

Delegated Report		Analysis sheet		Expiry Date:		06/04/2021	
		N/A / attached		Consultation Expiry Date:			
Officer				Application Number(s)			
Nick Bell				2021/0590/T			
Application Address				Drawing Numbers			
9 Willoughby Road London NW3 1RT							
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
FRONT SIDE GARDEN: 1 x Ash (T1) - Fell to ground level.							
Recommendation(s):		Approval 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	06	No. of responses	02	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		<p>The council received three consultation responses which are summarised below:</p> <ul style="list-style-type: none"> I hope this tree can be saved. The tree is highly visible and the road is not particularly leafy. If it must go, it should be replaced. The application does not include any expert geological report. Is the tree causing the cracking or are there are more fundamental problems caused by the soil composition and the underground water courses under Willoughby Rd. There are similar problems at other properties nearby. Without such investigations it is impossible to tell whether removing the tree will ameliorate the cracking issue and potential subsidence. It simplistic to conclude that the problems are caused by the tree. 					
CAAC/Local groups* comments: <small>*Please Specify</small>		<p>The Heath and Hampstead Society submitted an objection to the application, summarised as:</p> <ul style="list-style-type: none"> The level monitoring data is not conclusive and crack monitoring has not been undertaken The tree is not the main cause of movement The cracks have not closed in winter Silt erosion is the likely cause of the movement There was a recent mains water leak nearby which may be a cause of the damage Leaking drains may be contributing to the damage Professional evaluation from a geotechnical engineer with experience of the particular local geology is required 					

Assessment

The application is for the removal of an ash tree from the side garden of a residential property that is situated within the Hampstead Conservation Area.

The mature ash tree is highly visible from the public realm and contributes to the character and appearance of the conservation area. The tree has been heavily pruned historically and has a large amount of ivy established on the stem and primary limbs. The tree is in extreme close proximity to the

The application alleges that the tree is contributing to property damage at the same address. The damage was found to be category 3 (moderate) in accordance with Table 1 of BRE Digest 251.

The level monitoring data shows that the movement is seasonal and is therefore considered likely to be vegetation related. The lack of crack monitoring data is not considered to impact on the council's ability to issue a decision.

The borehole investigations found live lime roots in close proximity to foundations.

Plastic clay soil was found to be in close proximity to foundations.

The combination of these factors is considered to demonstrate that on the balance of probabilities the tree is contributing to the property damage.

It is recommended that the application be approved and a replacement tree be secured via condition.