


## LONDON BOROUGH OF BARKING AND DAGENHAM

### RIGHTS OF LIGHT/DAYLIGHT AND SUNLIGHT PRELIMINARY DESK-TOP ENVELOPE ASSESSMENT

<b>Assessment date:</b>	April 2021 v1.0	<b>Reference:</b>	108549-105/46/DTO/SMM
<b>Site ID:</b>	6 (2)	<b>Name/address:</b>	Garages Site off Fambridge Road, Dagenham, London, RM8 1NS (East Plot)
<b>Size of plot:</b>	485.8 sq. m (approx.)		
<b>Existing use:</b>	Row of two single vehicle garages with associated tarmacadam/outdoor areas.		
<b>Site description:</b>	<p><u>Site</u></p> <p>Outdoor area with two terraced rows of single-storey garages residing to the south east of Fambridge Road and accessed through a gate via Fambridge Road.</p> <p><u>Neighbouring land</u></p> <p>North: Land immediately at the entrance of the Site is used as car parking space.</p> <p>East: Open Land vested in London Borough of Barking &amp; Dagenham (LBBD), directly abutting the entire eastern boundary with the Site. There is a small café circa 3.5 meters away from the boundary of the eastern row of garages. Part of the land immediately to the east is used as allotment gardens.</p> <p>South: Park/recreational land forming part of The Robert Clack Comprehensive Upper School, directly abutting the entire southern boundary with the Site.</p> <p>West: Two-storey end of terrace house with a garden constructed in the circa 1960s to the south of Fambridge Road, with the eastern elevation and rear garden abutting the boundary of the Site.</p>		
<b>Title number:</b>	<p>The Site is shown shaded blue in the coloured block plan below.</p> <p>The Site falls within, and forms a small part of, title number EX21411 which is vested in London Borough of Barking &amp; Dagenham (LBBD).</p> <p>Title EX21411 includes some of the land (and buildings thereon) that neighbours and surrounds the Site.</p>		

<b>Site plan:</b>	
<b>Site survey:</b>	<p>This report has been prepared with reference to:</p> <ol style="list-style-type: none"> <li>(1) a topographic measured survey for the Site produced for LBBB by 40Seven Limited land surveyors, and</li> <li>(2) a 3D solid model of the Site the neighbouring land/buildings/structures prepared from photogrammetric information, and</li> <li>(3) photographic images available via online portal or taken on site.</li> </ol>
<b>Important assumptions:</b>	<p>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:</p> <ol style="list-style-type: none"> <li>(1) the freehold titles of the buildings neighbouring the Site are not owned by the LBBB, but have been independently owned for more than 20 years</li> </ol> <p>or:</p> <ol style="list-style-type: none"> <li>(2) the freehold titles of the buildings neighbouring the Site are owned by the LBBB, but the lessees occupying the buildings enjoy rights under the terms of their respective leases.</li> </ol>
<b>RoL commentary:</b>	<p>The key constraint is the end of terrace of house, to the west boundary, namely 16 Fambridge Road.</p>
<b>Daylight and Sunlight commentary:</b>	<p>The key constraint is, again, the end of terrace house, to the west boundary, namely 16 Fambridge Road.</p> <p>All neighbouring properties are in residential use. As such the residential properties, would need to be assessed for sunlight and daylight.</p>

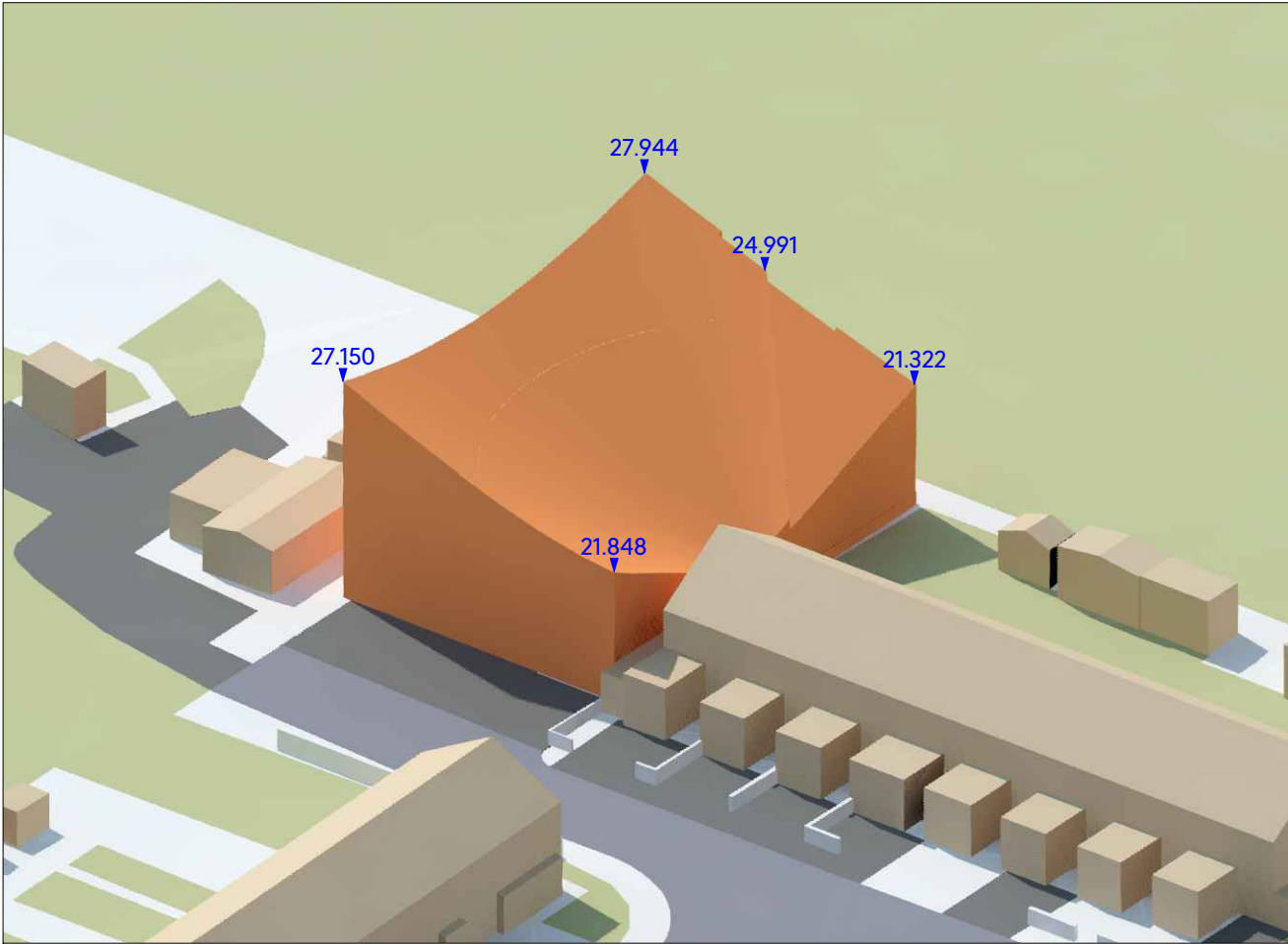
Approach to Envelope Study	<p>The envelope shows the approximate volume which can be placed on the Site without causing material impacts to the right to light and daylight amenity of the existing surrounding residential properties.</p> <p>The approach taken to producing the envelope is based on the 25-degree principle, namely: where development does <u>not</u> 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.</p>																								
Area schedule:	<p>Area schedule confirming estimated developable GEA based on the 3D envelope model in Appendix 1 to which the reader is referred:</p> <table><tr><th colspan="3">Additional GEA Area Schedule (Site 6)</th></tr><tr><td colspan="3">*Area measured at 1.5m above FFL (GEA)</td></tr><tr><th>LEVEL / FLOOR</th><th>AREA SQ M</th><th>AREA SQ FT</th></tr><tr><td>Ground</td><td>485.8</td><td>5,229</td></tr><tr><td>First</td><td>441.7</td><td>4,754</td></tr><tr><td>Second</td><td>263.7</td><td>2,838</td></tr><tr><td>Third</td><td>72.9</td><td>785</td></tr><tr><td>OVERALL TOTAL</td><td>1,264.1</td><td>13,607</td></tr></table> <p>Note:</p> <p>Storey height assumed – 3 metres floor to floor</p> <p>GEA – Gross External Area</p> <p>FFL – Finished Floor Level</p>	Additional GEA Area Schedule (Site 6)			*Area measured at 1.5m above FFL (GEA)			LEVEL / FLOOR	AREA SQ M	AREA SQ FT	Ground	485.8	5,229	First	441.7	4,754	Second	263.7	2,838	Third	72.9	785	OVERALL TOTAL	1,264.1	13,607
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<b>Comments on development volume:</b>	<p>GEA is relatively unrestricted on the ground-floor storey through to the first-floor storey. The GEA reduces significantly on the second and third-floor levels.</p> <p>Restrictions are more significant to the west of the plot, along the boundary with the residential property numbered 16 Fambridge Road.</p> <p>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.</p> <p>Construction of a development with an overall mass/volume that exceeds the envelope described in this report might be achievable, but this would need to be verified by more detail legal analysis and more detailed 3D CAD modelling and technical analysis.</p>
<b>Risk rating:</b>	Low – assuming that the development contemplated does not exceed the GEA, or envelope profiles advised in this report.
<b>Further comments:</b>	<p>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:</p> <ol style="list-style-type: none"> <li>I. Measured surveys of elevations of the neighbouring properties identifying more accurately, inter alia, window locations and sizes,</li> <li>II. Basic architects massing models of the scheme proposals; and</li> <li>III. A solicitor's legal title review for the titles to the Site and the surrounding properties.</li> </ol> <p>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.</p> <p>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.</p>

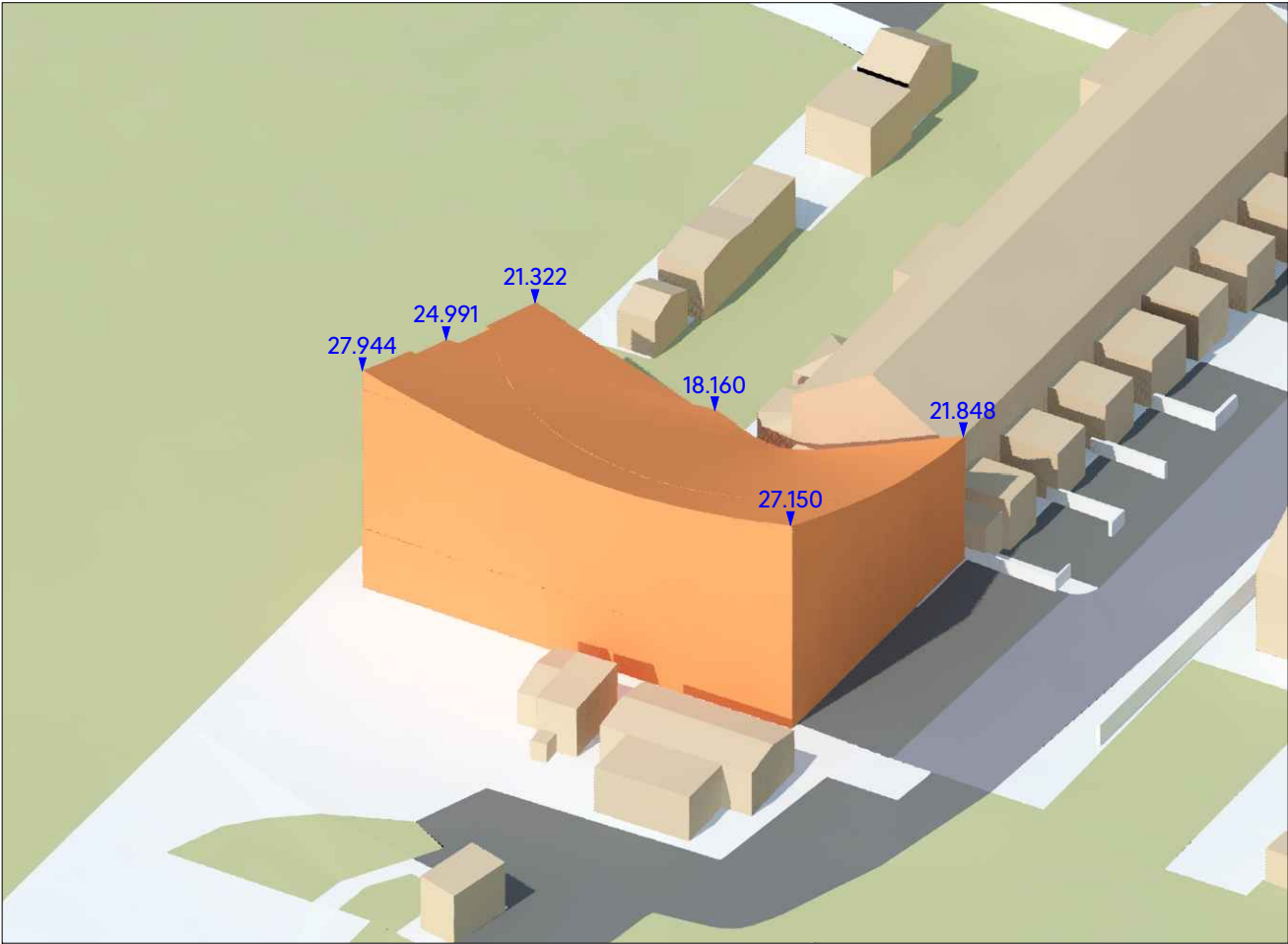
## Appendix 1

Hollis Drawing 108549\_SITE6\_02  
showing envelope massing for  
Fambridge Road RM8 1NS (East Plot)

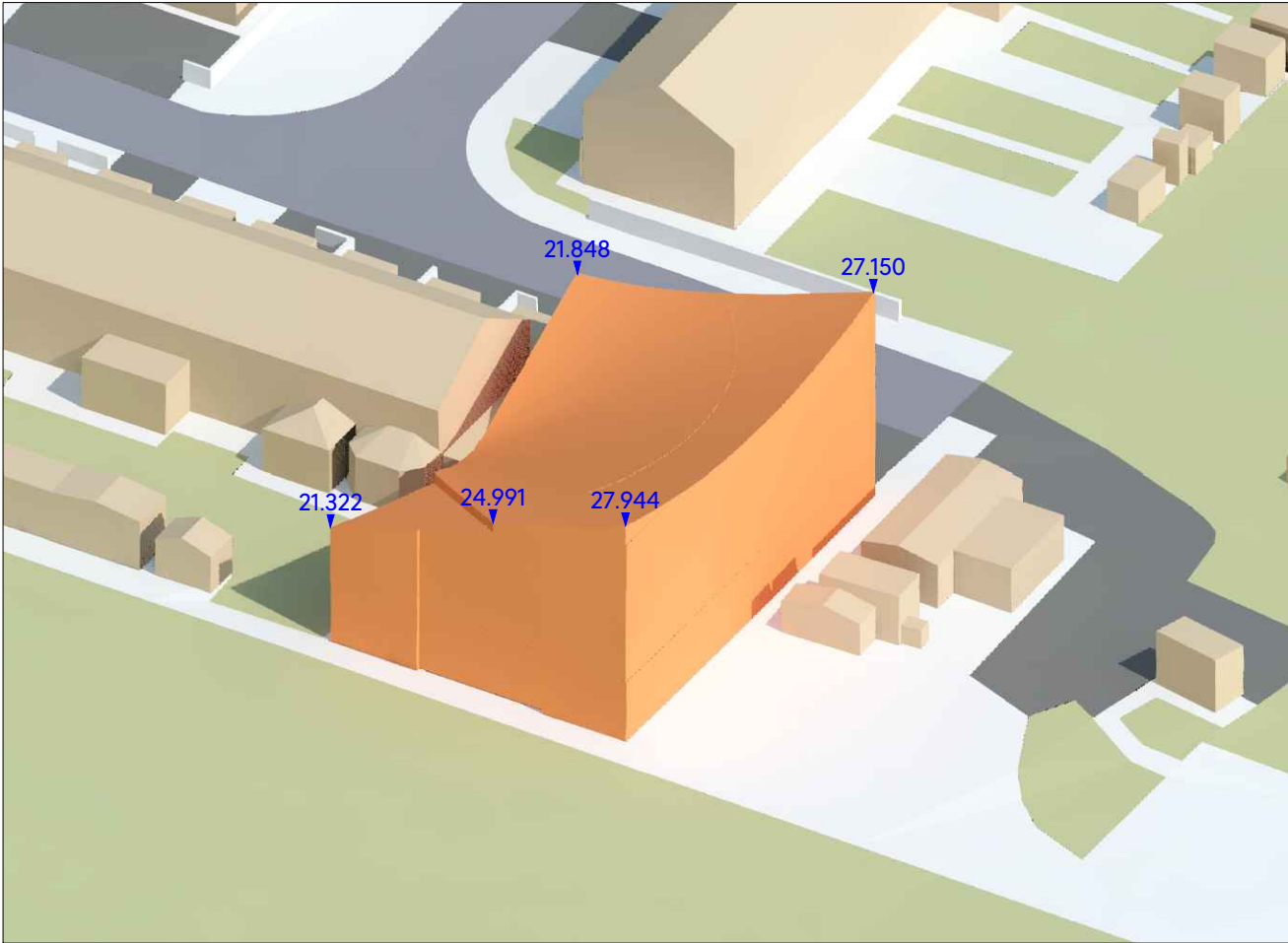




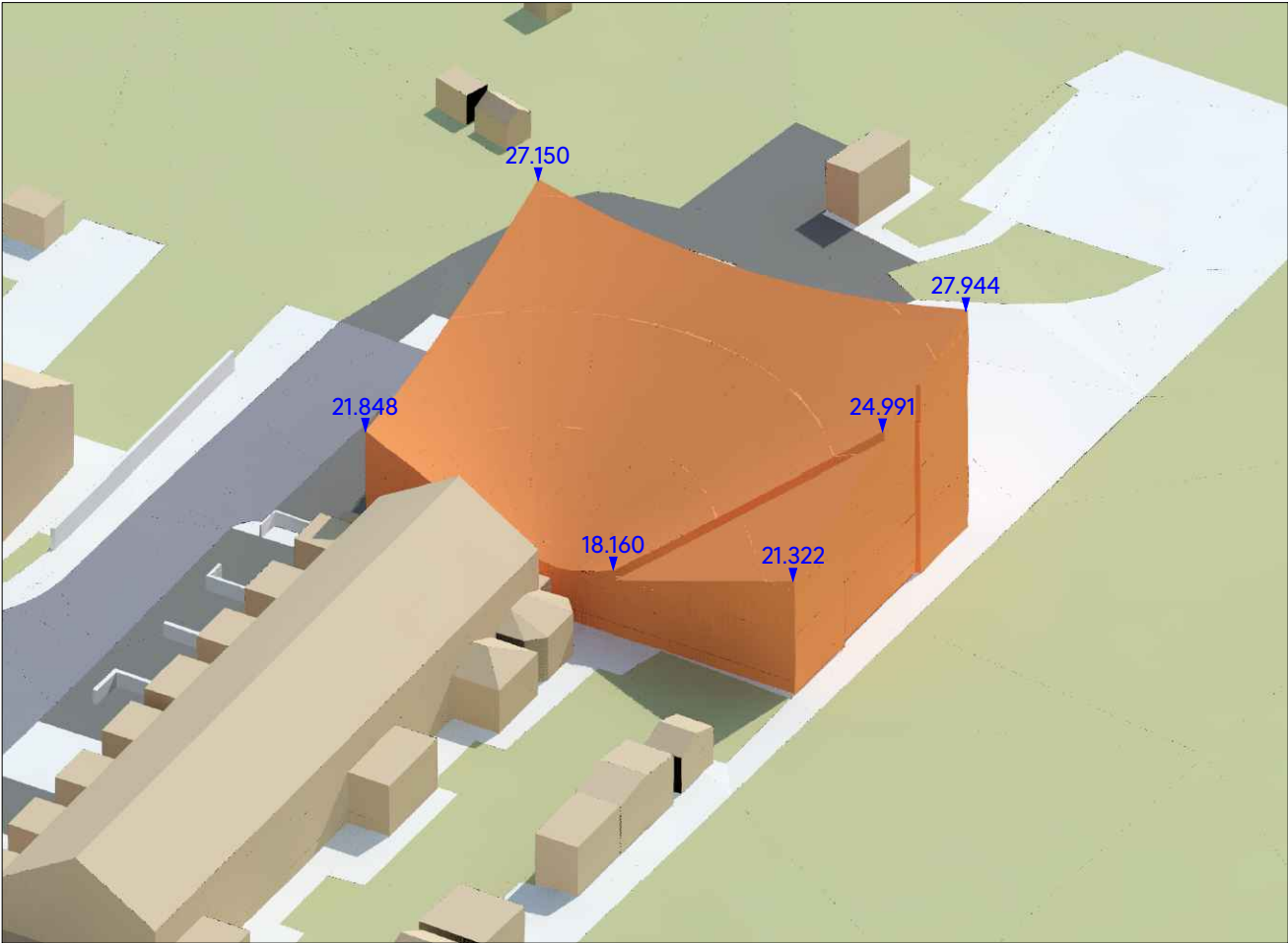
3D Context View - View from North West (Proposed Envelope)



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\_Fambridge Road 3D.dwg  
Received 14th April 2021  
ACCUCITIES  
001722\_Dagenham Sites\_PART03\_LD\_MASTER.dwg  
Received 9th March 2021

Additional GEA Area Schedule (Site 6)		
*Area measured at 1.5m above RRL (GEA)		
LEVEL / FLOOR	AREA SQ M	AREA SQ FT
Ground	485.8	5,229
First	441.7	4,754
Second	263.7	2,838
Third	72.9	785
OVERALL TOTAL	1,264.1	13,607

- 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  
East Plot

CLIENT  
Arcadis

PROJECT  
Fambridge Road,  
Dagenham, RM8 1NS

DRAWN BY  
SL

CHECKED  
DO

SCALE  
NTS@A3

DATE  
April 2021

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DRAWING NO.	RELEASE NO.
108549_SITE6_02	1