

# Delegated Report

Officer		Application Number(s)	
Liam Vincent		2024/4305/T	
Application Address			
40 Frognal NW3 6AG			
Proposal(s)			
REAR GARDEN: 1 x Cypress (T1) - Reduce by 3m approx. (30% reduction in size). 1 x Sycamore (T2) - Fell to ground level.			
Recommendation(s):		Part grant, part refuse 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	22	No. of responses	9	No. of objections	4
Summary of consultation responses:	<p>The Council received three support and four objection and two comment responses which can be summarised as follows:</p> <p><b>SUPPORT</b></p> <ul style="list-style-type: none"> <li><i>Sycamore has grown very narrow, under the suffocation of the Cypress tree and sways with a gentle breeze</i></li> <li><i>concerned the tree could uproot at any time</i></li> <li><i>for over 10 years, the trees have not been pruned and maintained</i></li> <li><i>not been maintained for over 30 years</i></li> <li><i>I get no direct sunlight on my garden</i></li> <li><i>will benefit wildlife and people alike.</i></li> <li><i>The space behind the houses is limited</i></li> <li><i>Reduction of the Cypress tree would benefit the residents' gardens - health to other plants and animals from the increase in sunlight, and also the resident's comfort.</i></li> <li><i>Reduction allows new growth and maintains the health of the tree.</i></li> <li><i>A great number of trees behind the houses so the reduction and removal of T2 will not harm the wildlife</i></li> <li><i>lack of sunlight to our garden</i></li> <li><i>without any maintenance or care for at least 23 years</i></li> <li><i>The Cypress (T1) is massive and dense creating a complete block to the sun in the morning to 40, 42, 44 and possibly 46 Frognal.</i></li> <li><i>growth of the Cypress has damaged other trees to the side...these trees have had to grow sideways or suffer from dead branches which becomes a potential danger to life and property as a result.</i></li> </ul> <p><b>OBJECTION</b></p> <ul style="list-style-type: none"> <li><i>The Cypress tree does not impact upon gardens at 44 or 46 Frognal (too far away), there is no danger to life or property connected to this tree.</i></li> <li><i>There is light from the southeast throughout the morning in all seasons.</i></li> <li><i>an important habitat for wildlife throughout the year</i></li> <li><i>Hides a bright security light on a neighbouring house</i></li> <li><i>This is a steady reduction of tree cover in this Conservation Area, and a dire reduction of habitat for wildlife</i></li> <li><i>The Sycamore is not dangerous to life or property or is itself diseased</i></li> <li><i>The application seeks permission to 'poison' the Sycamore (after felling) - the danger to adjacent trees and to wildlife is obvious</i></li> <li><i>The applicant repeats the declaration that she is the owner of the trees, but she is not.</i></li> <li><i>My physical and mental health have been affected by this relentless effort to remove and reduce trees.</i></li> </ul>					
CAAC/Local groups* comments: *Please Specify	None received					

## Assessment

The s.211 notification is to prune one tree, a Cypress (T1) and remove one tree, a Sycamore (T2) to ground level in the rear garden of a private residence on Frognal, which is within the Redington Frognal Conservation Area.

The proposed crown reduction to T1 is 30% / 3m.

The trees are part of a cohesive group, a *green corridor* in the rear gardens of the housing on Frognal and Netherhall Gardens. Bounded by Netherhall Way at the southern end, runs north then northeast to the rear gardens of Arkwright Road and Netherhall Gardens. This grouping of trees is somewhat visible from public places, but visibility is limited due to the buildings. The richly planted rear garden areas are a balance to the much less planted and smaller front gardens in the locality.

The reduction of T1 is a reasonable maintenance request, as the species is fast growing and can easily become dominant; regular maintenance should also encourage future retention of the tree.

Support for the removal of T2 includes suppression of the tree's growth by T1, a lack of maintenance for a (variable) number of years, the restriction of sunlight to the rear gardens, and that the removal will benefit wildlife.

The removal of T2 is to be resisted due to:

- The erosion of a vital green corridor
- The overall reduction in habitat
- The reasons given for support not robust

The Council does not object to the proposed crown reduction work to T1.

The Council objects to the proposed removal of T2, and a Tree Preservation Order will be served to protect the amenity and habitat values that the tree provides, and preserve the character of the conservation area..