

Garden basements – CL7 a. not exceed 50%

**Reasons given in RBKC/ED/4/BAS**

1. Construction impact (noise, disturbance and traffic movements) - individual and cumulative
2. Surface water drainage [*hydrology more generally*]
3. Trees future planting
4. Biodiversity
5. Carbon
6. Visual impacts / can make previously green and leafy gardens appear sterile and artificial

## Garden basements

### **Additional policy reasons given in RBKC/ED/4/BAS**

- NPPF - including para 53
- London Plan Policy 3.5 - presumption against development on back gardens
- BAS18 para 3.19
- BAS18 para 3.20
- BAS18 para 3.21
- BAS18 para 3.22
- BAS18 para 3.23
- BAS18 para 3.24
- BAS18 para 3.25
- BAS18 para 3.26
- The Mayor of London's Sustainable Design and Construction SPG paragraph 2.2.27

All predicated on gardens  
over basements being  
harmful

**Hydrologic Review of Basements, Publication Planning Policy**

Main recommendation – *page 12, last paragraph*

We recommend that the policy be revised such that applications which are demonstrably not worse than current conditions (**regardless of project size**) and satisfy all other planning constraints (including demonstration that current conditions are satisfactory) be considered for approval. In addition, there should be an onus on the owner/developer that the development does not have an adverse impact on surface infiltration or groundwater conditions. Assessments should always consider the cumulative impacts to neighbouring areas.



**For hydrology, from Arup – size does not matter**

Trees - existing

Existing trees are protected by CL7 d.

*not cause loss, damage or long term threat to trees of townscape or amenity value*

Trees future planting

BAS 05 14 para 27 – 2<sup>nd</sup> sentence

Council says of the BF representation 14 - Arboricultural:

*"The author concludes by stating that trees of any size will, in his opinion establish and mature growing in soil on top of a basement. **However, he has not provided any valid evidence within his statement to back up his claim**"*

Trees future planting

Not so...

BF representation 14. Page 6. Table 1.

<u>Tree size</u>	<u>Crown diameter</u>	<u>Soil volume required for full, unrestricted growth</u>	<u>Garden area required given one metre depth of soil</u>	<u>Typical dimensions of garden to give this garden area</u>
Small	3 metres	4.3 m <sup>3</sup>	4.3 m <sup>2</sup>	5 m x 0.9 m
Medium	6 metres	17.2 m <sup>3</sup>	17.2 m <sup>2</sup>	5 m x 3.5 m
Large	10 metres	47.9 m <sup>3</sup>	47.9 m <sup>2</sup>	5 m x 9.6 m

Table 1: Soil and garden size requirements for unrestricted mature tree growth<sup>4</sup>

4. Trees in the Urban Landscape: Site Assessment, Design and Installation. Trowbridge J & Bassuk N (2004)  
Publisher J Wiley & Sons Inc. NJ USA.

Adam Hollis  
*MSc Arb FaborA MICFor HND Hort*  
*Chartered Forester*  
*Fellow & Registered Consultant of Arboricultural Association*



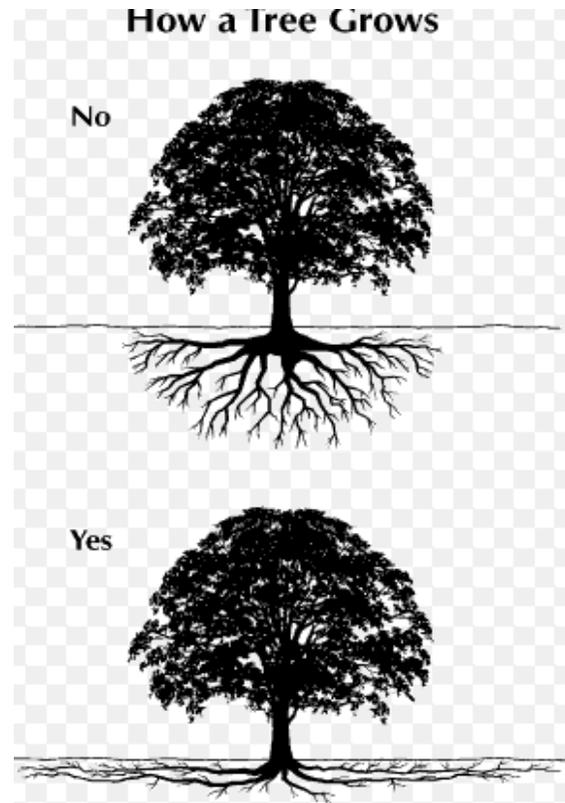
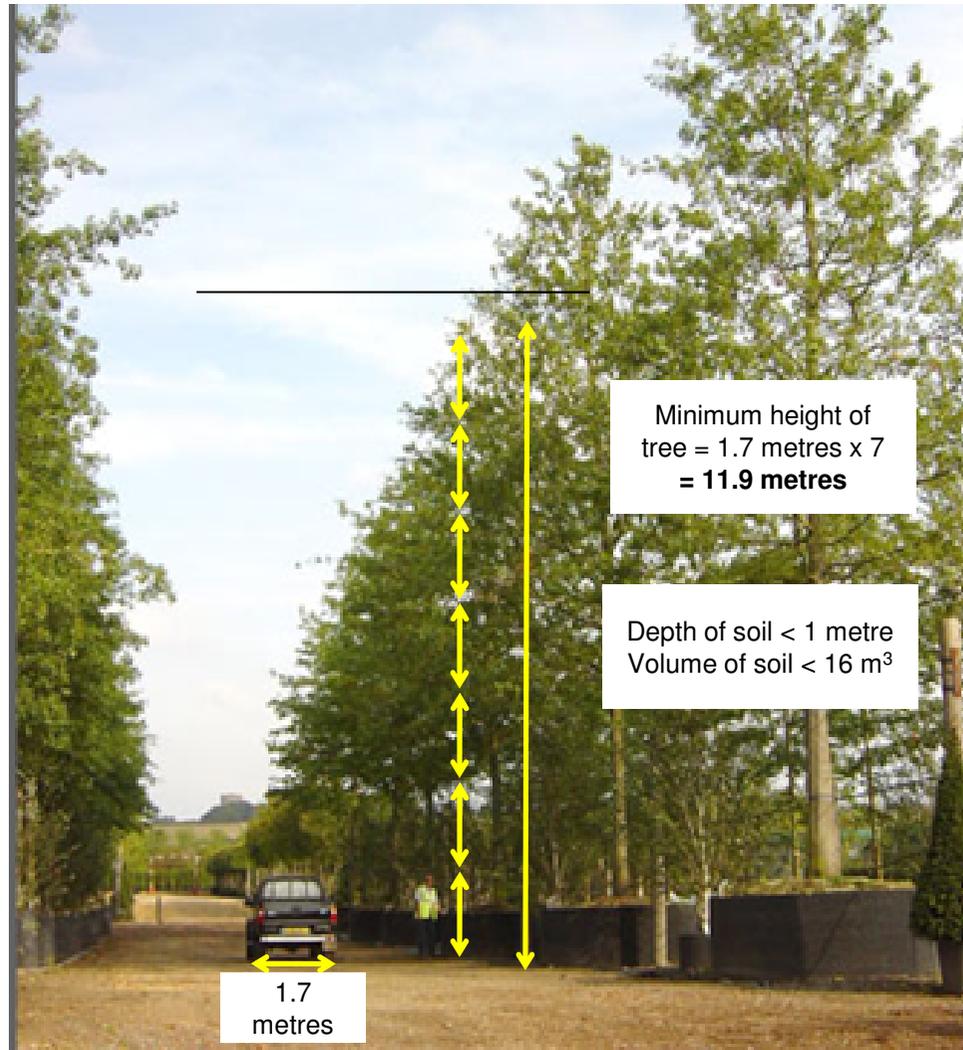


Fig.2: The lower diagram shows actual healthy root growth and spread (title from source document<sup>3</sup>)

3. Professor Douglas L. Airhart, Ph.D., Professor of Horticulture, Certified Arborist; Guy Zimmerman III, Area Forester, Tennessee Division of Forestry. 2003. Protecting Trees.

## Tree roots – overcoming containerisation

BF Hearing statement 195 / 4 – appendix 1



Nursery trees – these trees are grown in restricted size planters to maturity

Grow to:

- Full size
- Full lifespan
- Healthy

Trees need:

- Sufficient 'good' soil
- Water
- Air
- Nutrients

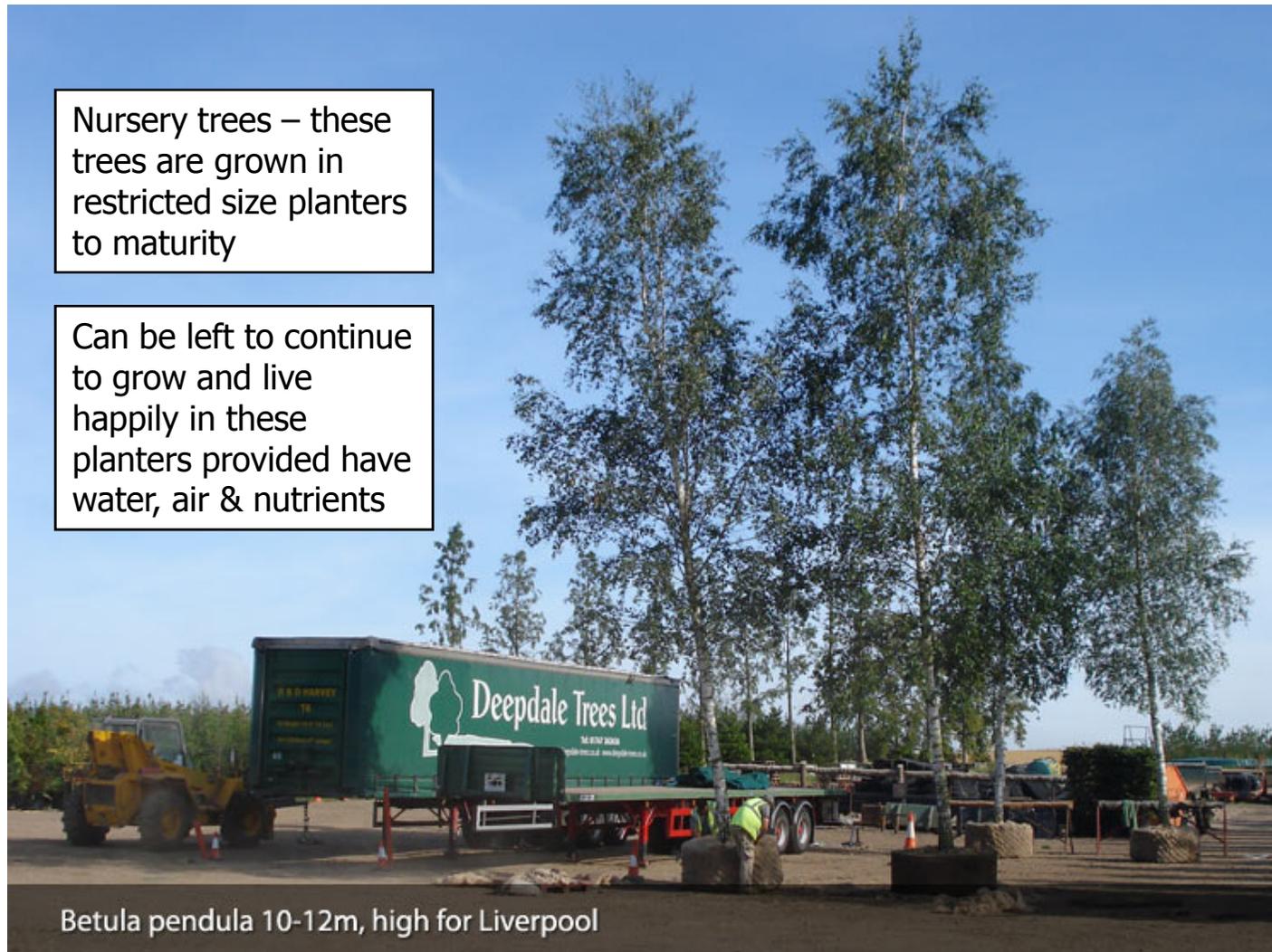
## Tree roots – overcoming containerisation

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Nursery trees – these trees are grown in restricted size planters to maturity

Can be left to continue to grow and live happily in these planters provided have water, air & nutrients



Betula pendula 10-12m, high for Liverpool

Tree roots – overcoming containerisation

BF Hearing statement 195 / 4 – appendix 1



*Quercus palustris* 140-160cm girth

**Summary conclusions**

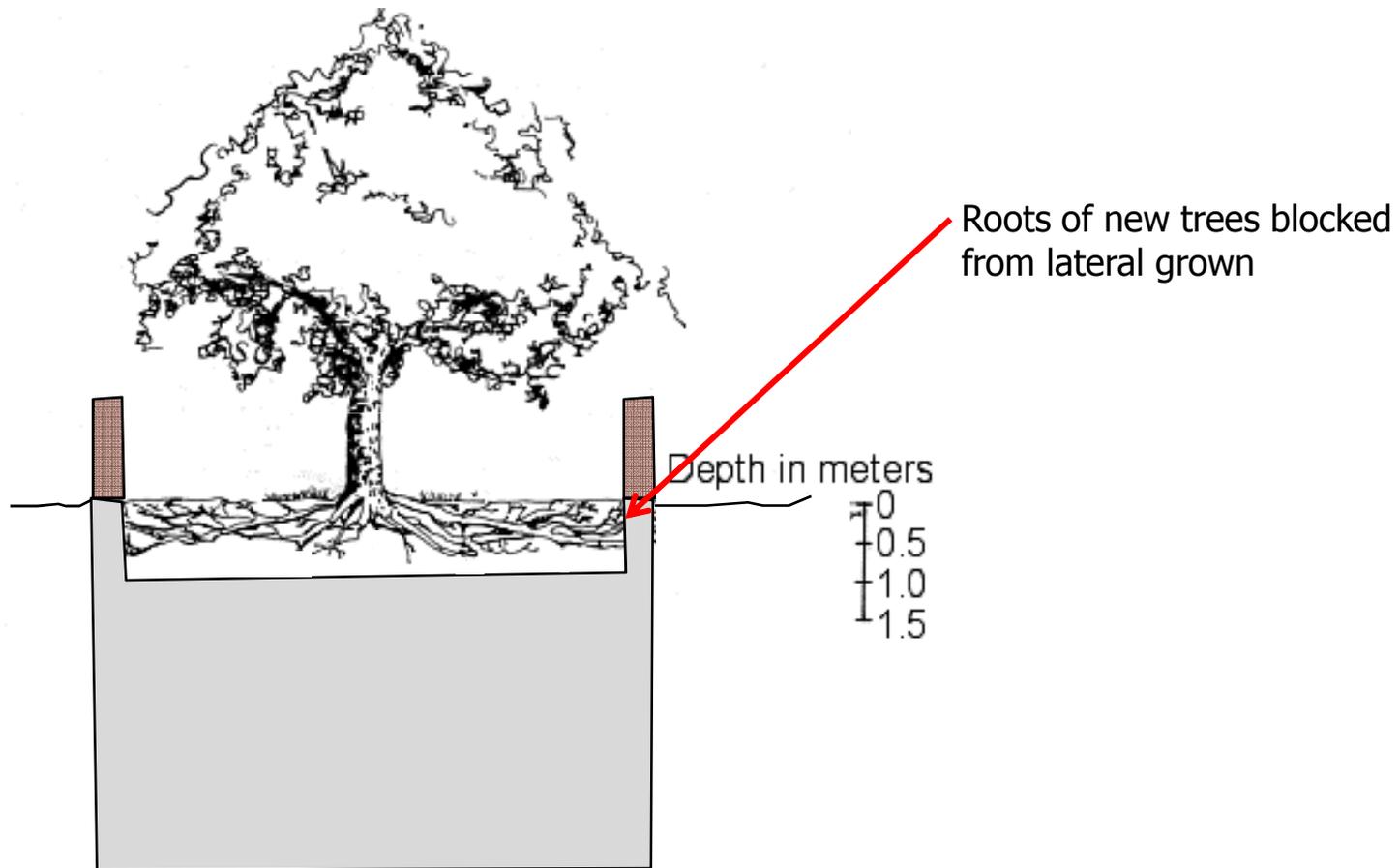
1. Have no detrimental effect on the character of rear gardens.
2. Have no intrinsic reason to cause an appearance of artificiality or restrict the range of planting.
3. Have no negative effect on the natural landscape or character of a rear garden or decrease the extent to which these can be maintained.
- 4. Not decrease the flexibility in future planting including of major trees.**
5. Not decrease herbivorous biodiversity
- 6. Not decrease the continuity of larger planting.**

Adam Hollis  
*MSc Arb FAborA MICFor HND Hort*  
*Chartered Forester*  
*Fellow & Registered Consultant of Arboricultural Association*



Tree roots – overcoming containerisation

BAS 05 14 paras 21, 22, 35, 37 - Council claim: future trees on garden basement roofs will be containerised by the perimeter walls

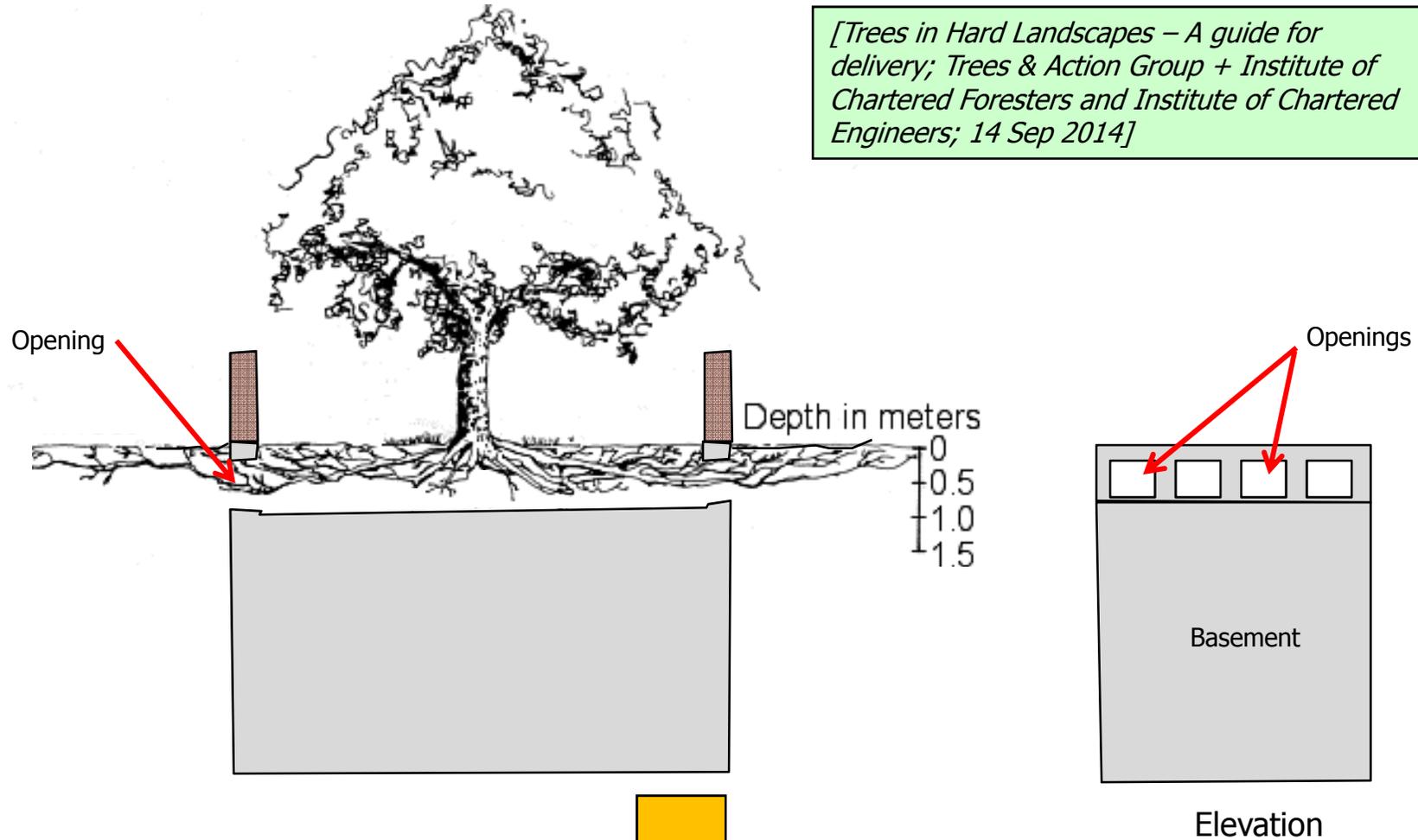


Tree roots – overcoming containerisation

BF Hearing statement 195 / 4 – paragraph 12

Structural openings can be formed in perimeter walls below ground to allow horizontal growth between gardens

*[Trees in Hard Landscapes – A guide for delivery; Trees & Action Group + Institute of Chartered Foresters and Institute of Chartered Engineers; 14 Sep 2014]*

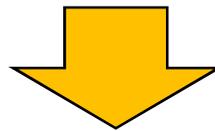


**Containerisation is easily overcome**

## Biodiversity

BF representations 17 – penultimate paragraph

*The temporary loss of wildlife habitat is unlikely to be of significance and can be easily mitigated; the loss and movement of soil invertebrates and micro-organisms is unlikely to be of significance and in any case can be controlled by a condition requiring the implementation of a sustainable soil strategy in line with DEFRA guidance, and; as long as it can be demonstrated that a mature and wildlife friendly landscaping scheme with space for large canopy trees as appropriate can be provided **there should be no biodiversity reasons for limiting the extent of basement developments to 50% of the garden area.***



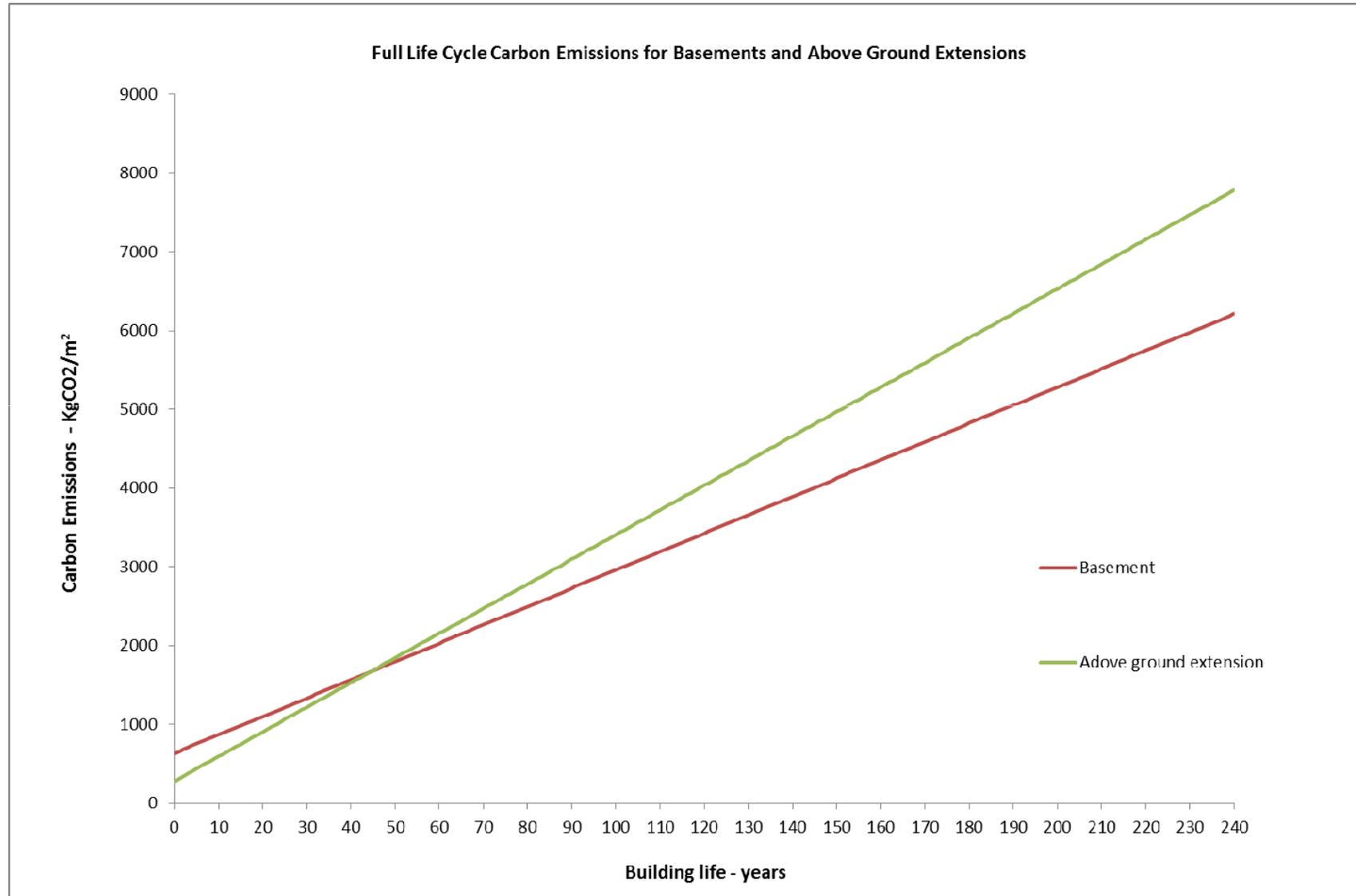
**If you can grow trees ecology is covered**

Giles Sutton  
MSc MCIEEM CEnv  
*Director*  
*GS Ecology Limited*



## Carbon

BF representations 14 – page 13

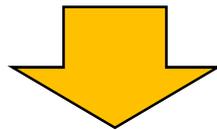


## Visual impact

BF representations 2 – review of RBKC basements visual evidence (BAS 33)

### **Summary of BAS 33 – Basements visual evidence**

- 24 of the 102 cases were under construction
- 12 cases with post 2009 permission gardens do not show negative change
- 1 case (32 Oakley Street) appears to have improved: paved -> planted
- 3 cases – no basement underneath at the time
- 1 case (29 Brompton Square) owner broke planning permission and is now in jail for fraud
- 1 case is given twice
- All of the 2013 pictures were taken in winter



**If you can impose a landscaping condition you can have the visual appearance that you want**

Visual impact

BF representations 2 – page 51

16 The Boltons – *rear garden with basement underneath...*



*...no response to this evidence*

Visual impact

BF representations 2 – page 52

8, 10 and 12 Tregunter Road – *flat, formal rear gardens without basements underneath...*



*...no response to this evidence*

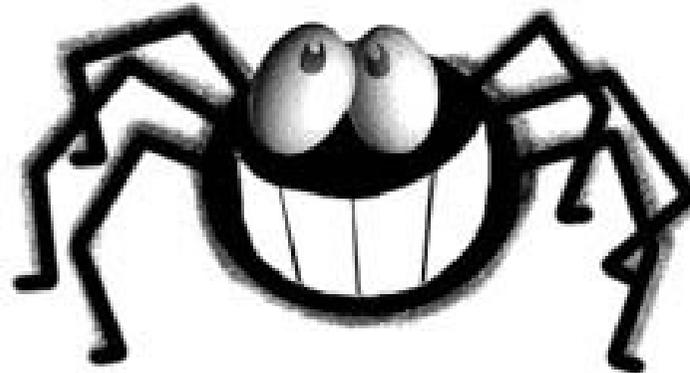
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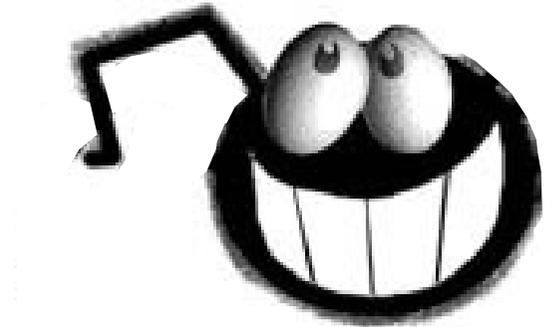
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### 1. Construction impact (noise, disturbance and traffic movements) - individual and cumulative

*... how to deal with it*

- Specific criterion – *"keep construction impacts such as traffic and construction activity, noise, vibration and dust to acceptable levels for the duration of the works"* - **oppose planning permission if this really is not met**
  
- Other means:
  - Council / RA's educate neighbours that the Party Wall Act gives them significant powers and the ability to negotiate agreements with the Building Owner (the Owner instructing the work) e.g. to require:
    - correct level of investigation, analysis & design before start
    - competent contractors
    - interaction / consideration / cooperation during work
    - security for expenses held in escrow
    - need to communicate with Building Owner early (before design/tender/work starts – earlier the better)
  - RA's – develop a register of contractors (good & bad) - ASUC can assist / advise / work jointly / support with funding