

Proposed Modifications to CL7

Reflecting our comments on across various matters across the EIP sessions, we have put forward an alternative CL7, which, we consider, offers an appropriate level of **guidance**; encouraging sustainable development whilst ensuring that potential impacts are adequately addressed.

Our proposed modifications to CL7 as set out in BAS 01 are as follows.

Policy CL7 Basements

The Council supports basements as a sustainable form of development within an already constrained urban setting. The Council will ~~require~~ expect all basements to be designed, constructed and completed in a sustainable manner to the highest standard and quality.

To achieve this, basement development ~~should~~ will be guided by the following criteria:

- a. ~~not exceed a maximum of 50% of each garden or open part of the site. The unaffected garden must be in a single area and where relevant should form a continuous area with other neighbouring gardens. Exceptions may be made on large sites;~~ demonstrate that any development beneath a garden will not adversely affect the character of the open garden space or the setting of the property and that the ecological and landscape value of any existing open spaces will be maintained or enhanced
- b. to achieve this, the council will require evidence that an adequate coverage and depth of soil or alternative plant bedding is provided to support new or replacement landscaping
- c. in assessing basements beneath rear gardens or courtyards or other open spaces, the Council will have regard to existing conditions when assessing net impacts, but will where appropriate, encourage net benefits where existing open areas are hard surfaced or unplanted
- b. ~~not comprise more than one storey. Exceptions may be made on large sites;~~
- c. ~~not add further basement floors where there is an extant or implemented planning permission for a basement or one built through the exercise of permitted development rights;~~

- d. not cause loss, damage or long term threat to trees of townscape or amenity value;
- e. not cause harm to the significance of heritage assets;
- f. ~~not involve excavation underneath a listed building (including pavement vaults);~~ where basement works are proposed under, within the curtilage of, or adjoining listed buildings, they shall be supported by an assessment of the significance of the existing listed building and will be required to demonstrate that they will not result in any harm to special architectural and historic interest
- g. proposals for works that may affect a listed building will be required to provide evidence that the structural integrity of the property has been assessed and will not be harmed.
- ~~g. demonstrate there is no harm to the special architectural and historic interest of the listed building when proposed in the garden;~~
- h. not introduce light wells and railings to the front or side of the property unless they are already an established and positive feature of the local streetscape, or where they can be demonstrated to be of a sympathetic and high quality design
- i. within conservation areas, maintain ~~and~~ or take opportunities to improve the character or appearance of the building, garden or wider area, with external elements such as light wells, roof lights, plant and means of escape being sensitively designed and discreetly sited;
- j. include a sustainable urban drainage scheme (SUDs), including a minimum of one metre of permeable soil above any part of the basement beneath a garden. Where the character of the gardens in the locality is small paved courtyards SUDs may be provided in other ways;
- k. ensure that any new building which includes a basement, and any existing dwelling or commercial property related to a new basement, is adapted to a high level of performance in respect of energy, waste and water to be verified at pre-assessment stage and after construction has been completed;
- l. ~~ensure~~ demonstrate through a construction traffic management plan that at the implementation stage, the applicant will endeavour to ensure so far as is reasonably practicable and within their control, that traffic and construction activity ~~does~~ will not harm pedestrian, cycle, vehicular and road safety, affect bus or other transport operations (e.g. cycle hire), significantly increase traffic congestion, nor place unreasonable inconvenience on the day to day life of those living, working and visiting nearby; **NOTE – WE CONSIDER THAT THIS SHOULD BE REPLACED WITHIN THE RJ AS IT IS CURRENTLY NOT PRECISE AND RELIES UPON SEPARATE LEGISLATION**
- m. to demonstrate that the applicant will take measures to ensure that construction impacts such as noise, vibration and dust are kept to acceptable levels for the duration of the works; **NOTE – WE CONSIDER THAT THIS SHOULD BE REPLACED WITHIN THE RJ AS IT IS CURRENTLY NOT PRECISE AND RELIES UPON SEPARATE LEGISLATION**
- n. be accompanied by a statement which demonstrates that the scheme is

designed and capable of being constructed in a manner that will safeguard the structural stability of the application building, nearby buildings and other infrastructure including adjoining highways and footpaths, London Underground tunnels and the highway;

- o. be protected from sewer flooding through the installation of a suitable pumped device.

A specific policy requirement for basements is also contained in Policy CE2, Flooding.