

Delegated Report		Analysis sheet		Expiry Date:	19/04/2022
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
Nick Bell			2022/0904/T		
Application Address			Drawing Numbers		
59 Netherhall Gardens London NW3 5RE					
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
REAR GARDEN: 7 x Limes (G1) - Reduce by 2m and near side back to previous points. Only material overhanging removed. 4 x Sycamores (G2) - Reduce by 1m back to boundary with number 59.5.					
Recommendation(s):		No objection to notification of intended works to tree(s) in a conservation area.			
Application Type:		Notification of Intended Works to Tree(s) in a Conservation Area			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	08	No. of responses	02	No. of objections	02
			No. electronic	00		
Summary of consultation responses:	<p>The council received two consultation responses:</p> <ul style="list-style-type: none"> I am an owner of Flat 3 59 Netherhall Gardens and an owner or co-owner of the land on which the trees, the subject of the application are situated. Specifically, many of the trees in question are in my back garden or are on land I own with others that serves 59 Netherhall Gardens. I object to the Intended Works. The trees were all pollarded three years ago and require no further care or attention at this time. They are healthy and beautiful trees and contribute greatly to the surrounding environs. I object to any reduction in height, reach or spread of any of the trees. To the extent that the applicant/owner of 59.5 wishes to cut back any overhanging branches on the basis that they interfere with that property and are causing a nuisance, such should be specified. That specification- if agreed with the owners of the trees - should be the subject of an Intended Works application. Subject to that, there is no independent need for the Intended Works. On behalf of the Freeholders of 59 Netherhall Gardens, we wish to object to these proposed works to trees within our property. The proposal works to trees are clearly part of Planning Application 2021/4884/P (demolition of existing house and construction of new replacement dwelling). A number of residents/neighbours have already registered objections to these proposals and we believe a decision has not been reached yet by Camden Council. The existing trees are managed by the freeholders/managing agents of 59 Netherhall Gardens and they provide valuable natural screening between the two adjacent properties. Please note that permission to enter our property in order to carry out any work to our trees will be politely denied. 					
CAAC/Local groups* comments: *Please Specify	None received.					

Assessment

The s.211 notification is for the pruning of seven lime trees and four sycamore trees that are in the rear garden of residential property that is situated within the Fitzjohns Netherhall Conservation Area. The notification relates to material overhanging a neighbouring property.

The trees in question are of low visibility from the public realm and have been pruned historically. The proposed works are not considered to be harmful to the character and appearance of the conservation area.

Under common law a land owner has the right to prune back any overhanging vegetation without the consent of the owner. Whether or not the proposed works are part of a planning application is not material to the decision making process.

It is not expedient for the council to serve a tree preservation order to object to the works.

The council does not object to the proposed works.