

Delegated Report

Officer

Tom Little

Application Number(s)

2021/2676/T

Application Address

64 - 66 Argyle Street
London
WC1H 8ER

Proposal(s)**Recommendation(s):**

No Objection to Works to Tree(s) in CA

Application Type:

Notification of Intended Works to Tree(s) in a Conservation Area

Consultations

Adjoining Occupiers:	No. notified	23	No. of responses		No. of objections	3
Summary of consultation responses:	<p>1. I am writing from 62 Argyle St, London WC!H 8ER to object to the proposed removal of the tree in the rear garden of 64 Argyle St, writing both in a personal capacity as the owner and occupier of Flat 2 and as Company Secretary of the Management Company which oversees this property . First of all, to establish the facts of the matter, the tree in question which is situated in the rear garden of 64 Argyle St. is very large, very well established, in very good condition, and very close to the boundary with 62 Argyle St. To be precise at its nearest the trunk of this big tree is only 35 cm from the garden wall constituting the boundary between the two rear gardens. I imagine you are familiar with the phenomenon of "soil heave", which essentially can be regarded as the opposite of subsidence. Basically a large tree removes a large volume of water every day from the soil as part of its life process. This dries out the soil, particularly in the case of clay soils, such as that underlying Argyle St., causing a reduction in volume, or shrinkage, In the case of a large well-established tree, such as that at No. 64, this drying out will have reached an equilibrium. When the tree is cut down this water is no longer removed. The shrunken clay absorbs water and over a period of time returns to its original volume, thus causing uplift to the ground and to any foundations or whatever If despite objections the removal of this tree were to take place it seems a necessary requirement that there should be a very clear statement as to what organisation would be liable for the remediation of future problems related to the removal of the tree if such should occur, such as the consequences of "soil heave", which might include the collapse of boundary walls, and damage to the rear of 62 Argyle St. Would Camden Council be liable in such a situation, as having given permission for the removal without regard for the consequences? Secondly, the tree is a bulwark against local pollution. There is growing realisation and acceptance that vegetation, and particularly established trees, have a number of direct environmental benefits, they improve air quality, lower ambient temperature in hot weather and of course provide shade. In relation to this ameliorating effect on pollution we should note that Argyle St. is near Euston Road/Kings Cross, where the air quality is reportedly one of the worst in Europe, with levels of pollutants well over the legal limit. My understanding is that policy these days should be to encourage more trees, not cut down those already successfully established, and indeed, that the Labour manifesto for Camden in the recent local elections had a commitment to protect trees. Thirdly, the tree is a notable local amenity, well liked by local residents of this densely populated area, many of whom use Argyle Walk as a pleasant car-free east-west pedestrian route. The tree in question is the single most significant landscape feature when walking along Argyle Walk and also has long provided a habitat for local birds, including robins, coal-tits, blackbirds, thrushes, and other birds. In summary, I strongly object to the removal of this tree, and know from talking to passers-by in Argyle Walk that my views are shared by many.</p> <p>2. Thank you for your recent notification by post to me (as owner/occupier of Flat 3, 62 Argyle Street since 2001) regarding the above application of proposed work to fell the Sycamore tree (T2) located in the rear garden of No.64. I submit my comments below on the application: Incomplete application So far, there is no supporting document uploaded onto the planning portal to substantiate the proposed work in a Conservation Area. Therefore, please clarify the basis on which the Council will be considering</p>					

this application. 35 Argyle Square application ref: 2022/2675/T As you have also posted to me notification of this other application at the same time, it would appear that the two applications are related as the applicant and agent of both applications are the same parties and the T2 Sycamore is mentioned in the Arboricultural Appraisal Report submitted as a supporting document for the 2675/T application. The supporting documents indicate that the proposed works of both applications have come about due to an insurance claim related to subsidence damage to the basement of the Tankerton Works building at the rear of No.35 Argyle Square which is two properties away from No.64 Argyle Street where the T2 tree is located in its rear garden close to the boundary garden wall with No.62. Therefore, the rear portion of No.62 is in much closer proximity to the T2 tree than the Tankerton Works building and, having lived in my first floor flat for over 20 years, I am not aware of any damage issues that have arisen in my building which could have been caused by the T2 tree. Please note that the T2, T5 and T6 trees highlighted in the Arboricultural Appraisal Report are mature trees that are much older than and pre-date the construction in 2004 of the Tankerton Works building which should have taken into account in its design the existence of these trees to mitigate the risk of subsequent movement and subsidence. These significant trees must not be endangered now as an unintended consequence of the Tankerton Works development being allowed to be built in the first place. Objections to application I strongly object to the proposed felling of the T2 tree. • If the Council were to use the 2675/T application's supporting documents to consider this application, neither the MWA Arboricultural Appraisal Report nor the Crawford Technical Report provide sufficient or conclusive evidence to support the felling of T2. The MWA report is declared as an initial appraisal report and only implicates T2 as "a likely contributory factor". The Crawford report assessed "no structural damage of any significance noted to external façade" (of Tankerton Works) and, in structural terms, the damage as falling into the "Slight" Category 2 of the BRE Digest 251. Therefore, the applicant has not provided strong technical justification to fell T2. For your information, the former occupier of No.64-66 Argyle Street (St Mungo's) had in the past pruned the T2 tree. As suggested at the end of the MWA report, a way forward could be to put in place a management plan to periodically prune the T2 (and other trees identified in the report) and monitor building movement. • The attached photographs show the importance of the T2 tree as a significant green amenity that needs protection under Policy A3 Biodiversity of the Local Plan. - Photo 01 is view of T2 (left) from my 1st floor window at No.62. Photo 02 shows proximity of T2 to rear of No.62. Photo 03 shows T2(right) with Tankerton Works (left), two properties away. Photo 04 is view of Argyle Walk with T2 (left) behind wall. - The existing mature trees (of which T2 is the largest, being taller than the surrounding 5-storey buildings) mark out Argyle Walk as a beautiful part of the green infrastructure and character and appearance of the Conservation Area. The Walk is well-used and enjoyed by locals and visitors alike, drawn to amble along it by the progression of big trees which line it. - As a local resident living within 10 metres of T2, I experience at first hand its contribution to local health and well-being – trees "improve air quality, absorb carbon dioxide and help to regulate city temperatures". Furthermore, T2 offers shade and cooling to our south facing rear facades in summer and visual privacy between neighbouring properties. To conclude, I urge the Council to resist the loss of T2 through this proposed work. T2 is evidently a tree of "significant amenity, historic, cultural and ecological value". Please consider protecting T2 and the other significant trees on Argyle Walk with TPOs so as to preserve them as green assets for Camden for the long term.

**CAAC/Local groups*
comments:**

*Please Specify

The Bloomsbury CAAC submitted the following comments:

We object in principle to the felling of any trees in the Bloomsbury Conservation Area, as the landscape setting is integral to the historic urban grain of the heritage neighbourhood. I note the Applicant is neither the owner of 35 Argyle Square nor 64-66 Argyle Street - but acting for Tankerton Works, described as "A modern studio office converted from a former Victorian stables block". It is apparently the owner of this building that has initiated the arborial investigation, for an insurance claim. However, the mature trees in question must pre-date the conversion (2004). That means that any potential impact from nearby trees must have been taken into consideration when the original building was approved for conversion. Following the BCAAC meeting, we made a visit to Argyle Walk and noted the two applications under consideration on a lamppost, i) to fell the sycamore tree in the garden of 35 Argyle Square (2022/2675T) which is adjacent to the garden of 64-66 Argyle Street where there is another application to fell a sycamore tree (2022/2676/T) We noted there is NO tree in the garden of 35 Argyle Square, and nothing there to cause harm to the Tankerton Works building. Having viewed the website of Tankerton Works, there is a photograph (enclosed - Missing Tree A) clearly showing a tree next to the western end of the building - WHICH NO LONGER EXISTS. I enclose a photo taken today (MissingTree B) taken from the same angle and showing the tree has been removed without permission. This tree is clearly identified in the report (Missing Tree C). This is unacceptable, particularly as trees are, as stated above, integral to the setting of listed buildings - and 35 Argyle Square lies within the grounds of a Grade II listed terraced property, and within the Conservation Area Referring to the application of 2022/2676/T on the Camden Planning website - there is no information relating to any request to fell a sycamore tree. We can only conclude this relates to the application 20022/2675/T and the documents enclosed therein. My observation is that the large tree adjacent to Argyle Walk, presumably in the grounds of 64-66 Argyle Street will have no impact whatsoever on Tankerton Works, being a significant distance away. Following a site visit to 64-66 Argyle Street, I note that these properties are currently unoccupied and presumably awaiting re-development. There is no acceptable reason for the felling of any tree in this rear garden and the current application to fell the sycamore should be refused. Argyle Walk has a number of fine mature trees, which we feel should be protected from possible future insurance claims by Tankerton Works. Loss of any of these trees would cause considerable harm to the Bloomsbury Conservation Area. To recap: Bloomsbury CAAC strongly objects to the request of a tree to be felled in application 2022/2675/T, and urges Camden to refuse the Application. We also wish to receive information as to why the tree identified in 2022/2676/T has been felled already - WITHOUT PERMISSION, and what action will be carried out to mitigate this loss

Assessment

The sycamore is highly visible from the public realm and is considered to provide a significant degree of visual amenity within the public realm and to make a positive contribution to the character and appearance of the conservation area.

The tree is self-set within a small garden and takes up a considerable amount of space within the garden it is also close to the buildings and likely to come under significant pruning pressure which will prevent it from reaching its full potential in terms of size and will not have a large and naturally shaped crown. The tree also has a number of features which may, now or in the future, represent structural weaknesses in the form of decay pockets and tight forks.

The application alleges that the tree is causing subsidence at an adjacent property. Evidence has been submitted with the application which is sufficient to demonstrate, on the balance of probability, that sycamore trees are likely to be causing subsidence at the property concerned. The sycamore in question is well within the known influencing distance of the species.

On balance, considering the form of the tree and the evidence submitted regarding damage to an adjacent building, it is not considered to be expedient to bring the tree under the protection of a tree preservation order.