

34.3.56 The policy applies to all basement proposals: extensions, and new developments, across all land uses. 'Basement' means one or more floor levels substantially below the prevailing level of the back gardens. Lower ground floors are not regarded as basements in this context. A basement will not be allowed where a property already has an existing basement.

34.3.73 Basement construction can cause nuisance and disturbance for neighbours and others in the vicinity, through construction traffic and the noise, dust and vibration of construction itself. The applicant must demonstrate that these impacts are kept to acceptable levels, taking the cumulative impacts of other development proposals into account. The building compound and the skip location should be accommodated on site or in the highway immediately outside the application site.

Q56. If CTMP is a condition of planning permission, how can the Council disregard number of developments being implemented at the same time. Part k is key for residents. A condition should be put in general terms, quantify the level of noise. Why is the Council unwilling to put a limit on the noise, vibration etc.?

A. Planning permission by law cannot require people to implement permissions at certain times or dates. We have attempted to build in a mechanism that consent takes cumulative development into account. This may be explained in the SPD/procedural note. Levels of disturbance are set out in the SPD. The Council is also now requiring a

Demolition and Construction Management Plan to be vetted by Environmental Health prior to submitting the planning application. This will allow residents to comment on these issues as part of the planning application process.

CWT Consultation input

We note the progress in developing the stage 2 Basement SPG and that this concentrates on the guidance to be applied to planning matters.

A major element of public concern is the weak control over the manner in which such developments are carried out and the related nuisance and disturbance for neighbours and others in the vicinity as well as potential collateral damage.

To an extent the CTMP seeks to address these matters. We believe this would be much enhanced by two additional measures:

1. Introducing a requirement as part of the CTMP that the applicant agree with the Council a fair period in which the development is to be completed and hence limit the period of disruption and nuisance likely to arise.

2. To require the applicant to place in escrow a substantial prior deposit of 10% of the project value which may be subject to be drawn against as follows:

To compensate adjoining neighbours for damage resulting directly from the development

As a surety to provide for penalty payments that the Council should be able to demand on a monthly basis if the applicant/developer exceeds the agreed period of active development construction work that would be required as a condition of agreeing the CTMP