

# Delegated Report

## Officer

Liam Vincent

## Application Number(s)

2024/1921/T

## Application Address

37 Eton Avenue NW3 3EP

## Proposal(s)

REAR GARDEN: 1 x Tree of Heaven (T1) - Fell as close to ground level as possible

## Recommendation(s):

**Objection to notification of intended works to tree(s) in a conservation area.**

## Application Type:

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

## Consultations

### Adjoining Occupiers:

No. notified

**43**

No. of responses

**1**

No. of objections

**1**

### Summary of consultation responses:

The Council received one response to the application, which is summarised as follows:

- *Without any photos - which in this age can be so easily admitted - key supporting evidence has been omitted*
- *The surveyor's report indicates the severity of the damage to the wall. If that needs to be rebuilt, and in the absence of any evidence that the tree is a danger, why is felling it a solution?*

### CAAC/Local groups\* comments:

\*Please Specify

None received

## Assessment

The S.211 notification is to remove a large (c.>12m tall), mature Tree of Heaven tree in the rear garden of a private residence on Eton Avenue, situated within the Belsize Park Conservation Area.

The proposed work to fell the tree is due to the tree '*damaging the wall*'. A building surveyors report submitted as supporting evidence alleges that root action by the trees in the rear garden '*especially the (...) large Tree of Heaven and the pollarded Sycamore, are likely to have caused most of if not all of the rotational movement the boundary wall.*' The surveyor states that as the wall has '*suffered excessive rotational movement and, and is severely cracked, consideration will need to be given to taking the wall down (...) and rebuilding it.*'

No (other) evidence to support this allegation has been provided.

A site visit has confirmed that the tree is readily visible from between the properties no.37 and no.39, and from Merton Rise to the east. The crown appears to be in good health and makes a significant contribution to the leafy, verdant character of the conservation area. The tree appears to be in at least fair condition both physiologically and structurally and to have a significant safe useful life expectancy, though no inspection of the tree has been carried out.

An engineering solution is available, i.e., the wall can be re-built - the surveyors report suggests that this is the remedial action needed to correct the issue.

The removal of the Tree of Heaven would result in a significant reduction of the amenity that the tree provides in this part of the conservation area.

The reasons for removal are not robust enough to justify the removal of the tree.

The Council objects to the proposed removal, and a Tree Preservation Order will be served to protect the amenity that the tree provides and to help preserve the character and appearance of the conservation area.