

Delegated Report		Analysis sheet		Expiry Date:		08/08/2022	
		N/A / attached		Consultation Expiry Date:			
Officer				Application Number(s)			
Nick Bell				2022/2731/T			
Application Address				Drawing Numbers			
45 Netherhall Gardens London NW3 5RL							
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
REAR GARDEN: 7 x Leylandii (T1) - Fell to ground level.							
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	44	No. of responses	02	No. of objections	01
				No. electronic	00		
Summary of consultation responses:		<p>The council received two consultation responses summarised as:</p> <ul style="list-style-type: none"> I am writing to support the removal of 7 trees at 45 Netherhall Gardens, as long as they are replaced with some smaller trees - the current trees block much sunlight from the gardens of 44, 42, and 40. The 7 trees in question are healthy, mature trees which make a significant contribution to the amenities in this conservation area. The 7 trees provide much needed privacy in this ever more densely populated part of town. Birds, whose numbers have already diminished, still nest in these trees; their destruction would add to the impoverishment of the environment of both tree cover and wild life. Planning permission was initially refused but eventually granted, with the express condition of planting a screen of trees to replace tree cover which the developer had unlawfully felled. The developer then chose fast growing Leylandii over native species. It would be appalling for us if this condition of development were now retroactively annulled. 					
CAAC/Local groups* comments: *Please Specify		None received.					

Assessment

The s.211 notification is for the removal of seven Lawson cypress trees from the rear garden of a residential property that is situated within the Fitzjohns Netherhall Conservation Area.

The cypress trees are of low visibility from the public realm and are not considered to significantly contribute to the character and appearance of the conservation area. This non-native species is of low biodiversity value and is far from achieving its ultimate size and form, it is not the most appropriate species for a residential garden given its potential size.

The trees are not considered to be noteworthy examples of their species and are not of a rare species or are of any known cultural or historic value.

The trees are likely to provide a screening function between properties and provide some degree of habitat potential, however this are no considered robust enough justification for the council to object to the proposed works in accordance with the Planning Practice Guidance on tree preservation orders as part of the NPPF.

It is not expedient for the council to serve a tree preservation order to protect the trees.

The council does not object to the proposed works.