



**LAND NORTH AND SOUTH  
OF GOLDSWORTH ROAD,  
WOKING GU21 6JT**

**DAYLIGHT & SUNLIGHT  
PROOF OF EVIDENCE**

**SUMMARY**

**Gordon Ingram**

Goldsworth Road Development LLP

**2 November 2021**

Planning Appeal Reference:  
Planning Application Reference:

**APP/A3655/W/21/3276474  
PLAN/2020/0568**



PROJECT DATA:

Client **Goldsworth Road Development LLP**  
Architect **JTP Architects**  
Project Title **Land North and South of Goldsworth Road, Woking GU21 6JT**  
Project Number **15563**

REPORT DATA:

Report Title **Daylight & Sunlight Proof of Evidence: Summary**  
Dated **2 November 2021**  
Prepared by **Gordon Ingram**

## Gordon Ingram MRICS

This document has been prepared by Gordon Ingram as evidence for the Public Inquiry at Land North and South of Goldsworth Road, Woking GU21 6JT.

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# 1 SUMMARY PROOF OF EVIDENCE

## INTRODUCTION

- 1.1 My name is Gordon Robert Ingram. I am a member of the Royal Institution of Chartered Surveyors. I am the founding Partner of GIA (Gordon Ingram Associates), a company that specialises in Daylight and Sunlight matters. GIA is based at The Whitehouse, Belvedere Road, London SE1 8GA. The Practice has dealt with thousands of projects over the last two decades.
- 1.2 I specialise in dealing with Daylight and Sunlight (both internal and external), Overshadowing, Solar Glare, and Light Pollution. I have given numerous seminars and presentations on these subjects, as well as appearing as an Expert Witness at several Public Inquiries and Hearings.
- 1.3 I have personally advised many developers and institutions on these disciplines, in relation to major schemes and masterplans, since I started practising in 1985.
- 1.4 In early 2020, GIA were instructed by Goldsworth Road Development LLP (“the Appellant”) to provide daylight, sunlight and overshadowing advice in relation to the emerging proposals for the redevelopment of land north and south of Goldsworth Road, Woking (“the Site”).
- 1.5 GIA was engaged during the design development and continued its role to support the planning application (WBC Ref: PLAN/2020/0568) for the redevelopment of the Site (“the Proposed Development”). I am therefore familiar with the application proposals, the application site and surrounding area.
- 1.6 The planning application was considered by the Council’s Planning Committee on 12th January 2021 with the Case Officer recommending approval (CD-6.1.1 and 6.1.2). Members resolved to reject the Officer’s recommendation and to refuse planning permission.
- 1.7 The Decision Notice (CD-6.1.4) references the following reason for refusal (that relates to my discipline):

*The proposed development would result in significantly harmful impacts by reason of loss of daylight, loss of sunlight and loss of privacy to neighbouring properties. The proposed development is therefore contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ (2008) and the NPPF (2019).*
- 1.8 This reason for refusal refers to the perceived loss of daylight and sunlight to residential buildings which gives rise to significant harm. My Proof addresses this and demonstrates with technical evidence that while a loss of daylight and sunlight occurs (an inevitable consequence of developing a site allocated for development in an urban context), the Proposed Development would not give rise to a “significant harmful impact in terms of loss of...daylight and sunlight to neighbouring properties”.
- 1.9 It is noted that impact by reason of overshadowing is not disputed between the Council and the Appellant.
- 1.10 The Council issued their Statement of Case (CD-10.1.2) to the Planning Inspectorate and Appellant on 5th August 2021. At paragraph 6.5, the Council lists the properties which it considers to be “detrimentally” impacted by the Proposed Development.

With a view to further narrowing the areas of dispute, the Council has indicated whether the impacts are to either daylight or sunlight or both.

- 1.11 To streamline the evidence and assist the inquiry on daylight and sunlight matters, I will focus on the specific issue taken by the Council on each property albeit the technical results for daylight and sunlight for all properties are enclosed within Appendices 04-07.

## ASSESSMENT

- 1.12 In line with the decision of the High Court in *Rainbird R (on the application of) v The Council of the London Borough of Tower Hamlets* [2018] EWHC 657 (Admin) (CD-15.1.2) I have assessed the impacts on those properties identified by the Council within its Statement of Case in the following two stages:

### Stage 1 – Is there a strict compliance with the BRE Guidelines?

- 1.13 Within this stage of the assessment I apply the national numerical assessments for daylight and sunlight as outlined in the BRE Guidelines (CD-0.1.4).

### Stage 2 – Is there a “significant harmful impact” in terms of loss of daylight and /or sunlight to the property?

- 1.14 When applying the Stage 1 approach I note that the BRE Guidelines, when updated in 2011, expressly recognise that it should not form a mandatory set of criteria, rather it should be used to help inform design.
- 1.15 Where any properties, windows and rooms do not meet the recommendations of the BRE Guidelines, I examine within my proof the wider material considerations (listed in full at paragraph 6.23 of my proof) to determine whether the Proposed Development gives rise to a “significant harmful impact” to daylight and/or sunlight amenity by reference to Policy CS21 of the Woking Core Strategy (2012) (CD-1.1.1).
- 1.16 In considering whether any specific impact is significantly harmful I consider, among other things:
- A **the relevant Development Plan policies;**
- 1.17 At Section 4 of my proof I note that when one considers the adopted Development Plan it is clear that Woking and in particular its town centre is identified as a place for transformational change where both tall buildings (Policy CS2 of the Core Strategy) and high density development (Policy CS1 and CS2 of the Core Strategy) are envisaged.
- B **the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG);**
- 1.18 At Section 5 of my proof I note that both the NPPF and NPPG state that a flexible approach should be taken when considering policies and guidance relating to daylight and sunlight and the question for local planning authorities to ask is whether the impact is “unreasonable”.
- 1.19 To establish what is “unreasonable” the NPPG recognised that this will “depend to some degree on context”.

**c the contextual analyses;**

- 1.20 In light of the guidance within the NPPF and NPPG, within Section 5 of my proof I examine:
- 1 The daylight and sunlight values which exist in nearby properties in Woking unaffected by the Proposed Development;
  - 2 The retained daylight and sunlight values at Victoria House in the context of the previously approved Victoria Square development; and
  - 3 The daylight and sunlight values considered acceptable in Reading, being another town experiencing town centre redevelopment.
- 1.21 As set out fully within Section 5 of my proof, the prevailing VSC levels as a result of the Proposed Development are aligned with those already found within Woking Town Centre and those within Reading and as such, are commensurate with the expected levels of daylight for a development of this nature in a town centre.
- 1.22 As such, when the daylight and sunlight values in the above contexts are examined it becomes clear that in town centre locations which are earmarked for new development and where change is anticipated, there will be a range of VSC values which reflect the urban environment. Put simply, designing to achieve a universal retained level of 27% is unachievable in the context of the spatial characteristics of a town centre.
- 1.23 In addition to the above, I also examine the daylight and sunlight impacts associated with the Proposed Development in the context of those previously found acceptable in relation to the Resolution To Grant scheme. The impacts accepted by the Council in respect of that scheme, in tandem with the policy allocation for the Site, confirm the Council's expectation for high density development on the Site and the consequences on daylight and sunlight amenity to neighbouring properties as a result.

**Conclusion**

- 1.24 As set out fully within my proof, following the 2 stage assessment outlined above, it is my opinion, based on the location and setting of the Site that the Proposed Development is appropriate in its context. In my opinion, the retained daylight and sunlight values, on implementation of the Proposed Development, do not give rise to *"significant harmful impact...in terms of loss of daylight or sunlight"* in line with Policy CS21 (Design) of the Woking Core Strategy (2012) (CD-1.1.1).
- 1.25 The relationship between the Proposed Development and neighbouring properties is wholly suitable and reflects the immediate and wider context of the Site.
- 1.26 I therefore conclude that the Proposed Development should not be refused on the grounds of daylight and sunlight.

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