

Application ref: 2021/5898/T  
Contact: Tom Little  
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Date: 23 May 2022

**Development Management**  
Regeneration and Planning  
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Sylvan Resources  
Dog Field House Abcott  
Clungunford  
Craven Arms  
SY7 0PX

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:  
**1 Elsworthy Terrace**  
**London**  
**NW3 3DR**

Proposal:  
FRONT SIDE GARDEN: 1 x Hornbeam (T1) - Pollard at 4-4.5m to maintain the overall canopy size.

The Council has considered your application dated 01 December 2021 and decided to refuse consent for the following reason(s):

#### **Reason(s) for Refusal**

- 1 The hornbeam is highly visible from the street and is considered to provide a high level of visual amenity and to make a positive contribution to the character and appearance of the conservation area. The tree is visible for a considerable distance on Elsworthy Road. The tree has good form and would appear to be in good condition.

It is considered that pollarding the tree at 4.5m would significantly impact on the form of the tree and be detrimental to the character and appearance of the conservation area and harmful to the amenity the tree provides. These works would not be

acceptable on a tree that is considered worthy of protection without a robust justification.

The application and accompanying report allege that the tree has been implicated as a cause of subsidence at the property. However no evidence has been submitted to support this. Where subsidence is being used as justification for carrying out works to a TPO tree the Council would expect to see the following evidence submitted: Evidence of damage occurring including the area of damage, BRE classification of the damage and estimates of the cost of repairs; Soil analysis indicating desiccation below foundation level; root analysis identifying live roots taken from below foundation level, results of crack/level monitoring demonstrating seasonal movement.

The application has been refused to protect the visual amenity the tree provides and preserve the character of the conservation area.

Informative(s):

- 1 It is likely that an application to reduce the crown of the tree by up to 2m would be approved.

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



Daniel Pope  
Chief Planning Officer

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](http://www.camden.gov.uk/dmfeedback). We will use the information you give us to help improve our services.