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Bundle to Examination - Original Document Reference Document
55 - Barrell tree Consultancy

**Representations relating to the RBKC proposal to partially review
the Core Strategy Policy CL7 on Basements**

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Date: 25 March 2014
Barrell Tree Consultancy Ref: 13134-Report-250314-JB.docx

Summary

In August 2013, on behalf of Cranbrook Basements, I made representations relating to the tree aspects of the proposed planning policy changes to Core Policy CL7, published for comment by RBKC in July 2013. The consultation documents consisted of the Alan Baxter *Residential Basement Study Report* and the RBKC *Basements Publication Planning Policy*. I concluded that RBKC's approach to the tree matters was seriously flawed in that it relied on the Alan Baxter Report to provide professional tree advice, which was provided without any identified tree credentials to do so. This failure to disclose such an obvious limitation was grossly misleading, creating the impression that the tree analysis should be given the same weight as the engineering analysis, when the reality was that it deserved nothing like that status.

More specifically, I identified three main areas where the lay analysis of the tree issues was flawed because there was no credible evidential support for:

1. changing the maximum basement area coverage of gardens from the current limit of 85% down to 50%;
2. the RBKC position that a depth of soil of 1m above basements will not sustain substantial mature trees; and
3. the RBKC position that excavating beneath existing trees is not acceptable

In response to those representations, RBKC has now published two further documents, along with other supporting investigations, that are the subject of the further representations in this Report. This consultation exercise was to seek representations on the soundness of the current proposals.

My analysis identified that there was little substantive change from the previous documents. Indeed, there still remain multiple reasons why the approach and the conclusions presented by RBKC on the matter of basements near trees is unsound. RBKC has not provided any compelling evidence or credible reasoning to justify its position that a new upper limit of basement coverage of 50% of the garden area is now necessary, compared to the existing 85% rule; or that that such an approach with a 1m depth of soil above will not sustain substantial mature trees; or that excavating beneath existing trees is not acceptable.

In the absence of such evidence and explanations, my opinion is that the proposed policy revision is not sound and needs reworking to accurately and reliably reflect the current state of knowledge on these matters.