

Right of Light Consulting

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Ms Katie Chew
Kirklees Council
Civic Centre 3
Market Street
Huddersfield
HD1 2EY

07 June 2023

Dear Ms Chew,

Application Reference No. 2023/90444/W

**Proposed Development at Land Adjacent 39 Far End Lane, Honley, Holmfirth, West Yorkshire HD9 6NS
Impact on Quarry House, 18 Woodhead Road, Honley, Holmfirth, West Yorkshire HD9 6PP**

As per our previous correspondence on application No. 2022/62/91069/W, we are appointed by the owners of Quarry House. Our clients are concerned about the impact that the proposed development will have on the natural light receivable by their property.

Following a review of the application, we note that the submission includes a 'sun path' study undertaken by the architects. The images attempt to show the difference in shadows in December and June at different points during the day.

The first issue we see is that the images for December are unintelligible, with the images for two times in the day showing just black images. In order to demonstrate the differences in shadows selecting times when the sun would cause shadows would be useful.

Our client's also have concerns with relation to the accuracy of the June images. The images appear to show the only amenity space at Quarry House in full shadow from 12 noon onwards, which they consider to be completely false and not an accurate reflection of the issue. Based on their experience of living at Quarry house for 30 years, they can say for certainty that the terrace is certainly not in shadow during the afternoon, and it has good sunshine from late morning to early evening during the summer months. Given we are in the month of June this can easily be verified.

Our clients are also concerned with the accuracy of the layout of the trees and shrubbery shown in the images. We cannot see that the modelling for the sun path study has been based on an arboricultural report.

Regardless, overshadowing assessments are subjective, with no pass/fail criteria.

The Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight 2022, 3rd Edition' by P J Littlefair outlines in summary paragraph 3.3.17 that at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March.

The standard BRE methodology gives a definitive pass/fail result and is the reason that daylight/sunlight consultants adopt it as a standard approach to assessing any potential loss of sunlight to a garden or open space. Shadow images however do not give specific data and are also open to misinterpretation. The BRE guide outlines at paragraph 3.3.13:

'Where a large building is proposed that may affect a number of gardens and open spaces it is often illustrative to plot a shadow plan showing the location of shadows at different times of day and year.'

Furthermore, the BRE Guide itself recognises the limitation of a shadow analysis (again at 3.3.13):

'In interpreting the impact of such differences, it must be borne in mind that nearly all structures will create areas of new shadow, and some degree of transient overshadowing is to be expected.'

We are of the opinion that it would be unreasonable to rely on the applicant's shadow images, and to grant planning permission without a full daylight and sunlight assessment being undertaken. We believe that an assessment is likely to show that some adjustment to the design is needed in order to reasonably safeguard the amenity of Quarry House, given the scale of the proposal, the topography of the site in relation to our client's property and its proximity to the garden to the side of Quarry House, the only private amenity space at the property.

Due to the elevated position of the site and its proposed layout, loss of privacy and the domineering impact of the proposed dwelling are also important concerns of our clients. It is noted that Quarry House is not shown on the applicants North Elevation plan, and we understand that our clients have reasonably requested the applicant address this omission and provide an updated plan.

As a matter of formality, please treat this letter as an objection on behalf of

However, we are instructed that our clients do not object in principle to the land being developed. This is providing any proposal is designed in accordance with the relevant standards relating to daylight, sunlight, and overshadowing. And to address our clients' concerns, the dwelling should be re positioned on the northern part of the site.

On behalf of _____ we request that no decision is made in favour of the application until:

- 1) the applicant has submitted a complete and accurate daylight and sunlight assessment prepared in accordance with the BRE guide, and
- 2) the assessment shows that the proposed design; or amended design, complies with both the BRE guide and Kirklees Council's planning policy.

Should you have any queries, or would like to discuss the above concerns, please do not hesitate to contact me.

Yours sincerely

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