Supplementary Report: Basement Extensions
Householder Development
Consents Review
Implementation of Recommendations
November 2008
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The findings in this report are those of the authors and do not necessarily represent the views of Communities and Local Government.
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Executive Summary

This report builds on the conclusions of the main report (the “final report”) published under the umbrella of the 2007 Planning white paper, which proposed a Householder Permitted Development Order (HPDO) to replace Parts 1 and 2 of the current General Permitted Development Order (GPDO). That report contained a brief analysis of basement extensions, but did not proceed to make detailed recommendations because the evidence base of sampled planning applications and appeals was weak. The report recommended that a separate basements study be undertaken.

To counter the concern about the lack of a sound evidence base, this report uses the results of a questionnaire survey of local planning authorities where basement extensions are common (primarily London boroughs and selected regional towns and cities). The feedback from these councils, together with an analysis of the basement design guides produced by several of them, has informed detailed proposals for a basements class for inclusion within an HPDO.

The proposals pave the way for the current anomalous position of the GPDO, which does not include a basements class, to be resolved, for the benefit of local planning authorities and householders alike.

The report recommends the creation of a new basement extensions class which, building on the recommendations of the final report, includes limitations based on length, breadth and depth. For the first time basement lightwells will be defined as “permitted development”. The limitations proposed would ensure that the possible adverse environmental impacts of basement extensions can be properly controlled.

The proposals contain safeguards for sensitive areas. In conservation areas, front lightwells would not be accorded “permitted development” rights because of the need to protect the appearance of historic streets; whilst in areas at risk of flooding, “permitted development” rights for basements would be withdrawn, to allow the flood implications of basement proposals to be fully assessed.

This report does not attempt to estimate likely savings resulting from a basements class, because savings will be focused on a relatively small number of local planning authorities where basement extensions are prevalent. Nevertheless, for such authorities, especially those in central London, the recommendations offer potentially significant levels of savings, and the opportunity to redirect scarce resources accordingly.

Because the implications of this report are potentially highly significant for a small number of planning authorities notably in central London, and for key trade associations, a mini consultation was undertaken on the initial proposals, the results of which are summarised in chapter 6. This mini consultation indicated a broad consensus in favour of a new basements class.
1. Background and Introduction

Project brief

1. White Young Green was commissioned in September 2006 by the Planning Inspectorate, on behalf of Communities and Local Government and the Welsh Assembly Government to:

- make detailed recommendations for improving permitted development rights for Householder Development
- draft model local development orders to extend permitted development rights locally
- draw up a Plain English guide for householders and provide advice and guidance on implementation of the new arrangements

2. White Young Green presented its final report to the Planning Inspectorate and Communities and Local Government in March 2007. The report made detailed recommendations for revising Part 1 of the GPDO, excepted for the classes relating to microregeneration equipment (covered by a separate parallel study by Entec UK Ltd) and satellite dishes (recently reviewed by Communities and Local Government). The report did not however examine in detail areas where Part 1 of the GPDO could potentially be extended, namely basement extensions and flats. Neither area proved susceptible to examination via a sample of planning applications and appeals, because examples of such developments showed up rarely in the samples selected. The final report set out ways in which “permitted development” rights could potentially be extended to basement extensions and flats, but stopped short of making definitive recommendations because of the paucity of the evidence base.

1.3 In consultation with the Steering Group, it was concluded that “permitted development” rights for flats should, for the reasons set out in chapter 7 of the final report, be deferred and, if appropriate, made the subject of a separate study at a later date. With regard to basements, the decision was taken to commission a supplementary report as part of the current review, based on a questionnaire survey of local planning authorities (LPAs) and relevant professional bodies. This report sets out the results of the questionnaire survey and makes recommendations for a specific new class of development for basement extensions.
Objectives

1.4 The Planning Inspectorate produced a Statement of Requirements for the assignment in July 2006. This set out the following requirements for a new Permitted Development Order for Householder Developments:

- clarity, simplicity and consistency
- that the need for specific planning permission is proportionate to the impact of the development
- that the number of planning applications is kept to a minimum
- that the legislation is and can remain relevant to new technologies and changing lifestyles

1.5 As with the final report, this supplementary report explains how White Young Green have applied the above requirements to produce recommendations for a new basements class which is impacts-based

- clear and easy for users to interpret
- reduces the burden of planning applications for householder developments which have no adverse impacts
- requires planning applications for householder developments with potential adverse impacts which are currently allowed by the current GPDO

Managing the assignment

1.6 The final report lists the membership of the Steering Group and Sounding Board who reviewed and provided a critique of the emerging proposals. This supplementary report has been prepared using a more streamlined approach with supervision undertaken directly by Communities and Local Government officials. The need for the Sounding Board to provide feedback on the proposals was judged unnecessary given the direct feedback received from so many organisations, summarised later in this report.

Structure of the report

1.7 This report sets out the process which has been undertaken to derive a suggested new basement extensions class for an HPDO. The report is structured as follows:
1.8 Chapter 2 is devoted to a detailed analysis of the questionnaire survey which was sent to local planning authorities, professional and trade bodies and the Environment Agency. The responses received form a detailed evidence base for the issue associated with basement extensions, and give a clear indication of the geographical focus of basement schemes in England.

1.9 Chapter 3 analyses the design guides for basement extensions which have been adopted by local authorities in London and elsewhere. The common themes within these design guides – and the differences of approach – are invaluable in setting the limits for a potential basements class within an HPDO.

1.10 Chapter 4 explores the options for a new basements class, including options for limited change with a new class based on current GPDO tolerances, plus three options for more radical change that would permit basement lightwells as well as basements themselves. Illustrations of each of the options are included.

1.11 Chapter 5 sets out the results of an informal consultation exercise with key stakeholders, and as a result of the responses received makes further refinements to the proposed tolerances.

1.12 Chapter 6 sets out key conclusions and recommendations.

Introduction to basement extensions

1.13 Part 1 of the GPDO does not refer to underground extensions to dwellinghouses. Class A, which permits “the enlargement, improvement, or other alteration of a dwellinghouse”, is capable of being interpreted as covering basement extensions, provided they do not exceed the tolerances laid down for extensions, namely volume and proximity to a highway. Given that roof extensions are covered by a specific category, it is arguable whether basement extensions were simply overlooked when the GPDO was formulated. Whilst there is a case that the silence of the GPDO implies that all basement extensions require planning permission, the overwhelming majority of local authorities (see questionnaire results below) interpret Part 1 of the GPDO to include underground extensions. Basement lightwells, on the other hand, being classed as an engineering operation rather than the enlargement of a dwellinghouse, do not benefit from “permitted development” rights.
1.14 It was noted in the final report that basement extensions are an increasingly popular method of extending houses, particularly in urban areas characterised by terraced houses where other forms of extension may not be possible. The results of the questionnaire survey lend support to this being an increasing trend (see below). In some cases an older house may possess an existing cellar which can be converted to habitable accommodation, which is permissible under the GPDO since, like a loft conversion, it does not increase the volume of the house. A “basement extension” may involve either the extension of an existing habitable basement under a house, or the construction of a completely new basement. There is an increasing trend for basements to extend beyond the footprint of the host property and under the amenity area. All basement extensions are classified as development, but can constitute “permitted development” under Class A provided they do not exceed the volume limitation or extend closer to a highway than the existing house. No limit is placed on the depth of basement extensions nor how close they can come to a property boundary.

1.15 Habitable basements require natural light, necessitating the excavation of a lightwell, apart from those rare occasions when a change in levels around a house is such that natural light to a basement can be achieved without the need for a lightwell. A typical lightwell is shown in elevation and plan below. The key features are the exposure of masonry on the outside of the house, the loss of garden area, and the need for protective fencing or ground covering. Lightwells ordinarily give rise to Level 1
impacts by the very fact of undertaking excavation works next to the host property and affecting the host property’s amenity area and circulation space. They will have potential Level 2 impacts if placed close to the property boundary by reason of their visual impact and possible safety implications. If located at the front of a house, a lightwell is likely to have Level 3 impacts on the streetscene unless placed well back from the highway or otherwise screened. Such impacts if repeated several times in a street or locality could give rise to Level 4 impacts. It is the primary purpose of this report to explore whether limits can be set on lightwells such that, in appropriate circumstances, they can be classed as “permitted development”.

**Figure 2. Section of a typical basement extension, taken from the Wandsworth Design Guide**
2. Survey Data

2.1 The final report utilised a wide evidence base drawn from local authority planning records, appeals records, local authority planners, local government ombudsman, local authority design guides and input from a Sounding Board. Because basement extensions occur infrequently in most areas and are primarily of interest to a handful of London boroughs, the same evidence base was not available to inform this study. Application and appeal records nationally are limited, and the local government ombudsman's files did not offer relevant case studies. Analysis was undertaken, as it was for the final report, of design guides produced by local planning authorities; but neither the BRE's *Site Layout Planning for Daylight and Sunlight*, nor the Essex Design Guide (2005 version), both of which informed the Final Report, contain advice on basement extensions.

2.2 Feedback from the Sounding Board of experts who advised on the main study, especially from its members drawn from Greater London, cautioned against a relaxation of “permitted development” rights for basement extensions without a thorough understanding of the issues involved. Because of the difficulty of sourcing good quality evidence to inform proposals for basement extensions, it was determined that the optimum approach was to seek the views of local planning authorities most familiar with basement extensions. A questionnaire was devised and sent to around 50 local authorities around the country; 28 of these responded. Around half the responses came from London boroughs, with a mixture of larger regional cities and other towns and districts also responding. Views were sought from trade and professional bodies including the Association of Consultant Architects, the Basement Information Centre, the Royal Town Planning Institute and the Planning Officers Society. Input was sought from the Environment Agency.

Local planning authorities

2.3 The questionnaire survey posed the following questions of local planning authorities:

1) Are there any circumstances in which your Council views basement extensions as “permitted development”?  

2) Does your Council deal with planning applications for basement extensions on a regular basis? If so, approximately how many applications do you receive each year?  

3) Has your Council perceived an increasing trend towards basement extensions?
4) Are basement extensions generally regarded as an acceptable form of development or do they give rise to particular planning problems? If so, what are these problems?

5) In determining applications for basement extensions, does your Council take account of possible archaeological and groundwater impacts, or the means used to dispose of excavated material?

6) Does your Council have a specific policy on basement extensions or a published design guide? If so please could you supply copies of the relevant documents.

7) Have you any suggestions where the limits should be drawn for what should be permitted?

8) Do you have any other comments you would like Communities and Local Government to take into account?

2.4 Responses were received from the following London boroughs:

Westminster
Kensington & Chelsea
Hammersmith & Fulham
Richmond
Wandsworth
Southwark
Greenwich
Ealing
Haringey
Barking & Dagenham
Redbridge
Hillingdon
Kingston
Sutton

2.5 The following Councils from outside Greater London responded:

Birmingham
Sheffield
Rochdale
Stockport
Southampton
Portsmouth
Derby
Bath & North East Somerset
Three Rivers (Hertfordshire)
Dacorum (Hertfordshire)
Cherwell (Oxfordshire)
Kennet (Wiltshire)
Bridgnorth (Shropshire)
Wyre (Lancashire)
2.6 The responses received are summarised in the following paragraphs.

**Are there any circumstances in which your Council views basement extensions as “permitted development”?**

2.7 Local authorities responded to this question, with 21 considering basement extensions to be “permitted development” provided they fall within the limitations of Part 1 Class A, and two taking a contrary view. Some councils caveated their view by specifically exempting basement lightwells from the definition of basement, though here again there was no unanimity, with at least one council considering that basement lightwells could be classified as “permitted development”. One council expressed the view that basements do not constitute development at all.

**Does your Council deal with planning applications for basement extensions on a regular basis? If so, approximately how many applications do you receive each year?**

2.8 There was a clear distinction between predominantly inner London boroughs which deal with a significant number of basement applications, and outer London boroughs and other councils around the country which deal with few if any basement applications. The London boroughs dealing with large numbers of basement applications are Westminster, Kensington & Chelsea, Hammersmith & Fulham, Richmond, Wandsworth, Southwark and Greenwich. Each of these deals with at least 50 basement applications per year, of which Hammersmith & Fulham, Wandsworth and Greenwich deal with between 150 and 200 per year. These figures represent significant levels of activity, and of course do not include basement extensions which are “permitted development”. By contrast the majority of authorities in outer London and around the country report at most a handful of applications per year, the only exceptions being Ealing (20), Haringey (35), Sheffield (18) and Dacorum (10). Bath & North East Somerset reported a significant number of applications for listed building consent to alter existing basements.

**Has your Council perceived an increasing trend towards basement extensions?**

2.9 Unsurprisingly perhaps, most of those London boroughs dealing with large numbers of basement applications reported a significant increase in basement applications over the past five years or so, the exceptions being Southwark and Greenwich. In some cases authorities dealing with only a small number of basement applications also reported an upward trend, notably Ealing, Haringey, Stockport, Three Rivers and Dacorum.
Are basement extensions generally regarded as an acceptable form of development or do they give rise to particular planning problems? If so, what are these problems?

2.10 A wide range of issues was raised in response to this question, with no clear view as to whether basement extensions are generally acceptable or not. Of the 21 councils who answered the question, 16 found basements to be generally acceptable, with five taking a contrary view, but often those councils who found basements to be generally acceptable listed potential unacceptable impacts associated with basement extensions. In broad terms, those councils who deal with fewer basement applications were more likely to find basement extensions acceptable; whilst those councils who deal with them frequently were less likely to find them acceptable, for a variety of reasons.

2.11 The most frequently concerns cited in relation to basement extensions were: loss of front gardens/biodiversity/harm to tree roots; impact on water table/surface water runoff; flood risk (groundwater/river/coastal); underground utilities affected; loss of light/poor living conditions; excessive excavations/stability/geology issues; the adverse impact of safety railings/grilles/hard surfaces; visual impact of lightwells especially in conservation areas; stability of listed buildings; impact on neighbours; parking problems exacerbated; breach of policy limits on extensions in rural areas.

In determining applications for basement extensions, does your Council take account of possible archaeological and groundwater impacts, or the means used to dispose of excavated material?

2.12 A large majority of councils (20) took the view that archaeological impacts are a material consideration when determining basement applications, with only a small number of authorities (four) taking a contrary view. Opinion regarding groundwater impacts was more divided, with 13 councils considering such impacts to be a legitimate planning consideration, and 11 taking the opposite view; at least one council expressed the view that this is properly a building control matter. Only six councils considered the disposal of excavated material to be a legitimate planning consideration, with 18 considering that it fell outside the scope of planning control.

Does your Council have a specific policy on basement extensions or a published design guide? If so please could you supply copies of the relevant documents.

2.13 Kensington & Chelsea has the following policy in its Unitary Development Plan (adopted May 2002):
Subterranean Developments

CD32 To resist subterranean developments where:

- a) the amenity of adjoining residents would be adversely affected; or
- b) there would be a material loss of open space; or
- c) the structural stability of adjoining or adjacent listed buildings or unlisted buildings within conservation areas might be put at risk; or
- d) a satisfactory scheme of landscaping including adequate soil depth has not been provided; or
- e) there would be a loss of trees of townscape or amenity value;
- f) there would be a loss of important archaeological remains.

2.14 Hammersmith & Fulham has the following policy in its Unitary Development Plan (adopted August 2003):

S8.1C Residential Units in Basements of Residential Properties

The creation of basement flats in residential properties through either the conversion of existing basements or the creation of new basements will not normally be granted planning permission;

- (i) Where such development would necessitate the creation of a lightwell at the front of the building that would be out of character with the streetscene, especially where this would result in the loss of a significant part of the front garden;

- (ii) Where such development would necessitate the creation of a lightwell at the rear or side of the building that would result in the loss of more than 50% of the open area at the rear or side of the property as originally built; or, where the original property has already been extended or altered, the cumulative extensions and alterations would result in more than 50% of the open area being lost at the rear or side of the property as originally built;

- (iii) Where, having regard to the guidance set out in the Building Research Establishment’s (BRE) report ‘site layout planning for daylight and sunlight - a guide to good practice’ provision of daylight and sunlight to rooms is inadequate;

- (iv) Where the net floor area of the flat and net floor area of individual rooms do not conform with the minimum requirements set out in standards S8.1A and S8.1B;
(v) *Where the conversion of an existing basement would not be in accordance with on-street parking requirements set out in standard S8.2;*

(vi) *Where the creation of new basements would not be in accordance with off-street parking requirements set out in standard S18.1.*

2.15 No other councils who responded to the survey have adopted policies covering basements. Most surprising is that five of the seven London boroughs reporting the highest number of basement applications per year do not possess a basements policy, though one of these councils – Wandsworth – has adopted Supplementary Planning Guidance (see below). The two quoted policies adopt different approaches to the control of basement extensions, with the former laying down broad tests to be applied to basement proposals – including structural stability – and the latter laying down prescriptive criteria on the location of lightwells and the amount of garden area to be retained, and cross referencing to standards on daylighting, floor area and car parking.

2.16 Three London boroughs - Wandsworth, Hammersmith & Fulham and Ealing - have adopted Supplementary Planning Guidance/Documents on basement extensions, with a fourth – Westminster – indicating that it plans to do so as part of its Local Development Framework. None of the authorities outside London who responded to the questionnaire has adopted Supplementary Planning Guidance. Harrogate Borough Council, which did not respond to the questionnaire, provides advice on basement extensions within its Residential Design Guide. These documents are analysed in chapter 3.

**Have you any suggestions where the limits should be drawn for what should be permitted?**

2.17 Whilst councils were not specifically asked the question as to whether “permitted development” rights for basements should be relaxed, several respondents answered the question by expressing a view on this point. Opinion appeared to be evenly divided, with eight in favour of relaxation and 10 against. However, the “voting” disguises a wide spectrum of opinion, with those in favour of relaxation usually caveatting their view with suggested safeguards, whilst those against advocated limitations on basement developments which could in fact translate to a new basements class within an HPDO.

2.18 The following limitations on the dimensions of basements and basement lightwells were suggested:

- basements to be no larger than 50 per cent/100 per cent of the footprint of the house
- maximum depth of 3.5 metres/one storey
- volume limit on basements as in the current GPDO
• smaller basement tolerances for terraced houses
• limit depth and floor area of lightwells and proximity to boundaries
• tighter limits for front lightwells/no front lightwells

2.19 Additionally the following recommendations for additional areas of control were made:
• no windows/doors in basements
• no adverse ecological/arboricultural impact
• no adverse archaeological impact
• no basements on unstable land
• no basements in flood risk areas
• no basements in conservations areas/listed buildings
• no adverse affect on neighbours
• no external access to basements
• no raising of levels of the main house
• no basements on Article 1(5) land or green belts

Do you have any other comments you would like Communities and Local Government to take into account?

2.20 Other issues raised by councils included:
• the problem of basements under gardens
• the problem of basements under driveways
• basements being used as separate flats
• planning rules frequently flouted
• officer time could be freed up by extending “permitted development” rights for basements [London authority]
• little benefit to officer time by extending “permitted development” rights for basements [non-London authority]
• do basements raise material planning considerations?
• climate change/environmental issues
• party walls/structural issues
Conclusions

2.21 The conclusions which can be drawn from these responses are as follows:

- there is a strong majority view that basement extensions benefit from “permitted development” rights under the current GPDO. This is important because it means that proposals for a basements class in an HPDO would not open up a new area of “permitted development” but rather codify and build on current accepted practice.

- outside London, basement extensions occur infrequently, and within London basement extensions are confined to mainly inner city boroughs with a high proportion of older housing stock.

- for those London boroughs where basement extensions are commonplace, the number of basement extensions is high and rising, with a consequent impact on resourcing.

- few London boroughs have appropriate policies or supplementary planning guidance in place to help them deal with basement extensions, though the indications are that several boroughs are moving this way.

- despite the pressures these London boroughs are experiencing, opinion on a specific basements class in an HPDO is divided, with the complex issues involved highlighted.

Professional and trade bodies

2.22 The views of trade and professional bodies on basement extensions are summarised below. The comments of the Environment Agency are also summarised.

Association of Consultant Architects

2.23 The Association, which represents architects in private practice, reports that it has wrestled with the problem of whether basements should be considered as “permitted development”, to the extent of seeking a legal view on the problem. In their view domestic basements have little or no impact on the character of an area or on neighbours, and should always be “permitted development” unless there would be any unreasonable impacts. Construction issues should be dealt with under other legislation and should not stray into planning.

Basement Information Centre

2.24 The Centre describes itself as the national authority on basements. It takes the view that basements are effectively excluded from “permitted development” rights since they are omitted from the GPDO, but questions whether this is right given that basements have significantly
less impact than structures which are “permitted development”. It points out that basements are 10 per cent more energy efficient than extensions and provide better sound insulation plus are used as home offices (cutting down on CO2 emissions from commuting) and gyms (with associated health benefits).

2.25 Responding to the local authority questionnaire, the Centre offers the following advice:

- most local planning authorities permit basement extensions especially in inner city areas where land is at a premium
- self-builders and speculative developers favour basements
- increase in basement refurbishment, retro-fit basements and new-build basements
- evidence that basements are rejected by local planning authorities for dubious reasons
- little evidence of archaeological/groundwater/contaminations issues with basements but accept that these must be considered
- to combat scarcity of land some local planning authorities are encouraging basements
- new-build basements should not have a size limitation, or else apply the same limitations as for extensions and outbuildings
- full list of basement benefits is available

Royal Town Planning Institute

2.26 Rather than a corporate response, the Institute forwarded the responses of two of its members (former planners from Sevenoaks and Denbighshire Councils respectively) to the questionnaire circulated to local planning authorities. The responses were as follows:

- basements are development but benefit from “permitted development” rights under Class A/basements do not benefit from “permitted development” rights
- Sevenoaks deals with a number of basement applications, generally in association with other works; Denbighshire does not
- Sevenoaks has seen a gradual increase in basement proposals, mainly relating to rural dwellings as householders try to avoid policy limits on extensions; Denbighshire has not seen an increase
- basements are generally acceptable up to a maximum of 50 per cent of the dwelling’s floor space; lightwells can have a visual impact, as can the raising up of new houses to fit in basements
• archaeological and groundwater impacts plus disposal of waste are material planning considerations

• neither council has supplementary planning guidance on basements, though Sevenoaks is considering it

• a criteria-based approach to basement proposals is recommended

• there are different issues to wrestle with in urban and rural areas

Planning Officers Society
2.27 The Society makes the following points:

• currently there is an inconsistent approach to whether basements are “permitted development”

• basements should be confirmed as constituting development

• there is some support for “permitted development” rights for basements, but flooding issues complicate this

• incidence of basement extensions is not widespread, but there is an increasing trend in areas of high land value, whilst in rural areas basements are used to minimise landscape impact and overcome policy limitations on dwelling size

Environment Agency
2.28 The Environment Agency has commented to us:

“We are concerned with the flood risks aspects of [subterranean developments including extending into basements] particularly for residential extensions where there is potential for developments that do not allow occupants to remain safe during flooding. We recommend that no change is made to permitted development rights – at least inside Flood Zones 2 and 3.”

Flood Zone 3 is the highest area of flood risk with a 1:100 risk of river flooding, whilst Zone 2 carries a 1:1,000 flood risk. The Environment Agency is especially concerned about self-contained basement accommodation, where there is little likelihood of an escape route being available within the building during times of flood. They are less concerned about basements within existing dwellings where there is a ready means of escape upwards within the existing house, but on balance consider that all subterranean developments in Flood Zones 2 and 3 should require a planning application.

Conclusions
2.29 The trade organisations who responded make a strong case for a more positive view to be taken of basement extensions, and for “permitted development” rights to be extended as far as possible consistent with
an impact approach. The professional bodies do not deviate strongly from this view but draw attention to key potential impacts, notably flooding.

2.30 The Environment Agency has recommended no change to “permitted development” rights for domestic basements in Flood Risk Zones 2 and 3. Rights already exist to add basements, but not lightwells, to domestic properties. The question must be addressed whether it is appropriate for lightwells to become “permitted development” in flood risk areas. Given that it is lightwells which generally facilitate the creation of basements, the precautionary approach dictates that within Flood Zones 2 and 3 basements and basement lightwells should be subject to full planning permission.
3. Review of Design Guides

3.1 Four examples of local authority design guides on basement extensions were submitted to the project team. They range from detailed, illustrated design guides on the one hand (Wandsworth, Hammersmith & Fulham) to a single page of advice on the other (Ealing, Harrogate). Each is assessed below.

Wandsworth Residential Basement Extensions, December 2003

3.2 This is a comprehensive and well-illustrated guide (appendix A) aimed at householders converting a cellar to habitable accommodation or excavating a new basement, in conjunction with their house or ground-floor flat above. It covers planning and design considerations as well as structural issues, flooding, means of escape etc. It helpfully summarises the controls involved in constructing a basement extension as:

- planning permission - conversion or extension of an existing cellar will not normally need planning permission (subject to volume limitations) but a lightwell to the front (and in some cases to the side or rear) will. It is pointed out that the use of a basement as a separate dwelling needs planning permission
- building control approval – the excavation or enlargement of a cellar requires approval
- highway licence – consent is need for work underneath a highway, and a licence is needed for the parking or skips or erection of hoardings on the highway
- party wall agreement – such an agreement is usually needed with neighbours

3.3 Design advice relates to the impact a front lightwell can have on the street scene, both because it enlarges the front elevation of the house, and because it may lead to the loss of part of the front garden. In streets where basements are not a characteristic feature, basements should not dominate the front elevation nor lightwells dominate the front garden. Houses with long front gardens are more appropriate for front lightwells than houses with short front gardens. Detailed design advice, accompanied by floor plans and sectional drawings, focuses on:

- lightwells should take up no more than half the front garden (the half nearest the street remaining cultivated) unless the property has a wider than usual plot, in which case other design solutions may be appropriate
the design of the front of the basement should relate to the original building, particularly the size, design and position of windows

an appearance of clutter through the accumulation of features such as guard-railing, drainage and anti-flood equipment, skylights, fire escapes etc. should be avoided. Where a lightwell has a drop of more than 600mm, railings or a horizontal grille will be required; in small gardens railings should be avoided as they can give an appearance of clutter. A third alternative is to roof over the lightwell and insert skylights, but such a solution may necessitate intrusive arrangements for ventilation and fire escape

following installation of a basement, the remaining front garden should be well landscaped and the boundary wall or fence reinstated

3.4 The following advice is offered on internal arrangements for basements:

- the depth of excavation should allow for minimum headroom of 2.15m

- to avoid the need for artificial lighting, habitable rooms should have glazed windows/doors equivalent to 10 per cent of the floor area (half of which should be openable for ventilation), and solid obstructions within 3m of the window should be avoided

- basement rooms must have a door or window giving access to external ground level, or a protected route within the building

- structural considerations include the underpinning of walls, the stability of retaining walls around lightwells, and the strength of basement walls and floors

- the routes of underground services need to be checked and if necessary relocated

- specialist waterproofing methods or external tanking will be required to prevent groundwater seeping in. In flood risk areas basements should not be used as sleeping accommodation

Hammersmith & Fulham Design Guidelines for Lightwells Associated with Basement Rooms, undated

3.5 Including floor plans and sectional drawings, Hammersmith & Fulham’s design guidelines (appendix B) expand on its adopted basements policy (see above). The guidelines are intended to assist property owners when submitting planning proposals, with design advice offered as well as advice on building regulations and environmental requirements. The guidelines explain that the creation or enlargement of front
lightwells requires planning permission, and suggest that overlarge, visible and inappropriately designed lightwells can harm the appearance of an area with no tradition of lightwells. Cited examples of harm include an increase in the scale of a property, the loss of the planted area in front of a house, and the clutter caused by protective railings.

3.6 The guidelines suggest that where lightwells already exist in a particular street, further lightwells matching the predominant local design may be appropriate. In the following circumstances lightwells are likely to be unacceptable:

- where a front lightwell would result in the loss of the entire garden or forecourt
- where a large lightwell would be clearly visible from public areas
- where a lightwell would harm the special character of a listed building
- in conservation areas where the front garden is clearly visible or there is no front boundary enclosure
- in Archaeological Priority Areas applicants are recommended to consult English Heritage before embarking on any work

3.7 The following recommendations are made for a model lightwell:

- side and rear locations are preferable; front lightwells should be as discreet as possible
- the form and fenestration of any basement elevation should relate to the design of the ground floor elevation
- a significant amount of accessible and usable planting area at ground floor level should be retained, the minimum requirement being a sustainable hedge
- if the front garden/forecourt is less than 6m from front to back, the lightwell should measure no more than 800mm from front to back, and be no wider than the windows in the ground floor elevation
- where the lightwell is deeper than 600mm, a protective grille (or glass blocks if it is not to be used as a fire escape) are preferable to vertical railings or fences; an alternative safety measure is a railing between the front entrance gate and the front door

The guidelines set out in detail the building regulations requirements for basements, and explain the requirements for highways consents and party wall agreements.
**Ealing Residential Extensions, June 2006**

3.8 The guide (appendix C) covers all residential extensions, with a small section devoted to basements. Attention is drawn to the impact that a basement lightwell can have on a house by enlarging its front and requiring the excavation of part of its front garden. Careful attention to the design, materials and windows of basement extensions together with the details of associated lightwells, railings and staircases is recommended. Garden space should be maintained above the Council’s minimum standards. Particular attention is drawn to the special consideration that will be necessary in conservation areas.

**Harrogate House Extensions & Garages, September 2005**

3.9 Like the Ealing guide, this document (appendix D) covers all types of residential extension, including a section entitled *Basements, balustrades, walls and fences*. This confirms that the use of basements as living accommodation does not require planning permission, but adds that lowering the floor to provide extra headroom does require permission. The use of basement space is generally encouraged by the council, being seen as sustainable.

3.10 The guide draws attention to the requirement for light and ventilation to basements, resulting in the need for new windows, lightwells and balustrades. The term “balustrade” encompasses all forms of vertical protection – railing, walls etc – surrounding lightwells, and attention is drawn to the harm they can cause to the street scene. The following advice is offered, illustrated by an elevational drawing:

- the lowering of external ground levels around basements should be minimised
- where possible gardens should be graded so that a balustrade is not needed
- the insertion of unnecessary doors and windows below ground level should be avoided
- a grille should be used to protect lightwells when a view out is unnecessary
- balustrades should be open to maximise daylight to the basement
- simple vertical railings, based on local traditions, are usually appropriate

3.11 The guide explains that the excavation of lightwells can expose poor quality masonry which was not designed to be seen, which should either be rebuilt, or refaced as a plinth. Retaining walls for lightwells and balustrades walls should match the house or local boundary walls, and fences should only be used within back gardens in non-sensitive areas.
Conclusions

3.12 The unifying factor in each of the design guides is the focus on the lightwell rather than the basement itself, because it is the lightwell which has the external visual impact, on the street scene especially but also on neighbours. The design guides seek to ensure that the paraphernalia associated with lightwells, such as balustrades, grilles and exposed masonry/fenestration, are suitably designed and in context with their surroundings. The importance of retaining sufficient garden space in front of lightwells is highlighted, as is the sensitivity of listed buildings and conservation areas to lightwells. The plans, sections and elevations contained in the two longer design guides are invaluable in aiding an understanding of good lightwell design and could form the basis for parameters to be included within an HPDO.

3.13 In terms of detailed guidance on the design of basement extensions, the design guides suggest the following criteria:

- basement lightwells should be located in side or rear gardens wherever possible
- a lightwell plus previous extensions should use up no more than 50 per cent of the open area to the side or rear of a house
- if a front lightwell is required, at least half the front garden depth should be retained
- where the front garden is shorter than 6m, the lightwell should measure no more than 0.6 metres from front to back
- exposed masonry in lightwells should be refaced to match the house
- fenestration in front lightwells should match the existing house but be subordinate
- unless the garden is graded down to the level of the basement, lightwells will require a 1.1 metre safety balustrade
- balustrades can consist of either railings or walls, and should be appropriate to their surroundings
- in small gardens especially, front lightwells should be protected by grilles, or be roofed over with skylights, rather than balustrades
- to be habitable, basements should have a minimum headroom of 2.15 metres, and glazing equal to 10 per cent of the floor area, half of which should be openable
- basements require a fire escape or protected escape route within the dwelling
4. Options for Change

4.1 Basements are an appropriate and sustainable method of extending houses, subject to stability issues which are covered by the Building Regulations. Further, there is broad agreement amongst planners that basements can currently be constructed without planning permission provided they meet the criteria laid down in Part 1 Class A of the GPDO. No case has been made for removing “permitted development” rights for basements, and it would surely be a retrograde step if an HPDO did not seek to address a type of development which is becoming increasingly popular. The point made by many councils is that basements have a range of potential impacts which must be assessed before basement proposals can proceed. It is these impacts, and how they can be mitigated, which will form the basis for a basements class within an HPDO.

Key characteristics of basement extensions

4.2 A basement extensions class must define the following key areas:

- the maximum floor area and depth of the basement
- the position, size and design of lightwells
- additional limitations in sensitive areas
- other impacts to be taken into account eg archaeology, flooding, trees etc

Floor area and depth

4.3 A floor area limitation is necessary to prevent adverse impacts on neighbours and the street scene. Examples of basement extensions in London which involve building under the house and rear garden give rise to significant impacts which are properly dealt with via a planning application. On the other hand, an extension under all or part of a house is unlikely to impact on neighbouring properties as long as adjoining land is not encroached upon. Two possible limitations were suggested in questionnaire responses: 50 per cent of the existing footprint of the house; or 100 per cent of the footprint. As regards depth, it is appropriate to place a limitation to one storey in depth, and/or a depth limitation, because of the consequences which could result from excessive excavation, such as potential flooding issues. Questionnaire responses suggested a 3.5 metre limitation, though 3 metres might be considered sufficient.
Design of lightwells
4.4 Lightwells are a necessity for basements to be habitable, so if an HPDO is to provide meaningful “permitted development” rights for basement extensions, lightwells of some form must be permitted. The design guides prepared by planning authorities emphasise that the street scene impacts associated with lightwells are almost all confined to front lightwells, suggesting that “permitted development” rights for side and rear lightwells are feasible, subject to impacts on neighbours being controlled by a minimum distance to the boundary, and lightwells being included within the proposed HPDO tolerance limiting the coverage of private garden areas by extensions, outbuildings etc to 50 per cent. Lightwells to the front of houses would, if permitted, need to be controlled by a range of parameters which could cover size, remaining garden area, balustrades, fenestration and masonry.

Sensitive areas
4.5 For listed buildings it is inappropriate for basement extensions to proceed without a formal application. All works to listed buildings require listed building consent, hence the necessary controls are already in place. In conservation areas the potential impacts of front lightwells should always be dealt with via a planning application in all cases. National Parks and Areas of Outstanding Natural Beauty (AONBs), which are landscape rather than townscape designations, are unlikely to require additional protection from basement lightwells. Basements and lightwells do not affect the openness of green belts.

Other impacts
4.6 Other potential impacts associated with basement extensions include arboricultural impacts, archaeological impacts, flooding impacts, and the disposal of excavated material. Each is addressed below.

4.7 Arboricultural impacts are a material consideration when determining planning applications, particularly where protected trees are involved. However, there is no stipulation within the GPDO for tree impacts to be taken into account, other than the legal protection afforded to Tree Preservation Order (TPO) trees. Given the fact that basements can be constructed under the current GPDO, and the fact that significant trees are legally protected from damage from basement excavations, the likelihood is that there is no necessity to include additional controls in relation to basement extensions.

4.8 Archaeological impacts are considered by most of the Councils responding to the questionnaire survey to be a material consideration when dealing with basement extensions. Therefore an HPDO may need to include parameters relating to the archaeological impacts of basement extensions. However, the extent to which such parameters are feasible, having regard to practical issues such as how a householder can determine whether his property is archaeologically sensitive, is open to question. Also, as with trees, the fact that
basement extensions are not currently subject to any archaeological control, could suggest that an archaeological dimension to an HPDO is unnecessary.

4.9 Flooding impacts are considered to be a material consideration in relation to basement extensions by around half of the Councils who responded to the questionnaire survey. This is not surprising given the increased focus on flooding as a result of the climate change agenda and the recently published PPS25 on Development and Flood Risk. PPS25 states that “all forms of flooding and their impact on the natural and built environment are material planning considerations” (paragraph 3). It goes on, “the aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding” (paragraph 5). Consequently flood risk should be accorded more weight than it is in the current GPDO.

4.10 The Environment Agency’s Flood Maps allow householders to find out whether they live in an area which is at risk from sea or river flooding, but do not cover ground or surface water flooding. Strategic Flood Risk Assessments (SFRAs) cover all forms of flooding, but these are carried out by planning authorities and full national coverage has yet to be achieved. Basements are particularly vulnerable to ground or surface water flooding. Where the planning authority and Environment Agency have determined that a ‘critical drainage area’ exists for ground and surface water flooding, planning applications for basement extensions should be referred to the Environment Agency. The Environment Agency Flood Maps show that parts of the London boroughs where basement applications are common are at risk of flooding from the River Thames, although flood defences are in place along the River Thames. Within this zone councils are required to notify the Environment Agency of basement applications, who may lodge objections to their construction or design. Careful consideration must be given to reinforcing the existing consultation procedures in relation to basement extensions, which an HPDO might otherwise categorise as “permitted development”.

4.11 The disposal of excavated material raises issues of sustainability in terms of vehicular movements and the disposal of surplus material. However, the large majority of councils who responded to the questionnaire did not consider the disposal of excavated material to be a planning consideration. Furthermore, to require a planning application for all basement proposals where excavated material is disposed of would in effect necessitate a planning application for every basement extension, resulting in a less permissive regime than at present. Such a change could not be supported.
Options for limited change

4.12 Part 1 Class A of the GPDO limits basement extensions by cumulative volume (70 cu m for detached and semi-detached house, 50 cu m for terraced houses and houses in sensitive areas), and by proximity to a road frontage. It makes no allowance for basement lightwells. The implications of the Class are that a relatively large basement can be added to a house, which may extend beyond the footprint of the house except where the house faces a road. How useful these rights are without the associated ability to create a lightwell is open to question. It would be feasible to retain the current limitation, translated into a measurement of floor area and depth. Assuming a notional depth of 2.5 metres for basement extensions, the maximum floor area of a basement in a detached house would be 28 sq m (70 cu m divided by 2.5m), and in a terraced house 20 sq m (50 cu m divided by 2.5m). However, such parameters are not impact-based, and fail to grapple with the issues raised by basement lightwells. In consequence no merit is seen in retaining the current GPDO parameters.

Options for a new basement extensions class

4.13 Three options for a completely new basements class within an HPDO have been devised. They are based on the options which were set out in the final report, but have been adjusted and modified in light of the responses to the questionnaire survey.

Option 1: Basement under half of the house, no front lightwells

4.14 Option 1 limits the floorspace of any basement to 50 per cent of that of the ground floor of the house, and sets a maximum depth of 3 metres. It would allow lightwells to be constructed to the side (unless facing a road) and to the rear, but not to the front, in order to avoid potential street scene impacts. Lightwells would not be limited in size, but there would be an overall limitation on the ground coverage of private gardens of 50 per cent taking account of all other extensions and outbuildings. For safety reasons lightwells would need to be 1m from any common boundary. The design of lightwells and associated balustrades etc would not be controlled. Householders would be required to check Environment Agency Flood Maps and SFRAs to determine whether there are in a flood risk area, in which case a planning application would be required. There would be no additional limitations in sensitive areas.
Figure 3. Option 1: basement under half the house, no front lightwell

Option 2: Basement under all of the house including permitted extensions, no front lightwells

4.15 Identical to the first option except that householders would be able to construct a basement under the whole footprint of the house should they wish. They would also be permitted to construct basements at the same time as any extensions which are permitted by Class A. Lightwells could be constructed to the side or rear. Again cross referencing with Flood Maps and SFRAs would be a requirement. There would be no additional limitations in sensitive areas.
Option 3: Basement under all of the house including permitted extensions, lightwells to the front

4.16 Under this option, householders would be able to construct a basement under the entire footprint, and to construct a lightwell on any elevation. To the front (and to the side if facing a road) lightwells would be limited as follows:

- lightwell to be a minimum of 2m back from the highway
- materials and fenestration of the basement elevation to match the existing house
- for lightwells within 5m of a highway, the following additional restrictions to apply:
  - lightwell not to exceed 1m from front to back
  - lightwell not to exceed 3m in length
  - maximum height of balustrades to be 1.1m

Front lightwells would not be “permitted development” in conservation areas. Cross referencing of Flood Maps and SFRAs would be required in all cases.
Figure 5. Option 3: basement under all of the house, including front lightwell

Figure 6. Option 3: perspective showing maximum front lightwell located within 5m of a highway
Option appraisal

4.17 Options 1 and 2 share broad similarities by controlling Level 3 (street scene) impacts of basement lightwells, whilst giving a degree of freedom to create basements with less visible lightwells to the side and rear. The options differ in the maximum permissible floor area of the basement. Whilst the 50 per cent limitation was suggested in questionnaire responses, it is an approach which is not impact-based; in other words, it bears no relation to the Level 2 or Level 3 impacts which might result from a basement extension. Provided that the principle of a basement under a house is acceptable, there should be no reason why it could not extend under the entire house. There also appears no reason why householders should not be permitted to construct basements under extensions which they propose to construct which are permitted under Class A. For this reason it is proposed to discount option 1.

4.18 The key issue is the extent to which front lightwells can be treated as “permitted development”. Complete freedom over the size, design and location of front lightwells is not desirable; furthermore, all front lightwells in conservation areas should automatically require planning permission. At issue is whether appropriately designed, small lightwells could be treated as “permitted development” outside conservation areas. If front lightwells are not granted some form of “permitted development” rights, could it undermine attempts to free up basement proposals from planning control – because the preference amongst
householders, particularly those in terraced houses, may be to locate lightwells at the front of houses?

4.19 Given the principle inherent in the existing GPDO – and carried forward in the recommendations in the final report – that extensions to the front of dwellinghouses generally require planning permission, it could be argued that front lightwells should be excluded from “permitted development” rights. However, minor alterations to the front of dwellinghouses – porches, walls and hardstandings – are “permitted development” under the current GPDO, subject to certain limitations. Furthermore, the local authority design guides summarised in the foregoing chapter are all supportive of appropriately-designed front lightwells in the right circumstances. Therefore, provided that appropriate criteria can be devised for the design of front lightwells, option 3 should be the preferred option going forward.

4.20 What are the appropriate criteria to apply to front lightwells? The local authority design guides suggest two key requirements. The first is that lightwells should not directly abut the street or pavement, but should instead be set back a sufficient distance to allow a degree of landscaping to be retained at the front. The second is that the exposed section of basement wall should be designed to match the existing house. Both of these requirements are enshrined in the limitations proposed for option 3, with a two metre minimum setback from the highway suggested.

4.21 For basements within 5m of a highway, the design guides are strongly supportive of tighter controls over design to protect the appearance of the street scene. In particular, control over the height of balustrades (including walls and railings) is required, along with control over the dimensions if the lightwell itself. It is suggested that the maximum height of balustrades be linked to the minimum required by the building regulations – 1.1m – and that lightwells be limited to 1m from front to back and 3m in length. The effect of these limitations is illustrated above [illustration to follow].
**Recommended Tolerances for Basement Extensions**

1. Basements not to extend further than the existing footprint of the dwellinghouse, or any extension which is to be constructed under Class A rights.

2. The maximum depth of basements and basement lightwells to be 3m.

3. Lightwells to be a minimum of 1m from all property boundaries.

4. Lightwells to have maximum 50 per cent ground coverage (including extensions and outbuildings) of the private garden area.

5. Basement extensions on the principal elevation of a dwellinghouse or on a side elevation facing a highway to have materials and windows to match the existing dwellinghouse.

6. Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway to be set back a minimum of 2m from the highway.

7. Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway, and which are closer than 5m to the highway, to measure no more than 3m in length and 1m from front to back.

8. Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway, and which are closer than 5m to the highway, to have balustrades no more than 1.1m high.
Sensitive areas and policy issues

4.22 As noted above, consideration has been given to the extent to which these tolerances should be tightened in sensitive areas. The following conclusions are drawn:

- As noted in the final report, sensitive areas should not be grouped together as they are in the present GPDO for the purposes of defining “permitted development” rights.

- For national parks and areas of outstanding natural beauty, there is considered no necessity to tighten the tolerances proposed above, since basements which accord with the limitations suggested are unlikely to affect the natural beauty of these areas.

- In conservation areas, there is a risk that front lightwells could harm the historic character of a street, hence front lightwells should not be “permitted development” in conservation areas.

- For listed buildings, adequate control is provided by the listed buildings consents regime, hence “permitted development” rights for basements need not be withdrawn.

- Green belts need not be afforded any additional protection since basements will not affect their openness.

- In areas of flood risk identified in a Flood Map or SFRA, “permitted development” rights for basements should not apply, even where – as in central London – the floodplain is defended by effective barrier controls.

The following additional tolerances are therefore recommended:

- In conservation areas, all lightwells on principal elevations or on side elevations facing a highway should require planning permission.

- In Flood Risk Zones 2 and 3 identified on Environment Agency Flood Maps, and ‘critical drainage areas’ identified in Strategic Flood Risk Assessments, all basement extensions should require planning permission.

4.23 In the final report, the issue of policy restraints on the size of dwellinghouses being potentially breached by large extensions constructed under “permitted development” rights was examined. The conclusion was reached that any breaches of policy were likely to be marginal and would not justify limiting “permitted development” rights. The same is true of basement extensions, particularly because the vast majority of basement extensions are carried out in urban areas, whereas policy restrictions on dwelling size occur most often in rural areas.
Conclusions on the preferred option

4.24 The preferred option regularises the current arguably anomalous situation whereby the GPDO makes no reference to basement extensions, yet most councils consider them against Class A which was designed to deal with “above ground” extensions. It further ensures that lightwells are properly addressed for the purposes of “permitted development”.

4.25 The tolerances proposed act to control Level 2 impacts (primarily safety in this case) as well as Level 3 impacts (by placing careful controls over the size and design of lightwells facing onto streets). Conservation areas would have additional protection from lightwells. In areas at risk of flooding “permitted development” rights for basements would be withdrawn.

4.26 The new tolerances are not expected to achieve a significant reduction in planning applications nationally because high levels of basement applications occur only in certain high value property areas, primarily within London. Since some of the high demand in London is in areas of flood risk or where there is a preponderance of conservation areas, the overall change in application numbers may be limited. Nevertheless for those boroughs where demand is running at high levels, and to cater for the possibility of basement extensions increasing in popularity elsewhere in the country, the new basements class offers significant potential benefits.
5. Stakeholder Feedback

5.1 A consultation exercise on the proposal set out in chapter 4 was undertaken with key stakeholders, including London boroughs, selected regional authorities, the Association of Consultant Architects, the Basement Information Centre, the Royal Town Planning Institute, the Planning Officers Society and the Environment Agency. A summary of the responses received is set out below.

5.2 The Royal Borough of Kensington & Chelsea considers that the report takes a reasonable approach to basement extensions, though doubt is cast over potential savings in application numbers since 70 per cent of the Borough is covered by conservation areas. The council notes that no account has been taken of rising water tables or inadequate local storm drainage, and that little mention is made of the potential impact on listed buildings.

5.3 The council makes the following detailed comments on the tolerances proposed in chapter 4:

- the proposed 3 metre maximum depth for extensions needs to be clarified in terms of where it is to be measured from, and whether it excludes plant/equipment and swimming pools located beneath the basement

- the 50 per cent limitation on ground coverage of gardens by lightwells appears excessively generous particularly where large gardens are concerned, and could significantly increase rates of runoff

- the requirement for the design and fenestration of exposed elevations of basements to match the existing house is overly prescriptive as often a contrasting material and larger windows are required

5.4 Ealing Council supports the approach taken in chapter 4 though queries whether the changes will ease the workload of local planning authorities since a rise in Lawful Development Certificates is predicted. It offers the following detailed comments on the proposed tolerances:

- in order to control lightwells, the term “principal elevation” should be applied to all elevations facing a highway since some properties have two or even three elevations readily visible from public vantage points

- in conservation areas lightwells at the rear of properties need to be controlled where these are publicly visible
5.5 **Haringey Council** generally supports the proposals, welcoming the protection for conservation areas from front-facing lightwells and the requirement that basement extensions in flood risk areas should require planning permission. Once again they query whether significant savings will arise since many will take place in conservation areas. They make the suggestion that a prior notification procedure be introduced to deal with Party Wall Act procedures. They raise one particular concern with the tolerances proposed in chapter 4, which is that the allowance for lightwells to cover up to 50 per cent of the garden area is too generous, with potential impacts on neighbours' amenities, runoff and earth moving operations. They suggest that a lightwell should not need to extend for more than 3 metres from a window.

5.6 **The Association of Consultant Architects** fully supports the recommendations in the report, in particular the preferred option 3 set out in chapter 4.

5.7 **The Basement Information Centre** supports the approach taken and in particular option 3 set out in chapter 4, but queries the blanket limitation on basement extensions in flood risk areas on the basis that flood risk can be minimised by having two escape routes, at least one of which enables egress to a higher level than the ground floor. The following detailed comments are offered:

- small houses should be allowed to extend beyond the limit of their footprint up to a maximum of 70 cu m
- the proposed maximum depth of 3m is appropriate
- the minimum distance of 1m between a lightwell and a boundary is unduly restrictive where it has no visual impact
- the 50 per cent limit on garden coverage by lightwells is reasonable, but why not apply the same limitation to basements themselves?
- the requirement for materials to match should not be applied too specifically
- there is a case for increasing the proposed minimum distance of 2m between a lightwell and a highway to 4.5m to avoid placing highway loading on lightwells, though it is acknowledged that this matter could be controlled by the Building Regulations

5.8 **The Royal Town Planning Institute** supports the principle of a new basements class but raises a number of points:

- the 50 per cent ground coverage limitation for lightwells is too generous
• lightwells more than 5m from a highway require to be restricted in some fashion for visual reasons

• rights to construct basements should not apply to listed buildings and in areas of archaeological interest

• the report does not consider the implications of rural basements, particularly in green belts where the size and visual appearance of a house may be affected, or where policy restrictions on household extensions may be breached

• sustainability issues are not covered, for instance the use of concrete and artificial light, and the generation of large amounts of soil

5.9 The Planning Officers Society acknowledges the benefit of the proposals to householders, and offers the following detailed comments:

• the exclusion of listed buildings from the proposed rights is welcomed

• where basements are proposed within 6m of a protected tree or a tree within a conservation area, the local authority should be notified in advance

• option 3 is more practical than options 1 and 2, provided tight control is exercised over lightwells, including: a maximum projection of 2m from the building; a maximum projection of 1m within 5m of a highway; a minimum distance of 2m from a highway; and no lightwell within 2m of another lightwell

• there is no need to control balustrades since Part 2 of the GPDO already does this job

• the limitation on basement extensions in conservation areas and flood risk zones is welcomed, and similar limitations should be applied to AONBs and National Parks

• basement extensions should not be allowed to built as “permitted development” in conjunction with extensions being constructed with express planning permission

• reference should be made to the implications of the Party Wall Act

Response to stakeholders

5.10 We are encouraged by the fact that none of the stakeholder responses queries the benefits of a new basements class – other than a caveat about whether potential savings in application numbers will materialise
as predicted – and none of the stakeholders disputes that of the options for change presented, option 3 presents the most sensible way forward. To this extent there is an encouraging degree of consensus amongst the stakeholders, which augers well for progressing the proposals as part of the wider review of the GPDO.

5.11 Where disagreements occur about the detail of option 3, it is notable that the responses are split almost equally between those who, on the one hand, consider the limitations to be too generous with the resultant risk of adverse impacts, and those who consider the limitations to be too tightly framed. Perhaps unsurprisingly, it is the LPAs who are arguing for tighter limitations, and the trade associations who are arguing for looser controls. The key areas of disagreement in this debate are: the degree to which it is right to restrict basement extensions in flood risk areas; and the degree to which gardens should be protected from overlarge basement extensions. Other issues raised include impact on trees, rural basement extensions, and basement extensions in designated landscape areas. Each of these issues is examined below.

5.12 **Flood risk** Whilst the proposal that basements extensions in areas at risk of flood should be subject to planning control was welcomed by the majority of stakeholders, the Basement Information Centre points out that it is possible to construct basement extensions in flood risk areas which incorporate acceptable means of escape in times of flood. Whilst the possibility that a satisfactory design solution can be arrived at within flood risk areas is acknowledged, we remain of the view that the issue of potential flooding is important enough that the design solution should be formally considered as part of a planning application rather than being made a requirement of the GPDO. In maintaining this position we are supported by the stance of the Environment Agency.

5.13 **Ground coverage** The majority of stakeholders are of the view that the 50 per cent garden coverage allowance for lightwells (plus extensions and outbuildings) is too generous, particularly for properties with large gardens, and could result in harmful impacts to third parties. The Basement Information Centre however suggests that the allowance could be extended to cover both lightwells and basements. We have made the point that where an extension can be constructed under “permitted development” rights it is not unreasonable that the householder be allowed to incorporate a basement within it as “permitted development”, but we do not support “permitted development” rights for basements under garden areas having seen the impacts that such schemes can potentially have.

5.14 The 50 per cent ground coverage is a figure that limits all types of development within garden areas, and hence is cumulative for extensions, outbuildings and lightwells. Given that it is part and parcel of the recommendations contained in the main final report, it would be
inconsistent to delete it or tighten it just for lightwells. However, we consider the point is well made about the potential harm from uncontrolled lightwells in larger gardens, and we therefore propose that a limitation be introduced that lightwells not be allowed to project more than 2m from any wall of the dwelling. For lightwells within 5m of a highway we support the suggestion that there should be at least 2m between lightwells.

5.15 **Impact on trees** Whilst noting the concern expressed about the potential adverse impact of basement extensions on trees, there is no suggestion in this report that the “permitted development” rights proposed for basement extensions would in any way affect the statutory protection afforded to trees covered by Tree Preservation Orders. In relation to unprotected trees, there is nothing within the existing GPDO or indeed within the proposed HPDO which imposes limitations on development because of proximity to unprotected trees. Such a change would have significant implications for “permitted development” rights generally and we do not consider that the case is well enough made for such a change especially in the context of review which is intended to be deregulatory.

5.16 **Rural areas** The data available indicates that basement extensions are primarily an issue in urban environments, though of course they occur in rural areas also. Since the fundamental basis of the GPDO is that it is universally applicable, it is unfeasible to propose different tolerances for urban and rural areas because of the definitional problems involved. In any event the tolerances proposed have been designed to avoid basement extensions giving rise to adverse impacts and hence are equally as applicable to rural as to urban areas. We would find it surprising if a basement extension were to affect the openness of the green belt any more than a single storey extension which could be constructed under “permitted development” rights. The possibility that a basement extension built under “permitted development” rights could result in a house being extended beyond the policy limits set in a development plan is recognised, but it is the case that the current GPDO gives rise to this possibility already.

5.17 **Protected landscapes** We are mindful of the concern raised about the impact of basement extensions on designated landscape such as AONBs and National Parks. However we have also borne in mind that many such areas contain significant settlements including large villages and market towns, where the case for limiting basement extensions – unless within a conservation area – is unclear. Given that basement extensions will tend to have a visual impact within a relatively confined area we do not believe that additional limitations are necessary in designated landscape areas.
5.18 **Exposed elevations** It has been suggested by several stakeholders that the requirement for the materials and fenestration of exposed basement elevations to match the existing house is unduly onerous. A contrary view expressed in the Harrogate Design Guide which is that materials on exposed elevations should match the existing house. We believe there is a danger associated with not seeking to control such matters because an entirely inappropriate material could be chosen with consequent harm to the street scene. The ability would exist for those wishing to employ a contrasting material to submit a planning application. In terms of fenestration it would be prudent to emphasise that it is the design of the windows rather than their size which should match the existing, to address the point that basement windows frequently need to be larger in order to let in sufficient daylight.

5.19 **Sustainability** We acknowledge that aspects of basements may not be regarded as truly sustainable, such as the removal of large quantities of soil and the use of concrete. However, a broader definition of “sustainability” must take account of issues such as housing need, the pressure to preserve green fields and green lungs within built-up areas, and the need to adapt the existing housing stock; all of which concerns tend to support the principle of basement extensions as a ‘least worst’ option. Unless the view is taken that basements in themselves are fundamentally unsustainable – which we would find hard to support – then we cannot see a reason to seek to limit “permitted development” rights for basements on this basis.

5.20 **Conservation areas** The point is made that lightwells in conservation areas need to be restricted when facing a highway whether this be to the front, side or rear of the property. We agree with this point and propose to amend the wording for conservation areas to reflect this.

5.21 **Listed buildings** Our understanding is that lightwells added to listed buildings require Listed Building Consent, hence there is no need to require planning applications as well. If this were not to be the case, then it should certainly be a necessary for planning permission to be sought for basement lightwells on listed buildings.

5.22 **Archaeology** There is no restriction on “permitted development” rights in archaeologically-sensitive areas in the current GPDO, even in relation to basements, and we consider it unduly onerous to introduce such a limitation at this stage.

5.23 **Balustrades** We believe it is necessary to provide an allowance to construct balustrades up to 1.1m high since the limitation in the current GPDO is 1m facing a highway. At only 1m high a balustrade is deemed unsafe to protect a lightwell.
Revisions to recommended tolerances

5.24 In light of the above conclusions we have revised the option 3 tolerances set out in chapter 4. The revised tolerances are shown on the next page, with changes underlined. In sensitive areas the following additional limitations are as before recommended:

- **in conservation areas, all lightwells on principal elevations or on elevations facing a highway should require planning permission**

- **in Flood Risk Zones 2 and 3 identified on Environment Agency Flood Maps, and ‘critical drainage areas’ identified in Strategic Flood Risk Assessments, all basement extensions should require planning permission**

We believe that, as revised following the comments of stakeholders, these tolerances provide a robust approach to “permitted development” rights for basement extensions.
**Recommended Tolerances for Basement Extensions (Revised)**

1. Basements not to extend further than the existing footprint of the dwellinghouse, or any extension which is to be constructed under Class A rights

2. The maximum depth of basements and basement lightwells to be 3m

3. Lightwells to be a minimum of 1m from all property boundaries and to project a maximum of 2m from the wall of the dwellinghouse

4. Lightwells to have maximum 50 per cent ground coverage (including extensions and outbuildings) of the private garden area

5. Basement extensions on the principal elevation of a dwellinghouse or on a side elevation facing a highway to have materials and window styles to match the existing dwellinghouse

6. Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway to be set back a minimum of 2m from the highway

7. Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway, and which are closer than 5m to the highway, to measure no more than 3m in length and 1m from front to back, and to be no closer than 2m to another lightwell

8. Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway, and which are closer than 5m to the highway, to have balustrades no more than 1.1m high
6. Conclusions

6.1 Alongside its parent final report, this supplementary report seeks to identify a new basement extensions class for inclusion within a Householder Permitted Development Order. The new class aims to:

- reduce the number of householder planning applications across England and Wales

- ensure that householder ‘permitted developments’ do not give rise to adverse environmental impacts

- be easily understood and interpreted by householders and planning professionals

6.2 It is important to caveat the conclusions of this report in one important respect, which is that unlike the parent final report, no attempt has been made to quantify the savings in planning applications which could result from a new basements class. There are two reasons for this: first, the sample of planning applications examined for the main part of the study produced too few examples of basement extensions to allow meaningful predictions of savings to be made; and second, savings will be concentrated in those areas of the country where the shortage of houses and the price of land has made basement extensions a viable proposition. The savings are likely to be concentrated in a handful of inner London boroughs and one or two regional towns and cities.

6.3 The methodology used in this supplementary report differs from that employed in the main report. Instead of relying on extensive sampling of planning applications and appeals to determine acceptable tolerances for householder development, this report relies on questionnaire responses from those local planning authorities experiencing significant pressure for basement extensions. The questionnaire survey has confirmed that basement extensions are an increasing trend in certain London boroughs, with a rise in planning applications for basements. The questionnaires feedback has informed the proposals for a new basement extensions class for inclusion in an HPDO.

6.4 The other key data source has been the design guides produced by local planning authorities experiencing development pressure for basement extensions. Whilst the number of such design guides is limited – four were made available to the project team – the pointers they provide regarding possible tolerances for basement extensions has been invaluable.
The tolerances proposed for a basement extensions class

6.5 The full set of recommended tolerances for a basement extensions class is set out on the following page.

Class G (basement extensions) [replacing current Class G (oil storage containers) which is proposed for deletion in the Final Report]

1. **Basements not to extend further than the existing footprint of the dwellinghouse, or any extension which is to be constructed under Class A rights**

2. **The maximum depth of basements and basement lightwells to be 3m**

3. **Lightwells to be a minimum of 1m from property boundaries and to project a maximum of 2m from the wall of the dwellinghouse**

4. **Lightwells to have maximum 50 per cent ground coverage (including extensions and outbuildings) of the private garden area**

5. **Basement extensions on the principal elevation of a dwellinghouse or on a side elevation facing a highway to have materials and window styles to match the existing dwellinghouse**

6. **Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway to be set back a minimum of 2m from the highway**

7. **Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway, and which are closer than 5m to the highway, to measure no more than 3m in length and 1m from front to back, and to be no closer than 2m to another lightwell**

8. **Lightwells on the principal elevation of a dwellinghouse or on a side elevation facing a highway, and which are closer than 5m to the highway, to have balustrades no more than 1.1m high**
   - in conservation areas, all lightwells on principal elevations or on elevations facing a highway should require planning permission
   - in Flood Risk Zones 2 and 3 identified on Environment Agency Flood Maps, and 'critical drainage areas' identified in Strategic Flood Risk Assessments, all basement extensions should require planning permission
The benefits of a new basement extensions class

6.6 A new basements class would resolve the anomalous situation in the current GPDO whereby basement extensions – unlike roof extensions – are simply not referred to. The assumption apparently made by most local authorities is that basement extensions are implicitly included within the volume allowances in Class A and hence benefit from “permitted development” rights; but that basement lightwells do not benefit from “permitted development” rights. A new basements class would sweep away these anomalies, making it clear what limits apply to basement extensions and basement lightwells. The current situation whereby householders who have previously undertaken an extension or roof extension may be prevented from constructing a basement extension, as a result of exceeding their cumulative volume limits, would cease.

6.7 A new basements class that introduced “permitted development” rights for lightwells would result in many basement extensions in future being treated as “permitted development”. In terms of the visual impact of basement extensions, lightwells will require particular care, since they can, in certain circumstances, have visual impacts which can be deemed unacceptable. Based on the feedback received from local planning authorities, different options for lightwells have been explored, and a recommendation made that moderately-sized front lightwells could be made “permitted development”. By doing so, there is the possibility of achieving significant savings in application numbers, especially in inner London boroughs.

6.8 There are two sensitive areas within which it is proposed to limit “permitted development” rights for basements. One is conservation areas, where it is judged appropriate that all lightwells facing a highway should require planning permission. The second limitation is within areas at risk of flooding, which includes parts of several inner London boroughs, where it is appropriate that all basement proposals should go through the planning system to assess the risk of future flooding.
6.9 As drafted, the proposed tolerances are considered to be clear and easily understood, and as with the recommendations contained in the final report, do away with the need for cumulative volume calculations that presently make the GPDO so difficult for users to interpret. Length, breadth and depth limitations for lightwells are postulated which mirror the length, breadth and height limitations proposed for other parts of the HPDO. Householders should as a result have the ability to decide for themselves whether they need planning permission for a basement extension without needing to rely on professional help.

Potential savings in application numbers

6.10 This report has not attempted to provide a detailed estimate of potential savings in application number, principally because basement applications are highly concentrated in a few urban authorities, notably in London, making a national estimate of savings difficult to arrive at. We know from the data supplied to us by the councils themselves that inner London boroughs are dealing with high (and increasing) numbers of basement extensions every year:

Westminster 74
Kensington & Chelsea 45
Hammersmith & Fulham 174
Wandsworth 150
Greenwich 200
Haringey 35

6.11 In authorities elsewhere in the country, the evidence is that application numbers are significantly lower, with numbers commonly in single figures or indeed none reported at all. It is likely therefore that the savings from a new basements class will be felt primarily within London and to a lesser extent regional towns and cities, with limited savings in rural areas. We have no way of knowing how many of the applications listed above could be saved each year under our proposals, but if for example half of them fell within the proposed new tolerances, 339 applications would be saved per annum. Such a reduction in application numbers would deliver a saving of over £50,000 to applicants in terms of saved application fees, not to mention reduced administration costs. A more detailed analysis of basement applications would allow a more accurate estimate of potential savings to be arrived at, and should perhaps be the next step for Communities and Local Government.
Further consultation on the basement proposals

6.12 The final report setting out proposals for a new HPDO was published under the umbrella of the Planning white paper in 2007, and responses invited over a three month public consultation period. It is anticipated that this supplementary report will in due course be subject to a similar period of consultation. It is helpful that in the interim we have had feedback from some of the key stakeholders on the proposals for a new basements class. The feedback has indicated a broad consensus for the new class, and we have been able to fine tune the proposals based on the comments received. It appears likely that the proposals contained in this report may be of limited interest to the majority of local planning authorities, who deal with few basement proposals, but for those authorities who deal with significant numbers of applications, these proposals offer a potentially significant reduction in the burden of basement applications, whilst ensuring that potential adverse impacts are properly controlled.
Supplementary Planning Guidance on

Residential Basement Extensions

Wandsworth Unitary Development Plan
non-statutory supplementary planning guidance

December 2003
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status of supplementary planning guidance

The guidance supplements the application of relevant policies in the adopted Wandsworth Unitary Development Plan and is a material consideration in deciding planning applications in line with Government Guidance in CPD12 (Development Plans - December 1999) paragraphs 3.15-3.17.

This supplementary planning guidance was approved by the Council on 14 February 2002 following public consultation. Appendix 2 describes the result of consultation and the Council's response.

introduction

what the guidance covers

1 This guidance is aimed primarily at householders who are considering converting an existing cellar into habitable accommodation, or excavating a new basement, to use in conjunction with the house above or the ground-floor flat. It sets out the main considerations that you, your architect, and your builder will need to take into account in planning a basement extension, and explains the Council's planning policies and other statutory requirements.
summary of controls involved

2 Planning permission. You will not normally need planning permission to use an existing cellar in conjunction with the house or flat above. If the property is a single house (as opposed to flat) you may also be able to enlarge a cellar without planning permission. However, if the house has already been extended, or if you live in a flat or maisonette, you will need planning permission for this. You will also need planning permission to excavate or enlarge a lightwell at the front of the house (and also in some cases at the side or rear). You would also need planning permission to use the basement as a separate dwelling. If you are in any doubt, it is best to check with the Planning Service first.

3 Building control approval. You will need building control approval for the excavation or enlargement of a basement. The work must meet the requirements of the Building Regulations, and habitable accommodation must also meet the fitness standards set by the Housing Act 1985.

4 Highway licence. You will need a licence under the Highways Act for any activities on the highway, such as the parking of skips, the transfer of spoil, or erection of hoardings. You would also need the consent of the appropriate highway authority if your proposal involved any work under any part of the highway (including the footway). For most streets in the Borough the Council is the highway authority. The Council will also be able to let you know if you live on a main road which is now the responsibility of Transport for London.

5 Party wall agreement. You will usually need a party wall agreement with your neighbour(s). The Council is not itself involved in party wall agreements, although it has produced a leaflet explaining the procedures.

additional space for an existing dwelling or creating a new basement flat?

6 If you propose to create a new flat in the basement, separate from the rest of the building, additional considerations will apply. The Council has policies in its Unitary Development Plan (UDP) covering the minimum size of flats and the number that can be created in a house. The Council would also take into account whether a new flat would have adequate privacy and an acceptable outlook. The UDP is available on the Council’s website www.wandsworth.gov.uk. You should consult the Planning Service at an early stage to check whether the creation of an additional dwelling is likely to be acceptable.
design considerations

7 Basements or semi-basements are an established feature of houses in some parts of the Borough, and in some streets lightwells occupy part or all of the space between the house and the floorway. Most streets in the Borough, however, retain traditional front gardens, although many houses have cellars under at least part of the house. In streets where basements and lightwells are not a traditional feature, the excavation of a basement can have a significant impact on the appearance of the house and the street scene, both by enlarging the front elevation of the house itself and because part of the front garden may need to be removed to provide a lightwell.

8 Where basements are not a characteristic feature, it is particularly important to ensure that any new one is not so prominent as to dominate the front elevation of the house, and that the front garden is not dominated by a lightwell. The depth of the garden will affect the impact on the street scene. In a relatively long front garden, a lightwell is unlikely to be intrusive, and the basement accommodation will remain partly hidden from the street. On the other hand, a shallow front garden could be mostly or entirely lost to a new lightwell. This is unlikely to be acceptable in streets where this is not the traditional pattern. In many locations in Wandsworth, however, a basement may be achievable, but particular care needs to be taken to make sure that the scale and design fit in with the property and the street scene.
design considerations

The Council's Unitary Development Plan states (paragraph 159) that "where lightwells are excavated at the front of houses to provide light to basements, at least half of the front garden depth should remain". This provides a general guideline to ensure that the lightwell does not dominate the front garden. In other words, the depth of the garden remaining at street/ground floor level (measured back from the boundary) should be at least as great as that of the excavated lightwell. In addition, policy H4(b) requires that "adequate amenity space is left and garden setting is preserved after extending...". The overall objective is to ensure that the alterations to the property are not usually incongruous or intrusive. In appropriate circumstances, there may be scope for flexibility, for example where dictated by an established pattern of lightwells, or an unusual layout, such as a wider than usual plot.
design considerations

10 The Council’s general policy on the design of alterations to residential properties applies to basement conversions. The Unitary Development Plan states (policy H4) that "extensions and other alterations will be permitted if: (a) the scale, design and external materials are in keeping with the character of the building, adjoining properties and the surrounding area..." The design of the front of a new basement should relate to the original building. In particular the size, position and design of windows should be dictated by those in the remainder of the front of the house. They should not necessarily be as large as those in the existing ground floor, nor aligned with them, as the basement accommodation is likely to be less grand than the ground floor with lower headroom. In any case, large picture windows or French windows are likely to look incongruous and should be avoided.

11 Construction of basements may involve an array of equipment and other features (referred to elsewhere in these guidelines), such as guard-railing, drainage and anti-flood equipment, skylights, fire escapes, etc. These can be intrusive features, adding clutter to the front garden. Cumulatively, they may have an unacceptable impact on the appearance of a property and the street scene generally. If they are necessary, their location, design and, possibly, screening should be considered at the outset and not as an afterthought, so that they can be fully taken into account at the planning stage.

12 An important consideration is the need to protect people, especially children, from falling into a lightwell. A drop of 600mm or more should be protected. Railings (1100mm high) can provide such protection, while allowing light to penetrate. However, in small gardens they can be an intrusive feature, competing for attention with the boundary wall at the front of the property. A horizontal grille over the lightwell can provide a less intrusive alternative and has the advantage of providing additional security. To provide access for maintenance and/or a means of escape, part of the grille would have to be openable, and possibly counterbalanced. Any such mechanism should be as unobtrusive as possible.

13 One possible approach is to roof over the lightwell to provide additional accommodation. However, skylights would need to be inserted to light the basement, and you would need to ensure that adequate arrangements are made for ventilation and possibly fire escape (see below). The structure needed to cover a lightwell can be particularly intrusive, and may not be acceptable in small gardens and other sensitive locations.
design considerations

14 In order to minimise the impact of a new basement, it is important that the remaining front garden is well landscaped, and that the boundary wall or fence is retained or reinstated. If you live in a flat and share the front garden, you will need the agreement of the other owners to the necessary works, and it will be important to agree with them how the remaining garden is to be reinstated and maintained.

15 This guidance applies throughout the Borough. If you live in a conservation area, however, it will be particularly important to respect the character and appearance of the area. Some houses in the Borough are listed as of architectural or historic interest, and these buildings are particularly sensitive to alterations that might affect their character. The Conservation and Design Group of the Planning Service can advise you further on conservation areas and listed buildings.

headroom

16 The depth of excavation needed to provide sufficient headroom is an important cost consideration. The headroom that you will need to plan for will depend on the way in which the basement is to be used. There is no statutory minimum requirement for ceiling heights, although the staircase should provide 2.0m headroom. It is, nevertheless, generally recommended that residential accommodation should have a minimum ceiling height of 2.15m where possible.

lighting

17 The Council's Unitary Development Plan (paragraph 153) states that "additional habitable floorspace should have satisfactory daylight and sunlight". The levels that can be achieved will depend, in part, on the layout of rooms in the basement, the orientation of the property, and the position of nearby buildings. To meet the fitness standard in the Housing Act 1985 and avoid the need to rely on artificial lighting in normal daylight hours, habitable rooms should have natural lighting with windows or glazed doors equal to 10% of the floor area. Any solid obstruction such as a wall, within 3m of the window, which would prevent light reaching the glazed area at an angle of 30° from the horizontal, should be avoided. This will affect the size and design of the lightwell.
lighting

[Diagram: Section showing a window at a 30° angle from ground level, with retaining wall annotated.]

ventilation

18 Half of the minimum glazed area (i.e. equivalent to 5% of the floor area) should be openable, with the top of the opening being at least 1.75m above the floor. Alternative arrangements will need to be made to ventilate a basement where the lightwell is roofed over. In any event, if a kitchen or bathroom is installed in a basement, you will need to incorporate mechanical extract ventilation.

means of escape in case of fire

19 Basement rooms should each be provided either with a door or suitably sized window giving access to a place of safety leading to external ground level, or with a protected escape route within the dwelling leading to a final exit. Stairs or ladders, and associated gates in any guard railings around the lightwell should be designed to be as inconspicuous as possible.
structural considerations

20 The foundations adjoining a new basement will need to be underpinned, and this may also be necessary if your plan to lower the floor of an existing cellar. You will need a party wall agreement with your neighbour(s) covering this. You will need to pay for any professional advice that your neighbour(s) employ on this.

21 A lightwell will need to be enclosed by a retaining wall. The size and structural design of this wall should be considered at the planning stage, as this will dictate the extent to which the wall will encroach on the remaining garden space and, therefore, on whether the lightwell is likely to be acceptable in planning terms.

22 If any retaining wall will be situated at or near the back edge of the pavement, it must be designed so as to provide adequate support for the adjacent highway.

Good Practice: More than half the garden width has been retained. A grille would be the preferred option where gardens are short.

23 The basement walls and floors and the lightwell should be designed to be capable of withstanding 1/3 storey height of water pressure.

24 The basement ceiling must provide ½ hour fire resistance in the case of a dwelling house, or 1 hour resistance if the building consists of flats. The basement must also be separated from the remainder of the house by means of a ½-hour fire-resisting partition including the access door.
underground services

25 You will need to establish whether any water mains or supply pipes, electricity cables, or gas pipes, will need to be relocated. You should consult the utility companies to check if any of their services or equipment would be affected by excavation.

drainage

25 You should establish the position and level of any drains or sewers before work starts, as you may need to move or lower existing drains. Any alteration to the route or level of existing drains may require approval by your neighbours and/or Thames Water.

27 If the drains are well below the level of the floor of the proposed basement, then conventional drainage can probably be used for any bathroom or kitchen in the basement. If, however, the waste needs to be raised from the basement, or if you need to lower existing drains under the house below the level of the sewer, you will need to install a macerator and pump. This should be regularly maintained.

damp and risk of flooding

28 The Council’s Unitary Development Plan (paragraph 153) states that “no habitable rooms should not be created in basements in areas subject to flooding”. Habitable rooms include living rooms and bedrooms.

29 In some areas, cellars are vulnerable to ground-water seeping up through the structure, and this may be severe enough to cause flooding. Groundwater levels in London are rising. A basement to be used as living accommodation must be free from damp and, because it will be below ground, normal methods of damp-proofing will not usually work, and external tanking or other specialist waterproofing methods will need to be adopted. If you have an existing problem with water, you should check first that it is groundwater and not a leaking drain.
damp and risk of flooding

30 The Council’s Unitary Development Plan (policy RDF10(a)) states that “Development will not be permitted if: (a) it would be liable to risk of flooding unless it is accompanied by satisfactory mitigating measures...”. Flooding of underground accommodation can arise from overflowing of drains or nearby watercourses, particularly during periods of exceptionally heavy rain and where the capacity of the sewers is limited, or the drainage infrastructure damaged. Where there is a significant risk of flooding, basements should not be used as sleeping accommodation. You may also need to consider measures to minimise any damage, for example to electrical circuits, that could arise from flash flooding. In locations where flooding has occurred regularly in the past, some basements had to be closed as habitable accommodation. The extent of this problem has been reduced by the completion of sewer relief schemes, and anti-flood valves can be installed to prevent foul water from entering the basement through the drains. A stainless steel non-return valve can be fitted in the last manhole before connecting to the main sewer. This valve requires greasing every year to ensure it does not stick. Thames Water can provide up-to-date advice on whether there is a known risk of flooding and whether an anti-flood valve should be fitted.

shared drainage

31 If you share your drainage with your neighbours, any equipment installed to prevent flooding will need to be accessible to them, as well as to Thames Water, in case it develops a fault.

construction issues

32 The construction of a basement is a substantial building project, involving excavation, the removal of spoil, concrete delivery and pouring, and the building work itself. The work should be planned to minimise nuisance to neighbours. As a general guideline, building operations audible at the site boundary should be confined to the hours of 07.30 to 18.00 (Mondays to Fridays) and 07.30 - 13.00 (Saturdays). The work can be particularly intrusive to your immediate neighbours, and you are advised to let them know in advance when work is planned to take place.
construction issues

The removal of excavated spoil is commonly achieved by the use of an excavator, which moves excavated materials from the site, over the footway, and deposits it in a skip located on the carriageway. The conveyor belt must be sited at least 2.3m above the footway. Contractors must ensure that this equipment meets all safety requirements. In most locations, the use of a grab lorry to empty a skip on-site is likely to cause obstruction to the highway. Skips should, therefore, be removed from the site to be emptied.

who to contact

Planning Advice and Information
If you wish to discuss your proposals before submitting a planning application, or for advice on whether planning permission is required and whether your proposals are in line with UDP policies, contact:

Putney area – 020 8871 6632 or 8411
Sutton area – 020 8871 5639 or 8412
Balham & Tooting area – 020 8871 8413 or 8416

Information on current planning applications and on the planning history of premises is available on the Council’s website – http://www.wandsworth.gov.uk/planning/default.htm
Copies of planning application forms can be downloaded, and the Unitary Development Plan (UDP) which contains the relevant policies, can also be viewed and downloaded.

Planning application forms can also be obtained from the Technical Services Reception on the 5th floor of the New Town Hall, between 9.00am and 5.00pm Monday to Friday, and between 9.30am and 12.30pm on Saturday, or by telephoning 020 8871 6637.

For a copy of the Council’s Access Guidelines or Guidelines for AdVERTISEMENT Control, contact the Borough Planner’s Service at the Town Hall or telephone 020 8871 6650.

Building Control
For advice and information on building regulation matters, including retaining walls and means of escape in case of fire, contact Building Control on 020 8871 7620.

Environmental Health
Information on daylight requirements and fitness standards can be obtained from Environmental Services on 020 8871 6129.
who to contact

Highways
For information on traffic and highways issues, telephone 020 8871 6611
Skip licences can be obtained by telephoning 020 8871 8871.

Environment Agency
Information on flood risk arising from groundwater flooding can be obtained from the Water Resources in the Environment Agency,
Telephone 01276 454535
General information can be obtained from:
Development Planning
Environment Agency
10 Albert Embankment
London SE1 7SR
Telephone 0208 305 4003

Thames Water
General information, including flood risk and anti-flood devices can be obtained from:
Waste Water Customer Services Team,
Thames Water Customer Services
PO Box 486
Swindon SN36 1TU
Telephone 08457 200 897

Information and applications for new sewerage connections can be obtained from:
Development Services Department
Thames Water Utilities Ltd
Waste Water Connections
PO Box B1
BRENTFORD
Middlesex TW8 0EE
Telephone 08457 200 897

If you have any queries or require further assistance about the Council’s planning policies,
phone 020 8871 6646 or write to:
Borough Planner's Service
Technical Services Department
Town Hall
Wandsworth High Street
London SW18 2PU
E-mail: boroughplanner@wandsworth.gov.uk
**appendix 1: relevant UDP policies**

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appendix 2: Planning Overview and Scrutiny Committee, 14 Feb 2002
Executive 25 Feb 2002
Report of the Borough Planner on the results of consultation on draft planning guidance on residential basement extensions
Paper no. 02-259

summary
This report describes the results of consultations on this draft guidance and recommends its approval as supplementary planning guidance to the Unitary Development Plan.

Recommendation

1 The Planning Overview and Scrutiny Committee are recommended to support the recommendation in paragraph 3.

2 If the Overview and Scrutiny Committee approve views, comments or recommendations on this report, these will be reported to the Executive for their consideration.

3 The Executive are recommended to agree the guidance on basement extensions as supplementary planning guidance to the Unitary Development Plan.

Background

4 On 15th November 2001, the Planning Overview and Scrutiny Committee considered a report on draft planning guidance on residential basement extensions (Paper No. 01-1016). The draft guidance was approved by the Executive on 26th November 2001, subject to consultations.

5 The guidance is a response to the increasing number of proposals being made for such extensions. It is aimed at householders, developers and builders, and provides advice on the quality and amenity of the underground accommodation being created. It aims to control the impact on the street scene, especially in conservation areas, arising from the excavation of lightwells in streets where these features are not currently found and from substantial changes to front elevations of the houses concerned. The guidance also covers advice on building regulations, environmental health and highway considerations.
appendix 2

Consultation

Copies of the draft guidance were sent to the Putney, Balham, Battersea and Wandsworth Societies, the Environment Agency and Thames Water Utilities, as well as to two companies specialising in basement conversions, and a sample of applicants who had recently submitted planning applications for basement conversions. The Wandsworth Conservation Area Advisory Committee (WCAC) considered the guidance at their meeting on 8th January 2002. The document was also placed on the Planning News pages on the Council's website, where comments were also invited, and a press release was issued.

Responses to consultation

WCAC: The guidelines were welcomed and recommended for their clarity. It was suggested that the statements concerning listed buildings and conservation areas should appear in bold type.

The Wandsworth Society: The guidelines are clearly written and helpful. Guidance is needed to avoid possible inconsistencies in decision-making and it is hoped that it will be fully adhered to when considering planning applications. Whilst the Society agrees with the contents, they suggest that there should be a stronger emphasis on the character of the property rather than a hard and fast rule relating to the retention of half the garden (LDF policy 4.63(b)). There should also be reference to minimising noise and nuisance to neighbours through good design of the completed basement (i.e. its eventual use and layout rather than building works). In addition, there should be specific reference to limitation of dust and noise during building works.

Environment Agency: A consolidated response was received from the Development Planning and Water Resources divisions. The Agency stresses the distinction between groundwater and surface water flooding. They comment that it is necessary to encourage people to check whether their property is vulnerable to groundwater flooding at the planning application stage. The Agency can advise on whether the local area has a record of a high water table or of groundwater flooding. Measures to deal with groundwater flooding are also indicated in their response.

Thames Water Utilities: If new or enlarged basements require new connections to foul and surface water sewers, then permission from the Developer Services Department would be required. It is preferable that waste water is pumped to the surface and then allowed to flow by gravity to the public sewers. Where the basement is a separate dwelling the new property would have to be registered with Thames Water for the payment of water and sewerage charges. Under no circumstances should the basement increase the risk of flooding to either the basement itself or to any dwelling. It may be necessary to install "on-site" flood protection in order to achieve this aim.
appendix 2

11 The London Basement Company Ltd. The design of lightwells does need to be controlled. The Council’s approach, which judges each basement conversion on its merits, is welcomed, unlike the approach of other boroughs which are introducing inflexible design models. The protection of a lightwell can be achieved by a horizontal grille, by lightwell railings, or by securing an area of the garden containing the lightwell with railings and a lockable gate. It is important that these options exist, as the solution will depend on the size of the garden, and style of the property. Problems have arisen where the garden is very short. In such cases, the preferred solution would be to maintain a sufficiently large lightwell but cover it with a walkable grille. Such a flush-fitting grille would retain the amenity space of a front garden and would not necessarily detract from the appearance, nor the light entering the property, and would allow for bin storage. Concern is raised over the limited size of skip allowed during construction works. Allowing larger skips to be retained on site during construction and emptying these with a grab lorry reduces the time taken to carry out the excavations and limits movements to one per day, rather than four or more skip movements per day.

12 Cellar Conversions Ltd. There should be a specific policy on the type of railings that would be acceptable. Lightwells are a contentious issue, in areas where front gardens are small, the guidelines should include examples of good design which would show how means of escape and minimum light levels could be achieved. The use of large glazed areas, including glazed bays or glassed-over areas could help achieve this. There also needs to be a defined policy on the size of skips allowed. Some companies are using larger skips/glassed totes than they have been permitted to use in the past.

13 Other Comments. A local architect generally welcomed the guidance, but stated that the large skips and heavy lorries involved could result in cumulative damage to road surfaces. A Schedule of Condition should be taken before building activities commence. Any damage can therefore be identified and charged for accordingly. A cash deposit could also be enforced, subject to satisfactory clearance of the site.

Comments

14 The consultations confirm the need for particular care over the design of lightwells. Most of the consultants support the flexible approach in the guidelines, allowing for a variety of solutions depending on the nature of the property and the character of the area, and setting out the factors to be taken into account. Lightwells must be large enough to provide sufficient light and, often, a means of escape, without dominating the front garden. If these objectives cannot be met, a lightwell may not be achievable. Similarly, the most suitable type of railings will also depend on the character of the street and the area, particularly in conservation areas. The guidance should not be prescriptive on these matters, but will be illustrated to amplify technical points and show examples of good practice.
Appendix 2

16 One of the main areas of concern about these projects is the impact of excavation and construction work. The guidelines include general advice about minimising nuisance to neighbours. This would include noise and dust.

17 A number of consultees raised the question of the size of skip that can be used to deal with excavated spoil. Highway licences normally limit the size of skip used to 6 cubic metres (8 yards), although 15 yard skips have been allowed in some cases. Building companies seek to use larger skips, which do not need to be emptied so often. However, the larger skips have to be emptied in situ by grab lorries rather than being removed when full. While these arrangements may be feasible in some situations, particularly off the highway, the guidance indicates that in most locations, the use of a grab lorry to empty a skip is likely to cause obstruction to the highway and that skips should therefore be removed to be emptied.

18 Other matters referred to by consultees are already addressed by the guidelines, including groundwater flooding and basement tanking, pumping of waste water to the sewers, and flood protection measures. The Council has no powers to control the layout and uses of rooms within basement conversions.

19 Bold type was used specifically to highlight UDP policies, in order to assist the cross-referencing of the guidance with these policies.

20 Appropriate contacts for further advice, including Council services and outside agencies, will be added to the guidelines.

Conclusion

17 The draft guidelines have generally been welcomed and supported in the responses to consultation. It is not considered that any changes to the guidance are necessary. Subject to the inclusion of a detailed Contacts section and explanatory illustrations, the guidance can now be confirmed as supplementary planning guidance to the Council’s Unitary Development Plan.

1 Thompson
Borough Planner
The Town Hall
Wandsworth
SW18 2PU

7 February 2002
appendix 2

Background Papers

The following background papers were used in the preparation of this report:

1 Report to the Planning Overview and Scrutiny Committee 15th November 2001
   (Paper No. 01-1016)

2 Representations received on the draft guidelines.

If you wish to inspect any of these documents, please initially contact the Committee Secretary on 020 8871 6006.
For more information write to:
The Borough Planner
Town Hall
Wandsworth High Street
London SW18 2PU
Phone: (020) 8871 5636
Email: boroughplanner@wandsworth.gov.uk
Website: www.wandsworth.gov.uk/planning

Borough Planner’s Service
Technical Services Department
Appendix B

HAMMERSMITH & FULHAM DESIGN GUIDE

LONDON BOROUGH OF HAMMERSMITH & FULHAM

DESIGN GUIDELINES FOR LIGHTWELLS ASSOCIATED WITH BASEMENT ROOMS

The creation of lightwells by the excavation of all or part of the front garden of a residential property will require planning permission. Where lightwells already exist, and are to be enlarged, planning permission will also be required for that enlargement.

Where there is no tradition of a lightwell in a particular property or street the introduction of an over large, visible and inappropriately designed lightwell could be harmful to the appearance of an area. For example, the scale of a property can be increased, or the softness given by a planted front garden can be lost with consequent damage to the street scene, and the addition of further protective railings can add an unnecessarily cluttered appearance to the street scene.

In conservation areas such developments can alter and harm the character and appearance of that area.

Proposals for lightwells associated with the excavation at basement level have, until recent times, mostly been limited to specific and confined areas of the Borough. However, the demand for such excavations has now increased considerably with some proposals being considered to be inappropriate in their extent and design.

In order to help property owners to submit proposals that would receive planning permission, the Council has produced this design guidance in order to clarify its policy and design approach to lightwells. The guidance also incorporates advice on Building Regulations requirements, and makes reference to environmental requirements for private sector housing. The guidelines have been the subject to extensive public consultation. They are now adopted as Supplementary Planning Guidance to the Unitary Development Plan. The Council will rely on this document in its determination of planning applications, and in connection with any appeal.

INTRODUCTION

In London many of the larger Georgian terrace houses had separate front access to the basement to allow for coal, waste and service matters to be dealt with separately from the main entrance to the house. In smaller houses basement access would be to the coal cellars which were to be found under the pavements. However, later medium sized and smaller London houses had no separate access and coal and bins were moved through the same main entrance. Towards the end of the 19th Century (after 1970) all medium sized houses and many smaller houses were built with a front garden (even those with basements). Gardens were regarded as adding status and, if kept in good order, improving privacy and the appearance of the house. Iron
railing (most removed during the Second World War), sometimes on a low brick wall, often enclosed the gardens. By the end of the 19th Century, almost all new houses had a front garden, or at least a forecourt, a paved stretch of ground of the depth of a bay window.

These front gardens now form the character of most of the Borough's streets and terraces, and when planted, provide a welcome greening of an otherwise hard urban environment.

POLICY FRAMEWORK

It is the Council's policy expressed in its Conservation Area Character Profiles (adopted as Supplementary Planning Guidance to the Unitary Development Plan) to discourage the excavation of front gardens in conservation areas. The policy states:

"The creation of lightwells by the excavation of all or part of the front garden of a residential property to provide windows to basements to increase the light to basement rooms requires planning permission, as does the enlargement of an existing lightwell. Where there is no traction of a lightwell in a particular property or street the introduction of an over-size, visible and inappropriately designed lightwell could be harmful to the appearance of an area. This has a negative impact and will not normally be permitted where the lightwell would take up more than 50% of the front garden or would result in the loss of a substantial part of any planted area of the front gardens that forms an integral part of the design of the street or terrace."

Consequently, any application for a lightwell will be treated on its individual planning merits, taking into account local circumstances and the proposed size of the excavated area. Where lightwells exist already in a particular street or terrace, such as the Studdridge Street Conservation Area, and other areas in the borough and where a different model has already become established, further lightwells, which match the predominant design, may be considered acceptable.

There will be a few instances where the construction of a lightwell could be detrimental to the character of a building or the street scene and could be refused permission. Examples of such cases would be where front gardens or forecourts (both residential and commercial) are particularly small and the creation of a lightwell would result in the loss of the entire garden, or where a large lightwell would be clearly visible from public areas. A proposal for a lightwell where the whole garden would be lost would normally be refused permission. In the case of a listed building whose special character would be harmed by the construction of lightwells, such a development would almost always be unacceptable. In some parts of some conservation areas, even the recommended forms of lightwells enclosed in this guidance may be harmful, for example some where the front garden is clearly visible from the street, or where there is no front boundary enclosure.
The Unitary Development Plan Policy S6.1C "Residential units in Basements of Residential Properties" specifies that planning permission would not normally be granted for reasons including:

(i) where such development would necessitate the creation of a lightwell at the front of the building that would be out of character with the street scene, especially where this would result in the loss of a significant part of the front garden;

(ii) where such development would necessitate the creation of a lightwell at the rear or side of the building that would result in the loss more than 50% of the open area at the rear or side of the property as originally built; or, where the original property has already been extended or altered, the cumulative extensions and alterations would result in more than 50% of the open area being lost at the rear or side of the property as originally built;

(iii) where, having regard to the guidance set out in the Building Research Establishment’s (BRE) report ‘site layout planning for daylight and sunlight – a guide to good practice’ (standard S3.1), the provision of daylight to rooms is inadequate;

(iv) where the net floor area of the flat and net floor area of individual rooms do not conform to the minimum requirements set out in standards S8.1A and S8.1B;

(v) where the conversion of an existing basement would not be in accordance with on-street parking requirements set out in standard S8.2;

(vi) where the creation of new basements would not be in accordance with off-street parking requirements set out in standard S18.1.

ARCHAEOLOGY

There are parts of the Borough that are designated as Archaeological Priority areas. Where excavation is required in these areas the Council will need to take into account the policies in the Unitary Development Plan and applicants should consult English Heritage before embarking on any work. This requirement is normally expressed as a condition to any planning permission.

MODEL DESIGN: LIGHTWELLS ASSOCIATED WITH BASEMENT ROOMS

Ideally, where a basement is being excavated to form additional living space, lightwells should be formed in the rear and/or side garden, where one exists. Such a location would almost always be more appropriate. There would be scope at the rear for the provision of light and air to any new basement room, and there would also be the opportunity to create links with any rear garden.

Where a new front lightwell is acceptable in principle, it should be as discreet as possible, and allow the scale, character and appearance of the property, street or terrace to remain unchanged. The design of any basement
elevation, in its form and fenestration, should relate to the design of the ground floor elevation. The excavation should retain a significant amount of accessible and usable planting area at ground level. Fences or vertical railings to surround the lightwell should be avoided, as they draw attention to the change, and would look cluttered especially if there are differing styles. It would be acceptable however, to put a railing from the front to back adjacent to the garden path in order to give protection. The Council is not seeking to prevent the use of fences and railings on the front property boundary, or along the path leading to the front door.

Many houses in Hammersmith and Fulham have a splayed bay window on the front elevation (a result of the late Victorian love of fresh air and extra space); others have a square bay, while fewer have a flat elevation. The majority of terraced houses have small front gardens where the formation of a lightwell would have the greatest impact. **These guidelines are predominantly aimed at these small gardens.** The guidelines may only be relaxed where the proposals relate to larger front gardens (i.e. more than 6 metres when measured from the main front wall).

In the case of splay bay and square bay windows, the lightwell should follow the shape of the bay window on the ground floor. In the case of a flat fronted property the excavation should be no wider than the outer edge of the window or windows in the ground the ground floor elevation. All excavations should not exceed 600mm from front to back. The Building Regulations require that in order to prevent any one falling into a lightwell where it is deeper than 600mm, the opening should be protected by a guard. In order to avoid a cluttered appearance in the front of a property a horizontal grille should be used to achieve such protection over the excavation. The need for a grille can be avoided if a vertical railing is erected from the front entrance gate to the front door.

Where the lightwell is used as a means of escape the grille must be capable of being opened by one hand as someone holds onto the ladder with the other. If the lightwell is not used as a means of escape, or required for ventilation, other traditional measures such as glass blocks could be used. Where a lightwell is used as a means of escape, a ladder will also need to be provided to affect the escape arrangements from the basement. These features should be included in any planning application. (Guidance Notes incorporating Building Regulations Technical requirements are found in Appendix 1) Any proposal should have sufficient space left in the front garden to provide the opportunity for planting, and in the case of small gardens, there should be at least sufficient space left for a sustainable hedge.

Any planning permission will have conditions attached relating to the grilles, planting and a requirement to build the proposals in their entirety.

Recommended lightwells are shown in the drawings, these show a plan and section from front to back, for each type of property, together with dimensions. The examples have been designed to comply with building regulations.
requirements for means of escape in case of fire, if the only possible means of escape is through the front lightwell area.

APPENDIX 1: BUILDING REGULATIONS REQUIREMENTS

The following are regulations relating to Fire Safety and Means of Escape from Basements. There are two options available for achieving means of escape in case of fire.

Firstly, if the only means of escape in case of fire is by using the front lightwell area, then there are a number of rules which need to be met.

A lightwell with 900 mm wide and 1250 mm long (inside measurements) will be large enough to form a reasonable escape route.

A non-combustible ladder should be provided to allow anyone to step out of the lightwell to ground level. It should have a rake of 70 degrees and be
positioned in such a way that 450 mm of the window or door remains clear. A handhold should be provided above ground level.

Some form of protection is needed to prevent anyone from falling into the lightwell. If this protection is provided by the use of a horizontal grille, a section of it must be capable of being opened by one hand (as someone holds onto the ladder with the other). This could be done by providing spring loading or a counterbalance. The hatch size should be the plan area of the ladder or a minimum of 800 mm x 600 mm, whichever is the greater. Bars to the grille should be spaced at no greater than 50 mm apart. The grille should be fitted only with simple fastenings clearly visible and readily operable without the use of a key.

Any new basement window should have an unobstructed opening area of no less than 0.33 m² amounting to at least 450 mm by 750 mm clear opening. The bottom of the opening area should be not more than 1100 mm above the floor.

In order to make the escape route safe from any fire breakout from any existing ground floor window, if that window is within 1.8m of the lightwell, you will need to ensure that the ground floor window sill is at least 1100 mm above ground level, or if the sill is lower than 1100 mm above ground level then glazing to the windows should be made fire resisting and fixed shut. If the latter is not practicable you should install a smoke detector in the ground floor front room which contains, or is linked to, an alarm which will provide early warning to occupants in the basement.

Secondly, where the means of escape in case of fire is by using the internal staircase, the following rules need to be met.

All doors to habitable rooms (including the kitchen), entered from the stairway of the dwelling, should be fire resisting and self closing to ensure that a protected route is provided, or

Where the existing doors to the stairway are not fire-resisting, the dwelling should be provided with a mains operated system of automatic fire detection. A detector should be provided in each habitable room (heat detector in the kitchen). Such a system should accord with the recommendations of BS 5839 Part 6.

In all the above options, the following additional recommendations (from Approved Document “B” attached to the Building Regulations) should be complied with:

The basement room should be separated from the stairway by fire-resisting construction, and

Smoke detection should be provided within the stairway enclosure, at each landing level.
Finally, you should remember that it is the responsibility of owners, builders and their professional advisers to ensure that all temporary works are carried out in accordance with health and safety (construction) regulations and good building practice. Health and safety (construction) regulations are enforced by the Health and Safety Executive.

Also, before you start any work you must obtain planning permission, building regulations approval, and any necessary highways consent where excavations are proposed adjacent to public highways (i.e. the edge of the pavement). In addition you should give any necessary party wall notices and reach agreement with the adjoining owners where the proposed works affect the party wall. If this is not done before the work begins, the adjoining owners may take legal proceedings and halt work until such time the works affecting the party walls are agreed with them.

NB. All calculations and details relating to retaining walls and underpinning works, etc. must comply with the Building Regulations to the satisfaction of the Building Control Officer.
Appendix C

EALING DESIGN GUIDE

EALING COUNCIL
LOCAL DEVELOPMENT FRAMEWORK

Supplementary Planning Documents

Volume 1 – Topic Guidance

June 2006

Planning Policy & Development Advice
Ealing Council
Penewal House
14/16 Uxbridge Road
London W5 2HL
Tel: 020 8825 5428
Email: planpol@ealing.gov.uk
10. Basements

Some houses in Ealing have existing basement space as part of the original living space, while others have cellars under part of the house. Due to the lack of natural light underground, lightwells are often a feature of houses with basements. In streets where basements and lightwells are not a traditional feature, the excavation of a basement can have a significant impact on the appearance of the house and the street scene. The front of the house is often enlarged and part of the front garden may need to be excavated to provide a lightwell.

Proposals to extend dwellings by adding a basement will be assessed in the same way as other extensions. The proposed form and design of the original house will be considered, along with the impact of adding a basement on neighbouring properties and on the structure the house. It is important to consider the design, materials and windows of the basement extension, as well as the details of any associated lightwell, railings, staircase etc.

It is important that there is no loss of garden space below the amount required by the Council’s garden space standards. See Table 5D in the UDP and the Council’s Supplementary Planning Guidance on Garden Space.

You will need Building Regulations approval for the excavation or enlargement of a basement. In addition, if permission is granted, Ealing Council will require a method statement, providing information about structural and construction matters.

Special consideration will be given to any proposal for a basement in a Conservation Area. Such proposals will be resisted where they would harm the character or appearance of the Conservation Area.
Appendix D

HARROGATE DESIGN GUIDE

HOUSE EXTENSIONS & GARAGES DESIGN GUIDE
A companion to the Residential Design Guide

This guidance is a companion to the Residential Design Guide and is aimed at people wishing to extend or improve their home. This guidance sets out design principles which, when followed, will ensure good neighbourliness, an extension sympathetic to the existing house and in keeping with the local character.

T.F. Richards, Dip TEE, RMI, Head of Planning Services
PLANNING DIVISION
Department of Development Services, Knaresborough Mount,
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www.harrogate.gov.uk/planning

Adopted as a Supplementary Planning Document to the Local Development Framework, September 2005
1. Introduction

This guide is a Supplementary Planning Document which expands on saved policies H15 and H22 of the Local Plan. The main purpose of this guide is to promote higher standards of design. A poorly designed extension can spoil the appearance of a house and the street scene, and can also detrimentally affect the neighbours. Planning permission will not be given if the design of an extension is unacceptable. This guidance sets out the basic design criteria that the Council would wish to see incorporated into home extensions.

Within the guide the term “extension” refers to any physical enlargement of a house, including conservatories, garages, porches, dormers in the roof and porches. The term “subdivision” refers to the breaking up of a structure into two or more units, such as garages, sheds, stores and greenhouses, which are ancillary to the residential use.

This design guidance has been the subject of public consultation and is supplementary to the policies of the Harrogate District Local Plan. The guidance will be applied unless particular circumstances would dictate otherwise; however, in all cases the criteria of Planning policies must be met.

The principles contained in this guide are relevant whether Planning permission is required or not. See the Section on Parent and Daughter Development, which explains the type of development that does not require Planning permission.

The Government sets out its Planning objectives in PPS1 “Delivering Sustainable Development”, noting that Planning authorities should ensure high quality development through good design.

Local Planning authorities are responsible for the administration of Town and Country Planning Legislation. This is an important instrument in protecting our environment. Harrogate Town Council determines all Planning and Listed building Consent applications related to domestic extensions in this District. These applications are determined by assessing the proposals against Local Plan policies.

For further information on the planning process visit www.harrogate.gov.uk/planning

The Council must consider the appearance of the proposed extension, its relationship to the house and its surroundings, its impact on the amenities of neighbours and any other environmental issues that may be relevant to the particular site.

This guide addresses only planning issues. It does not address other legal issues of development such as Building Regulations, the Party Wall Act, Rights to Light, the Human Rights Act and so forth. An agent, such as architect or surveyor, should be appointed to advise on planning, construction and design and certain legal issues, whilst a solicitor can provide specific legal advice. The Council can provide Building Regulations advice.
15. BASEMENTS, BALUSTRADES, WALLS and FENCES

The use of basement space is sustainable and is generally encouraged by the Council. Planning permission is not required for the use of a basement to form ancillary habitable accommodation for a private house, however, lowering the floor to provide extra headroom will require permission.

The major impact of using a basement as habitable accommodation is the requirement for light and ventilation which generally results in new windows and lightwells. A balustrade across a front garden can be a very distinctive element in the streetscape and may be unacceptable.

The 'balustrade' is the protecting vertical element, which prevents people from falling over the edge of a wall, landing, balcony or upper floorground level. It may be open in appearance such as a railing, or solid, such as a wall, in appearance. Balustrades should be designed as appropriate to their setting.

The lowering of external ground levels should be minimized to reduce or obviate the need for a balustrade. Wherever possible the garden should be graded so that the balustrade is not required. Insertion of unnecessary doors or French windows below natural ground level should be avoided. Where a view out is unnecessary, the lightwell for the window can be protected by a horizontal grille at ground level that can be removed for maintenance.

Generally to ensure maximum daylight for the basement room, balustrades are open. Simple vertical railings are usually appropriate and their design should be as light and elegant as possible. In general, very ornate wrought iron railings should be avoided, the design should be based on local traditional examples adjusted as required under current building regulations.

Commonly the excavation for a lightwell exposes masonry that was not built to be seen and is not of the same quality or material as the house wall above. The wall area to be left exposed is either to be rebuilt or replaced to match the wall above. If the wall is refaced, it should be designed as a plinth which should be extended up and across as appropriate to the house.

Retaining walls for lightwells, balustrades and boundary walls should be constructed of the same materials as the house or local boundary walls. The detailed construction should be based on local traditional examples in order to maintain or enhance local distinctiveness.

New 2m high timber panel fences used as screens to maintain privacy for neighbours are generally acceptable in back gardens, however in sensitive locations, such as the boundary to a Listed Building or in a Conservation Area, the screen should be of brick or stone as appropriate to the setting.

Generally timber panel fences to boundaries with the public highway or at the edge of settlements will not be accepted. See also section on highway issues. Boundary construction should reflect local tradition, this may be railings on a low wall, brick, cable or caused stone walls with vernacular details.

Similarly, balustrades to terraces (to provide access for the disabled) should reflect local tradition.
Appendix E

ENVIRONMENT AGENCY FLOOD MAP FOR CENTRAL LONDON