

Delegated Report		Analysis sheet		Expiry Date:	13/05/2024
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
Nick Bell			2024/1074/T		
Application Address			Drawing Numbers		
65 Canfield Gardens London NW6 3EA					
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
(TPO REF. C1313 2023) FRONT GARDEN: 1 x Lime (T1) - Create new pollard points at 10m above ground level.					
Recommendation(s):		Approve application for works to tree(s) covered by a TPO			
Application Type:		Application for Works to Tree(s) covered by a TPO			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	16	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>The council received four consultation responses to the application. This consisted of one support, two objections and one comment:</p> <ul style="list-style-type: none">• I live in very close vicinity and I am fully supportive of this tree being felled - it is much higher than any other tree in the neighbourhood and I believe that it is not maintained - branches regularly fall from it when there is adverse weather.• Canfield Gardens is characterised by lime trees, all others are pollarded. This tree is completely unpollarded or pruned. It seems ridiculous to fell a mature tree that has taken maybe 100 years to grow, and which everyone going down Canfield Gardens can enjoy.• The beneficial affects of trees on mental and social wellbeing, pollution levels (we live near the highly polluted Finchley Road) and on CO2 emissions, is well documented.• At the same time, in the neighbourhood, in nearby Goldhurst Terrace, the Council is adding new trees in order to make the area more resilient to flooding. So it does not make sense to be cutting down mature trees.• I notice that the person making the application does not actually live in the property, and therefore maybe does not have the same attachment to creating a 'green' neighbourhood.• The address listed for the application is '65' Canfield Gardens, but it appears that all the photos and other references to the tree and property in question state no. '69'. Is this correct? What is the relationship between no. 65 and no. 69 with respect to this application? Also, on the application form it states that the tree is not in a conservation area, but it is. Could this be corrected or clarified please?					
CAAC/Local groups* comments: *Please Specify	<p>CRASH submitted the following objection:</p> <p>CRASH strongly objects to the proposed felling by the insurers of 60 Canfield Gardens of this mature lime tree at 65 Canfield Gardens. This follows a previous attempt to fell the tree which resulted in the serving of a TPO.</p> <p>As per the previous application's officer's report "This large mature lime tree is highly visible from the public realm and significantly contributes to the character and appearance of the conservation area. The tree is visible from Canfield Gardens and Fairhazel Gardens. The tree is one of the largest tree in the area, it is considered its loss would cause significant harm to the character of the conservation area. The tree provides a high level of amenity to the public."</p> <p>Nothing has changed since the last application. The evidence provided does not provide visuals of the roots found or the number - stating only that some of 2mm diameter were found and nothing below 2.5m. The foundations of the buildings in this area are known to be weak and many of the buildings suffer movement and seasonal cracking irrespective of proximity to large trees. And the insured property is not adjacent to the tree. CRASH once</p>					

	again suggests that the tree could be reduced in size as a more sensible measure rather than the drastic action of felling a mature tree.
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Assessment

The TPO tree works application is for the removal of a lime tree from the front garden of a residential property that is situated within South Hampstead Conservation Area. The application has been submitted by a loss adjuster and alleges that the tree is contributing to property damage at a nearby property.

The application tree is a large, mature lime tree. The tree is highly visible from the public realm and significantly contributes to the character and appearance of the conservation. The high level of public amenity is largely a result of the large size of the tree at approx. 20m in conjunction with its front garden position close to the junction of Fairhazel Gardens and Canfield Gardens.

The application alleges that the tree is contributing to property damage at a nearby property, no. 69. The level monitoring data and roots analysis, in conjunction with the soil investigations are considered to demonstrate that the tree is likely contributing to the property damage on the balance of probability.

The council agrees with objectors in that pollarding appears to have been discounted as an alternative to felling without justification. Pollarding at 10m was put forward by the council to the agent as alternative to felling, to which they agreed. As such the proposed works have been amended to the creation of pollard points at 10m above ground level. This will reduce the amenity the tree provides in terms of its reduced form but should also secure its retention in the long term.

It is recommended that the application be approved.