

ARBORICULTURAL REPORT IN FULFILMENT OF PLANNING CONDITIONS 81 Avenue Road, London NW8 6JD

A report in fulfilment of pre-commencement condition 10 of planning consent 2016/5197/P dated 13th April 2017 for the erection of a 3 storey, single family dwelling (Class C3) with accommodation in the roof space and a basement beneath house and part of rear garden, following the demolition of the existing dwelling.

Report by Robert Toll

HND Urban Forestry, MArborA

Checked and approved by Dr Martin Dobson
BSc (Hons) Biol, DPhil, FArborA, MEWI
Registered Consultant of the Arboricultural Association

On the instructions of Wolff Architects

10th January 2020 (Amended 12th March 2020)

MDA reference M32



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1. Introduction

- 1.1 Martin Dobson Associates Ltd were instructed by Wolff Architects on 26th November 2019 to prepare an arboricultural report in fulfilment of planning condition 10 of planning consent 2016/5197/P dated 13th April 2017 (**MD1**) for the erection of a 3 storey, single family dwelling (Class C3) with accommodation in the roof space and a basement beneath house and part of rear garden, following the demolition of the existing dwelling.
- 1.2 The planning application was supported by a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan, reference DO8, prepared by Martin Dobson Associates on 30th September 2015. This report relies on the information provided in the previous Martin Dobson Associates.
- 1.3 Of the seventeen trees and one group recorded in the tree survey, two trees were considered to be category A and of high quality (T16, T17 London Planes), six trees and one group were considered to be category B and of moderate quality (G1 Limes, T6 Lime, T7 Poplar, T9 Cypress, T11 Robinia, T13 Lime, T14 Pear) and the remainder were considered to be category C and of low value.
- 1.4 Two conditions relating to trees have been attached to the planning consent and they are as follows:

Pre-Commencement Condition 10

Before any works commence on site, details shall be submitted to and approved by the Council to demonstrate how 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 during construction work. Such details shall follow guidelines and standards set out in BS5837:2012 and should include:

- *a tree protection plan (TPP) showing the location and nature of tree protection measures*
- *appropriate working processes in the vicinity of trees*
- *details of an auditable system of site monitoring*
- *details of the design of building foundations*
- *details, including dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site*

The development thereafter shall be implemented in strict accordance with the approved details.

- 1.5 Condition 11 can only be fulfilled following correct implementation of all tree protection measures throughout development.

Condition 11

Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with approved drawings and evidence of this shall be submitted to the council. The protection shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

- 1.6 This report has been prepared in fulfilment of pre-commencement Condition 10 and conforms to the guidance contained in the British Standard 5837: 2012 *Trees in relation to design, demolition and construction – Recommendations*.

2. Arboricultural method statement and tree protection plan

- 2.1 Trees can very easily be damaged during construction activities through their branches being broken by construction traffic passing close to the canopy or by root severance during the digging of foundation or service trenches. The majority of roots are to be found in the upper 600 mm of soil and so even relatively shallow trenches can sever a significant number of roots growing across the direction of the trench. Similarly, the diameter of tree roots tapers sharply within a few metres of the trunk of a tree, so that what might seem to an uninitiated site worker to be an insignificant root (perhaps only a few centimetres in diameter) may actually be highly important.
- 2.2 Tree roots can also be damaged indirectly, often inadvertently, through soil compaction, which disrupts soil structure and can lead to root death through the development of anaerobic soil conditions. Spillage of toxic materials (e.g. oil or diesel) can also result in root damage and ultimately the death of a tree. Protection of the soil around trees by means of a construction exclusion zone (CEZ) is therefore vitally important in order to preserve roots undamaged.

Fencing and ground protection

- 2.3 Tree protection will comprise of 2 m tall fencing installed in the positions shown at **MD2** prior to the approved construction work being undertaken. If the work is phased fencing will be erected sequentially to protect vulnerable areas. The fencing will consist of a scaffold framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 m (Figure 1). Onto this, weld mesh panels or 2 m high shuttering board will be securely fixed with wire or scaffold clamps. Un-braced weld mesh panels on unsecured rubber or concrete feet will not be used as these are not resistant to impact and are too easily removed by site operatives. An alternative system of bracing which does not require a scaffold framework is shown in Figure 2.

Figure 1. Diagram to illustrate design of protective fencing with scaffolding anchored into the ground

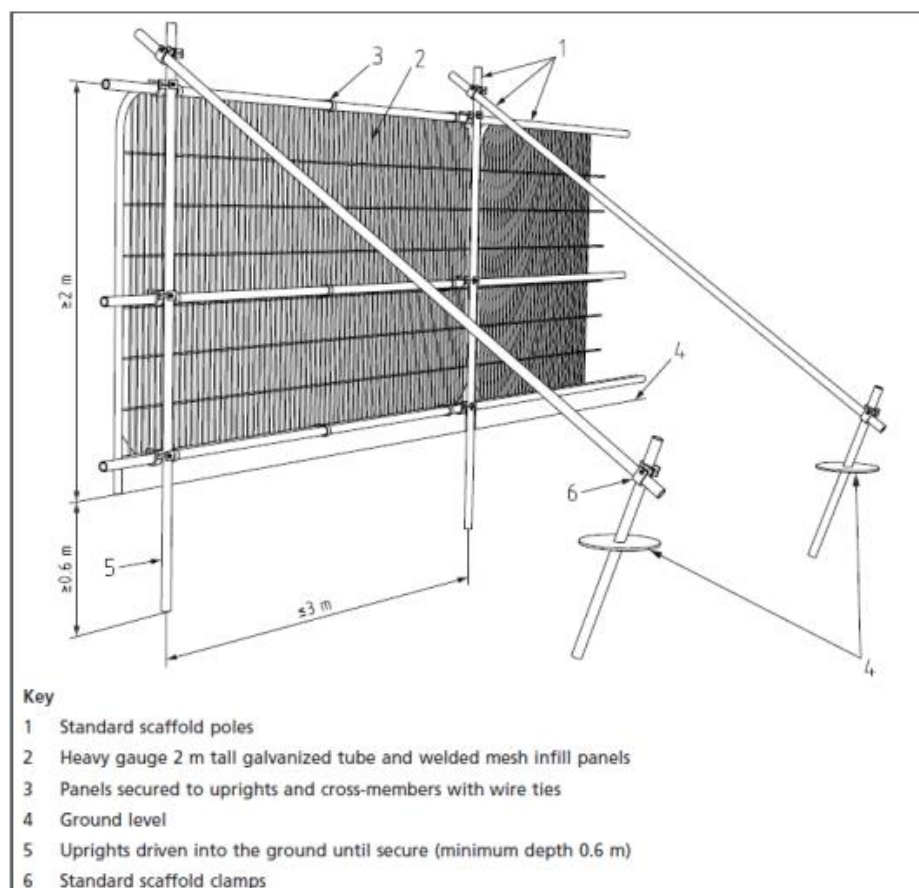


Figure 2. Diagram to illustrate alternative design of protective fencing

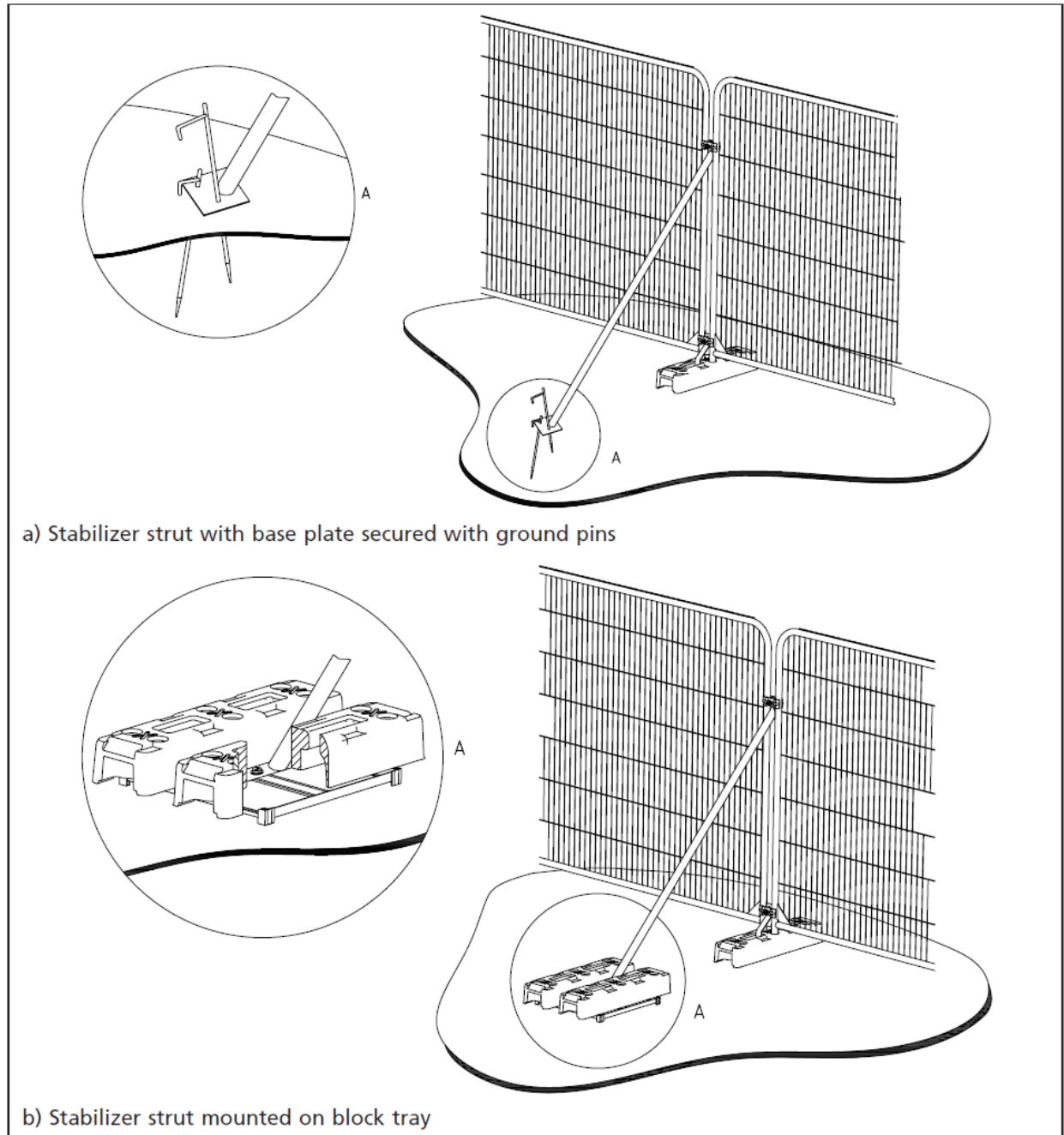


Figure 3. Photograph to illustrate installed protective fencing



- 2.4 High visibility all weather notices at a size no less than A3 will be securely attached to each panel of the barrier around the CEZ with wording as shown in Figure 4.

Figure 4. Wording to be included in high visibility all-weather sign attached to protective fencing



- 2.5 In order to allow access for construction workers around the development it is proposed that part of the RPA will be protected by ground protection. This area, hatched orange on the tree protection plan (**MD2**), will be covered by a permeable geotextile such as Terram. Onto this will be placed treated timber (100 mm x 80 mm) at spacings of no more than 1 m. The area between the timber bearers will be filled with a compressible material such as woodchips and will then be covered by 20 mm thick marine ply which will be screwed down onto the timber (Figures 5 and 6). The plywood may need to be coated with a non-slip paint.

Figure 5. Specification for ground protection

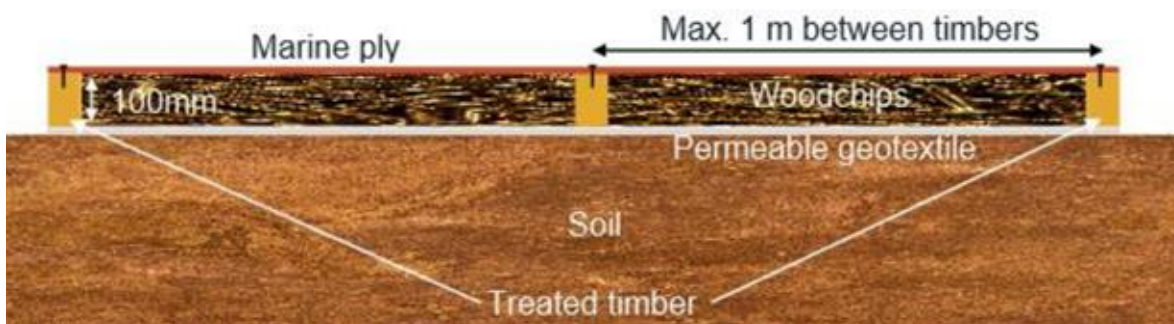
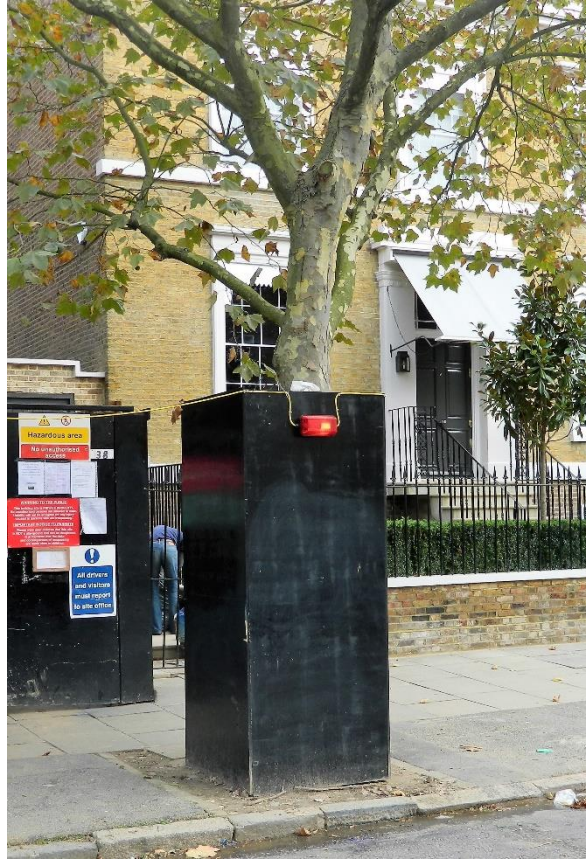


Figure 6. Plywood sheeting used as ground protection.



- 2.6 Tree T16 which is located in the pavement in front of the property will be protected from impact damage by the erection of 2 m high hoarding around the trunk as illustrated at Figure 7 and shown in **MD2**. The fencing will consist of a timber framework constructed around the tree trunk. Onto this 2 m high plywood sheets will be securely fixed with screws.

Figure 7. Photograph to illustrate design of timber protective fencing around tree trunk.



Arboricultural supervision

- 2.7 It is recommended that a project arboricultural consultant is appointed to oversee tree protection for the duration of the construction and landscaping contracts. The project arboriculturist will be consulted on any issues that may arise concerning trees and will visit the site as often as necessary to ensure that trees are protected and/or at the following key stages:

- Prior to contractors commencing works on site in order to meet with the supervising architect and/or the contractor's nominated site manager to ensure that the principles of tree protection are understood and the procedure, timescale and materials for installation of tree protection are agreed;
- Following installation of tree protection (including no-dig pathway) but prior to any works commencing on site to confirm that it is fit for purpose;
- During removal of existing surfaces within RPA;
- At any time that there are potential conflicts with tree protection;
- At the completion of construction works to confirm that tree protection may be removed to enable final landscaping.

- 2.8 A pre-start meeting should be held on site with the project arboriculturist and the contractor's representative(s) so that the precise details of the schedule of works together with details of installation of the relevant tree protection can be agreed and personnel induction carried out. The site manager/foreman will be fully briefed on tree protection measures and procedures before any workers or sub-contractors are permitted onto the site. Following induction, a copy of the Induction Sheet (**MD3**) will be provided to and be signed by the site manager/foreman in recognition of acceptance of their role in enforcing day to day tree protection.
- 2.9 All contractors involved in the project have a duty to comply with all the specified tree protection measures and all workers will be provided with induction by the site manager/foreman and be required to sign an Induction Sheet confirming they have understood the protection measures. Signed sheets will be kept on site for inspection.
- 2.10 No enabling works will take place until after the meeting has been held and the relevant tree protection has been installed, inspected and approved as fit for purpose.
- 2.11 Fencing and ground protection will not be removed under any circumstances during construction. If in any doubt the site manager must contact the nominated arboricultural consultant.

Burning of waste

- 2.12 No fires will be lit on site within 3 m of root protection areas, including the area of the no-dig driveway, due to the danger of scorching of leaves and branches of overhanging trees.

Space for machinery, parking of vehicles, storage of materials and site huts

- 2.13 All machinery required on site will operate outside of root protection areas or from the ground protection or the driveway. Site accommodation, if required, will be located outside root protection areas.
- 2.14 Delivery vehicles will park in the drive or off site and storage of materials will be outside root protection areas.

Services

- 2.15 The proposed layout of incoming (water, gas and electricity) and outgoing (foul sewer) services is not yet established but they should be installed outside root protection areas. If it is necessary for a trench to be dug through an RPA a specific method statement will be required which will need to specify that the trench will be hand dug and that care will be taken to preserve all roots encountered which are larger than 25 mm diameter.
- 2.16 It is anticipated that the services serving the existing dwelling will be utilised for the new dwelling.

Landscaping

- 2.17 Once construction has demonstrably finished (to the satisfaction of the project arboriculturist) fencing may be removed in order to allow final landscaping to be undertaken. Landscaping plans have been/will be prepared by others and will not/do not involve any changes in soil levels, digging of any trenches or construction of masonry or retaining walls within root protection areas.

3. Conclusions

- 3.1 Seventeen trees and one group were recorded in the tree survey, two trees were considered to be category A and of high quality (T16, T17 London Planes), six trees and one group were considered to be category B and of moderate quality (G1 Limes, T6 Lime, T7 Poplar, T9 Cypress, T11 Robinia, T13 Lime, T14 Pear) and the remainder were considered to be category C and of low value.
- 3.2 It will not be necessary to remove or prune any trees to facilitate development.
- 3.3 Methods for protecting the retained trees have been described which involve the erection of protective fencing, installation of ground protection, installation of a no-dig surfaces and hand excavation.
- 3.4 It is considered that the tree protection will ensure that no trees are harmed during construction.

APPENDIX MD1
Planning consent 2016/5197/P granted by the London Borough of Camden on 13th
April 2017



**Regeneration and Planning
Development Management**
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Tel 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Mr Declan Carroll
Nathaniel Lichfield & Partners
14 Regent's Wharf
All Saints Street
London
N1 9RL

Application Ref: **2016/5197/P**
Please ask for: **Kate Henry**
Telephone: 020 7974 **2521**

13 April 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
81 Avenue Road
London
NW8 6JD

Proposal:
Erection of a 3 storey, single family dwellinghouse (Class C3) with accommodation in the roof space and a basement beneath house and part of rear garden, following the demolition of the existing dwellinghouse

Drawing Nos: 1510-PL-000 Rev 0; 1510-PL-100 Rev 0; 1510-PL-102 Rev 0; 1510-PL-103 Rev 0; 1510-PL-104 Rev 0; 1510-PL-112 Rev 0; 1510-PL-113 Rev 0; 1510-PL-114 Rev 0; 1510-PL-202 Rev C; 1510-PL-204 Rev 0; 1510-PL-205 Rev A; 1510-PL-212 Rev 0; 1510-PL-200 Rev 0; 1510-PL-201 Rev 0; 1510-PL-203 Rev 0; 1510-PL-211 Rev 0; 1510-PL-213 Rev A; 1510-PL-230 Rev 0; 1116/PL/101; 1116/PL/102; 1116/PL/103; 1116/PL/104; 1510-FE-210 Rev 0; Stage 1 - Layout plan front garden; Stage 1 - Layout plan rear garden; Design & Access Statement (dated 02.09.16); Planning and Heritage Impact Assessment (dated 1st September 2016); Basement Impact Assessment (Ref: 16/25552-2, dated November 2016); Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan; Drainage Strategy and SUDs Statement (dated Sep 2016); Waste Report (dated 20 Sept 2016); Water Efficiency Calculations (dated 20/09/2016); Bat Emergence Survey (dated September 2016); Preliminary Ecological Appraisal (dated September 2016); Daylight and Sunlight Assessment (dated 5 September 2016); Environmental Noise



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Survey and Noise Impact Assessment Report (dated 16 August 2016); Flood Risk Assessment (dated Sept 2016); Landscaping Design (dated 20th September 2016); Strategic Summary of Mechanical and Electrical Building Services (dated 20th September 2016); Sustainability Statement (dated 7th February 2017); Energy report (dated 7th February 2017).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1510-PL-000 Rev 0; 1510-PL-100 Rev 0; 1510-PL-102 Rev 0; 1510-PL-103 Rev 0; 1510-PL-104 Rev 0; 1510-PL-112 Rev 0; 1510-PL-113 Rev 0; 1510-PL-114 Rev 0; 1510-PL-202 Rev C; 1510-PL-204 Rev 0; 1510-PL-205 Rev 0; 1510-PL-212 Rev 0; 1510-PL-200 Rev 0; 1510-PL-201 Rev 0; 1510-PL-203 Rev 0; 1510-PL-211 Rev 0; 1510-PL-213 Rev A; 1510-PL-230 Rev 0; 1116/PL/101; 1116/PL/102; 1116/PL/103; 116/PL/104; 1510-FE-210 Rev 0; Stage 1 - Layout plan front garden; Stage 1 - Layout plan rear garden.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2

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of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The approved cycle storage facility shall be provided in its entirety prior to the first occupation of the new dwelling, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to use of any external mechanical plant at the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment, in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Full details in respect of the living roof [in the area indicated on the approved roof plan] including:
- Details of materials, species, planting density, habitat features, and substrate
 - a statement of the design objectives, including justification of roof type/species selection
 - a site specific management plan including an initial scheme of maintenance
 - a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability

Shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

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Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 8 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the Council. Such details shall include:
- scaled plans showing all existing and proposed vegetation and landscape features
 - a schedule detailing species, sizes, and planting densities
 - location, type and materials to be used for hard landscaping and boundary treatments
 - specifications for replacement trees (and tree pits where applicable), taking into account the standards set out in BS8545:2014.
 - details of any proposed earthworks including grading, mounding and other changes in ground levels.
 - a management plan including an initial scheme of maintenance
- The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Before any works commence on site, details shall be submitted to and approved by the Council to demonstrate how 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 during construction work. Such details shall follow guidelines and standards set out in BS5837:2012 and should include:
- a tree protection plan (TPP) showing the location and nature of tree protection measures

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- appropriate working processes in the vicinity of trees
- details of an auditable system of site monitoring
- details of the design of building foundations
- details, including dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site

The development thereafter shall be implemented in strict accordance with the approved details.

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.

- 11 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with approved drawings and evidence of this shall be submitted to the council. The protection shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

Reason: To ensure that Tree protection measures are carried out to a reasonable standard such 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.

- 12 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP27 of the London Borough of Camden Local Development Framework Development Policies.

- 13 The works hereby approved shall be carried out in accordance with the methods outlined in the Basement Impact Assessment (as amended) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local

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Development Framework Core Strategy and policy DP27 of the London Borough of Camden Local Development Framework Development Policies.

- 14 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 15 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

Informative(s):

1 Reasons for granting

The existing dwelling is not listed and nor is it within a conservation area. The principle of replacing it is therefore considered to be acceptable. Policy DP3 expects all developments with a capacity to provide 10 units or 1000sqm or more to make a contribution to affordable housing. The net increase in floor space of 835sqm is below this qualifying threshold.

The proposed design of the replacement dwelling is considered to be acceptable. The new dwelling would have greater bulk and massing than the existing and it would be grander in appearance; however, it would not detract from the established pattern of development in the wider area.

The replacement dwelling would exceed the Government's technical housing standards in terms of size and it would provide a good standard of residential accommodation in terms of layout; space and room sizes; storage and utility spaces; daylight and sunlight; privacy and security; and noise.

It is not considered that the proposal would cause undue harm to the visual and residential amenities of nearby and neighbouring residential properties by way of visual privacy and overlooking, overshadowing or outlook or sunlight/daylight. A

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suitable planning condition can control noise levels from plant.

The application site has a PTAL rating of 4 and is within a controlled parking zone. Policy DP18 expects new development to provide the minimum necessary car parking provision. Revised plans have been received during the course of the application to ensure the proposal would not result in additional parking capacity on site. The replacement dwelling will also be secured as 'car-capped' through a section 106 legal agreement. Cycle storage is illustrated at ground floor level, and the plans have been revised to ensure the entrance door is sufficiently wide.

A Construction Management Plan will be secured through the legal agreement to minimise the impact on local amenity from the demolition and construction phases of development; and to ensure the development can be implemented without being detrimental to the safe and efficient operation of the local highway network. The legal agreement will also secure a contribution towards highways works required as a result of the works.

A Tree Survey and Arboricultural Impact Assessment has been provided with the application, which is considered to be acceptable. The proposed landscaping details have been revised and are now considered to be acceptable also.

The Sustainability Report has been revised during the course of the application and is now considered to be acceptable. The proposed energy reduction and sustainability measures will be secured through the legal agreement. Full details of the solar PV will be secured by condition.

The application is accompanied by a Basement Impact Assessment (BIA) which has been independently audited by Campbell Reith. Campbell Reith concluded that the BIA has adequately identified the potential impacts from basement construction and proposes sufficient mitigation. Based on the expert advice from Campbell Reith, the applicant has demonstrated that the proposal would accord with the requirements of policy DP27 and CPG4. A planning condition will require the applicant to submit details of a qualified engineer to inspect, approve and monitor the critical elements of construction works throughout their duration. A further condition will ensure works are completed in accordance with the BIA.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

- 2 The proposed development is in general accordance with Policies CS1, CS5, CS6, CS13, CS14, CS15 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP2, DP3, DP5, DP16, DP17, DP18, DP19, DP20, DP22, DP23, DP24, DP26, DP27, DP28 and DP32 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2012. The proposal also complies with Policies H1, H3, H4, H6, H7, A1, A3, A4, A5, D1, CC1, CC3, CC4, CC5, T1, T2, T3, T4 and DM1 of the Emerging Local Plan.

- 3 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation.

The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 6 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 7 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

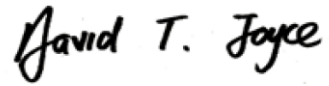
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

Executive Director Supporting Communities

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning

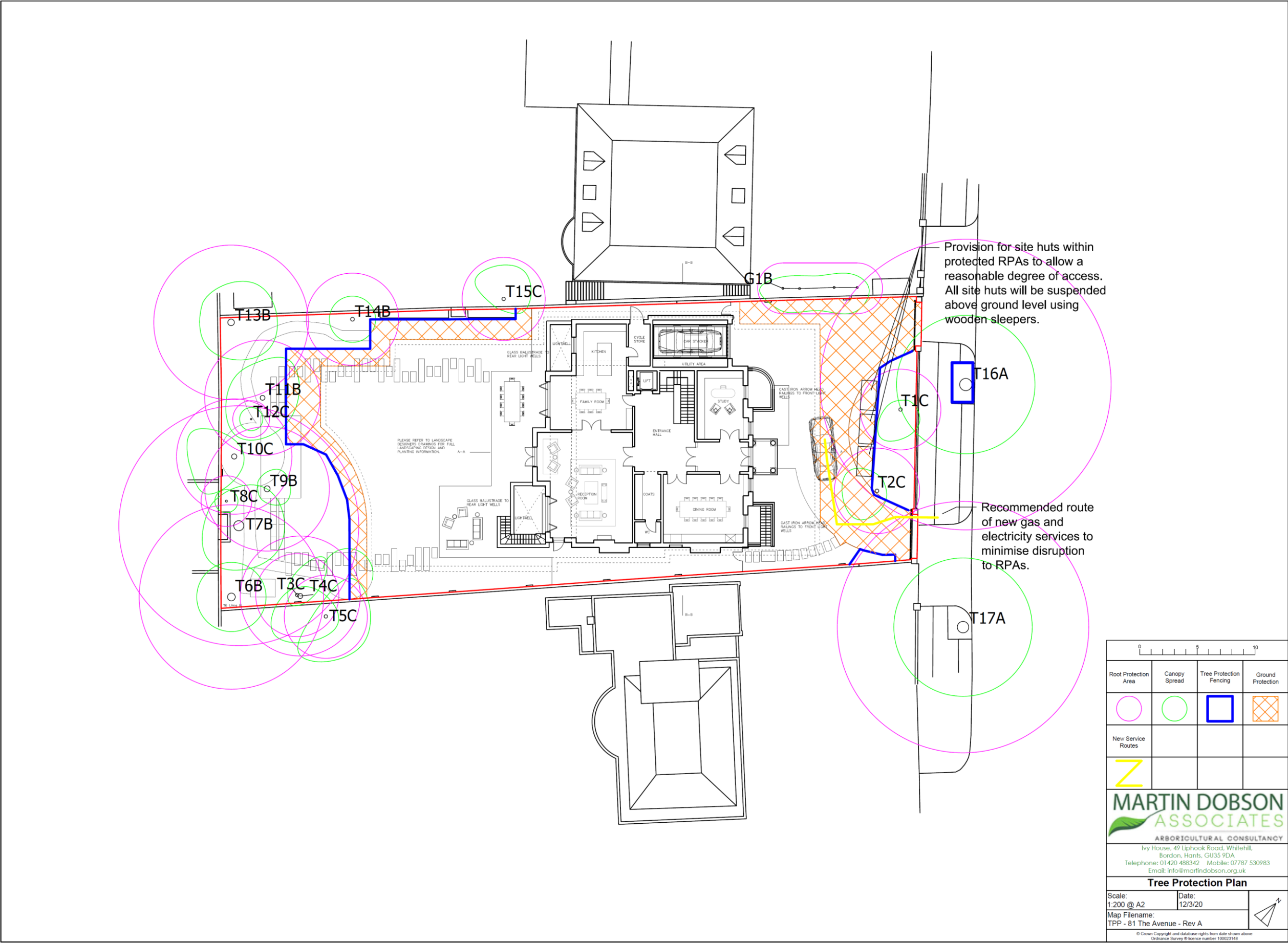
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2016/5197/P

APPENDIX MD2

Tree protection plan (TPP) showing retained trees, tree numbers, root protection areas (magenta circles) and canopy spreads (green lines). The location of protective fencing is shown as blue lines, ground protection as orange hatching. The plan has been provided separately as a PDF at a scale of 1: 200 at A2.



APPENDIX MD3

TREE AWARENESS – SITE INDUCTION SHEET

SITE NAME: 81 Avenue Road, London NW8 6JD

Trees are an important part of this development and all trees noted on the Tree Protection Plan are protected by planning conditions and by virtue of being in a Conservation Area. Trees must not be damaged in any way, including indirectly through compaction/contamination of soil, so that they can fully integrate into the finished project and stay healthy well into the future. All persons working on this site have a responsibility to be aware of trees and to abide by tree protection procedures.

How can trees can be damaged?

Above the ground – contacts and impacts with branches and trunk (for example by machine operations: piling rigs, high-sided vehicles, crane use, fixings to trunk, unauthorised cutting back of branches). Make sure there is adequate clearance under the tree canopy and don't stray close to the trunk. Damage to bark allows infections to enter the tree.

Below the ground – roots spread out from the trunk horizontally at shallow depth and are therefore easily damaged. Vehicle and pedestrian movements and storage of materials on unprotected ground causes compaction, especially in wet weather, and must be avoided. Soil stripping during site clearance or landscaping is prohibited in root protection areas. The effects of root damage may take some time to become obvious, but can result in disfiguring dieback of leaves and branches, or even death.

Tree protection procedures

Provided that the simple steps below are followed most tree protection is straightforward:

- Stay out of tree Construction Exclusion Zones (CEZs). These are the areas of ground surrounding retained trees that are protected by barriers and/or ground protection. If you need to go into a CEZ, you must first gain authorisation from the Site Manager.
- No construction activity of any description within CEZs, e.g. soil stripping, cement mixing, services installation, storage of materials etc.
- No fires within 20m of trunk of any retained tree.
- If authorised to work within a CEZ, for example, for installation of an above-ground no-dig driveway you must follow the procedures set out in the **Arboricultural Method Statement**.
- If damage occurs, you must inform the Site Manager who must, in turn, inform the project arboriculturist.

Planning Authority enforcement action needs to be avoided:

- 'Breach of Conditions' notices can prevent a site from being signed-off.
- 'Temporary Stop Notices' halt site operations and result in associated high costs.
- Wilful damage/destruction of TPO/Conservation Area trees can result in company and/or individual prosecutions - fines can be anything up to £20,000 (County Court fines are unlimited). Remember that fines may apply to the person committing the offence as well as the site owner and main contractors!

I have received site induction in tree awareness and tree protection procedures

PRINT NAME

SIGN

DATE

APPENDIX MD4

Qualifications and Experience

Dr Martin Dobson has been engaged in research and advisory work on trees since graduating in 1986 with a BSc (Hons) Degree in Biology. Subsequent postgraduate research led to the award of a Doctor of Philosophy (DPhil) Degree in Tree Physiology in 1990.

Postgraduate studies began in 1986 at the University of Ulster and continued in 1987 at the Forestry Commission's Research Station in Hampshire and focussed on the influence of air pollution on trees. Upon completion of this research in 1989 Dr Dobson was employed by the Forestry Commission and worked in both the Tree Pathology and Environmental Research Branches. During the next six years he was responsible for Department of Environment research contracts focussing on air pollution, climate change, de-icing salt damage to trees, woodland establishment on landfills and tree root research. He has authored two books: *De-icing Salt Damage to Trees and Shrubs* and *The Potential for Woodland Establishment on Landfill Sites*. He concluded his time at the Forestry Commission as Project Manager for research into the interaction between trees, roots and clay soils which included laboratory investigations, testing of root barriers and a three-year field-scale monitoring programme investigating the influence of woodland and grassland on the moisture status of clay soils.

In 1995 Martin joined the Arboricultural Advisory and Information Service as a senior Arboricultural Advisor. The AAIS advised the (then) Department of the Environment on matters concerning amenity trees and was the principal source of technical advice and information to the arboricultural profession as well as landscape architects, engineers, the horticultural industry and private individuals. A large proportion of advisory work focussed on issues relating to tree diseases and interactions between trees and buildings.

In 1997 Martin started an arboricultural consultancy practice specialising in subsidence and tree root claims, planning and development, tree safety and disease diagnosis. He was a local authority retained consultant providing expertise on tree protection practice and legislation from 1999 - 2006 and has dealt with several thousand Tree Preservation Order and Conservation Area applications.

He has extensive experience as an Expert Witness in the High Court, County Court and Magistrates Court. Notable recent cases he has been involved in include *Robbins v London Borough of Bexley* and *Khan v London Borough of Harrow* and *Kane*.

From 1995 to 2011 he was an examiner for the Professional Diploma in Arboriculture for the Royal Forestry Society/ABC Awards and he is currently an assessor for the Arboricultural Association Registered Consultant scheme. He has been a guest lecturer for the Middlesex University Countryside Management MSc course and for Portsmouth University. Together with Dr Giles Biddle he has devised and teaches introductory and advanced courses on trees and subsidence and co-presents seminars on trees and climate change with Professor Andy Moffat for the Arboricultural Association.

In addition to over 30 publications in scientific and technical journals he is the author of *Arboriculture Research and Information Note 130/95/ARB Tree Root Systems*, and leading author of:

Driveways Close to Trees. Arboricultural Practice Note 1. AAIS, Farnham.

Trees in Dispute. Arboricultural Practice Note 3. AAIS, Farnham.

Root Barriers and Building Subsidence. Arboricultural Practice Note 4. AAIS, Farnham.

He is a Fellow and Registered Consultant of the Arboricultural Association and is a Member by examination of the Expert Witness Institute.

Qualifications and Experience

Robert Toll

Robert Toll has been working with trees since 2004 when he completed his studies.

In 2000 he began his studies at Riseholme College, Lincoln where achieved a pass with merit in Forestry at National Diploma level. In 2002 he attended Moulton College in Northampton where he gained a Level Five Higher National Diploma in Urban Forestry with merit.

In 2004 Robert began work as a temporary tree inspector at Northampton Borough Council, undertaking inspections of trees in response to enquiries from the public. After 4 months Robert took up a permanent tree inspector role at Coventry City Council which predominantly involved undertaking safety inspections of trees on school sites.

In 2006 Robert moved to Warwick District Council to take up a temporary post of Tree Protection Officer which involved reviewing old area tree preservation orders and identifying those trees which were considered worthy of protection under new specific orders. He also streamlined the council procedure for making new tree preservations orders, cutting the time from making to serving from up to 2 weeks to within 2 hours.

In 2008 Robert moved to Hart District Council, Hampshire to take up the role of Tree Officer within the planning department. This role included determining works trees applications, commenting on planning proposals, liaising with the public and providing arboricultural advice to other departments within the Council.

Between 2014 and 2016 Robert took up the role of Tree Officer at Elmbridge Borough Council, Surrey, once again carrying out tasks such as determining works trees applications, commenting on planning proposals and liaising with the public. While at Elmbridge Borough Council he passed the Arboricultural Association's Professional Tree Inspection course.

Robert is a professional member of the Arboricultural Association.