of daylight and sunlight are the height and form of the proposed extension, distance to boundary, size of plot and orientation. The proposal would be a substantial side/front extension, which would sit directly south of a neighbouring adjoining property (11 Bishops Court). The size and dimensions of the extension, and site and surroundings are described within the report of handling.

Relevant guidance can be found in the Building Research Establishment's (BRE) guide 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'. This contains guidelines and methods for assessing daylight and sunlight impacts.

The BRE sunlight-on-ground indicator (equinox, 21 March) enables a measurable hour by hour sun path analysis to be undertaken showing how sunlight moves through the affected garden for both before and after situations. Using this method confirmed that the proposed extension would prevent sunlight from reaching parts of the neighbour's garden (11 Bishop's Court) during the afternoon for additional periods of between of 1 and 1½ hours (depending on the location). This is over and above existing overshadowing impacts from the existing applicant's house (and neighbour's own house and garage). Any further loss of sunlight on this basis would be unacceptable in amenity terms. Figures of hours affected are marked on the annotated site plan which has been re-created for ease of reference that was used as part of the assessment at the time of determination (see Appendix A).

Based on the above findings it was considered that the proposed two storey side extension of the form and size submitted, positioned immediately to the south of neighbouring housing would represent an inappropriate form of development for this location which would be detrimental to the amenity of neighbouring occupiers.

The proposed extension would cause an unacceptable loss of daylight and sunlight, and an increased sense of enclosure/overbearing impact to the garden of this adjacent property by reason its bulk, height and close proximity to the site (side) boundary. It would therefore cause an unacceptable and significant loss of residential amenity, contrary to policies IMP1 and H4 of the MLDP.

# APPENDIX A

## SUNLIGHT-ON-GROUND INDICATOR (HOURS OF NO SUNLIGHT)

### PROPOSED EXTENSION (AFTER)

- A 1200 - 1500 hrs
- B 1300 - 1430 hrs
- C 1130 - 1300 hrs
- D 1300 - 1630 hrs
- E 1415 - 1645 hrs
- F 1200 - 1630 hrs

### EXISTING HOUSE (BEFORE)

- A 1230 - 1400 hrs
- B 1500 - 1700 hrs - (NEIGHBOUR'S GARAGE)
- C 1130 - 1300 hrs
- D 1330 - 1530 hrs
- E 1430 - 1530 hrs
- F 1200 - 1530 hrs

