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By Email Only [REDACTED]

Simon Haslam
Basement Force



Our ref: RS/14612A/RS

Dear Simon:





Camden Planning Policy Review:

We have been asked to carry out a review of Camden Council's planning documents surrounding the development of basements. The existing Local Plan Policy A5, dated 2017, and supporting document Camden Planning Guidance, Basements, January 2021, and their proposed Submission Draft Local Plan Policy D6 and Basements Topic Paper (2025-TP09), October 2025 have been reviewed.

We have reviewed the existing policies and guidance, the current practice for basement construction and the draft new policy. We have also provided our review of the ecological impacts of the proposed changes with reference to Biodiversity Net Gain and other relevant guidance/documents.

Camden Local Plan – Policy A5, 2017

Below is a review of the main ecological points from Local Plan Policy A5-2017 (here on referred to as Policy A5), which states that basements should (the reference section of the policy is shown in brackets):

-  *“(H) not exceed 50% of each garden within a property;*
-  *(K) not extend into or underneath the garden further than 50% of the depth of the garden;*
-  *(M) avoid the loss of garden space or trees of townscape or amenity value;*
-  *(N) Avoid adversely affecting drainage and run-off or causing other damage to the water environment;*

- (P) Avoid cumulative impacts;
- (R) Provide satisfactory landscaping, including adequate soil depth; and
- (U) Do not prejudice the ability of the garden to support trees where they are part of the character of the area".

The Camden Planning Guidance – Basements (January 2021)

The Camden Planning Guidance – Basements (January 2021) (here on referred to as guidance 2021) states that basement schemes should take place in a way that ensures they:

- "Conserve the biodiversity value of the site" (guidance, section 1.18, page 7).

In the guidance 2021 section 2, Table 1 it explains the policy criteria in more detail.

- Policy A5, section H "*this criteria applies to the front garden, rear garden and the gardens to the side of the property individually, rather than calculated as an aggregate garden area for the whole property. This criterion applies to gardens as they currently exist and not the gardens of the proposed development. The unaffected garden must be in a single area and where relevant should form a continuous area with other neighbouring gardens. Sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees.....for example wildlife corridors can exist at the very rear of property boundaries*".

Figure 9 from the guidance 2021 shows a diagram showing the main criteria from Policy A5, and pictorially shows how they impact and limit an existing basement development.

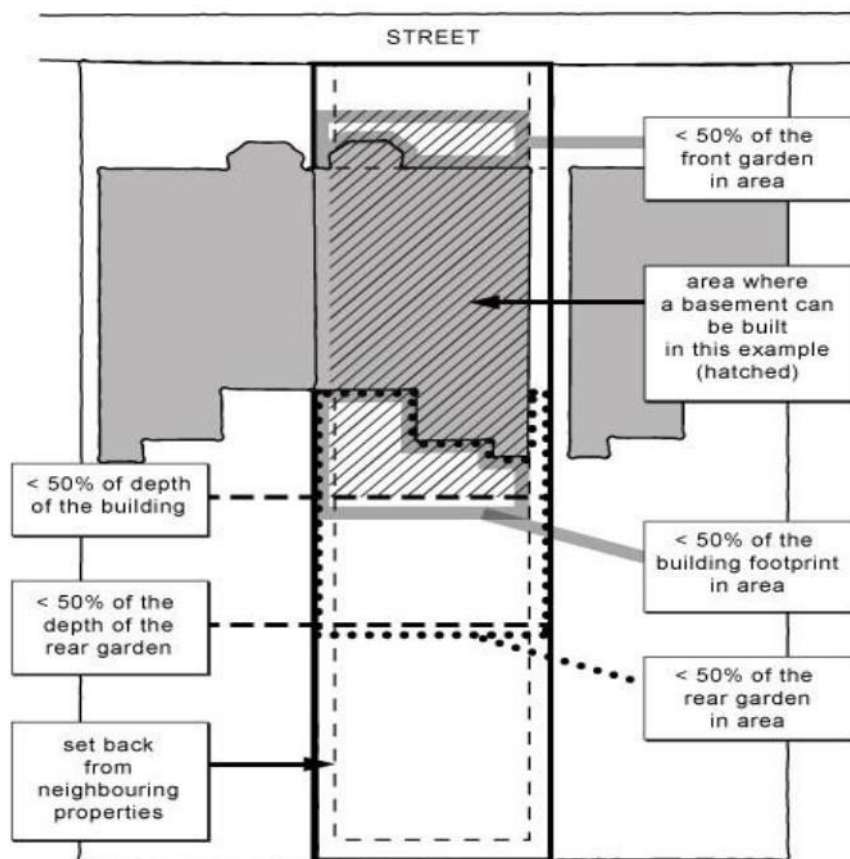


Figure 1: A diagram of the main criteria from Policy A5 (The Camden Planning Guidance – Basements, January 2021).

This figure shows that a large portion of the garden would be protected under existing Policy A5.

Guidance 2021, Section 3.1 states:

- 🌱 "Policy A5 of the Local Plan on basements ensures that basements are not built underneath excessive proportions of the gardens of properties".
- 🌱 Basements need to "preserve or enhance the garden area for trees, other vegetation and to support biodiversity".

- ④ *“Sufficient margins should be left between the site boundaries and any basement construction to enable natural processes to occur and for vegetation to grow naturally. These margins should be wide enough to sustain the growth and mature development of the characteristic tree species and vegetation of the area”.*
- ④ *“The Council will seek to ensure that gardens maintain their biodiversity function for flora and fauna and that they are capable of continuing to contribute to the landscape character of an area so that this can be preserved or enhanced”.*

Guidance 2021, Section 3.2 states:

- ④ *“Basement developments should provide an appropriate proportion of planted material to allow for rainwater to be absorbed and/or to compensate for the loss of biodiversity caused by the development. This will usually consist of a green roof or detention pond on the top of the underground structure. It will be expected that a minimum of 1 metre of soil be provided above basement development that extends beyond the footprint of the building, to enable garden planting and to mitigate the effect on infiltration capacity”.*
- ④ *“The use of sustainable urban drainage systems (SuDS) is sought in all basement developments that extend beyond the footprint of the original building”.*

Guidance 2021, Section 3.3 states:

- ④ *“Consideration should be given to the existence of trees on or adjacent to the site, including street trees and the required root protection zone of these trees. Camden Planning Guidance on design sets out the evidence that the Council requires with respect to the protection of trees, including tree surveys and arboricultural method statements”.*

Current Practise for Basement Construction

In practice the above Policy A5 and guidance 2021 is followed and achieved by requiring the following:

- ④ All existing trees and root protection areas (RPA) are protected from any basement developments. As a result, under the current Policy no trees should be felled for a new basement construction.



- One metre of soil is placed on top of the completed basement lid at the end of the project. A depth of 1m of soil will enable trees, shrubs, herbaceous and annual plant species to grow.
- Sustainable drainage system (SuDS) are installed for the whole scheme; and
- A landscaping condition is normally enforced.

Review of the Proposed Submission Draft Local Plan Policy D6

Section E for the proposed submission draft Local Plan Policy D6 (hereon referred to as Draft Policy D6) states what the Council will require applicants to demonstrate that proposals for basements follow:

- Point 8 *"ensure impacts on any green/garden space or trees are minimised and where residual impacts do arise that this is addressed through appropriate restoration and replacement, prioritising biodiversity enhancements where possible"*.
- Section 12.131 *"basement rooms should not extend beyond the footprint of the original building"*.
- Section 12.139 the council we seek to *"safeguard green areas, including gardens and retaining and protecting trees""Basement should be planned to minimise disturbance to gardens or trees, including root systems, in accordance with Policies NE2 (Biodiversity) and NE3 (Tree protection and planting)"*.



Review of the Proposed Submission Draft 2025 – Basement Topic Paper, October 2025

Section 6.7 of the Proposed Submission Draft 2025 – Basement Topic Paper, October 2025 (hereon referred to as TP09) states that “Camden has a sizable number of large residential properties where a basement extending to 50% of the garden, as provided for in the existing policy, would be a substantial size and cover a significant area beneath the garden, and lead to ground conditions being irreversibly changed”

Section 6.9 of TP09 states that “residents and community groups have raised concerns about the cumulative losses of garden from basement developments across neighbourhoods.....”.

Section 6.10 of TP09 states that “the development of basements often results in tree loss and reduces the scope for the future planting of large-canopy native trees....”.

Section 6.15 of TP09 states that the council have adopted a biodiversity strategy called 'Creating space for nature' which promotes green corridors and stepping stones. The council states that the continued use of Policy A5 would result in further ecological losses of mature gardens contrary to the new strategy.

Our Opinion

In our opinion the ban on basements under gardens proposed in the Draft Policy D6 is not justified based on the impact to biodiversity and/or ecology.

1. The current Policy A5 limits basement development under gardens to no more than 50% of the garden area, and to not extend more than 50% of the depth of the existing garden (meaning, the rear of the gardens will be left undeveloped). As seen by Figure 1 (Figure 9 from the guidance 2021), this area that can be developed can be smaller than 50% of the garden depending on other factors of the existing Policy A5, and existing trees.
2. The far end of the garden will be protected during construction. This ensures when a basement is constructed the end of gardens will be maintained and can act as a corridor or stepping stone for wildlife depending on what natural habitats are in the adjacent gardens. If the adjacent garden is 100% manmade then this basement site will act as a wildlife stepping stone, but if the adjacent gardens are natural habitats, then the basement garden will act as part of a green corridor.
3. The Root Protection Area (RPA) of mature trees, including street trees, or trees with Tree Preservation order (TPOs) will also be protected. An

arboricultural report should be submitted as part of a planning application to confirm this protection. This is confirmed by guidance 2021 which states *"Council requires with respect to the protection of trees, including tree surveys and arboricultural method statements"*. This again ensures that no mature trees should be impacted by any basements. The root protection areas of retained trees should be fenced off during construction, to ensure they are protected. As a result, sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees. This is confirmed by the guidance 2021, which states basements need to *"preserve or enhance the garden area for trees, other vegetation and to support biodiversity. Sufficient margins should be left between the site boundaries and any basement construction to enable natural processes to occur and for vegetation to grow naturally. These margins should be wide enough to sustain the growth and mature development of the characteristic tree species and vegetation of the area"*.

4. Policy A5 and guidance 2021, requires 1m of soil to be placed over the top of basements. 1m of soil is enough for trees, shrubs and smaller annual plants to grow. The Landmark Trees letter, dated 18 March 2014, confirms from a Fellow of the Arboricultural Association, a Chartered Forester, Environmentalist, the following:
 - a. *"Ground of one metre depth over a concrete basement roof does not restrict the range of planting in any way, including major trees.*
 - b. *Any major tree grown in the UK can reach maturity and live for a normal life span in 450-750mm of fertile soil. One metre is more than adequate.*
 - c. *One metre of soil is more than adequate to structurally support any major tree grown in the UK"*.

This is contrary to section 6.10 of TP09, which claims that basements often results in tree loss and reduces the scope for future planning of large canopy native trees.

5. It is important to note that trees can provide a green corridor, or if the canopies are not very close then stepping stones, for aerial species (e.g. bats, birds and some insects) to migrate. However, there are several factors which can cause animals, particularly ground based animals, to not use green corridors and/or stepping stones in gardens. These issues include, but are not limited too: sealed fences with no holes (often referred to as hedgehog holes); gardens covered in manmade material



(e.g. decking, patios or astroturf); predation of wildlife by pets; or the disturbance, and sometimes barriers, caused by external lights and noise.

6. If required, a planning condition could require a site specific ecological management plan for maintaining habitats and corridors to adjoining properties during construction, and require these are maintained and enhanced through the completion of the development. This could encourage enhancement of habitats through garden basement development.
7. TP09 section 6.14 states that *"retaining the existing approach in Policy A5 would result in further cumulative losses of mature gardens resulting from the construction process"* which implies a loss of biodiversity and ecological value without evidence. A planning condition for an ecological management plan could ensure habitats are maintained and enhanced.
8. TP09 section 6.15 states that *"The excavation of a basement and the ongoing construction work is likely to result in the complete loss of existing biodiversity value and habitats above ground with areas of mature planting and trees most affected. While restoration can theoretically occur on completion, existing habitat will be lost and some habitat and biodiversity may never recover"* and section 6.16 states *"The Council considers that in order to optimise the significance of residential gardens as a biodiverse resource, greater emphasis should be placed on maintaining such areas in their existing intact state"*. This could be mitigated through a combination of a construction management plan and an ecology management plan. Here, biodiversity landscaping and planting plans could lead to higher biodiversity value post construction than currently on site.
9. The requirement for an ecology / biodiversity / wildlife friendly landscaping plan including protection of trees, green corridors and existing biodiversity during construction and a post-development garden of improved, or at least equal, biodiversity, tree and mature planting would deliver significantly higher ecological and biodiversity benefit than the proposed banning of garden basement development.

10. Biodiversity Net Gain (BNG) requires most new developments in England to deliver a minimum 10% increase in habitat value which became mandatory on the 12th February 2024. There are two types of metrics the Statutory Biodiversity Metrics (SBM) and the Small Sites Metric (SSM). The SSM which has been applied since 2nd April 2024 is a simplified tool designed for smaller projects (e.g. less than 9 dwellings or less than 1 hectare and does not contain priority habitats or protected species). There are various exemptions to BNG including dwellings that are self-build or custom house building as defined under section 1(A1) of the Self-build and Custom Housebuilding Act 2015, or sites that are under 25m² of soft landscaping. There is also a BNG Small Scale Metric (SSM) The de-minimums area no longer requiring a SSM has been increased. Although many basement sites are not likely to meet the requirements for a BNG or SSM assessment, it is useful to see how the Government's BNG scheme assess temporary vegetation loss. Under BNG temporary losses do not need to be recorded as a habitat loss if the habitat and the area can be restored to its baseline condition within two years.
11. In accordance with the Council's strategy 'Creating space for nature' an ecological calculation comparing the before and after of a basement development should be required of all basement projects and a requirement that they improve the overall ecology. The BNG and SSM calculators already exist and therefore the council could require these to be submitted for all basement projects, regardless of the existing BNG/SSM exemptions.
12. We have read the 19th March 2014 GS Ecology letter, Comments on the Royal Borough of Kensington and Chelsea's draft basements policy and agree with its contents and conclusions. Which state
 - a. *"The temporary loss of wildlife habitat is unlikely to be of significance and can be easily mitigated; the loss and movement of soil invertebrates and micro-organisms is unlikely to be of significance and in any case be controlled by a condition requiring the implementation of a sustainable soil strategy in line with DEFRA guidance, and; as long as it can be demonstrate that a mature and wildlife friendly landscaping scheme with space for large canopy trees as appropriate can be provided there should be no biodiversity reasons for limiting the extent of basement developments to 50% of the garden area"*



13. The current policy ensures that trees and sufficient margins should be maintained. This coupled with a requirement for a like for like or better post construction garden would ensure biodiversity and habitats are maintained.

Summary

The existing Policy A5, should not be resulting in any long term/permanent loss of ecology from site. Trees are already protected. Wildlife corridors and or stepping stones currently exist at the end of the garden during the construction phase and with 1m of soil over the basement in the garden area, future vegetation can grow in these areas.

If trees are on site, then arboreal reports need to be requested.

Without any ecology assessment comparing baseline with post development, it is hard to quantify any ecology change. Ecology management plans should be required to demonstrate how the ecology on the site will be enhanced.

As a result, the existing Policy A5 has the potential when done thoroughly, and appropriate reports requested, to improve the ecology on the site, which the new Draft Policy D6 does not appear to be able to do. As a result, from an ecological standpoint we would recommend that the existing policy is retained.

Yours sincerely



Richard Schofield
Director

Encs.

References

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