

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		27/11/2007	
		N/A / attached		<b>Consultation Expiry Date:</b>			
<b>Officer</b>				<b>Application Number(s)</b>			
Kevin Fisher				2007/5012/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
5 Norman Terrace Agamemnon Road London NW6 1BU				Refer to decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Removal of condition 3 (details of building foundations) attached to the planning permission granted on 8th June 2007 (ref: 2006/5522/P) for alterations and additions to the single dwellinghouse.							
<b>Recommendation(s):</b>		Approve					
<b>Application Type:</b>		Variation or Removal of Condition(s)					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		No SN/PN					
<b>CAAC/Local groups* comments:</b> *Please Specify		None					

## Site Description

A 2 storey dwelling house comprising the end of a terrace of 3 dwellings on the western side of Agamemnon Road.

## Relevant History

08/06/07 planning Permission was granted for the erection of a single storey extension at rear ground floor level, a first floor level side extension and a roof extension top the main building with 2 dormer windows at the rear and 2 roof lights to the front to provide additional accommodation for the single dwelling house.

## Relevant policies

N8 Ancient Woodlands and Trees

## Assessment

The application is to remove Condition 3 of the above mentioned planning permission ( ref 2006/5522/P).

Condition 3 required that "Details of the design of building foundations and the lay out with dimensions and levels of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, including details of root investigations to be carried out as recommended in the hereby approved Tree Survey by Arboreal Services ( dated 08/05/2007) shall be submitted to and approved by the Council before any works on site are commenced. Thereafter the works shall only be carried out in accordance with the approved details".

Inspection by a Building Regulations Inspector found that a trench had been dug in preparation for the installation of Trench Foundations and a number of roots from an adjacent Ash tree in 57 Hillfield Road (the purpose of which the condition had been to protect) had been severed.

The methodology outlined in the approved Arboricultural report required that a trial pit be dug to determine the position and the extent of root growth within the garden of 5 Norman Terrace before determining the type of foundations for the extension. Had a trial pit been dug it would have demonstrated the damage to the tree resulting from deep excavations within this area and indicated that a pile and beam foundation was required.

Following my own site inspection to assess the degree of damage to the tree an Arboricultural Report was provided recommending measures to limit further damage to the tree. These measures included carefully pruning back damaged roots and providing protection against chemicals from wet concrete affecting the adjacent roots. Organic material was packed between the root barrier and exposed roots to encourage the redevelopment of fine root growth in this area.

It had already been noted during an inspection of the tree for the original planning permission that the tree had a limited safe useful life expectancy due to fungal decay near its base. The damage done to the tree as a result of the root severance will be likely to reduce the safe useful life expectancy of this tree from 10+ years to <10 years. The remedial works carried out outlined above will not have undone the damage to the tree only limited further damage. It is likely the Ash will enter an accelerated spiral of decline.

The degree of damage makes the installation of a pile and beam foundation largely irrelevant in terms of benefiting the tree. Therefore on this basis it is considered that Condition 3 has no further relevance as it cannot be complied with.

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