

## **Council's Response to Cranbrook Basements' Documents 37, 39 and 48 on Visual Evidence, RBKC, April 2014**

1. Documents 37, 39 and 48 submitted by Cranbrook Basements comments on the Council's document Basements Visual Evidence produced in July 2013. This document has been superseded by Council's document Basements Visual Evidence and Basements Visual Evidence – External Manifestations produced in February 2014. The February 2014 Basements Visual Evidence includes a greater number of basements granted permission over a longer period of time.
2. The main points made by Cranbrook basements on the Council's document Basements Visual Evidence, July 2013 are summarised below –
  - Development is incomplete - the image is not a reasonable reflection of the landscaped scheme in its final condition
  - This Scheme was Granted Planning Consent under discontinued Basement Planning Policy CD32 - That Policy did not require 1m of Soil to be maintained above the garden basement nor did it limit the size of the basement to 85% of the garden.
  - Photographs are taken several years apart and the garden changes may well be attributable to other works in the interim and not relate to the basement.
  - Application relates to works greater than just a basement.
3. **The February 2014 Basements Visual Evidence documents produced by the Council** addressed these points at para report have been addressed in paras 1.7 – 1.9 and 1.11 – 1.12. These are reproduced below for ease of reference –
4. Excerpt from Basements Visual Evidence, RBKC, February 2014 (text in bold is to emphasise the direct responses to the points made in Cranbrook Basements submission)

*"1.7 The trend for basement development is relatively recent with only 46 applications in 2000 compared to just over 300 in 2012 and about 450 in 2013. The aerial photographs present sites with a permission for a basement granted since 2000. The existing policy on basements was adopted in the Core Strategy in 2010 although guidance was provided in the 2009 Supplementary Planning Document. **The previous Policy CD32 in the Unitary Development Plan did require 'adequate soil cover'. Whilst there was no formal requirement for the provision of 1m of top soil prior to 2009, the general policy was to require 1m of soil as adequate soil cover in accordance with the UDP. This is also evident from planning decisions made prior to 2009.***

**1.8 Prior to 2009 there was also no maximum limit (85%) on the extent of basements into the garden. However, not all basement proposals extended into the entire garden prior to 2009 and where they did the visual impacts are unlikely to be very different from the 85% maximum limits. It is clear from the aerial photographs that even where basements are restricted to 85% of the garden, entire gardens are excavated. Therefore sites where basements were granted permission under the UDP policies are still considered relevant. The range of aerial photographs presented demonstrate similar visual impacts of permission granted under the UDP and those granted under the more recent SPD and Core Strategy policies.**

**1.9 Further as previously mentioned basements are a relatively recent trend, with the existing policies in place since 2009. Therefore it is inevitable that permissions granted in recent years will be under construction.**

### **Conclusion**

**1.11 Some sites in the aerial photographs are under construction. It is acknowledged that the appearance of these sites would improve once the landscaping is in place. However these are considered relevant as they demonstrate the scale of excavation into the gardens and replacement of soil with impermeable materials. These images also show that in reality, the visual impact of the 85% limit, translates to (in many cases) the appearance that the entire garden has been excavated. This is because the majority of the garden has been excavated with only a 15% area, usually an inconspicuous strip along the side or bottom of the garden retained. Deep excavations in entire gardens can also break the continuity of back gardens supporting a range of biodiversity.**

**1.12 It is acknowledged that garden designs can be changed as a result of above ground extensions or just because the owner wishes to change the design of the garden as this may not fall within the definition of development. However, this does not seem to be a wide spread trend. In addition a superficial change such as placing hard paving on soil is an easily reversible process with flexibility for large scale planting if so required in the future, but basements are fairly irreversible as can be seen in the images of sites under construction.”**

5. Where applications relate to works greater than a basement, the time series photos show the extent of basements in construction phase in many cases. This makes the impact of the basement work itself on the garden evident.

6. In a few cases Cranbrook Basements point out that there is no basement under the garden of the property shown. Council's records show otherwise. The Council's Basements Visual Evidence, Feb 2014 document has looked at a large number of sites and the evidence is compelling in a large majority of the cases in showing the general change in garden character linked to basement development.