

Delegated Report	Analysis sheet		Expiry Date:		23/12/2020		
	N/A / attached		Consultation Expiry Date:				
Officer			Application Number(s)				
Nick Bell			2020/4993/T				
Application Address			Drawing Numbers				
27 Buckland Crescent London NW3 5DH							
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
FRONT GARDEN: 1 x Sycamore - Fell to ground level.							
Recommendation(s):		Refuse application for works to tree(s) covered by a TPO					
Application Type:		Application for Works to Tree(s) covered by a TPO					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	35	No. of responses	03	No. of objections	02
				No. electronic	00		
Summary of consultation responses:		<p>The Council received three consultation responses which can be summarised as:</p> <ul style="list-style-type: none"> It would be a shame to lose the Sycamore tree. It is beautiful and Buckland Crescent needs as many trees as possible as it has a lot of pollution. The partition wall with no 29 Buckland Crescent had not been maintained in many years and the cracks mentioned in the reports have now been fixed as no 29 has started its maintenance works. A replacement tree should be planted should the application be approved. I object to the removal of any tree within the Belsize Conservation Area for environmental reasons. The report attached doesn't suggest the tree was responsible for the damage to the walls and it appears potential issues with the drain have not been properly investigated. I hope that the tree can be kept. If not, then please insist on a suitable replacement tree. 					
CAAC/Local groups* comments: *Please Specify		None received.					

Assessment

The application is for the removal of a mature sycamore tree that is in the front garden of a residential property that is situated within the Belsize Park Conservation Area.

The tree is highly visible from the public realm and significantly contributes to the character and appearance of the conservation area. The tree provides a high level of amenity to the public and has been maintained by crown reduction on a cyclical basis. The documents submitted allege that the tree is responsible for damage to a boundary wall between the application site no. 29 Buckland Crescent.

An application was submitted in 2018 ref. 2018/2458/T to fell the tree and was refused on 19th October 2018. The applicant appealed the decision and the appeal was dismissed in appeal decision ref. APP/TPO/X5210/6946 dated 28th October 2019.

The inspector found that “...*the appeal tree has a positive impact on the local environment and its enjoyment by the wider public. Felling the tree would harm the character and appearance of the Conservation Area.*” The inspector noted that “*The damage is, in any event, to subordinate structures.*”.

A report submitted by Jampel Davison and Bell Consultation Engineers states that:

“Consideration has been given to rebuilding the damaged walls on reinforced concrete ground beams supported on pad foundations. Such a solution would require compressible material to the sides and beneath the beams in order to allow for ground heave and root growth without forcing the beams and foundations upwards and sideways. The excavation for the new substructure would inevitably sever any large tree roots and may destabilise the tree. Removal of the tree would therefore in my opinion be the appropriate solution.”

Details of very limited subterranean investigations have been included. It is not clear how excavation would inevitably sever large roots and may destabilise the tree when the size and position of roots under the wall have not been determined.

The use of small diameter helical piles appears not to have been considered which may allow for the reconstruction of the wall and the retention of what has been identified as an important and prominent tree. It is recommended that more extensive trial pit investigations are undertaken to ascertain the extent and positioning of rooting under the wall to allow for alternative options to be explored that include the retention of the tree.

It is recommended that the application be refused to protect the amenity the tree provides and the character and appearance of the conservation area.