

Mr Andrzej Jaszek  
Flat A  
35 Regents Park Road  
London  
NW1 7SY

Application Ref: **2012/3385/T**  
Please ask for: **Tom Little**  
Telephone: 020 7974 **5283**

16 August 2012

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (Tree Preservation Order) Regulations 1999

### **REFUSAL OF CONSENT FOR WORKS TO TREE/S UNDER A TREE PRESERVATION ORDER**

Address:  
**11 Albert Terrace Mews**  
**London**  
**NW1 7TA**

Proposal:  
(TPO Ref: C633) REAR GARDEN: 1 x Walnut - Fell

The Council has considered your application dated 25 June 2012 and decided to refuse consent for the following reason(s):

#### **Reason(s) for Refusal**

- 1 The Walnut is highly visible within Albert Terrace Mews and partially visible from outside the mews on Regent's Park Road. It is considered to provide a high level of visual amenity within the street scene and to make a positive contribution to the character of the conservation area.  
The application alleges that the Walnut is contributing to subsidence related building damage at 35 and 37 Regent's Park Road. It is considered that the evidence submitted with the application is insufficient to conclusively link this tree to the damage in question. The engineers report submitted with the application states that



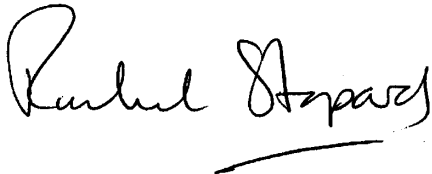
the most significant factor is leaking damaged drains and proposes that these are re-lined. The trial pit/borehole is remote from the tree being on the opposite side of the house; although roots from the family Juglandaceae were identified in sample from the pit, it would be appropriate to carry out DNA testing to prove that these roots are from the tree in question. Soil samples from within the trial pit/bore hole are not desiccated based on moisture content level, suggesting that the leaking drains are the most likely cause of the damage.

It is recommended that the drains are repaired and that further monitoring is subsequently undertaken in the form of crack/level monitoring over a sufficient period to establish whether any further movement is seasonal/progressive.

The application has been refused to protect the visual amenity the tree provides and to preserve the character of this part of the conservation area.

If you are unhappy with the Council's decision you may appeal within 28 days of the date of this notice by writing to The Environment Team, Room 4/04, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard  
Director of Culture & Environment

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: [www.camden.gov.uk/dmfeedback](http://www.camden.gov.uk/dmfeedback). We will use the information you give us to help improve our services.