

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	07/11/2023
		N/A / attached	<b>Consultation Expiry Date:</b>	
<b>Officer</b>			<b>Application Number(s)</b>	
Nick Bell			2023/3097/T	
<b>Application Address</b>			<b>Drawing Numbers</b>	
18 Heath Drive London NW3 7SL				
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
+++AMENDED DESCRIPTION+++ REAR GARDEN: 1 x Horse Chestnut (T9) - Reduce overhanging branches by 2m - 3m.				
<b>Recommendation(s):</b>		No objection to notification of intended works to tree(s) in a conservation area.		
<b>Application Type:</b>		Notification of Intended Works to Tree(s) in a Conservation Area		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>03</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p>The council received one consultation response which is from the owner of the tree:</p> <ul style="list-style-type: none"> <li>• We are very concerned that the work being proposed might well cause damage to the tree and possibly kill the tree, if excessively pruned. This work could also cause damage to our property as well, we would like to know what precautions will be in place before commencement of any work and if possible, have an independent surveyor present while the work is carried out. We require a detailed method statement to answer numerous concerns that we have. Below are some of our concerns:</li> </ul> <ol style="list-style-type: none"> <li>1. Date of work to be carried out (preferably in the winter).</li> <li>2. Works to be carried out while we are present.</li> <li>3. Confirm access to be from 44 Ferncroft rear garden only.</li> <li>4. Is the tree going to be pruned all around?</li> <li>5. Assurance that the tree would retain its even and fowing outline and not excessively pruned.</li> <li>6. How are the cut branches and leaves going to be cleared from our property?</li> <li>7. What indemnity is in place if anything went wrong?</li> </ol> <p>These are some of our concerns for the moment and we seek reassurance from the applicants that they would be responsible for any sort of damage caused to our property and/or the tree.</p>					
<b>CAAC/Local groups* comments:</b> *Please Specify	None received.					

## Assessment

The s.211 notification is for a 1.5m reduction of overhanging material of a horse chestnut tree. The notification has been submitted on behalf of a resident in a neighbouring property. The tree is with the rear garden of a residential property that is situated within the Redington Frogna Conservation Area.

The horse chestnut tree is of low public visibility from the public realm and is not considered to significantly contribute to the character and appearance of the conservation area.

Since the notification was submitted the proposed works were amended by the agent from 2-3m to 1.5m. The proposed works are not considered to adversely affect the amenity the tree provides or the long-term health of the tree. The works are considered to be well within the tolerable limits of this species.

The owner of the tree has objected to the proposed works. The objection contained proposed conditions of undertaking the works, the council has no powers to add conditions of any kind when determining s.211 notifications. It is recommended that tree owner raises their concerns with the applicant, who is within their rights under common law to prune back vegetation overhanging into their property.

It is not expedient for the council to serve a tree preservation order to object to the works.

The council does not object to the proposed works.