

Delegated Report

Officer

Tom Little

Application Number(s)

2020/4219/T

Application Address

67 Aberdare Gardens
London
NW6 3AN

Proposal(s)

FRONT GARDEN: 1 x Viburnum (S4) - Fell and treat stump.

1 x False Acacia (T1) - Fell and treat stump.

1 x Laurel (Bay) (T2) - Fell and treat stump.

Recommendation(s):

Part object/part No Objection to Works to Tree(s) in CA

Application Type:

Notification of Intended Works to Tree(s) in a Conservation Area

Consultations

Adjoining Occupiers:

No. notified

31

No. of responses

No. of objections

Summary of consultation responses:

The information in this application is incomplete and confusing. The two 'Engineers' reports are incomplete and show the same picture as the one for application number 2020/4224/T (no. 65 Aberdare Gardens). What is the reason these trees are being felled?

CAAC/Local groups* comments:

*Please Specify

These comments are lodged on behalf of CRASH , the combined residents association of South Hampstead.

The overriding concern & Council policy as set out in its planning documents is to retain the character & appearance of the conservation area which includes its mature gardens & trees. This is particularly important where the trees are at the front of the buildings & form part of the streetscape.

Additionally, national & local policy is to preserve existing trees & plant thousands of new ones to resist climate change & pollution. There must be a presumption against felling trees which should only be rebutted by clear unambiguous evidence of material damage to long-standing existing buildings.

PRI's s211 Notice states that pruning or pollarding the various trees/shrubs would not be a suitable remedy but this appears to be a standard conclusion in their proforma report for which no evidence is provided. The engineers & arboriculturalists should be required to justify this conclusion, pending which the proposal should be resisted.

PRI also refer to a replacement planting scheme. Details of this should be provided prior to this proposal being accepted.

Assessment

The Robinia is highly visible from the street and is considered to make a positive contribution to the character and appearance of the conservation area. The tree appears to be in good condition and have a significant safe useful life expectancy.

The notification alleges that the tree is a contributory cause of clay shrinkage subsidence in the property.

The evidence in the supporting documents includes: crack monitoring which is not carried out over a sufficient time period to indicate seasonal change demonstrating the involvement of vegetation and soil testing data which does not conclusively show desiccation in the soil below the foundations. No root identification has been submitted at this time. The damage referred to in the report is BRE category 1: very slight, which is largely cosmetic and could be easily repaired.

The evidence submitted at this time does not demonstrate that, on the balance of probabilities, the tree is a contributing to the damage and is therefore considered insufficient to justify the removal of a tree which is considered worthy of protection by a TPO.

It is recommended that a tree preservation order is served to protect the visual amenity the tree provides and preserve the character and appearance of the conservation area.