

Mrs Karen Firmin
4 The Courtyards
Phoenix Square
Wyncolls Road
Colchester
CO4 9PE Essex

Application Ref: **2016/5177/T**
Please ask for: **Nick Bell**
Telephone: 020 7974 **5939**

30 November 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:
54 Compayne Gardens
London
NW6 3RY

Proposal:
(TPO REF. C735 2007) FRONT GARDEN: 4 x Limes (T1 to 4): fell to ground level and treat stump.

The Council has considered your application dated 21 September 2016 and decided to refuse consent for the following reason(s):

Reason(s) for Refusal

- 1 All four trees are highly visible from the public realm, are considered to provide a high level of visual amenity and to add to the character of this part of the conservation area.

An application to reduce the crown of the trees back to the previous points of reduction was approved in 2012 under application ref. 2012/2206/T dated 27/04/2012. The engineering appraisal report submitted with this application state



that the property damage was first noticed in August 2015, some years since the trees were last pruned.

It is considered that the documents submitted with the application do not demonstrate that alternative solutions other than the full removal of all four trees have been explored. The arboricultural assessment report submitted with the application states in section 5.2 that:

"Where felling has been proposed, this will be on the basis that the vegetation in question would not respond well to a severe reduction in leaf area that would inevitably lead to decay, the development of potential hazards, and an annual or other on-going management commitment and cost. If pruning is recommended, the specification will be designed to allow continual ease of re-pruning with a reasonable prospect of a reduction in soil water use."

The Council does not share this view. Lime trees are well known for their strong genetic vigour and their ability to tolerate heavy pruning. Heavy pruning is not considered to "inevitably lead to decay" or to develop potential hazards by default.

It is considered that all four trees could be heavily reduced in size to approx. 4m in height and maintained at this size as part of a biennial pruning regime as low pollards. This would hugely reduce the area of foliage each tree produces thus controlling the volume of water each tree removes from the soil. The trees would continue to contribute to the character of this part of the conservation area and the damage would be controlled. The cost of the ongoing pruning is not considered to be overly onerous due to the small scale of the operation required to maintain the trees at 4m in height. Level monitoring could continue for another year to assess which the pruning has the desired effect.

The pruning regime referred to above (reduce to 4m in height as low pollards repeated every other year for the next ten years) was put forward to the agents as an alternative method to control the damage instead of the full removal of all four trees. The agents chose not to amend the application.

The Council received an objection from two people identifying themselves as freeholders of the property which requested that pruning should be explored as an alternative solution and was preferable to full removal of all four trees. The Council also received an objection from C.R.A.S.H. (Combined Residents Association of South Hampstead) which also requested that pruning as opposed to full removal of all four trees is explored as a solution.

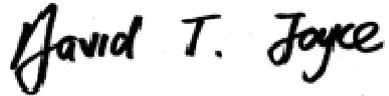
The application has been refused to protect the visual amenity the trees provide and to protect the character of this part of the conservation area.

Informative(s):

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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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Executive Director 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.