

Delegated Report

Officer	Application Number(s)					
Liam Vincent	2023/5282/T					
Application Address						
34 Heath Drive, London NW3 7SD						
Proposal(s)						
IN GROUNDS: 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.						
Recommendation(s):	Part grant, part refuse works to Tree(s) in CA					
Application Type:	Notification of Intended Works to Tree(s) in a Conservation Area					
Consultations						
Adjoining Occupiers:	No. notified	4	No. of responses	0	No. of objections	0
Summary of consultation responses:	The Council did not receive any responses to this notification.					
CAAC/Local groups* comments: <small>*Please Specify</small>	None					

Assessment

A s.211 notification has been submitted to remove seven trees (two Cypress, two Pines, a Sycamore, a Pear and a Hawthorn tree) in the grounds of a private residence on Heath Drive, situated within the Redington Froggnal Conservation Area. The submission alleges 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). The two Pine trees are partially visible over the top of the ground floor extension / garage of the property from Bracknell Gardens. All four of these trees 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, the Pear tree and the Hawthorn tree form part of the boundary of the property along Bracknell Gardens, and so are 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 other trees implicated in the claim that form part of this s.211 notification.

The evidence also includes level monitoring of points around the building. Those results show that there are varying amounts of vertical, seasonal cyclical movement (characteristic of the influence of vegetation on the moisture content of the soil) around the building, and that this is greatest at the points near to the Pine trees. It is of a lesser magnitude in other areas of the building.

Therefore, the level of evidence to implicate four of the seven trees (the two Pines, the Pear, and the Hawthorn trees) is considered to be robust, and that on the balance of probability they are contributing to the property damage.

However due to the lack of root identification for the remaining three trees, 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 does not object to the removal of the two Pines, the Pear, and the Hawthorn trees.

The Council objects to the removal of the two Cypress and the Sycamore tree, and it is recommended that a tree preservation order be served to protect the amenity the trees provide, to preserve the character and appearance of the conservation area.