



DAYLIGHT AND SUNLIGHT

IMPACT ON NEIGHBOURING
PROPERTIES REPORT

Courtyard by Marriott Hotel, Oxford

Dominus Oxford Hotel Limited

13 December 2023

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Architect **Axiom Architect**
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1 EXECUTIVE SUMMARY

GIA have assessed the Axiom Architect scheme (“Proposed Development”) for the Courtyard by Marriott Hotel extension in order to understand the potential changes in light to the relevant sensitive receptors.

- 1.1 GIA have undertaken a detailed technical assessment of the Proposed Development at the Courtyard by Marriott Hotel Site in Oxford City Centre.
- 1.2 The technical analysis that forms the basis of this report has been considered by reference to the criteria and methodology within the Building Research Establishment handbook (BR209, 2022) which when published, recognised that it is advisory and the numerical target values within it may be varied to meet the needs of the development and its location.
- 1.3 The Site was granted planning permission by Oxford City Council in July 2017 for the “*Demolition of existing building and construction of new hotel building (use class C1), with associated vehicle and cycle parking, landscaping, plant and engineering works*” (planning reference: 16/02989/FUL). The hotel construction has since been completed. The current Proposed Development seeks to extend the Courtyard by Marriott Hotel to provide additional hotel accommodation.
- 1.4 Our detailed analysis considers 223 windows and 83 rooms across seven neighbouring properties, which have been selected due to their planning use, proximity and orientation towards the Development Site.
- 1.5 When assessed against the daylight methodologies, Vertical Sky Component (“VSC”) and No Sky Line (“NSL”), all windows and rooms will meet BRE criteria.
- 1.6 GIA considers there to be 87 windows across six properties that face within 90° due south of the development site relevant for sunlight assessment. When assessed against Annual Probable Sunlight Hours (“APSH”) methodology, all windows will demonstrate BRE compliance.
- 1.7 The Proposed Development will therefore remain entirely compliance with the BRE Guidelines.

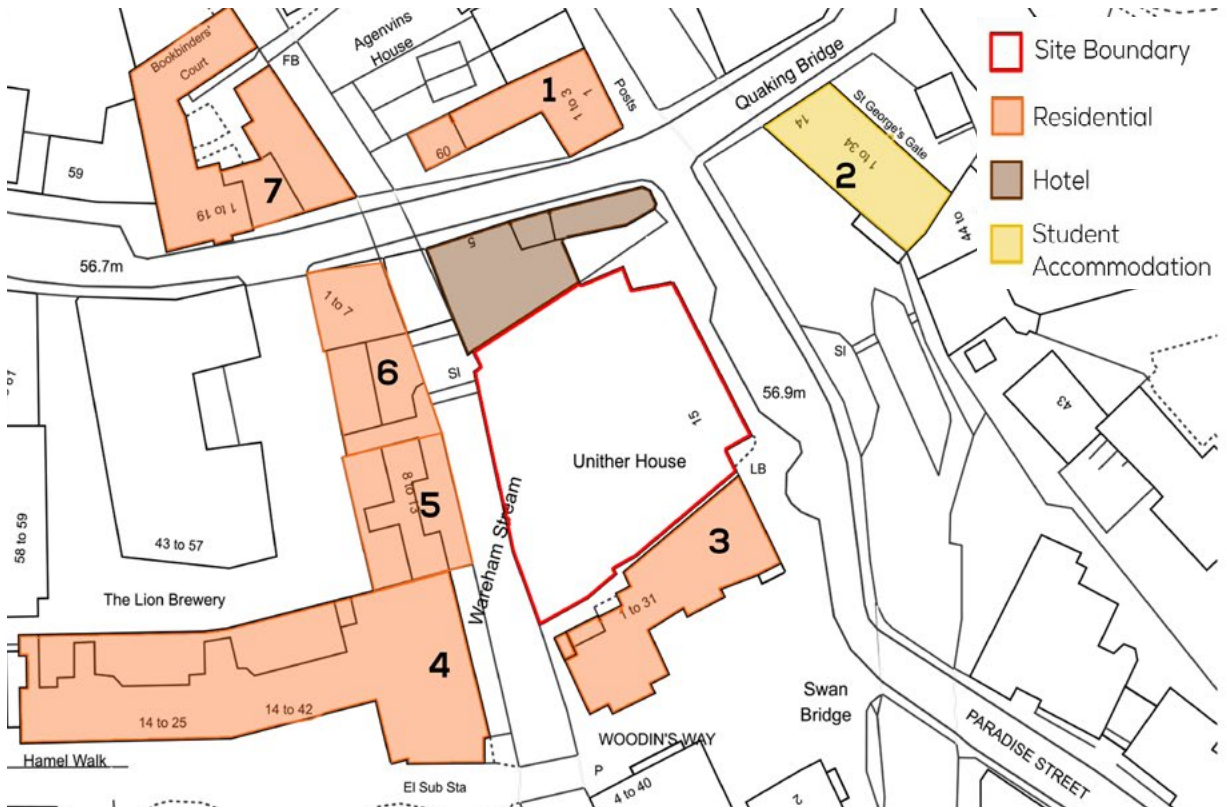


Figure 01: Sensitive receptors map

2 THE SITE

GIA have been instructed to review and advise on the daylight and sunlight impacts associated with the implementation of the Proposed Development at the Courtyard by Marriott Hotel Site in Oxford City Centre.

THE SITE

- 2.1 The Site is located on the western alignment of Paradise Street and to the south of St Thomas Street.
- 2.2 The Courtyard by Marriott Hotel is a modern 4-star hotel in Oxford City Centre which was constructed between 2018 and 2019 in accordance with the planning permission granted in July 2017 (LPA Ref: 16/02689/FUL and subsequently 19/00228/FUL). The hotel currently has 149 rooms in a five storey plus set back sixth storey brick building fronting Paradise Street.
- 2.3 The Courtyard by Marriott Hotel is illustrated in Figure 02 below. Further drawings are enclosed at Appendix 03 of this report.



Figure 02: Existing Courtyard by Marriott Hotel in brown

PROPOSED DEVELOPMENT

- 2.4 The Proposed Development seeks for the Erection of a rooftop extension to create 9 additional bedrooms.
- 2.5 GIA's understanding of the Proposed Development is illustrated in Figure O3 and further drawings are enclosed at Appendix O3.

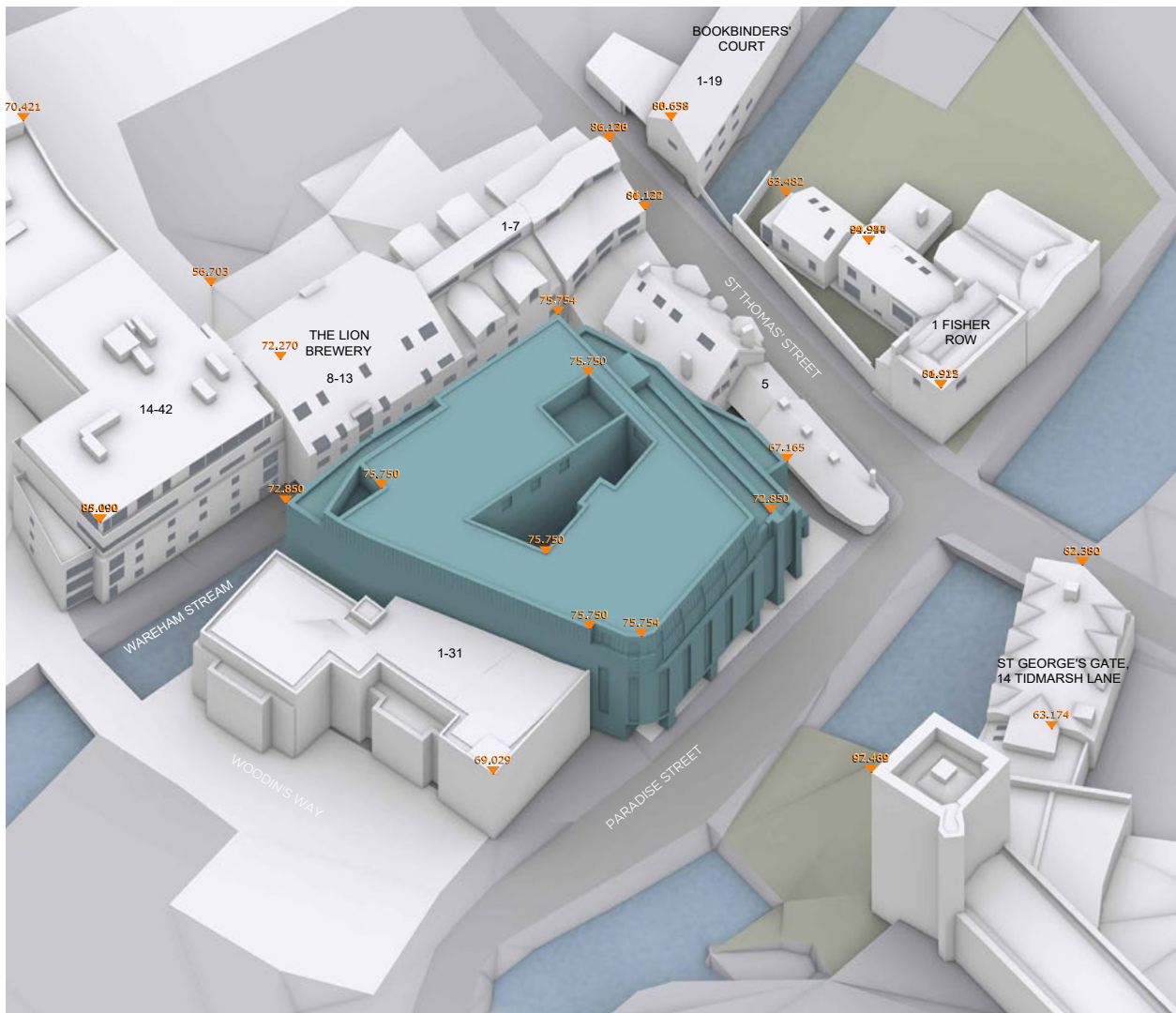


Figure O3: Existing Courtyard by Marriott Hotel with new rooftop extensions shown in teal

3 POLICY & THE WIDER CONTEXT

3.1 Below we have detailed sections from the following documents as they are, in our opinion, the most pertinent in relation to daylight and sunlight matters and how we have approached the effects of the Proposed Development on the relevant neighbouring properties:

- National Planning Policy Framework (September 2023);
- National Planning Practice Guidance (September 2023);
- Oxford Local Plan 2036 (June 2020).

3.2 The key headlines from each of the documents can be summarised as follows:

- 1 While the commentary on daylight and sunlight refers to applications for housing, the NPPF highlights the Government's recognition that increased flexibility is required on daylight and sunlight in response to the requirement for higher density development. by stating that *"Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)"*¹ (GIA's emphasis).
- 2 The PPG outlines that all developments should *"maintain acceptable living standards"* and that assessing appropriate daylight and sunlight amenity *"will depend to some degree on context"*².
- 3 At a local level, Policy H14 (Privacy, daylight and sunlight) of the Oxford Local Plan 2036 states that planning permission will be granted for new development that provides *"reasonable"* daylight and sunlight for occupants of existing homes.
- 4 Policy RE7 (Managing the impact of development) of the Oxford Local Plan 2036 states that *"planning permission will only be granted for development that ensures that*

the amenity of communities, occupiers and neighbours is protected". Daylight, sunlight and overshadowing are included in the amenity factors which will be considered.

1 MHCLG. (2019). National Planning Policy Framework (2021), p 37, para 125(c)

2 MHCLG. (2021). National Planning Policy Guidance (2021), para 66-007-20190722

4 BRE GUIDELINES & CONTEXT METHODOLOGY

The Building Research Establishment (BRE) have set out in their handbook '*Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (BR209, 2022)*', guidelines and methodology for the measurement and assessment of daylight and sunlight.

BUILDING RESEARCH ESTABLISHMENT GUIDELINES (BR209, 2022)

- 4.1 The BRE Guidelines note that the document is intended to be used in conjunction with the interior daylight recommendations found within the British Standard BS EN 17037 Daylighting in Buildings and the Chartered Institution of Building Services Engineers (CIBSE) LG 10 Daylighting – a guide for designers.
- 4.2 The BRE handbook "*is intended for use in rooms in adjoining dwellings where daylight is required, including living rooms, kitchens, and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas, and garages need not be analysed. The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops, and some offices.*"
- 4.3 The BRE Guidelines provides two methodologies for daylight assessment of neighbouring properties, namely;
 - 1 The Vertical Sky Component (VSC); and
 - 2 The No Sky Line (NSL).
- 4.4 To avoid significant effects to daylight (in accordance with Figure 20 of the BRE Guidelines), both the VSC and NSL tests have to be met.
- 4.5 There is one methodology provided by the BRE Guidelines for sunlight assessment, denoted as Annual Probable Sunlight Hours (APSH).
- 4.6 It is an inevitable consequence of the built-up urban environment that daylight and sunlight will be more limited in dense urban areas. It is well acknowledged that in such situations there may be many planning and urban design matters to consider other than daylight and sunlight.
- 4.7 The BRE Guidelines provide alternative assessments to better understand the impact on a neighbouring property in such situations. The relevant assessments for the purpose of this report are detailed within the BRE handbook and summarised in Appendix 01 which elaborates on the mechanics of each of the above assessment criteria, explains the appropriateness of their use and the parameters of each specific recommendation.
- 4.8 Finally, paragraph 4.5.10 notes that "*numerical values given are purely advisory. Different criteria may be used based on the requirements for solar energy in an area viewed against other site layout constraints. Another important issue is whether the existing solar panels are reasonably sited, at a sensible height and distance from the boundary. A greater loss of solar radiation may be inevitable if panels are mounted close to the ground and near to the site boundary.*"
- 4.9 Appendix 02 of this report elaborates on the mechanics of each of the above assessment criteria, explains the appropriateness of their use and the parameters of each specific recommendation.

5 DAYLIGHT & SUNLIGHT IMPACTS TO NEIGHBOURING PROPERTIES

This section details the daylight and sunlight impacts in relation to the relevant properties neighbouring the Site.

5.1 A three-dimensional computer model of the Site and surrounding properties was produced based on photogrammetric survey techniques. Where available we have included floor plans of the relevant properties and this context model has been used to carry out the technical assessments. All relevant assumptions made in producing this model can be found in Appendix 01.

RELEVANT SENSITIVE RECEPTORS

5.2 GIA have identified the following properties as relevant for daylight and sunlight assessment:

- 1 1 Fisher Row
- 2 St George's Gate, 14 Tidmarsh Lane
- 3 1-31 Woodin's Way
- 4 14-42 The Lion Brewery
- 5 8-13 The Lion Brewery
- 6 1-7 The Lion Brewery
- 7 Bookbinders Court

5.3 It should be noted that 5 St Thomas Street located immediately north of the site (highlighted brown in Figure 04) gained planning permission in March 2019 for the "*Change of use of part of dwelling house (Use Class C3) to a provide hotel guest suite accommodation (Use Class C1), creation of a dwelling to be used by staff (use Class C3). Erection of a single storey link extension and private amenity space*" (planning reference: 19/00228/FUL). We understand that the planning application has now been implemented and forms part of the Courtyard by Marriott Hotel, therefore, we have excluded from our assessments.

5.4 All of the relevant properties assessed adhere to the numerical values set out within the BRE Guidelines. All results can be found in Appendix 04.

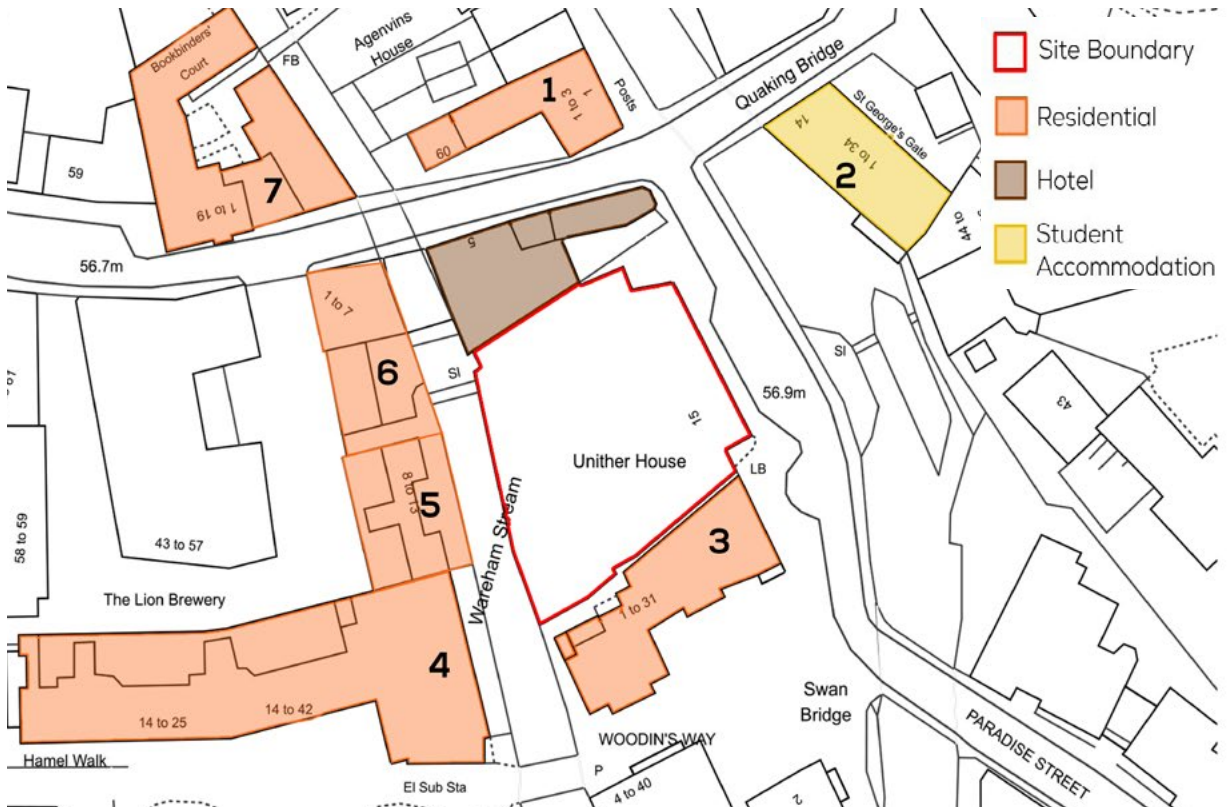


Figure 04: Sensitive receptors map

6 CONCLUSIONS

GIA have undertaken a daylight and sunlight assessment in relation to the Proposed Development at the Courtyard by Marriott Hotel Site in Oxford City Centre. The technical analysis has been undertaken in accordance with the BRE Guidelines.

- 6.1 GIA have completed a comprehensive technical analysis of the daylight and sunlight for the Proposed Development at the Courtyard by Marriott Hotel Site.
- 6.2 Our detailed analysis considers 223 windows and 83 rooms across seven individual properties which have been selected due to their planning use, proximity and orientation towards the Development Site. All seven properties will fully adhere with the daylight (VSC and NSL) and sunlight (APSH) assessments set out within the BRE Guidelines.
- 6.3 The Proposed Development will remain entirely compliant against the methodologies provided by the BRE Guidelines.

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