

Delegated Report

Officer	Application Number(s)	Application Address
Liam Vincent	2024/5680/T	112 - 124 Haverstock Hill NW3 2BB

Proposal(s)

FRONT GARDEN:
 3 x Tree of Heaven (T4, T5 & T16) - Fell to ground level.
 2 x Elm (T6 & T9) - Fell to ground level.
 3 x Ash (T22, T24 & T25) - Fell to ground level.

Recommendation(s):	No objection to notification of intended works to tree(s) in a conservation area.
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Application Type:	Notification of Intended Works to Tree(s) in a Conservation Area
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Consultations

Adjoining Occupiers:	No. notified	8	No. of responses	1	No. of objections	1
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Summary of consultation responses:	<p>The Council received one response: <i>Object to felling...particularly the elm and ash trees. These species are not only beloved fixtures of our local environment but also ecologically significant. Elm trees are increasingly rare in the UK due to Dutch elm disease, making their preservation especially important. The proposed felling of even one elm tree (T9) is worrying, as these trees provide unique ecological benefits and are culturally significant.</i></p> <p><i>Similarly, ash trees play a crucial role in our biodiversity and have faced significant threats in recent years, particularly from ash dieback disease. The proposal to fell three ash trees (T22, T24 & T25) is concerning, given their importance to our ecosystem.</i></p>
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CAAC/Local groups* comments: *Please Specify	<p>For the Belsize Society: Please explain why this application is not subject to public consultation, as previous tree applications for these properties have been. We look forward to receiving an explanation. We object to the proposed felling of the TPO-protected tree/s and to the felling of the other mature trees at the front of these properties. These trees are important to the character of the neighbourhood, providing a highly visible mixed row of trees in front of 112-124 Haverstock Hill. Haverstock Hill is a busy road and these trees provide some mitigation of traffic noise and air pollution for residences on the east side of the road. As a row of trees, they provide habitats encouraging biodiversity. If the removal of any TPO-protected trees is permitted then there should be a requirement for replacement planting of trees in the immediate vicinity.</p>
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Assessment

The s.211 notification is to remove eight trees from the front garden of a private residence on Haverstock Hill, which is within the Parkhill conservation area. The trees to be removed are 3 x Tree of Heaven (*Ailanthus* T4, T5 & T16), 2 x Elm (*Ulmus* T6 & T9) and 3 x Ash (*Fraxinus* T22, T24 & T25). The original validation of the app contained two mistakes:

- T6 was listed as a Tree of Heaven, when it is in fact an Elm. The application has been rectified to correct this error.
- The notification was thought to be proposing works to the Ailanthus at this location that are protected by a TPO (ref C1267 2021). The agent has confirmed that this is not the case – the Ailanthus trees to remove are significantly smaller, self-set trees in unsustainable locations. The application has reverted to a s211 notification.

The trees are part of a larger group on the front boundary of the property, and form a somewhat cohesive group of various species and sizes along Haverstock Hill next to the footpath. They are highly visible, but do not appear regularly maintained and as a result are in fair to poor physiological condition.

- T4 is growing beneath the fuller and healthier crown of a much larger tree and suppressed as a result.
- T5 is a small tree (~2.5m high) which is of poor form including having a significant lean.
- T6 is in terminal decline due to Dutch Elm Disease.
- T9 is dead due to Dutch Elm Disease.
- T16 is of poor form, is in an unsustainable location (too close to the wall structure to reach full maturity) and in an overcrowded location. The tree is leaning out towards the road.
- T22, T24 & T25 are all of poor form, in unsustainable locations (either close to or in contact with the boundary wall) and likely to succumb to Ash Dieback, therefore it is not expedient to serve a TPO as their safe useful lifespan is limited.
- The trees are not known to be of any cultural or historical importance.
- The trees are not a rare or unusual species.
- None of the trees proposed to be removed are exemplary specimens.
- The removal of these trees would allow for fuller development of the retained trees, i.e., having more space to grow without influence from other trees.

Regarding the responses received:

- The Elm and Ash trees to remove are not of sufficient quality, are unlikely to survive in the long term, and are growing in unsustainable locations making them unsuitable to protect with a TPO.
- Site notices were posted on site, which is a form of public consultation. A previous application on this site (2022/3776/T) received the same enquiry from the Belsize Society, and according to the Officer Delegated Report, notified in the same manner.
- If any trees covered by an existing TPO are removed, they would be required to be replaced in order to comply with s206 of the Town and Country Planning Act 1990 (as amended). None of the trees proposed to be removed are covered by the TPO on site (C1267 2021).

The Council can either object to intended works and serve a TPO, or make no objection.

For the reasons stated above, it is not expedient to serve Tree Preservation Order(s) to object to the proposed works.

The Council does not object to the proposed works.