

Delegated Report		Analysis sheet		Expiry Date:		08/03/2013	
		N/A / attached		Consultation Expiry Date:		14/02/2012	
Officer				Application Number(s)			
Neil McDonald				2013/0125/P			
Application Address				Drawing Numbers			
45 Sidmouth Street London WC1H 8JB				Arboricultural Method Statement by ACD Arboriculture- Revision F:14.12.2012; Letter from Boyer Planning dated 08/01/2013.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Variation of condition 11 (all trees, unless shown as being removed, shall be retained and protected from damage), of planning permission dated 30 March 2012 (ref 2012/0815/P), for the erection of two new buildings comprising one part 5-storey, part 4-storey building with basement and one 4-storey building with basement, totalling 52 self contained dwellings including 8 units of social rented affordable housing) to provide for minor material amendments including alterations to internal layout of residential units, amalgamation of North and South blocks at basement, new refuse store at ground floor of Sidmouth Street entrance and alterations to elevations.							
Recommendation(s):		Granted					
Application Type:		Variation or Removal of Condition(s)					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notice 18/01/2012 until 08/02/2012 Press advert 24/01/2012 until 14/02/2012					
CAAC/Local groups* comments: *Please Specify		Bloomsbury CAAC – commented that all they had sent to them to comment upon was papers about tree roots.					

Site Description

The site was formerly part of the Westminster Kingsway College but was sold into separate ownership following the securing of planning permission for the redevelopment of the college in 2006. The site was included in the college redevelopment proposals but formed a separate parcel to be developed for residential use. The college redevelopment is now complete but the site at 45 Sidmouth Street was disposed of by the College to a third party developer. The site has since been secured permission for redevelopment in its own right and preliminary site works have commenced. It lies immediately to the east of the Grade II* Registered St Georges Gardens with which it shares a common boundary and is located within the Bloomsbury Conservation Area.

Relevant History

2011/0503/P – planning permission granted on 28/04/2011 for the erection of two new buildings comprising one part 5-storey, part 4-storey building with basement and one 4-storey building with basement, totalling 52 self contained dwellings including 8 units of social rented affordable housing.

2012/0808/P – non material amendment granted to add a new condition (condition 16) to the permission ref. 2011/0503/P (granted on 28/04/2011) to ensure the development shall be carried out in accordance with the approved plans.

2012/0815/P – Minor material amendment (variation of condition 16) granted on 30/03/2012 for alterations to internal layout of residential units, amalgamation of North and South blocks at basement, new refuse store at ground floor of Sidmouth Street entrance and alterations to elevations.

Approvals of details have since been granted in discharge of conditions 2 (i – samples of all facing materials), 6 (hard and soft landscaping), 10 (parts a and b -ground investigation and remediation) and 12 (bird and bat boxes). Details in respect of conditions 2ii (typical doors, stairs, windows, balconies etc), 2iii (sections through facades) and 3 (balustrades and windows) have been submitted and are awaiting determination.

As of the date of consideration of this application conditions 4 (brown roofs), 9 (secure boundary treatment at western end), 10 (part c -ground remediation verification report) and 14 (air quality assessment in respect of CHP) of planning permission 2012/0815/P (granted 30/03/2012) are outstanding and require details to be submitted and approved.

Relevant policies

LDF Core Strategy and Development Policies

CS15 – Parks, open spaces and biodiversity.

Assessment

This application is to vary the tree protection arrangements currently set in place for the development which are secured under Condition 11 which states:

All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the submitted arboricultural statement by CBA Trees dated July 2009.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

During the course of works, the applicant has found that the excavations need to come closer to one large London Plane than was originally proposed due to deep underground tanks being required in connection with services relating to the building. A revised Arboricultural Method Statement has been submitted for which the applicant is seeking approval through a variation to existing condition 11.

One large root from a London Plane is to be severed (120mm diameter), however as the Arboricultural consultant points out, this root would likely be severed to implement the foundations for the development and the new proposals will sever this root around 1-1.5 metres nearer to the tree.

Although this is a large structural root, the tree has recently been reduced (to provide 1.5 metres clearance of the façade of the new building), reducing potential for wind-throw and as it is a Plane tree, it is more tolerant of root loss than other species. The Arboricultural consultant states in their submitted report that this would be unlikely to affect the structural integrity or long term health of the tree.

The piling in this area will be undertaken with a small rig which will fit under the remaining crown of the tree.

In conclusion, the revised arboricultural method statement is considered acceptable and condition 11 may therefore be varied so that this supersedes the previous statement.

Recommendation: Grant variation of condition 11.

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