

The Executive Director of Planning and Borough Development
FAO The Policy Team
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London
W8 7NX

17 June 2014

Reference: 236101

Dear Sir or Madam

RBKC Partial Review of the Core Strategy – Basements submission planning policy

We write further to the submission of the Basement planning policy to the Secretary of State, and in advance of the examination in public. We do so seeking clarification of interpretation in respect of undeveloped sites that are devoid of built development.

We acknowledge that RBKC intends for the basement policy to apply to all new basement development, as set out in paragraph 34.3.46 of the proposed Basements submission planning policy. Further, paragraphs 34.3.51 and 34.3.52 go on to impose restrictions on the size of basements deemed appropriate, stating that basement excavation should be “no more than under half of the garden or open part of the site (34.3.51).” The ‘garden’ or ‘open part of the site’ is defined as the private open area to the front, rear or side of the property’ (34.3.52). This guidance, its purpose and intent, is unambiguous where the site is occupied by a dwelling or other structure and has clearly defined garden or open areas. However, where no building exists, and the site is open and free from any form of development, the policy intent is less clear.

Treating each open site on individual merit, and considering any proposed development against recognised constraints and the potential for impact on adjoining development and land uses, the scale, form and mass of any development deemed appropriate will vary inevitably from location to location. Similarly the amount of basement, or subterranean development deemed appropriate at the location will also vary. Therefore, is it the intent of the policy to apply these policy restrictions only to developed sites, where external amenity space may be limited, or to also introduce a similar ratio between the amount of above ground development that may be proposed and that, which is subterranean, on undeveloped, open sites?

Terence O'Rourke

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We suggest that there may well be situations where an appropriate development solution might involve a larger subterranean element than that above ground, due to site characteristics and constraints, and a resultant benefit to the local community. In such circumstance would the policy allow for appropriate exceptions to be made to the ratio?

Overall we believe the intent of the policy is to impose appropriate controls over new basement development on existing developed sites. Consequently we question if there is a need to apply a similar constraint on undeveloped sites, where the overall development concept and its impact must be taken into account comprehensively.

Your clarification on this point will be very much appreciated and we suggest that it might be appropriate also for this matter to be brought before the Inspector for his consideration during the Examination process into the proposed policy change.

Yours sincerely

A handwritten signature in black ink, appearing to be 'H. Morris', written in a cursive style.

Haydn Morris
Director