

Planning
London Borough of Camden

7th April 2021

Dear Sirs,

Town and Country Planning Act 1990.

Site at: 28a Glenilla Road, London, NW3 4AN

Planning application ref: 2021/1435/T

Hollins Planning have been appointed by neighbours to review a tree works application to fell a London Plane Tree.

Background.

The applicant submitted an application to fell the same tree last year (application ref 2020/0182/T).

It was refused on 27th February 2020, because the council considered the tree, along with a belt of trees along the rear gardens of Belsize Park Gardens, made a significant contribution to the character and appearance of the conservation area.

The decision notice also refers to the imposition of a tree preservation order, although it is unclear whether this was carried out, because the applicant says they have been unable to obtain a copy of the order.

Policy.

There is a strong policy presumption to protect trees that make a positive contribution to the character of a conservation area.

Camden's Local Plan **Policy D2**, (criterion h) states:

The council will preserve trees which contribute to the character and appearance of a conservation area, or which provide a setting for Camden's architectural heritage.

Camden's Planning Guidance on trees (March 2019) also contains the following paragraph.

All trees that contribute to the character and appearance of a conservation area should be retained and protected (para 2.10)

Appendix 1 contains guidance on protecting council owned trees. This states that trees will only be removed if they are causing **significant** structural damage.

The application.

As part of last year's objection to remove the tree the council's decision notice was critical of the lack of information that accompanied the application. It raised 2 shortcomings;

- No level monitoring data has been submitted with the notification to demonstrate that the property damage is vegetation related.
- The evidence submitted is not considered sufficient to demonstrate that the tree in question is contributing to the damage.

As a response, the current submission is accompanied by a technical addendum report produced by Crawford loss adjusters.

The report does contain level monitoring data carried out between August 2019- February 2021. This indicates clay shrinkage. In addition, 2 trial holes were dug at the rear of the property. Soil samples were analysed and these were found to contain fibrous roots.

The application is also accompanied by an updated arboricultural appraisal report. This states the tree should be removed as a result of these findings.

I don't know how to interpret technical monitoring data. So, I don't know how severe the movement is. However, it is evident no significant tap roots were found (not surprising as the tree abuts the rear boundary of the application property, so is some distance from the rear elevation). The report contains no photographic evidence of the trial holes. So it is unclear as to whether trial holes uncovered a densely packed fibrous root system at the base of the foundations, or less a loose selection of less densely packed fibrous roots.

What I do know is the updated arboricultural appraisal is still referring to previous building surveyors technical report and an inspection undertaken on 02/05/2019, which said the damage was slight (Table 1 of the British Research Establishment (BRE) digest 251).

As detailed the previous objection BRE 251 defines slight damage as:

Cracks easily filled. Recurrent cracks can be masked by suitable linings. Cracks not necessarily visible externally; some external repointing may be required to ensure weather-tightness. Doors and windows may stick slightly and require easing and adjusting. Typical crack widths up to 5 mm.

In terms of the severity of damage this is would appear to be at odds with the conclusions in Crawford's technical addendum report, which states the only solution that retains the tree is to underpin the property.

Conclusion.

The applicants revised application may have submitted monitoring data to demonstrate shrinkage and it concludes this is due to the presence of fibrous roots. However, extent of the damage to the property is still not known, especially as the submission is still reliant on a surveyor's report undertaken two years ago, which concluded the damage was slight.

The applicant has also provided no assessment of the tree and have discounted possible management solutions such as pruning.

For the reason outlined in this letter it is contended the application to fell the tree should be refused and if not done so to date, then the tree should be protected by a TPO.

Yours faithfully,

Andrew Hollins
Consultant Chartered Planner
MA MRTPI