From: Mary Burd
Sent: 03 November 2024 18:50
To: Planning
Cc: Patricia Callaghan (Councillor); Richard Cotton (Councillor)

Subject: Re 2024 4405/T

Dear Planning Team

I am writing as the owner of the property adjoining 102 -104 to object to the above planning application for permission to fell trees in the garden of this property. This is a re-application of 20221187/T which was refused at the time on the following ground:

The sycamore and the ash are not visible from the public realm however they are widely visible from a large number of properties that overlook the rear gardens of Albert Street, Arlington Road, Delancey Street and Parkway providing a high level of visual amenity to those who overlook them. They make a positive contribution to the character and appearance of this part of the conservation area forming part of a corridor of vegetation along the rear boundary of the properties, providing habitat for wildlife, screening between the properties and ameliorating the effects of pollution and climate change. It is considered that the collected attributes of these trees are significant and that the trees are worthy of being brought under the protection of a tree preservation order.

The notification alleges that the trees have been implicated in subsidence at the property. While some data has been provided in support of this allegation the area affected has not been indicated on any plans in relation to the position of the trees but more importantly no evidence of cyclical movement has been provided indicating seasonal movement associated with subsidence caused by vegetation.

It is recommended that a tree preservation order is served to protect the visual amenity and other environmental services the trees provide and preserve the character and appearance of the conservation area.

I was extremely concerned to discover that the status of the TPO's is uncertain, as there appears to be no evidence that the recommendation for them to be put in place was ever confirmed. I would therefore urge that in the first instance the TPO's recommended in 2022 be immediately put in place.

I strongly object to the above application on the following grounds. There is no new evidence that subsidence in the extension to the property has been caused by the roots of these trees and I repeat the following reasons given in 2022 for objecting to this application as they remain the same. I also attach a report from arboriculturist Simon Pryce (also submitted with the Albert Street North Residents Association) to support my objections.

- **These trees are in a large green space overlooked by at least 45 households living in three roads that contain this space and therefore have considerable public amenity value. This is an important "green lung" for this part of Camden. Attached photograph shows the extent of the canopy provided by these two trees which will be lost if they are felled**
- **At a time when literally hundreds of mature trees in Camden have been and are being felled many to support the HS2 rail line. We need to maintain and cherish those that we have for their contribution to biodiversity and reducing air pollution.**
- **These trees are at least 7.7 metres from the extension to the main building**
- **Though bore holes have been dug in this garden, there is as yet no long-term monitoring to provide evidence that these trees are responsible for of any movement in the building. Have all other possible causes been considered?**
- **The garden wall between the two properties has been affected by the sycamore, but in rebuilding this my surveyor has said this can easily be overcome by the presence of a lintel. I would far rather have a garden wall adapted to contain the roots than lose the trees which I have looked out on over for the past 58 years.**
- **Both species are Category A carbon credit species trees (see Barcham's "Top Trunks" carbon sequestration guide). Camden has declared a**

climate emergency and should not be permitting the release of this carbon as a consequence.

The ash tree in question might benefit from some appropriate pruning, but as the general reasons for retaining these trees remain the same as the recommendations for serving TPO s made by Tom Little in 2022 I would strongly urge you to serve immediate TPO's and reject this application

Yours sincerely

Mary Burd

Resident

Mary Burd

100 Albert Street

London NW1 7NE

Simon Pryce Arboriculture

Cecil House 102 – 104 Albert Street NW1 7NE - notes and comments

Investigation

Engineers report 22/12/21

1. The damage occurred in 2021 and appears to be getting worse, insurers had been notified in 27/8/21. There is no description, except that there was internal cracking in the rear projection, BRE Category 3 (moderate, cracks 5 - 15mm wide), considered recent. The photos referred to are not attached. This report states that initial monitoring readings were expected but none have been submitted.

Site investigation 22/12/21

2. TP/BH1 (trial pit/ bore hole) at rear, which appears to have a basement. This found concrete down to 200mm, brickwork down to 950mm deep before being abandoned due to collapsing ground, so the foundation depth is unknown. Clay, concrete rubble and builders waste around foundation. BH found that material to 1m, then stiff brown / grey veined clay (London clay) becoming very stiff from 2.5m.

3. The soil test results are summarised in the attached spreadsheet with comments. Plasticity Indices are 51 - 54%, indicating a high potential for shrinkage and swelling with changes in moisture content. Desiccation in this context means that the clay is drier than would be anticipated under normal equilibrium conditions. It is not an exact science and usually assessed by comparing moisture contents with the liquid and plastic limits and the stiffness (shear strength) and suction values. Clays naturally become stiffer and drier with increasing depth. The figures show fairly normal figures down to about 2m, but at 2.5m there is a pronounced dip in the moisture content and corresponding peak in soil suction, shown in the way to the two graphs on page 8 mirror each other.

4. The bore hole log records 2mm roots to 1.5m and 1mm dia. roots down to 1.7m
Lab report refers to 3no. 2mm diameter roots found at 2.7m. I am inclined to trust the 1.7m depth, as that is based on the drillers site notes, it's quite likely to be a transcription error when the roots were sent to the lab. Roots were identified as ash and maple family, which includes sycamore. The presence of starch means that they were alive, or had been until shortly before being found.

5. The drain survey found severe blockages with silt, but no records of any roots.

Arboricultural report

6. The arboricultural report states that they have been advised that the building has been affected by vegetation but does not refer to any of the technical reports, so it is not clear whether or not they had been seen. It lists T1 as a 15m high sycamore 7.7m from the back of the house in the garden of no.104 and a 16m ash 14m from the house in the garden of no.102. These are the largest trees shown apart from T6, a sycamore much farther from away. There was also a laurel close to the back of the rear extension.

7. The section on the evidential framework states that the engineer had determined on a preliminary basis that the vegetation was causing subsidence. There are some general comments about other technical reports but none are actually cited.

Comments

Soil desiccation

8. The report refers to the soil being desiccated from about 2.5m downwards and the test results and graphs are consistent with that. The bore hole log records roots only down to 1.7m, but the lab report states 2.7m. That can occur when the lab picks up very small hair and fibrous roots in the samples not noticed by the drillers on site. However the sizes recorded by the drillers and the lab are similar, suggesting strongly that they are the same samples and this is an error. The peak in suction and dip in moisture content at about 2.5m are typical of the effect of the trees, but the drying effect of roots does not extend far beyond the growing tips. It would be unusual for medium sized ash and sycamores to have roots as large as 2mm down to 2.7m but I would not dismiss that entirely.

Building movement / monitoring

9. Where trees cause subsidence in buildings there is a seasonal cycle of movement. During the summer the foundations dip and cracks widen as the clay shrinks, then during the winter they recover as the vegetation becomes dormant and higher rainfall leads to the soil rehydrating and swelling. That seasonal effect is highly characteristic of tree related subsidence, so subsidence investigations should involve monitoring foundation movements and crack widths. The engineer's report mentions monitoring but, if it was carried out, no readings have been provided, nor is there any mention of whether or not the residents noticed any seasonal changes. If anything was going to produce noticeable movement the exceptionally dry summer of 2022 would have done. The drought continued into early 2023

10. The base of the foundation was not found, but if there is a basement it might be much deeper than the base of the trial pit at 950mm. A deep foundation would make the building more resistant to soil shrinkage and swelling, whether caused by trees or climatic effects.

Summary

11. Some of the described features are consistent with tree related subsidence, but the evidence as a whole is a long way from being conclusive, particularly without any monitoring readings.

TPO implications

12. I thought that the trees were now protected by a TPO, but the application form and Camden's web site show it as a notification to fell trees in a Conservation Area (section 211 notice), not a TPO application. Camden have registered it, but there is nothing on the website about it being validated, so it might be worth checking that with them. There is a standard Government requirement for the evidence that must be submitted to support tree work applications and with subsidence cases it is comprehensive. This is online at the address below and I have reproduced the relevant clause and extract from the guidance note: https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas

13. *It is important that applications suggesting that the proposed tree work is necessary to address treerelated subsidence damage are properly supported by appropriate information. The standard application form requires evidence that demonstrates that the tree is a material cause of the problem and that other factors have been eliminated as potential influences so far as possible. The guidance notes for the standard application form (PDF, 193KB) list the requirements… Paragraph: 069 Reference ID: 36-069-20140306*

14. Extract from guidance note:

Subsidence

Reports will usually be provided by a structural engineer and/or a chartered surveyor and be supported by technical analysis from other experts e.g. for root and soil analysis.

These reports must include the following information:

- *A description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map*
- *Details of vegetation in the vicinity and its management since discovery of the damage. Include a plan showing the vegetation and affected building*
- *Measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. Data provided must be sufficient to show a pattern of movement consistent with the presence of the implicated tree(s)*
- *A profile of a trial/bore hole dug to identify foundation type and depth and soil characteristics*
- *The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index*
- *The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out*
- *Proposals and estimated costs of options to repair the damage*
- *In addition, you must include a report from an arboriculturist to support the tree work proposals, including arboricultural options for avoidance or remediation of indirect tree related damage.*

15. The application covers some of these headings, but the contents of the submitted documents are not conclusive. In particular no monitoring readings have been submitted and the arboricultural report does not discuss any of the information, nor does it give the reasoning for felling the trees rather than other options, such as crown reduction and maintenance at reduced dimensions. Camden and other London boroughs have found that to be effective in reducing numbers of claims against their own street trees.

Conclusions

16. In the absence of any new information I'm still not persuaded that the two trees caused subsidence on the house. The applicants should be well aware of that and the TPO requirements, so it's not clear why they simply put in the same information again. I have seen some insurers doing this simply to get a refusal decision that might allow them to claim compensation.

Simon Pryce
25th October 2024