

Application ref: 2023/5282/T
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Property Risk Inspection
2 The Courtyards
Phoenix Square
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CO4 9PE

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:

**34 Heath Drive
London
NW3 7SD**

Proposal:

IN GROUNDS (SEE SITE PLAN): 2 x Cypress (T3 & T5) - Fell close to ground level.
2 x Pines (T11 & T12) - Fell close to ground level.
1 x Sycamore (T16) - Fell close to ground level.
1 x Pear (T17) - Fell close to ground level.
1 x Hawthorn (T19) - Fell to ground level and eco plug stump.

The Council has considered your notification of intended works to trees dated 18 December 2023 and decided to **OBJECT** to the following work:

Front Garden:

2 x Cypress (T3 & T5) - Fell close to ground level.

Side Garden adj Bracknell Gardens:

1 x Sycamore (T16) - Fell close to ground level.

Reasons for objection:

- 1 The justification to remove the two Cypress, and a Sycamore tree is that the trees are the cause of subsidence damage to the property.
The two Cypress trees are plainly visible from Heath Drive, Kidderpore Avenue

and Bracknell Gardens (one is only partially visible from Bracknell Gardens) are evergreen species and as such add vital colour to the local landscape during times when the deciduous tree species are out of leaf. The Sycamore tree forms part of the boundary of the property along Bracknell Gardens, and so is highly visible from Bracknell Gardens, and somewhat visible from Heath Drive and Kidderpore Avenue. The Sycamore is a large-canopied tree and so is especially visible as part of this group. All of the trees make a significant and positive contribution to the verdant character and appearance of the conservation area.

As part of the s.211 notification evidence to support the allegation that the trees are the cause of the damage has been submitted. The evidence includes soil analysis, an investigation of the building foundations and identification of root samples found when the trial pit / bore hole investigations were carried out. However, the root analysis only identified roots from the Leguminosae, Platanus, and Pomoideae families of plants. These are the plant families which include the implicated Pear tree and the Hawthorn trees. No roots have been found for the Cypress and Sycamore trees implicated in the claim.

It is considered that the evidence provided is not robust enough to implicate the Cypress and Sycamore trees.

The removal of the Cypress and Sycamore trees would result in a significant reduction of the amenity that the trees provide in the street scene.

The Council objects to the removal of the two Cypress and the Sycamore tree, and a tree preservation order has been served to protect the amenity the trees provide, to 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:

Rear Garden:

2 x Pines (T11 & T12) - Fell close to ground level.

1 x Pear (T17) - Fell close to ground level.

1 x Hawthorn (T19) - Fell to ground level and eco plug stump.

Informative(s):

- 1 This notice is valid for two 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

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

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.