

Delegated Report

Officer

Tom Little

Application Number(s)

2021/2485/T

Application Address

35 - 36 Belsize Square
London
NW3 4HL

Proposal(s)

FRONT GARDEN: 1 x Silver Birch (843) - Prune back off building to provide 1-2m clearance.
REAR GARDEN: 1 x Ash (bs_2) - Canopy reduction of 2m - 3m.
1 x Laurel (bs_3) - Fell to ground level and treat stump with appropriate herbicide.

Recommendation(s):

No Objection to Works to Tree(s) in CA

Application Type:

Notification of Intended Works to Tree(s) in a Conservation Area

Consultations

Adjoining Occupiers:	No. notified	75	No. of responses		No. of objections	2
Summary of consultation responses:	<ol style="list-style-type: none"> 1. As far as I am aware, the Silver Birch tree does not require pruning. The tree does not appear to be in any distress, as would require expert attention. 2. Also, the tree does not appear to be adversely effecting the structure of the building. The two apartments most affected by (closest to) the tree - mine and the lady above - both wish the tree to be left as is. 3. It is important to us. It provides us with shade. privacy and a beautiful outlook 4. It is also worth noting that the gardens are not managed by the landlord (One Housing). It has been agreed some time ago that there will be no more service charges for the ground maintenance of 35-36. The residents are responsible for the upkeep. 5. There are 14 dwellings here, one of which is currently unoccupied. I would hope these proposed works are not in response to a unilateral request. 6. Firstly we can manage the laurel ourselves though because of the pandemic I have not had anyone to cut them back so they have become unmanageable for the usual pruning so they do need. 7. We don't want them removed they are vital Screening. 8. The ash trees are a problem: they are twice the size of the house and are unstable. They should be taken out completely. 					
CAAC/Local groups* comments: *Please Specify						

Assessment

These trees are not covered by a TPO and were therefore subject to a section 211 notification of intended works to trees in a conservation area, unlike a TPO application there is no requirement to give reasons for the proposed works and ownership of/agreed management are not relevant to the Councils decision making process. A section 211 notification gives the LPA six weeks to consider objecting to the proposed works. If the LPA wishes to object then it must serve a tree preservation order on the relevant trees.

The pruning works to the birch tree in the front garden and the ash in the rear are in line with the previous maintenance regime of these trees and are therefore considered to be good arboricultural practice as regrowth is more weakly attached and prone to failure if allowed to grow too large.

The laurel is not visible from the public realm, it is not a particularly large or noteworthy example of its species and is usually considered a shrub which would not be suitable for protection under a tree preservation order. Laurel are also generally considered to be an invasive species providing little ecological benefit. It is not considered that the laurel is worthy of being brought under the protection of a tree preservation order.