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PP-08816251 – Landscaping Application: 11 Briardale Gardens NW3 7PN

08 October 2020

Dear Joshua

Thank you for your emails following our conversation last week. This application has been with the LPA for some weeks. It was submitted on the 16 June 2020 and took 8 weeks to be validated without any requests for further information or explanation on the delay with validation. Our eventual conversation on 01 October resulted in the request for a Basement Screening Report and an Arboricultural Impact Assessment, and I respond on these requests below.

### **Arboricultural Impact Assessment**

We are sensitive to the need to protect mature trees in adjacent gardens and the project's arboricultural advisor has been consulted on designs and suggests the following two stage approach to providing the detail requested:

- a) Calculate the Root Protection Area impact on trees T7 - T11 and for this information to be issued to the tree officer for review / comment prior to working up the full detail of the Arboricultural Impact Assessment (AIA).
- b) Work up the full AIA following the tree officer's comment on the RPA impact assessments.

We note that the AIA will result in identifying the considerations and methodologies that contractors will need to follow in the detailed design and installation of the proposed mini piles and slab. This will provide you with the information that would similarly be required for a Basement Screening Report for the level of intervention proposed on this site for you to ensure the construction is being carried out responsibly and without harm to neighbours' amenity or the local environment.

### **Basement Screening Report**

The request for a full Basement Screening Report is harder to understand for a couple of reasons, outlined below, and we ask that the definition of submitted proposals as basement development be reviewed:

Referring to Camden Planning Guidance: Basements (March 2018) and the Redington and Frognal Neighbourhood Plan (submission Draft, May 2020)

#### 1. Camden CPG 'Defining Basements' states

*'Where a building is located on sloping land and there is a change in level across a site, a storey which is accessed at ground level at one side of the site (with no steps or ramp) will generally not be considered a basement, unless the site has been excavated to allow access to that floor'.*

The site slopes from front to back and from right to left towards the Finchley Road. The submitted proposals enter the shed at the garden level. The ground has not been excavated to reach the entrance to the shed. Therefore, the above suggests that the proposal would generally not be considered a basement.

2. Basements involve excavation.

The design approach has been to place the shed in what is predominantly air space above the existing slope of the land so that it sits into the garden and allows the owners and neighbours a fuller view of the mature trees beyond. The degree of excavation and re-grading involved is of the nature involved in landscaping work. If the shed were not proposed here, it is most likely that adjusting levels of the garden to make better use of the rear portion would involve similar ground works – as undertaken in adjacent gardens.

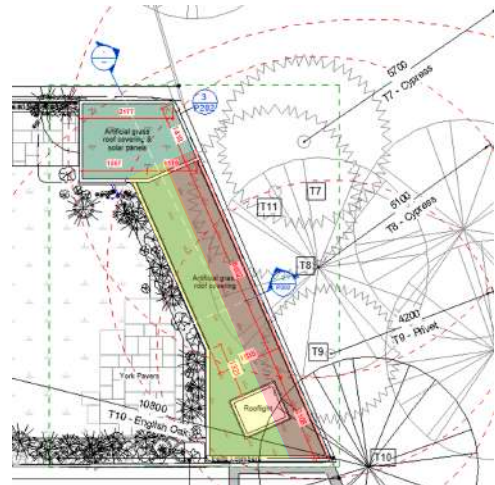
The images below illustrate the difference in levels and the width of proposals measured out on site.



Neighbours fence footing  
Proposed top of slab



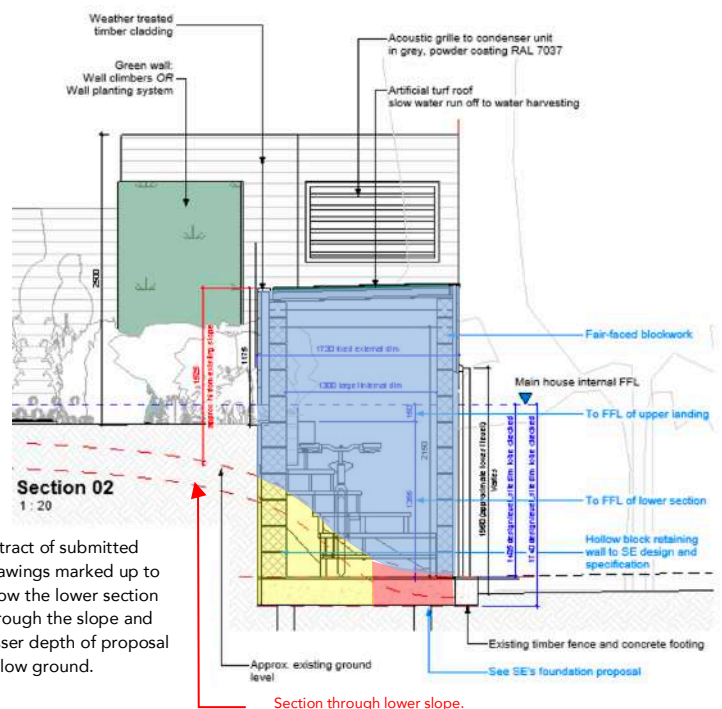
Width of proposed shed / bike store.



- Zone requiring cutting into slope.
- Zone requiring lowering approx 150mm for slab to abutt neighbour's fence footing.
- Extent of shed above existing ground levels

The red dashed line on the submitted section (1901\_FS\_P202) illustrated the highest, pre-construction, level of the slope. This varies and the consented removal of trees and roots bowls of T1-T4 has reduced existing levels further in local areas. So, the submitted section is a generous illustration of the degree of re-grading required.

After clearance of overgrowth, the slope line is approximately 100 mm less than previously indicated. The land also slopes towards the Finchley Road and the lower section through the slope is indicated on a markup of submitted section 02 (opposite).



Extract of submitted drawings marked up to show the lower section through the slope and lesser depth of proposal below ground.

Please advise how much lower the new building slab needs to be from the prevailing ground level to be considered a basement. At present the new slab is at 1000 mm below the prevailing garden level so well over half the height of the shed is above ground on three sides. If you look at the particular conditions of this site, the depth of excavation along the wall line is closer to 800mm and decreases with the slope as illustrated above. There is a need to grade levels (up) to provide level access to the shed from general garden level. These factors illustrate that excavation is limited and the majority of the shed is above ground – does this constitute basement development?

With another scheme in Camden it was permissible to lower an extension slab by 600mm in relation to ground levels before Camden's Basement policy applied. Please could you indicate the depth threshold at which Camden's basement polices apply as I cannot find a formal reference. If there is no formal measure and it is determined on a case by case basis – our illustrations above make the case that that current interpretation should be reviewed.

The currently proposed slab level is aligned with the neighbour's fence footing level so that dry construction will back onto dry construction. This would remain the preference for a sensible approach to construction if the AIA proves acceptable. Other owners of nearby properties have simply filled in and levelled their gardens to construct sheds at the rear and we are attempting to take a more landscaped approach. However, it would be possible to raise the slab level slightly if this served to overcome your concerns and current interpretation of the scheme.

In conclusion, there is no objection to providing the Arboricultural Impact Assessment but we do not think the definition of proposals as basement development is justified. Given the information provided with the submission and above we think our request that you review the interpretation is reasonable and ask you to advise on the best route for agreeing a justified position. I would be happy to meet on site, or take more photographs and levels and attend a meeting with you or senior officers.

We trust we can move this forward swiftly and have instructed the Root Protection Impact Assessment requested. We will contact you in ten working days, on 23<sup>rd</sup> October, if we have not had a response on the above.

Yours Sincerely



Anita Nadkarni, RIBA

cc.  
Neil MacDonald, Senior Planning Officer, LB Camden  
Gareth & Siobhan Burns, Applicant  
Russell Ball, ArboEuro Ltd  
Ian Harban Consulting Structural Engineers