

Delegated Report

Officer	Application Number(s)	Application Address
Liam Vincent	2024/4405/T	Cecil House, 102 - 104 Albert Street NW1 7NE

Application Type:	s.211 Notification of Intended Works to Tree(s) in a Conservation Area
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Proposal(s)

REAR GARDEN:
1 x Sycamore (T1) - Fell to ground level.
1 x Ash (T2) - Fell to ground level.

Recommendation(s):	<u>Objection</u> to notification of intended works to tree(s) in a conservation area.
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Consultations

Adjoining Occupiers:	No. notified	29	No. of responses	23	No. of objections	23
Summary of consultation responses:	<p>The Council received a large number of responses to the consultation, all of which are objecting to the proposed works. They can be viewed online at https://camdocs.camden.gov.uk/CMWebDrawer/PlanRec?q=recContainer:%222024/4405/T%22</p>					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p><u>Albert Street Residents Association:</u></p> <ul style="list-style-type: none"> • <i>Representing over 50 households / 20 properties in the street,, all of whom will be affected by the loss of biodiversity, air pollution and carbon sequestration and loss of the visual amenity as they overlook the green square bounded by Parkway, Arlington Road, Delancey Street and Albert Street North.</i> • <i>In May 2022, we objected to a previous application 2022/1187/T to fell two trees and the Council refused permission and put TPO's on them.</i> • <i>Unfortunately, it appears the status of the TPO's is uncertain and there is no record of them having been confirmed; We would be grateful if you could clarify this for us and if this is so, please rectify this immediately so that the TPO's are now in place.</i> • <i>Our reasons for objecting are the same as those to the previous application set out in our letter of May 2022</i> • <i>An added objection - no new evidence has been provided to prove that the building in question has suffered from subsidence as a result of the Ash and Sycamore trees.</i> • <i>To support this objection I am also attaching a report from Simon Pryce, Aboriculturist..</i> <p><u>Camden Town Conservation Area Advisory Committee</u> strongly objects to the loss of these important mature trees for the following reasons:</p> <ul style="list-style-type: none"> • <i>Biodiversity: There are no public gardens in the residential part of the Conservation Area and street trees are routinely pollarded back resulting in poor branch frameworks for nesting birds, and delayed canopy cover to attract insects (bats also feed in this locality). These two mature rear garden trees are therefore an important and significant contributor to these fundamental aspects within the CA providing excellent biodiversity in this garden block.</i> • <i>Carbon Sequestration: 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.</i> • <i>Visual Amenity: They provide important visual screening for residential amenity and the character of backland plots in the CA. See CTCA AMP p21 "The trees and greenery of back gardens are only visible in occasional glimpses from the public realm but contribute to the nature of the western part of the Conservation Area... mature trees are an important element in the character and appearance of the Conservation Area."</i> • <i>Structural matters: Removal of mature trees such as these often cause more damage to structures due to heave than any initial subsidence has caused. Retention with careful management would be the correct solution in the vast majority of cases on clay soils.</i> <p><u>Delancey Street Residents Association</u> strongly objects to the proposed felling and loss of two important mature trees in the large green space bounded by Albert Street North, Parkway, Arlington Road and Delancey Street for the following reasons:</p> <ol style="list-style-type: none"> 1) These trees fall within a conservation area and are listed. 2) These trees are in good health 3) Over 45 dwellings have a view of these trees and form part of the green oasis at the back of each dwelling. They are of great value as a public visual and health amenity 4) As mature trees they provide natural habitats for birds and insect – therefore contributing to the biodiversity of this area. 5) Both species are Category A carbon credit trees and are essential in providing some protection from air pollution. 6) Since the first planning request to remove these trees and the refusal to grant that request – there is no new evidence to suggest that these trees are a danger. 					

Assessment

A s.211 notification of intended works has been received proposing to remove (fell to ground level) two mature trees (T1 – Sycamore & T2 Common Ash) and a much smaller tree / bush (H1 Laurel) in the rear garden of 102 – 104 Albert Street, which falls within the Camden Town conservation area.

The trees are alleged to be the cause of subsidence damage to the rear of the property.

The trees 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.

A previous s.211 notice received in 2022 for the same reason. The Council objected to the proposed works as the supporting evidence was not considered robust enough to justify the removal of the trees:

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.

Due to the Council's objection a TPO was served *to protect the visual amenity and other environmental services the trees provide and preserve the character and appearance of the conservation area.*

For reasons unknown, the TPO was not confirmed.

To support the current notification several documents have been submitted by the agent (Sedgewick International UK). These are:

- Site Investigation Report ref SI-375633 carried out by CET 22/11/2021. This provides a layout plan, profiles the findings of a Trial Pit / Borehole investigation including the foundation depths, soil structure, provides ID of roots found within the trial pit / borehole, and concludes that as they are '100% blocked', the drains need to be cleared of silt before any survey is conducted. The soil is found to be of a high plasticity and has the capacity for volumetric change. The roots found are the same as the trees implicated as causal to the damage.
- Engineering Appraisal Report Ref: 9339797 carried out by Sedgewick International UK 22/12/2021. In addition to the information given in the SI Report above, this report notes that the area of damage is to the rear projection and takes the form of internal structural cracks, with damage noted to walls and ceiling landing and WC on 3rd floor, 2nd floor, 1st floor and ground floor level within the rear projection. The damage is categorised as moderate, and is classified as category 3 in accordance with BRE Digest 251 - Assessment of damage in low-rise buildings.
- Arboricultural Assessment Report Ref: 216480 carried out by Property Risk Inspection 13/01/2022. This report provides a site plan showing the locations of six trees, two 'hedges' and a climber; limited photographic imagery including the front elevation of the property and the various trees and shrubs near to the rear of the property. There is no visual evidence of the damage included. The report concludes that '*On the basis of our findings, we have considered a practical vegetation management specification*', namely the removal of H1, T1 & T2. No monitoring of any kind is provided to support the assumption that the cause of the movement is related to the action of nearby vegetation.

All of the documents submitted for this s.211 notice were originally submitted for the previous s.211 notice. There have been no updates to that information, nor has there been any form of monitoring of the building foundations submitted.

As the reasons for the previous objection remain the same, and the values that the trees hold are also the same, It is recommended that the proposed works are objected to and a TPO served to protect the visual amenity and other environmental services the trees provide and preserve the character and appearance of the conservation area.