

## Objection to Proposed felling of tree in front garden of 259 Goldhurst Terrace NW6 3HN

(Application No. 2024/4098/T (“T1 - Pear- Fell leaning pear overhanging garden to ground level”))

I strongly object to the removal of this, the last remaining tree in that front garden, from its very visible position near the front boundary of this property, for the reasons given below.

Unfortunately it would seem that, in fact, the tree has already been felled, well in advance of any consent being given under this application, as no remaining tree is visible and a small, recently-cut, stump can be observed where the last tree stood.

### **Lack of clarity as to which tree is the subject of this application, as there are now none visible?**

No photographic or arboriculturalist evidence is provided of the pear tree, or of its alleged degree of ‘leaning’ or ‘overhanging’ of the garden.

Further, it should also be noted that the applicant’s agent seems to have submitted an inaccurate diagram, as no tree now seems to exist at the point marked on the plan as ‘T1’ (on the far right of the garden very near the front boundary), nor has it existed there for some time- probably since late 2022- see below.

There was until quite recently a medium-sized tree (about 4-5m tall) on the left hand side of the front garden about 1.5m back from the front boundary wall/hedge until at least early June 2024 (Please see Annex 1 for a photo of this –picture 4 - taken on the 7<sup>th</sup> June 2024, as well as other previous photos of it (pictures 5 & 6)), It also featured clearly on the proposed drawings for the now-refused off-street parking application [2024/1488/P](#) (picture 7), which refusal is, regrettably, now the subject of an Appeal.

However, on closer, very recent, inspection of the front garden viewed from the street (prompted by the submission of this tree-felling application) it would appear that even that tree has also recently been removed. There is now just a 30cm tall stump (approx. 30cm in diameter) visible in the front garden on the left of the pathway (please see picture 3 in Annex 1, taken in early October 2024).

Other very recent pictures (see pictures 1 & 2 in Annex 1) of the front garden taken on 1<sup>st</sup> Oct. show no other tree that this application could possibly refer to, so it is not at all clear for which tree consent to fell is now being sought?

Perhaps this is actually an application for **retrospective** consent to fell, with both the tree(s) in question having already been felled prior to any consent being given by Camden?

### **Conservation Area and Camden Policies in support of trees**

This property is located in the heart of the South Hampstead Conservation Area and, as such, is subject to the provisions in *The South Hampstead Conservation Area Character Appraisal and Management Strategy (February 2011)*, which strongly support the retention and preservation of verdant and well-stocked front gardens with small trees and large shrubs and low front brick walls overtopped by hedges.

Relevant extracts from the SHCA ‘Character Appraisal & Management Strategy’ document, relating to the importance of in-character, verdant front gardens with shrubs and small trees and strongly encouraging their retention, are given in Annex 2. It would appear that, to date, these have largely been ignored between early 2023 and the present date.

## Significant loss of positive features from front garden in last couple of years

The front garden of this property was until recently (late 2022) extremely attractive and well-planted, including at least 2 medium-sized trees and many large mature shrubs. It also featured the attractive low original front boundary wall that was overtopped by a dense privet hedge. The garden was an excellent example of a setting that made a hugely positive contribution to this characterful corner of the Conservation Area. (please see Annex 1, pictures 8, 9, 10 & 11)

It appears that no consent has previously been sought or obtained for the removal of other trees and large shrubs from the front garden, or for the very recent re-modelling of the front boundary treatment. This latter included the installation of very substantial and inappropriate large, modern-style black metal gates over the last couple of years, during the time that the property itself was undergoing a major refurbishment and remodelling.

The remodelling of the building itself was covered by the previous planning applications [2022/5628/P](#) and [2023/4867/P](#), but the scope of these explicitly did **not** extend into remodelling of the front garden/front boundary treatment. This was confirmed by the [Design & Access Statement](#) for both of these closely-related applications which stated the following (see item highlighted in red):

We believe that the proposed changes will compliment the character of the existing building, do not impact on the amenities of the adjacent properties and create an improved family units with alterations that respect the character of the host building.

**We do not propose to alter the access around the front, side or the rear of the property;** for anything further please see the attached drawings and forms that accompany this submission

This was also acknowledged in the Officers Report (contained within [the Members Briefing pack](#)) in response to questions raised by local residents, for example:

1. Concern some work has already commenced without planning. **The garden has been entirely removed. The gardens are an integral part of the character of this historic area.**

Officer Response:

- 1) **No works are proposed to the front garden within this application.**

Nor does the very recent application for the creation of a new hardstanding for 2 new off-street parking spaces and a new crossover ([2024/1488/P](#) – which is now the subject of an appeal following the correct refusal by Camden Planning a few months ago) reference the removal of any trees in order to create the two very cramped car spaces to the right of the garden.

12 Oct. 2024/EP

## Annex 1

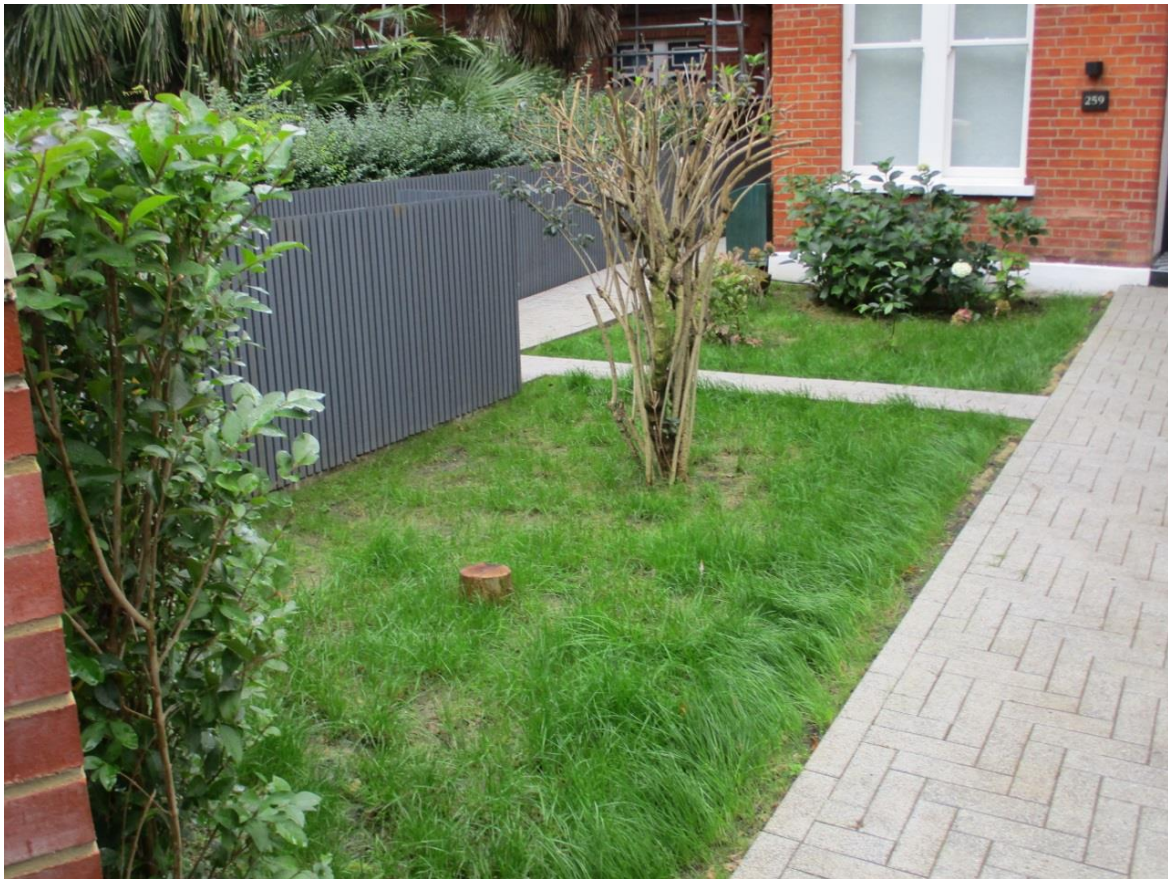
**Pictures of current state of front garden with no trees, in contrast with earlier pictures showing a much more verdant and well-stocked front garden with generous planting including of large shrubs and two trees.**



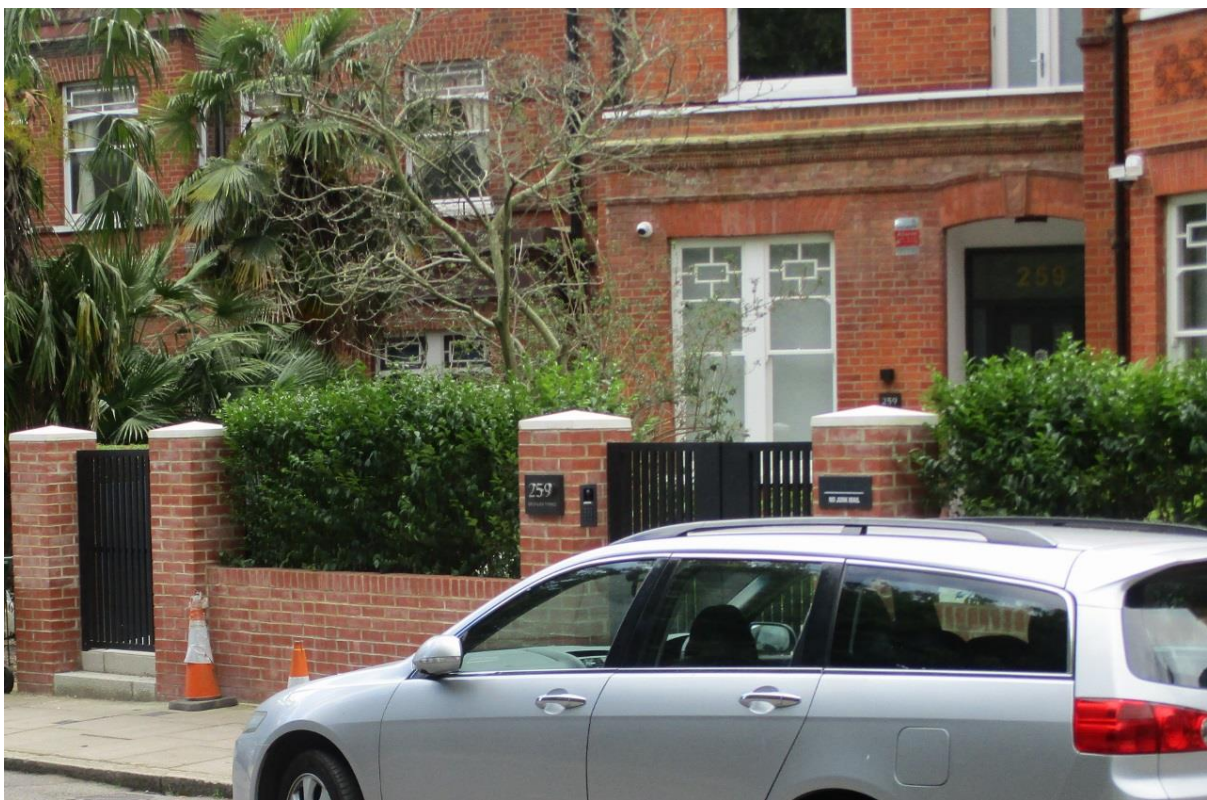
Picture 1: Current front garden with no sign of any trees (1<sup>st</sup> Oct. 2024). T1 on the agents application diagram would be on the far right side near the front boundary, but it has long-since been removed.



Picture 2: Left hand side of current garden showing location where until fairly recently there was a 4-5m tall small tree in seemingly good condition. (1<sup>st</sup> October 2024)



Picture 3: A clear view of the stump of the tree that existed here until just a couple of months ago. But this is not in the position where T1 is shown on the planning application. (1<sup>st</sup> October 2024). No separate planning application appears to have been lodged for this felling?



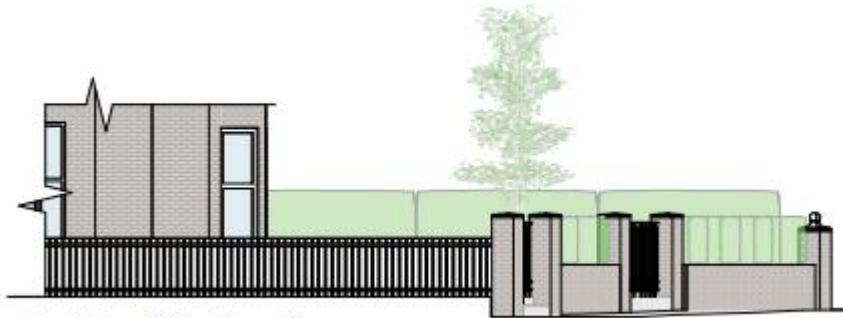
Picture 4: In early June 2024 there was indeed a small (4-4.5m) tree on the left hand side of the garden, which now appears to have been felled before any permission was sought or granted.



Pictures 5 & 6: These pictures, taken from the DAS of the recent, but refused (but now under Appeal), application for the creation of a new hardstanding for 2 new off-street parking spaces and a new crossover ([2024/1488/P](#)) again clearly show the small tree to the left of the path (viewed from the street). The pictures do **not** show any tree to the front far right of the garden where 'T1' is marked on the current tree-felling application. (this picture was probably taken in the March/April 2024 timeframe)

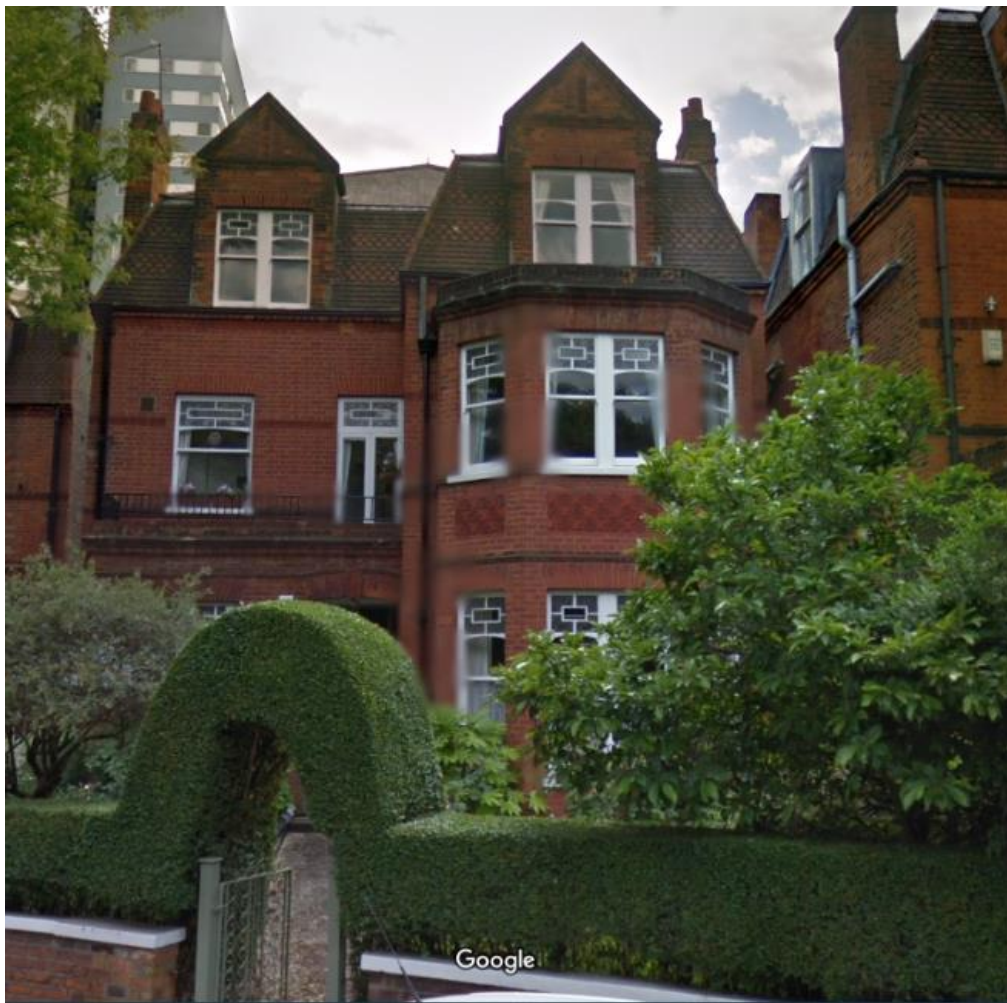


Existing Front Elevation  
1 : 100



Existing Side Elevation

Picture 7: Planning diagram of existing front and side elevations both clearly showing the small tree to the left of the entrance pathway (taken from the recent, but refused, application for the creation of a new hardstanding for 2 new off-street parking spaces and a new crossover ([2024/1488/P](#)))



Picture 8: View of the original front elevation from the street (from Members briefing pack for application [2022/5628/P](#) 'Amalgamation of the top two flats to create 1no. flat across the upper

floors and 1no. flat on the ground floor'; prepared in March 2023 and reviewed by the Members Panel in June 2023).

This shows the previously-existing, very attractive, and typical for this Conservation Area, well-stocked verdant garden with at least two trees, including one in the 'T1' position. Consultation responses submitted in March 2023 on this application, both indicated that work had already begun and almost the entire front garden planting, including the tree on the right ('T1?'), had already been destroyed/removed, despite that application explicitly **not** addressing the front garden area.

Consultation responses for application [2022/5628/P](#) (from Officers Report):

*Objection 1: "Concern some work has already commenced without planning. The garden has been entirely removed. The gardens are an integral part of the character of this historic area"*

*"Officer Response:*

*1) No works are proposed to the front garden within this application."*

*Comment 1: "CRASH understands that work has already commenced at this site despite no consent being given (yet). This includes the removal of the front garden planting - despite this not being in the scope of the works and as such there is no detail on whether/how it will be replaced as a front garden"*

*"Officer Response:*

*1) No works are proposed to the front garden within this application"*

It would appear that even though there were no planning applications made concerning the remodelling/replanting of the front garden, including hedge removal and tree felling and a significant new front boundary treatment with very large/dense gates, these considerable changes have nevertheless been made, during the major building work in the early-mid 2023 period.

The remaining pictures were taken from the estate agents particulars prepared in early 2023 and all show the presence of significant and attractive front garden planting including 2 trees, several large shrubs and a typical boundary treatment for the Conservation Area setting. Most of the planting, and shrubs, and all trees have since been removed and the front boundary treatment has been noticeably changed, despite **no** applications apparently having been made or permissions granted for these changes.



Picture 9 Full view of previously-existing, well-planted front garden with 2 trees and boundary treatment fully in keeping with the SHCA Character & Appraisal document (as existed until late 2022)



Picture 10 View from house of previously-existing, well-planted front garden with 2 trees as in agents' particulars prepared in late 2022.



Picture 11 Aerial view of view of previously-existing, well-planted front garden with 2 trees and several mature shrubs.



## Annex 2

### Extracts from Camden's 'South Hampstead Conservation Area Appraisal and Management Strategy' (SHCAAMS) (2011) relating to preservation of trees and in-character verdant front gardens. (relevant passages highlighted in red)

4.19. The South Hampstead Conservation Area Appraisal and Management Strategy was prepared by the Council to define the special interest of this Conservation Area **to ensure its key attributes are understood, can be protected and measures put in place to ensure its appropriate enhancement.**

4.20. The appraisal states that the loss of front garden spaces can significantly detract from the appearance of the area and further harm is caused by the paving over of green spaces, loss of boundary walls and hedges, the erection of inappropriate walls, railings and gates and the visual intrusion of the cars themselves parked within the former garden. A significant number of gardens and boundary walls have been removed in the area, making the retention of those surviving, and the reinstatement of those lost, a high priority. In addition, the brick boundary walls, gate posts and ironwork along the frontages are an important facet of the character of the entire conservation area. An Article 4 Direction is in place in the conservation area requiring planning permission for all works (except repairs and like for like replacement) to front boundary treatment. The Council will resist the loss of original boundary treatments and the iron and wooden elements and planted greenery associated with them.

2.3 Section 3.0 of the Appraisal is headed 'Assessment of Special Interest' and, under sub-heading "Summary Definition of Special Interest" the first three paragraphs set out the significance of the conservation area, as in the quote below:

3.2 **One of the most prominent features of the area is vegetation – both to the front and rear of properties. Green front gardens demarcated by low or ornate garden walls topped with hedges contribute strongly to the area's character.** Building lines of the residential streets are generally set-back from the pavement which, with the boundary landscape treatment and many mature specimen trees, are essential in giving the streetscape its attractive and serene quality. [red highlighting emphasis added]

3.3 The open green spaces of the private rear gardens and the communal gardens between terraces of houses remain undeveloped and are a very important amenity for local residents – both for those who look onto the spaces and those who have access to them. In some cases they are managed as natural wildlife spaces, in others as more formal parkland. These copses and gardens are a haven for wildlife with areas set aside as natural habitats, as well as picturesque herbaceous borders, flowering shrubs, fruit trees, communal vegetable plots and a number of mature trees. **These private spaces, along with the green front gardens, are vital in providing wildlife corridors, enhancing biodiversity and reducing flood risk as well as in preserving the attractive, tranquil character of the conservation area**

Specifically in relation to trees:

5.23 **Tree cover should be extended & enhanced where possible for reasons of wildlife habitat, amenity value, sense of well-being & place, filtering & absorbing harmful gases, lowering dust & noise levels etc.**

5.24 **The general canopy/tree character of the conservation area is largely formed of continuous bands of trees spanning rear gardens with intermittent tree cover in front gardens. The general level of tree cover in the conservation area is relatively high and comprised of a wide range of sizes and species. Trees in front gardens provide a very important landscape and streetscape function and this is especially true where street trees are not present. Vistas/views down tree lined streets often provide continuity within the streetscape with varying colours and textures. These important landscape features of the conservation area require both protection and enhancement where possible**

With regard to front garden spaces, paragraph 13.45 states:

**"Loss of front garden spaces can significantly detract from the appearance of the area and further harm is caused by the paving over of green spaces, loss of boundary walls and hedges, the erection of inappropriate walls, railings and gates and the visual intrusion of the cars themselves parked within the former garden. Unfortunately a significant number of gardens and boundary walls have been removed in the area, making the retention of those surviving, and the reinstatement of those lost, a high priority. "**

With regard to front boundaries, paragraph 13.48 states:

**"The brick boundary walls, gate posts and ironwork along the frontages are an important facet of the character of the entire conservation area. An Article 4 Direction is in place in the conservation area requiring planning permission for all works (except repairs and like for like replacement) to front boundary treatment. The Council will resist the loss of original boundary treatments and the iron and wooden elements and planted greenery associated with them."**