

Delegated Report		Analysis sheet	Expiry Date:	06/11/2023
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Nick Bell			2023/4021/T	
Application Address			Drawing Numbers	
65 Canfield Gardens London NW6 3EA				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
FRONT GARDEN: 1 x Lime (T1) - Fell to ground level and treat stump with eco plugs.				
Recommendation(s):		Objection to notification of intended works to tree(s) in a conservation area.		
Application Type:		Notification of Intended Works to Tree(s) in a Conservation Area		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	14	No. of responses	04	No. of objections	00
Summary of consultation responses:	<p>The council received</p> <ul style="list-style-type: none"> • I strongly object to the proposed felling of the lime tree outside 65 Canfield Gardens. • The lime tree in question is a sound and attractive specimen and adds significantly to the amenity of the streetscape. • However, at an estimated height of some 19m and estimated crown spread of 12m the tree does appear to have been lacking in recent prudent tree management measures. • Felling the tree could result in heave, pruning could reduce the uptake of moisture. • Lime tree roots of only 2mm diameter that were found in only one of the boreholes (all the others seem to have been abandoned) at a distance of as 12.5m from this tree could, alone, be the cause of such cracks at 69 Canfield Gardens. No pictures of the cracks has been provided and nor do they seem to be being monitored for seasonal variations. • A TPO should be served. • I am writing on behalf of the freeholder of 65 Canfield Gardens, NW6 3EA, being 65 Canfield Gardens Management Limited. No previous communication has been received regarding the Lime tree in the front garden of 65 Canfield Gardens and to the best of our knowledge, there has been no approach made to any of the residents or owners at the property. The first that has been known of this proposal is when a letter was forwarded to us by one of the residents at the property. While it can be seen from the planning portal that all the flats in 65, 67 and 69 have received the letter from Camden Council, it does not show that the freeholders of each of the properties have been informed. This surely is an oversight and should be corrected immediately. The tree in the garden of Flat 2, 65 Canfield Gardens is not known to be causing any structural issues at 65 Canfield Gardens, nor to our knowledge at 67 Canfield Gardens. We strongly object to the tree being felled, as it is a mature tree grown over many years, and enhances the outlook of the residents in 65 Canfield Gardens and surrounding properties. 					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>CRASH (Combined Residents' Associations of South Hampstead) submitted the following objection:</p> <p>CRASH (the Combined Residents' Associations of South Hampstead) objects to the proposal by 69 Canfield Gardens to fell a mature lime tree in the front garden of 65 Canfield Gardens. The tree is approx 12.5m away from the applicant, the trial pits were abandoned and the borehole found roots of only 2mm diameter. The application states the tree is in the "adjacent" property - it is not. Sedgwick and the engineering report are yet again "cut and paste" jobs and mirror the wording of all the other recent applications by them to fell trees in this area. The report states the "engineer determined on a preliminary basis" that the tree should be felled - surely a "preliminary basis" is not sufficient to determine the felling of a mature tree which forms an important part of the streetscape in the stretch of</p>					

	<p>Canfield Gardens. The report notes the cyclical nature of cracking in properties built on clay - cracks will open and close. The damage is said to be "moderate" but no photographic evidence is provided. CRASH notes that the tree has grown to a significant height approx 19m and its growth has not been actively managed despite its location and proximity to properties. CRASH would like to see a TPO served on this tree given its placement on the street and its contribution to the conservation area, a refusal by Camden to grant permission to fell it, a proposal instead to reduce its height which in turn should reduce the "heave" potential for no.65 and neighbouring properties. It is notable that Sedgwick's report yet again states "it is sad to see a tree lost but we ensure that the loss is mitigated and replaced with new trees" - there has never been any evidence in previous applications that this is the case nor have they ever proposed to provide a replacement tree when a tree is felled in this conservation area.</p>
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Assessment

The s.211 notification is for the removal of a lime tree from the front garden of a residential property that is situated within the South Hampstead Conservation Area. The notification has been submitted by a loss adjuster as the tree is allegedly contributing to property damage.

This large mature lime tree is highly visible from the public realm and significantly contributes to the character and appearance of the conservation area. The tree is visible from Canfield Gardens and Fairhazel Gardens. The tree is one of the largest tree in the area, it is considered its loss would cause significant harm to the character of the conservation area. The tree provides a high level of amenity to the public.

The tree appears to be in at least fair condition and to have a long, safe useful life expectancy.

The documents submitted with the s.211 notice allege that the tree is contributing to property damage. No crack or level monitoring data has been submitted to demonstrate that the movement is seasonal and therefore vegetation related. The Engineering Appraisal Report submitted with the notification states that "*crack and level monitoring have been established and reading will be taken at regular intervals.*"

The consultations responses demonstrate that there is significant local support for the retention of the tree.

It is considered that the documents submitted do not demonstrate that the lime tree is contributing to the damage. It is recommended that a tree preservation order be served to protect the amenity the tree provides and the character and appearance of the conservation area.

The council objects to the proposed works.