

Delegated Report		Analysis sheet	Expiry Date:	18/04/2023
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Nick Bell			2023/0750/T	
Application Address			Drawing Numbers	
113 Canfield Gardens London NW6 3DY				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
REAR GARDEN: 1 x Lime - Fell to ground level.				
Recommendation(s):		Refuse application for works to tree(s) covered by a TPO		
Application Type:		Application for Works to Tree(s) covered by a TPO		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	26	No. of responses	03	No. of objections	02
Summary of consultation responses:	<p>The council received three consultation responses summarised below:</p> <ul style="list-style-type: none"> • We strongly support the application as the tree roots are causing damage to the boundary brick wall between our gardens which is in imminent danger of collapse. Rebuilding the wall is going to be a very costly exercise. Replacing the wall around the tree will also encroach on our garden. Any replacement wall without removal of the tree and roots will be subject to further damage and likely collapse. Our gardener has long advised removal of the lime tree and grounding out the roots which have pushed the foundation of the existing wall to the point where it will collapse. He also advised the lime tree could be replaced by a small to medium sized tree so there would be no overall tree loss. • Wide, mature, tall trees are a key characteristic of the South Hampstead conservation area. They provide a high level of visual amenity and are key for biodiversity, especially where gardens are increasingly covered in artificial lawns. Application 2011/5662/T refused an application for the felling of a tree on this location on these grounds. Should the tree now be removed, could the council please demand replacement planting of a suitable specimen? • 					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>CRASH submitted the following response:</p> <ul style="list-style-type: none"> • CRASH strongly objects to the felling of this mature tree in the rear garden of 113 Canfield Gardens. The tree is subject to a TPO - one of three lime trees in the rear garden of 113 subject to TPOs. This fact is omitted and is therefore an error in the application form. I believe the other two lime trees protected by TPOs are in the other half of 113 Canfield as the garden is split into two. A previous application to fell this tree was rejected by Camden in 2011 where Camden noted the high level of visual amenity it provides and damaged areas of walls can be rebuilt to accommodate the growth. Please see decision notice in 2011. As such CRASH trusts that Camden's position will be maintained and in light of Camden's pledges regarding the Climate Emergency the protection of this mature tree has only been strengthened. The trees in the rear gardens of properties in the South Hampstead Conservation Area are specifically reference and noted as important in the Conservation Area statement. 					

Assessment

The TPO tree works application is for the removal of a mature lime tree from the rear garden of a residential property that is situated within the South Hampstead Conservation Area.

The large, mature lime tree is in extreme close proximity to the boundary between properties and is pushing the boundary wall over by direct damage. The tree forms part of a green corridor that runs along the rear gardens of Canfield Gardens and Greencroft Gardens, a significant landscape feature of the South Hampstead Conservation Area. The tree is of greater significance than the wall. Photos of the tree and wall have been included with the submission but no other documents.

The application form states that the boundary wall is at risk of collapse and the tree has to be removed to facilitate reconstruction. If the wall requires rebuilding it is likely that there is an engineering and/or design solution that allows for the boundary treatment to be reconstructed and the tree retained. No investigations of this nature appear to have been undertaken. If the wall is in a hazardous condition it can be taken down irrespective of the tree.

It is recommended that the application be refused to protect the amenity the tree provides and the character and appearance of the conservation area.