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Dear Sir or Madam,

**WHICH? HEADQUARTERS, 2 MARYLEBONE ROAD PLANNING PERMISSION REFERENCE 2013/5840/P
SECTION 211 APPLICATION – REMOVAL AND REPLACEMENT OF TREES AT PETO PLACE**

Herewith information relating to the discharge of Condition 4 of the planning consent 2013/5840/P for Which? Headquarters. The information submitted accompanies an application for the discharge of Condition 4 of permission reference 2013/5840/P and also a Section 211 Notice application for the felling of four trees (*Prunus spp.*) in Peto Place. The felling of the trees is necessary for the implementation of the permission in terms of accommodating scaffolding and safe, suitable vehicle routes. It is proposed to replace the felled trees with a more suitable species.

The contractors, Structuretone, have engaged in discussions with stakeholders, including the Crown Estate Pavement Commissions (CEPC) who own the trees, regarding their treatment during works at Peto Place. It was agreed with CEPC that the removal of the trees was the most prudent solution, with their replacement with species more appropriate to this location. Structuretone have also discussed the felling and replacement of the trees with Tree Officer James Remington who has agreed in principle to the felling of the trees and their replacement with specimens of a suitable species (to be controlled by a condition imposed on the Section 211 consent).

The rationale for removal is explained in detail below and, in accordance with BS 5837:2012, a competent arborist has been consulted: Charles Funke Associates (CFA). CFA have produced the following reports which are enclosed:

- Existing Tree Survey
- Tree Survey Report
- Tree Replacement Strategy
- Tree Proposal Plan
- Tree Pit Detail prepared

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Rationale for removal

Many options were considered in order to decide on the best approach to the trees at Peto Place. These included the necessity for public protection works, site logistics, and the opportunities for tree protection.

- **Public protection works**

Public protection works are required by CEPC and will benefit both residents and contractors during the project.

The first form of public protection works will be a scaffold gantry which will be erected over the access ramp to the basement of the Which? building. The ramp is used by residents, and the scaffold gantry will provide a clear separation these users of the ramp and contractors. It will allow continued access to the ramp throughout the project, and allow works to the Peto Place façade to take place with the least disruption.

The gantry needs to span the width of the ramp and will be built atop the retaining wall on the west side. At this location, the scaffold will be clad in a 5m high hoarding, which is required by CEPC (as it will provide acoustic mitigation measures for the local residents) and would require the trees to be pruned back to the new hoarding line. The trees currently overhang the ramp and the extent of necessary pruning would be significant.

- **Site logistics**

The primary purpose of the scaffold gantry is resident access, but it will also function as a loading area. After considering alternatives locations, it was concluded that loading of materials has to occur on Peto Place, west of the property.

Initially, the preferred location for unloading was at Marylebone Road and Albany Street, south and east of the Site. These roads are wider and would have allowed for great sized delivery vehicles to access site. They are both however 24 hour clearways (double red lined) due to the high volume of traffic, a bus route, and bus stop which prevents a loading zone being established. In addition, a high number of cyclists uses these roads, and disruption would increase the likelihood of creating an accident hotspot for all road users.

Creating a loading bay to the north of the property would cause great inconvenience to vehicles entering the site, the existing ramp into Which?, the turning circle, and Peto Place car park which is north west of the site.

With safety and convenience of all road users the first priority, Peto Place is the only appropriate option for the location of the loading zone.

Materials will be lifted onto the scaffold via a lifting beam and 'laid down' on the gantry before being transferred into the building. Whilst double handling of the materials is an issue for the contractor, having an off-road 'lay down' location reduces the time vehicles have to wait to be unloaded, which will also reduce the inconvenience and presence of the development on the residents of Peto Place.

For delivery vehicles to be unloaded using the lifting beam, they will need to position themselves against the kerb/hoarding line so the lifting beam is directly above the middle of the truck. This would require the existing trees to be pruned back to ensure the delivery vehicles do not impact the branches whilst they position themselves. Whilst pruning would aid the trucks in positioning themselves, the complete removal of the trees would provide a greater space for the vehicles to manoeuvre in and out of the loading zone, and again reduce the time the vehicles spend moving in and out of Peto Place.

There is evidence that the branches of the tree on the Peto Place side have already been effected by delivery vehicles, and there is no desire to cause further unnecessary damage.

- **Protection of trees**

The pruning that would be required to both sides of the tree which would cause a significant amount of trauma. Tree protection measures such as boxing out the trees would not allow the scaffold gantry to be erected safely, and would therefore inhibit the safe and effective loading and unloading of materials.

Replacement trees

Advice received from CEPC acknowledges that the trees in question are not suitable for Peto Place. The Council's Tree officer agreed with this assessment – the current trees have branches that splay out at a low head height, which is why they are currently affected by passing delivery vehicles. The development provides an opportunity to replace the trees with a more appropriate species.

Details of the alternative species of tree being considered are given in CFA's tree replacement strategy. The applicant will be happy to discuss the most appropriate species of replacement tree which can be secured by way of condition to the consent for the tree works issued under Section 211.

I would be grateful if the Council could indicate that the above information has been submitted to its satisfaction at the earliest opportunity.

If you have any queries about the contents of this letter, please contact me in the first instance on 020 7312 7444.

Yours faithfully,



**TIM MILES
PARTNER
MONTAGU EVANS LLP**