

## Schedule of Suggested Main Modifications to Basements Submission Planning Policy (BAS 01)

### Reasoned Justification

Paragraph No.	Submission (BAS 01) wording	New Wording	Reason
34.3.47	Whilst roof extensions and rear extensions add visibly to the amount of built development, basements can be built with much less long term visual impact – provided appropriate rules are followed. This policy sets out these rules.	Whilst roof extensions and rear extensions add visibly to the amount of built development, basements can be built with much less long term visual impact – provided appropriate <del>rules</del> <u>requirements</u> are followed. This policy sets out these <del>rules</del> <u>requirements</u> .	Amend wording to add clarity.
34.3.57	On larger sites, basements of more than one storey and greater than half the garden or open part of the site may be permitted in certain circumstances. These will generally be new developments located in a commercial setting or of the size of an entire or substantial part of an urban block and be large enough to accommodate all the plant, equipment and vehicles associated with the development within the site. Larger sites can offer more opportunity to mitigate construction impacts and carbon emissions on site.	On larger sites, basements of more than one storey and greater than half the garden or open part of the site may be permitted in certain circumstances. These will generally be new developments located in a commercial setting or of the size of an entire or substantial part of an urban block. <del>and</del> <u>They should</u> be large enough to accommodate all the plant, equipment and vehicles associated with the development within the site <del>larger sites can</del> <u>and</u> offer more opportunity to mitigate construction impacts and carbon emissions on site.	To clarify the Council's position concerning a more flexible approach to be taken for large sites.

Paragraph No.	Submission (BAS 01) wording	New Wording	Reason
34.3.58	Where a basement has already been implemented following the grant of planning permission or through the exercise of permitted development rights, the policy does not allow further basement floors or basement extensions that would exceed 50% of the garden or open part of the site. This is to ensure consistency of approach.	Where a basement has already been implemented following the grant of planning permission or through the exercise of permitted development rights, the policy does not allow further basement floors or basement extensions that would exceed 50% of the garden or open part of the site. <u>This provision would not apply to a basement which forms part of the original property, or where a later addition, was constructed prior to 1<sup>st</sup> July 1948<sup>1</sup>.</u> This is to ensure consistency <u>and fairness</u> of approach.  <u><sup>1</sup> The Town and County Planning Act 1947 came into effect on 1<sup>st</sup> July 1948.</u>	To ensure clarity that the Council's intention is not to resist basements being constructed beneath existing original/ historic basements.
34.3.66	It is very important to minimise the visual impact of light wells, roof lights, railings, steps, emergency accesses, plant and other externally visible elements. Care should be taken to avoid disturbance to neighbours from light pollution through roof lights and other forms of lighting. Introducing light wells where they are not an established and	It is very important to minimise the visual impact of light wells, roof lights, railings, steps, emergency accesses, plant and other externally visible elements. Care should be taken to avoid disturbance to neighbours from light pollution through roof lights and other forms of lighting. Introducing light wells where they are not an established and positive feature of the	Council wishes to stop obtrusive roof lights at end of gardens, but does recognise that their location will depend on the nature of the garden.

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	positive feature of the streetscape can harm the character or appearance of an area. Where external visible elements are allowed they need to be located near the building, and sensitively designed, reflecting the existing character and appearance of the building, streetscape and gardens in the vicinity.	streetscape can harm the character or appearance of an area. Where external visible elements are allowed they need to be <del>located near the building, and</del> sensitively designed <u>and sited</u> , reflecting <u>respecting</u> the existing character and appearance of the building, streetscape and gardens in the vicinity.	
34.3.70	Basement development can affect the structure of existing buildings. The applicant must thoroughly investigate the ground and hydrological conditions of the site and demonstrate how the excavation, demolition, and construction work (including temporary propping and other temporary works) can be carried out whilst safeguarding structural stability <sup>22</sup> . The structural stability of the development itself is not controlled through the planning system but through Building Regulations. The Party Wall Act is more suited to dealing with damage related issues.	Basement development can affect the structure of existing buildings. <u>Aspects of how this will be secured will be set out in a forthcoming Basements SPD (see para 34.3.73).</u> <del>The applicant must thoroughly investigate the ground and hydrological conditions of the site and demonstrate how the excavation, demolition, and construction work (including temporary propping and other temporary works) can be carried out whilst safeguarding structural stability<sup>22</sup>. The structural stability of the development itself is not controlled through the planning system but through Building Regulations. The Party Wall Act is more suited to dealing with damage related issues.</del>	Deleted text moved to new paragraph 34.3.73 set out below.

Paragraph No.	Submission (BAS 01) wording	New Wording	Reason
New paragraph 34.3.73	New paragraph 34.3.73	<p><u>A Basements SPD will be adopted which will provide guidance for the information that will need to be submitted with basement applications, including the following:</u></p> <ul style="list-style-type: none"> <li>• <u>Accompanying (but not part of) a planning application, a construction method statement (CMS) will need to be submitted by an appropriately qualified civil or structural engineer, which will contain a report into the ground and hydrological conditions of the site including groundwater flow and explain how these matters will be dealt with during the construction of the site. The CMS will also demonstrate how the excavation, demolition and construction work (including temporary propping and other temporary works) can be carried out whilst safeguarding structural stability. The structural stability of the development itself is not controlled through the planning</u></li> </ul>	Need to ensure that a basis for the requirements of the SPD are included within the development plan.

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		<p><u>system but through Building Regulations. The Party Wall Act is more suited to dealing with damage related issues.</u></p> <ul style="list-style-type: none"> <li>• <u>Ways to minimise disturbance will also be included in the CMS. Detailed matters will include the drilling of boreholes; impact on trees; the sequence of temporary works to minimise the effect on neighbours; water flow; the consideration of related cumulative impacts; the link between a basement and the host property and the need for professional verification of certain works. Guidance relating to safeguarding amenity, that is noise, vibration and dust from construction works will also be included.</u></li> </ul> <p><u>A construction traffic management plan (CTMP) will be required by attaching a condition to planning permissions for basement</u></p>	

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		<p><u>development. The CTMP will address issues relating to highway safety, the free flow of traffic, noise and disturbance from construction vehicles and the availability of parking. Detailed matters will include vehicle stationing, manoeuvring and routing, parking suspensions and issues in relation to residential and workplace disturbance, arising from vehicle stationing, loading and unloading and movement. The CTMP should take into account and allow for other active or permitted construction works nearby (including those of utility companies).</u></p>	
New para 34.3.74	New para 34.3.74	<p><u>The Council will monitor the policy to assess its effectiveness and to review as appropriate.</u></p>	Need to make reference to Council's commitment to continually review the effectiveness of the policies.

## Policy CL7

Policy Criterion	Submission (BAS 01) wording	New Wording	Reason
Policy CL7 (beginning)	<p>The Council will require all basements to be designed, constructed and completed to the highest standard and quality.</p> <p>To achieve this basement development should:</p>	<p><del>The Council will require all basements to be designed, constructed and completed to the highest standard and quality.</del></p> <p><del>To achieve this basement development should:</del></p> <p><u>The Council will require all basement development to:</u></p>	As drafted the impression is given that the criteria within Policy CF7 relate solely to basements being designed, constructed and completed to the highest standard and quality. Redrafting to make clear that this is not the case.
Policy CL7(e) Heritage assets	CL7(e) Not cause harm to the significance of heritage assets	CL7(e) <del>Not cause</del> <u>comply with the tests in national policy as they relate to the assessment of</u> harm to the significance of heritage assets.	Criteria e and g duplicate each other and can be combined. The text need to be amended to ensure that it reflects the policy within national policy.
CLF(f)	Not involve excavation underneath a listed building (including its pavement vaults.)	Not involve excavation underneath a listed building (including its <del>pavement</del> vaults.)	Redrafting to reflect importance of all vaults.
Policy CL7(g)	CL7(g) Demonstrate that there is no harm to the special architectural and historic interest of the listed building when proposed in the garden.	CL7(g) <del>Demonstrate that there is no harm to the special architectural and historic interest of the listed building when proposed in the garden.</del>	Criteria e and g duplicate each other and can be combined. The text need to be amended to ensure that it reflects the policy within

Policy Criterion	Submission (BAS 01) wording	New Wording	Reason
			the NPPF and subsequent policy
CL7(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;	CL7(j) include a sustainable urban drainage scheme (SuDS), <u>to be maintained in perpetuity</u> ;  New criteria of CL7 (j(ii)) <u>include including a minimum of one metre of permeable soil above any part of the basement beneath a garden.</u> <del>Where the character of the gardens in the locality is small paved courtyards SUDs may be provided in other ways</del>	Need to distinguish between requirement for effective SuDS and the provision of a metre of topsoil above a basement for reasons other than those related to hydrology.
Policy CL7(l)	ensure that traffic and construction activity does 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;	ensure that traffic and construction activity does not <u>cause unacceptable</u> harm <u>to</u> pedestrian, cycle, vehicular and road safety, <del>;</del> 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;	Clause l to be amended to note that the test should be not to cause unacceptable harm to safety.