

23 December 2020

Dear Planning Officers of Camden,

We are members of Doughty Street Chambers (“DSC”). DSC is a legal services provider with over 120 barristers and 30 staff operating from out of Camden. The signatories to this letter are members of the DSC Sustainability Team, leading chambers policy to reduce our carbon footprint and promote sustainability more widely. We are concerned by the proposal to fell the historic trees within Numbers 2-4 Doughty Mews.

The trees in Doughty Mews are an asset to our community. Many decades must pass before these trees reach their impressive size. At such a height, trees become a boon for the entire neighbourhood in which they have grown. The benefits are well-known. Trees of this size improve air quality, reduce noise pollution, provide habitat for urban wildlife, and increase property values by their beauty. In brief, they enrich the entire community. Felling them would be an irreversible loss for Camden and all who live and work around Doughty Street.

Felling them would also run against the stated policies of Camden Council. We have reviewed the “Green Action for Change” (Sixth Review, January 2019), as endorsed by Councillor Adam Harrison. Camden Council has pledged to “enhance biodiversity” and “improve green space”.¹ The policy document emphasises that the planting and protection of trees are important parts of this pledge. This application runs contrary to that pledge.

We have reviewed the application and report drafted by T.O.M. Evans on behalf of Marshall & Partners LLP. The report at paragraphs 18-19 offers brief detail on “cause of damage” and



states that further surveys are needed to confirm certain points. This uncertainty undermines the entire application, and calls into question the reason relied upon as justifying the proposed felling. Allowing the application would be, at best, premature. Felling the trees is an irreversible and destructive act that will impoverish the entire area. Clear evidence is needed to justify such action and any decision of the Council must be evidence based. We therefore suggest that the most appropriate course of action is to: (1) refuse the application because, on the evidence available, it is not clear that the trees are causing the damage; or (2) request further evidence to establish the cause of damage to Numbers 2-4 Doughty Mews.

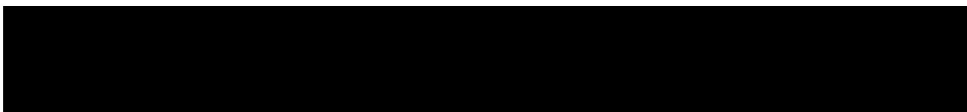
In the absence of cogent evidence that the trees in question are causing “significant structural damage,” the decision to fell the trees would constitute a breach of Camden’s Policy 4 on Trees,² which provides as follows:

Policy 4 – Tree Removal

Trees will only be felled for sound arboriculture reasons such as:

- *Dead, dying or dangerous*
- *Proven to be causing significant structural damage (in order to protect the Council’s interests and to speed up the processing of claims the Council will manage and process subsidence claims for trees in accordance with the LTOA’s Risk Limitation Strategy, the Joint Mitigation Protocol and a risk based approach where appropriate*
- *Considered by the Tree Service to be inappropriate species for the location*
- *When removal is required as part of an agreed management plan, or as an overall agreed improvement project. For example where a scheme has a robust project plan and there has been both public and Member engagement, or have been subject to the appropriate Planning process.*

We respectfully urge the Council and Applicant to seek a solution that does not demand the felling of these trees. We are open to further discussion to better understand the Applicant,



and to explore alternatives. Please do not hesitate to contact us if we may be of any further assistance to you.

Yours sincerely,

Ben Cooper QC

Margherita Cornaglia

Christopher Sykes