

Greencut Horticulture Ltd
Coolings Nursery
Main Road
Knockholt
Kent
TN14 7LJ

Application Ref: **2016/1018/T**
Please ask for: **Nick Bell**
Telephone: 020 7974 **5939**

13 May 2016

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:
18 Belsize Park Gardens
London
NW3 4LH

Proposal:
(TPO REF. C1021 2012)FRONT GARDEN: 1 x Mature London Plane T1 -Fell tree to ground level, grind out stump and - Re-plant area with suitable size & species replacement tree choice to mitigate removal.

The Council has considered your application dated 23 February 2016 and decided to refuse consent for the following reason(s):

Reason(s) for Refusal

- 1 The application tree is a mature London plane situated in the corner of the front garden of the property close to the boundaries of no. 16 Belsize Park Gardens and the highway. The tree is approximately 7m in height and has been pollarded to this point in line with previous notifications and applications submitted to The Council. The property is situated within the sub area one of the Belsize Park Conservation Area. The Conservation Area Statement for this sub area specifically refers to



Belsize Park Gardens when it states that:

"The impact of the continuous line of villa development on the street is significantly softened by mature trees and vegetation in the front gardens."

The application tree has been pollarded at a relatively low height but it is considered to contribute a significant level of visual amenity to this part of the conservation area. There are many other mature pollarded trees in the front gardens of properties on Belsize Park Gardens on both sides of the road.

The information submitted with the application to implicate the tree as the cause of property damage is broadly the same information as when previous application was made to remove the tree was refused in 2012 app. ref. 2012/2938/T. The officer's report stated that:

"It is considered the evidence submitted with the application is insufficient to justify the removal of the tree in question for the following reasons:

1. Crack monitoring identifies minor movement (2mm) which may not be as a result of vegetation related moisture usage. This level of movement generally results in cosmetic damage which can be easily repaired. It is understood cosmetic repairs have already been undertaken.
2. The monitoring and borehole data is closer to T2 and any roots found are more likely to emanate from this tree. Consent has been granted for the removal of T2 and it is recommended further monitoring be carried out over a sufficient period to assess the impact of the tree's removal. No Plane roots were found in TP/BH2 so it is unlikely any Plane roots in TP/BH1 emanate from T1.
3. The report suggests underpinning may be required regardless of the trees' retention or removal to limit heave potential if removed."

A more recent structural engineer's report ref. JAK/14:0712/5099 written in 2014 refers to the damage to the external areas at the front of the building as an aesthetic matter as opposed to a structural issue. The same report also refers to the cracking to be of a minor nature and not indicative of any on-going movement. The engineer then states, with regards to underpinning that:

"This should be done regardless of the whether trees are removed or not, as the ground has been affected" and goes to state that "The option to remove the tree and wait a while for the ground to recover is not advisable as it can take many years for the soil to recover, particularly in this location where water cannot get into the ground very easily as most of it is built over "

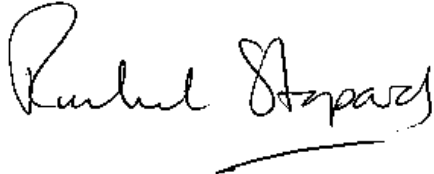
In addition, the owners received expert advice from an arboricultural consultant in 2011 which was to either removal the tree or repollard it annually. Applications for repollarding were received and approved by The Council in 2012 and 2015 only. As such, it is considered that the applicant chose not to follow the expert advice which may have contributed to the damage.

For these reasons it is recommended that the application is refused to protect the

visual amenity the tree provides and 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 Supporting Communities

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. We will use the information you give us to help improve our services.