

# Delegated Report

**Officer**

Tom Little

**Application Number(s)**

2023/2208/T

**Application Address**Communal Garden  
r/o 10 Frogmal Lane  
London  
NW3 7DU**Proposal(s)**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.**Recommendation(s):**

No Objection to Works to Tree(s) in CA

**Application Type:**

Notification of Intended Works to Tree(s) in a Conservation Area

**Consultations****Adjoining Occupiers:**

No. notified

No. of responses

No. of objections

**Summary of consultation responses:****CAAC/Local groups\* comments:**

\*Please Specify

The Board of Frogmal Lane Gardens LTD objected to the proposal on the basis that there is insufficient evidence linking the trees to the damage and that the proposed works are excessive and would amount to the destruction of the trees.

## Assessment

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 Frognal 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.

It is recommended that the plane is brought under the protection of a TPO to protect the visual amenity the tree provides and preserve the character and appearance of the conservation area.