

Delegated Report

Officer	Application Number(s)	Application Address				
Liam Vincent	2025/0989/T	5 Netherhall Gardens Road NW3 5RN				
Proposal(s)						
REAR GARDEN: 1 x Ash & 1 x Sycamore (G1) - Fell to ground level.						
Recommendation(s):	<u>No objection</u> 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	9	No. of responses	1	No. of objections	0
Summary of consultation responses:	The notification of intended works received no responses from consultation.					
CAAC/Local groups* comments: <small>*Please Specify</small>	<ul style="list-style-type: none"><i>For the Belsize Society: These trees form part of the very important green corridor of trees between Netherhall Gardens and Finchley Road. As well as providing privacy and a sense of wellbeing to local residents, the green barrier of trees provides important protection against the traffic noise and air pollution of the extremely busy Finchley Road. The green canopy of the trees at the back of Netherhall Gardens helps combat climate change and forms a habitat for diverse wildlife providing the potential for biodiversity, despite its proximity to a busy urban road. 5 Netherhall Gardens is within the Fitzjohns/Netherhall Conservation Area and is noted in the Dec 2022 CA Plan as making a positive contribution and the trees in its typically leafy back garden should be preserved in compliance with the CA Plan. The trees should take priority over the boundary wall and alternative solutions adopted to address the damaged wall.</i>					

Assessment

The s.211 notification is to remove a line of semi-mature ash and sycamore trees from the rear garden of a one of the buildings of South Hampstead High School on Netherhall gardens, which is within the Bartholomew Estate conservation area.

The trees have previously been pruned to restrict their size, notably at around 8m height. There is around 2-3m regrowth from the last pruning operation and the stems are almost all covered in ivy, which is starting to engulf the trees by growing out into the canopy. The base of the stems are around 0.5m from the retaining wall structure, which is showing signs of distortion – buckling outwards away from the stems. This leads to the reasoning for the intended removal; the damage to the retaining wall within the rear garden of the next-door property no.3 Netherhall Gardens.

An arboricultural investigation report provided as part of the evidence submitted is in favour of the removal of the trees. It alleges that the damage to the wall is likely due to the direct pressure of the roots against the wall structure. It states that the demolition and rebuilding of the wall would likely result in significant, unavoidable damage to the trees. It also notes that as the stems of these trees can grow to around 600mm diameter, they will outgrow their location in time. It suggests that the removal of the trees is the best solution, and a hedge to be planted as a replacement that would suit the available space better.

The Fitzjohns / Netherhall Conservation Area statement (2022) notes that mature trees and hedges are an important part of the character of the conservation area, and as with other rear gardens, the gap between the buildings in this case makes them somewhat visible from the street. Also mentioned within the conservation area statement is that due to the lack of greenspace in the local area, the larger rear gardens provide the green

spaces and the amenity that entails.

Whilst these issues are important and due careful consideration, the trees are of undeniably of poor form and are in an unsustainable location. This greatly reduces their suitability for protection via a preservation order – their long-term retention is in question.

- The smaller trees are of limited visibility.
- The trees are not known to be of any cultural or historical importance.
- The trees are not a rare or unusual species.
- The trees are not exemplary of their species.
- The Council cannot compel an owner to carry out specific works as per the objection received.

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 a Tree Preservation Order to object to the proposed works.

The Council does not object to the proposed works.