

Delegated Report		Analysis sheet	Expiry Date:	20/05/2021
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Nick Bell			2021/1435/T	
Application Address			Drawing Numbers	
28A Glenilla Road London NW3 4AN				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
REAR GARDEN: 1 x London Plane (T1) - Fell to ground level.				
Recommendation(s):		Approve 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	22	No. of responses	18	No. of objections	18
Summary of consultation responses:	<p>The council received 18 consultation responses which are summarised below:</p> <ul style="list-style-type: none"> • The tree is far away from 16 Belsize Park Gardens • The council reject the application 2 years ago • There is no support from residents • This is unnecessary and excessive • The trees serve an essential function of providing privacy and absorbing noise pollution and the trees provide habitat • The view from our flat will be sparse and colourful • The tree enhances the character of the conservation area • This is part of a continuing trend to remove trees on this road • The case for felling the tree is not strong • There is a mature plane tree at the front of 16 Belsize Park Gardens which hasn't been considered • Felling the tree will release carbon • The trees are an asset to the conservation area • Several other trees have been felled in the area recently • The damage is recorded as "slight" • Its unclear whether the damage relates to any vegetation • There is a strong policy presumption to protect trees that make a positive contribution to the character of a conservation area. • No significant tap roots were found • The applicant has also provided no assessment of the tree and have discounted possible management solutions such as pruning • The tree is visible from the street and felling it would set an unhelpful precedent • The evidence submitted is very similar to that previously submitted • A range of species of bird live in the tree • We need more trees not less • I don't why the council should change their opinion vs what they had said in 2020 • The reasons for issuing the TPO were sound • In the last three years Camden Council have allowed the removal of a sycamore tree at 30 Glenilla Road and the removal of a limb and aggressive pruning at 26 Glenilla Road • It is open to you to reject the application and ask for further evidence of the damage • The tree is very far away from the property and we believe that robust evidence is needed to link the tree to the damage on the balance of probability 					
CAAC/Local groups* comments: *Please Specify	None received					

Assessment

The s.211 notification is for the removal of large, mature London plane tree from the rear garden of a residential property that is situated within the Belsize Park Conservation Area. The application has been submitted by a loss adjuster on behalf of an insurance company of a policy holder at a different address. The applications alleges that the tree is implicated in vegetation-related property damage.

Despite its rear garden position, the scale of the tree is such that it is highly visible above buildings from the public realm. The tree is visible from Glenoch Road, Haverstock Hill and Glenilla Road, both from outside 28 Glenilla Road and also when looking north west along the rear gardens of Glenilla Road and Belsize Park Gardens.

In 2020, a s.211 notification was submitted for the removal of the tree ref. 2020/0182/T. The council objected to the proposed works and a tree preservation order was served. The evidence submitted to implicate the tree as a cause of the damage was not considered comprehensive as level monitoring data had not been included with the submission.

Level monitoring data has been submitted with this application. The data shows cyclical movement, rising in the autumn and winter months and falling in the spring and summer months. This is considered sufficient to demonstrate that the movement is seasonal and therefore likely to be vegetation related.

Roots from a London plane tree were found in close proximity to the foundations of the affected property. The evidence submitted demonstrates soil is desiccated.

It is recommended that the application be approved and a replacement tree secured via a replanting condition. The council's decision to approve the application in no way prejudices the right of the tree owner.