

Delegated Report		Analysis sheet	Expiry Date:	13/11/2023
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Nick Bell			2023/4155/T	
Application Address			Drawing Numbers	
Guyon House 98 Heath Street London NW3 1DP				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
FRONT GARDEN: 1 x Magnolia (T1) - Cut back overhang to number 96 in accordance with annotated photo.				
Recommendation(s):		No objection to notification of intended works to trees 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	01	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>The council received one consultation response:</p> <ul style="list-style-type: none"> Please be aware that there is an inaccuracy in the online application which lists the front garden magnolia tree as belonging to the applicant at 96 Heath Street. The tree in question lies wholly within the boundaries of 98 Heath Street. This tree, already subject to a conservation order, is an important landmark in Heath Street and its beauty attracts regular interest from locals and visitors alike. The magnolia tree is in good health and we, owners of no 98, have always taken a proactive role in maintaining it. We retain the services of Mr Gareth Wellburn, Burnwell Tree Care, to carry out regular maintenance and it is his suggestion that we apply for a TPO with immediate effect. Please consider this letter as our formal application for the TPO. From past experience we feel it is important to carry out work to the magnolia tree in a holistic and sympathetic way, trimming the crown on all sides to maintain the tree's symmetry and preserve its integrity. The proposed works listed in 2023/4155T, were these to be implemented, could leave the tree with a lopsided appearance. The magnolia was last trimmed earlier in the year and having spoken with our tree surgeon we feel it may be excessive to revisit it again so soon. It has been suggested the tree be given a two year hiatus before returning for further pruning. We will continue to retain the services of Mr Wellburn who is well known to your department. 					
CAAC/Local groups* comments: *Please Specify	None received.					

Assessment

The s.211 notification is for pruning overhanging material of Magnolia tree that is the front garden of a residential property that is situated within the Hampstead Conservation Area. The notification has been submitted by an agent on behalf of an owner/occupier in a neighbouring property, of which the tree's branches overhang.

The tree is highly visible from the public and contributes to the character and appearance of the conservation area. The tree is considered a noteworthy example of its species.

The owner of the tree has objected to the proposed works. The tree was initially described as at 96 Heath Street which has since been rectified. The council shares the opinion of the tree owner with regards to the quality of the tree. The proposed works initially to reduce the material overhanging in the front garden of no. 96 Heath Street by up to 1.5ft which is 450mm. The council requested an annotated photo to show the proposed pruning from the agent which was supplied.

The proposed works are considered minor in nature and not to be harmful to the amenity the tree provides or the long-term health of the tree. The owner of 96 Heath Street is within their common law rights to prune back overhanging material and the proposed works are to prune far less than to the boundary. Historic google street view images show the tree has been previously reduced on this side.

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

The council does not object to the proposed works.