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Application Ref: **2006/3745/T**

Please ask for: **Alex Hutson**
Telephone: 020 7974 **5939**

25 September 2006

Dear Sir/Madam

DECISION

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

**PART APPROVAL / REFUSAL OF WORKS TO TREE/S UNDER A TREE
PRESERVATION ORDER**

Address: **23 Lancaster Grove London NW3 4EX**

Proposal: (TPO Ref: C616) **FRONT GARDEN: 2 x Tree of Heaven - Fell to ground level
and treat stump.**

The Council has considered your application dated 10 August 2009 and decided the following:

a) to REFUSE :

Removal of Tree of Heaven T1 (right hand tree if facing the house)

Reasons for Refusal

- 1 It is considered the removal of both trees would be detrimental to the character of the conservation area. No DNA testing has been carried out to determine if one or the other or both of the trees are the cause of building damage. Therefore it is considered reasonable to remove the tree nearest to the damage and then to undertake crack/level monitoring to assess what effect the removal of this tree has on any movement. Results should be submitted to the Council for further consideration for the removal of the tree furthest from the damage.

b) to GRANT APPROVAL for:

Removal of Tree of Heaven T2 (left hand tree if facing the house)



Conditions and Reasons:

- 1 This decision is valid for 6 months from the date of this decision or until the work is completed, whichever is the sooner.

Reason: To allow the Council to monitor the completion and standards of the work.

- 2 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 1989. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 3 The Council requires that a silver birch be planted as a standard with a girth size of 12-14cms. The ground should be prepared to the standards set out in BS5236:1975. The tree should be suitably staked and tied. The replacement should be planted by March 2007.

Reason: In order to comply with the provisions of Section 206 of the Town and Country Planning Act 1990 (as amended).

Informative(s):

- 1 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests, whilst being built or in use. For further information contact the London Office of English Nature on 020 7340 4870.

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 Government Office for London, Floor 9, Riverwalk House, 157-161 Millbank, London SW1P 4RR.

Yours faithfully



Culture and Environment Directorate
(Duly authorised by the Council to sign this document)