

Delegated Report

Officer

Liam Vincent

Application Number(s)

2023/4446/T

Application Address

Leavesden, Branch Hill, London NW3 7LY

Proposal(s)

REAR GARDEN: 1 x Sycamore (T1) - Fell to ground level.

Recommendation(s):

No 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

Consultations

Adjoining Occupiers:

No. notified

13

No. of responses

1

No. of objections

1

Summary of consultation responses:

The Council received one response to the application, which is summarised as follows:

- *it is stated that the tree is unsafe due to a large cavity. I'm not qualified to judge, but if this is indeed the case then of course I have no objection to it being made safe*
- *The tree is not owned by the applicant as is wrongly claimed in the application: in fact the tree stands inside the garden shared by Leavesden and Oakhurst*
- *Character: The tree is an integral part of a historic wooded glade, which gives this conservation area its leafy and secluded atmosphere. To remove it would negatively impact the unique character of the surrounding area and dwellings, many of which derive their names from trees eg. Branch Hill, Leavesden, Oakhurst, The Chestnuts;*
- *Privacy: The tree screens Leavesden and Oakhurst from neighbouring properties (17 Branch Hill and Firecrest beyond). Removing it would negatively impact the privacy of the surrounding dwellings each from the other, especially affecting the higher floor apartments at Leavesden and Oakhurst whose view of a historic wooded glade would be completely changed into a view of modern housing developments (17 Branch Hill and Firecrest)*
- *Shade: The tree provides shade to the garden at Leavesden and Oakhurst and contributes to its pleasant secluded atmosphere*
- *Property Values: Removing the tree will negatively impact property values in the immediate surrounding area, due to the impact on the rural feel of the neighbourhood in general. More specifically, it will ruin this aspect of our property at Leavesden (as well as Oakhurst), which is surrounded by trees on all sides, giving it a unique character*

CAAC/Local groups* comments:

*Please Specify

None.

Assessment

The S.211 notification is to carry out works to a semi-mature Sycamore tree in the rear garden of a private residence on Branch Hill, situated within the Hampstead Conservation Area.

The work is to fell the Sycamore tree, The reason for the works has been given as ‘...*Bad specimen with large cavity in danger of falling on to surrounding gardens*’

As part of the notification the agent submitted photographic evidence of some form of dysfunction at the base of the tree.

Regarding the type of works, trees are the responsibility of the owner of the land on which they grow, in law this is the duty of care owed by the owner to not let the tree or parts of the tree cause damage to neighbours, passersby etc. The Council advises tree owners to have trees inspected at regular intervals by a competent person, and after major storms. The Council does not have the powers to compel tree owners to carry out particular works, this remains part of the responsibility of the owner under their duty of care.

Regarding the objection due to the issue of ownership, a notification to carry out works can be made by anyone on any tree(s) irrespective of ownership.

As the tree is of very low / negligible visibility from the public realm, is not of unusual, rare species or any known cultural or historic value and is not an exemplary specimen, it is not expedient for the Council to serve a TPO.

The council does not object to the proposed works.