

## **The Onslow Neighborhood Association sets out its comments on the “soundness” of the RBKC Basement Publication Planning Policy-dated July 2013**

### **Preamble:**

In dealing with the soundness of the arguments discussed under:

A. **Basements** (Reasoned Justification); and formulated under

**B. Policy CL7**

**We will show that some of the arguments in Reasoned Justification (RJ) are not sound and that the consequent policy is either wrong or not effective, and therefore not positively prepared or justified.**

**1a. Definition of a basement:** The RBKC under (RJ) 34.3.46 sensibly attempts a definition of “Basement”- but this definition is not sound, it takes no account of those properties (e.g.mews properties) which have no garden in the immediate area. And the introduction of the ‘Garden’ leads the Council to various conclusions which are not justified. A basement is not associated with a garden - it associated with a storey that is completely below the prevailing ground/street level within the immediate area and within existing footprint of the building. There are many houses throughout the UK, but particularly within London which already have basements built by the original developers, and all those basements are below the ground street level and within the existing footprint of the building.

**This unsound definition immediately produces paragraph a. in Policy CL7 stating that a Basement development should “not exceed a maximum 50% of each garden.....”**

**1b. Proportion of garden to be covered by basement:** In the (RJ) there are references to the importance of gardens in London - which we support - however the **conclusion** of the RBKC is to allow a maximum of 50% of each garden to be dug under for the formation of an extended Basement- and because this extension is underground without natural light or ventilation -it produces a need for “external visible elements” as in Policy CL7h. This unsound definition has resulted in external visible elements (including plant i.e. Air Conditioning Units) which would not be needed if the basement kept within the footprint of the building.

**1c.** Even if a Basement development was allowed as an extension into the garden/patio area, 50% is an unsound figure. There is no attempt by RBKC to justify 50%, just a figure seemingly taken at random. And bearing in mind their own concern for Gardens in the Borough, and without reference to their neighbouring Borough of Hammersmith and Fulham who have completely rejected Basement development beyond the footprint of the building, they promote a 50% garden development.

**We say that “ 50% of each garden” is unsound and Policy CL7a. should be amended to read “not go beyond the footprint of the existing building. Exceptions may be made on large comprehensively planned new sites.”**

**2a. Excavation under existing basements:** The RBKC under (RJ) 34.3.59 argues that further excavation beneath existing basements “will result in deep excavations which have greater structural risks. Basements will therefore be restricted to single, one-off schemes,

and once a basement is built a further basement underneath .....will not be acceptable at the same site". **This statement is unclear when considering those houses which have 'Lower Ground Floors' or semi basements. Thus this statement is unsound, not being clear and not being included in The Policy CL7.**

2b. As this statement is important and is justified in preventing extra basements being developed, **Policy CL7c. should be amended as follows:**  
**"not be built under an existing basement, semi basement or Lower Ground Floor"**

#### **Height of a Storey:**

3a. The RBKC under (RJ)34.3.56 argue that "deeper basements have greater structural risks and complexities" and whilst we support this argument, **their conclusion in 34.3.57 that 'A single storey.....is generally about 3 to 4 metres floor to ceiling height' is unsound.**

If the aim of RBKC's basement development policy is to prevent "greater structural risks", and that by "restricting the size of basements will help protect residential living conditions in the Borough....." (RJ) 34.3.52 **Then, assuming that a storey is 3 to 4 metres floor to ceiling above ground - that is no reason to use the same criteria below ground.**

3b. **Thus we argue that Policy CL7b. should be amended to read "not comprise more than one storey which does not exceed 3 meters from floor to ceiling. Exceptions may be made on large comprehensively planned sites".**

#### **Traffic nuisance caused by basement projects:**

4a The **Policy CL7k.** does not reflect the justifiable annoyance and inconvenience caused by the loss of parking space during such long periods of construction. But by changing line 3 after "... (e.g. cycle hire)" to now read "significantly increase the pressure on parking, traffic congestion, nor.....". It minimize the impact of developments and offers some protection for the neighbours.

#### **Environmental nuisance caused by basement projects:**

5a. The RBKC under RJ 34.3.50 sets out various impacts on the quality of neighbours' life, but their **Policy CL7l.** does not address the issues of construction traffic, machinery, noise and dust. This paragraph should include time limits for pumping concrete, breaking existing stone or concrete, vibrating or hammering piles.

6a. **Policy CL7m.** This paragraph should be amended:- deleting the first 3 words - so that it now starts: **"minimise damage....."**

#### **Conclusion:**

Despite these remarks on the unsoundness of this document, there are some sections which we support (listed below) and thank RBKC for the effort they are making to get something in place which will protect the long suffering neighbours of basement development in the Borough.

**The policies that we support in CL7 are:**

- d.
- e.
- g.
- i.
- j.
- n.

Our Association strongly supports the Council proposal to limit the scale of basements, in terms of site coverage and depth and having no basements under or in the garden of listed buildings.

Eva Skinner  
Hon Sec Onslow Neighbourhood Association

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