

Application ref: 2023/2208/T
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John Cromar's Arboricultural Company Limited
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Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)

PART OBJECTION TO SECTION 211 NOTICE OF WORKS TO TREE/S IN A CONSERVATION AREA

Address:

Communal Garden
r/o 10 Frognal Lane
London
NW3 7DU

Proposal:

IN COMMUNAL GARDEN: 1 x London Plane (T1) - Pollard to about 6m above level.
1 x English Oak (T4) - Pollard to about 4m above ground level.

The Council has considered your notification of intended works to trees dated 31 May 2023 and decided to **OBJECT** to the following work:

IN COMMUNAL GARDEN: 1 x London Plane (T1) - Pollard to about 6m above ground level.

Reasons for objection:

- 1 The plane is a large mature specimen forming part of the communal gardens in land to the rear of properties along Frognal Lane, Finchley Road and Langland Gardens. While visibility from a public place is limited, the tree is visible from a significant number of these properties, providing visual amenity and screening, the tree makes a positive contribution to the character and appearance of the conservation area.

The Redington Frognal conservation area appraisal specifically mentions garden trees as an important characteristic in the sub-section relating directly to

Frogna Lane and refers to the environmental value of extensive gardens and trees in the conservation area as a whole, both in terms local ecology and in terms of climate change mitigation, managing pollution and surface water runoff.

The tree is considered to be of sufficient merit to justify bringing it under the protection of a tree preservation order (TPO).

The proposed work is to reduce the plane to a finished height of approximately six metres in height which is where the tree has previously been managed as a pollard. The pollarding regime has lapsed and the tree allowed to regrow a full crown which would appear to be in good condition and no significant structural defects have been noted although no safety survey has been carried out. Reduction to this extent would significantly alter the appearance of the tree reducing the visual amenity provided to the local area, the environmental services the tree provides and impacting upon the character and appearance of the conservation area.

The application alleges that the plane tree is likely to be the cause of drying soil resulting in cracking in the nearby property. Evidence submitted to the Council includes crack monitoring from two dates which is not sufficient to demonstrate seasonal movement and root identification which does not identify plane roots beneath foundations. Data from soil analysis indicates the presence of clay but does not indicate high levels of desiccation, although this may be due to the date of the sampling.

The evidence submitted with the application is not considered to demonstrate that, on the balance of probabilities, the tree is contributing to soil desiccation and shrinkage and is therefore not considered sufficient to justify such works to a tree worthy of a TPO.

A tree preservation order has been served to protect the visual amenity the tree provides and preserve the character and appearance of the conservation area.

A Tree Preservation Order has been served on the tree/s and no work should be carried out without the prior consent of the Council.

However, the Council would not have any objection to the carrying out of the following works:

IN COMMUNAL GARDEN: 1 x English Oak (T4) - Pollard to about 4m above ground level.

Informative(s):

- 1 This notice is valid for 2 years from the date of this letter or until the work is completed, whichever is the sooner.
- 2 You are advised that the appropriate standards for tree work are set out in BS 3998: 2010. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.

- 3 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 3900 or www.naturalengland.org.uk.

Yours faithfully



Daniel Pope
Chief Planning Officer

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.