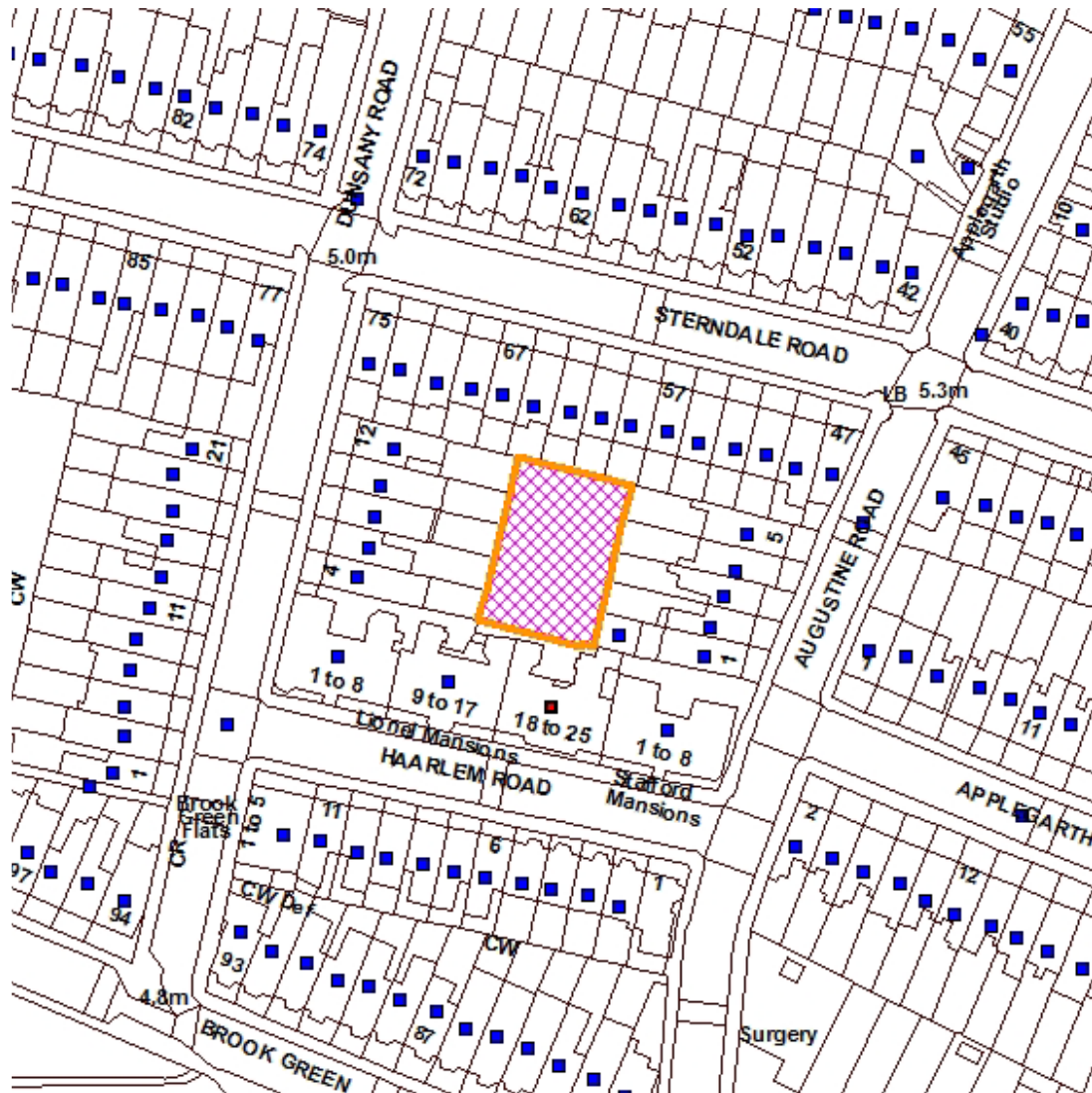


Ward: Addison

Site Address:

18 - 25 Lionel Mansions Haarlem Road London W14 0JH



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For identification purposes only - do not scale.

Reg. No:
2020/02223/TPO

Case Officer:
Zhirong Li

Date Valid:
01.09.2020

Conservation Area:
Constraint Name: Brook Green Conservation Area
- Number 3
Constraint Name:
Lakeside/Sinclair/Blythe Road Conservation Area -
Number 36

Committee Date:
08.12.2020

Applicant:

Ryan

18 Lionel Mansions, Haarlem Road London W14 0JH

Description:

Pruning of 6 no. London Plane trees (T1 - T6) in the rear garden subject to Tree Preservation Order TPO/50/12/73, with a crown reduction to most recent pruning points removing all new re-growth.

Drg Nos: Sketch Plan

Application Type:

Tree Preservation Order Works

Officer Recommendation:

1) That the Committee resolve that the Chief Planning Officer be authorised to grant consent for the tree works subject to the conditions listed below; and

2) To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

1) The works to the 6 no. London Plane Trees (T1 - T6) hereby approved shall only comprise the following, and must be carried out in accordance with British Standard BS3998:2010 - Recommendations for Tree Work:

- The crown reductions are to be no further back than to the most recent previous pruning points or by a maximum of 30% of crown volume, whichever is the least.

- No pruning cuts are to be made which are greater than 100mm diameter.

To prevent unnecessary loss or mutilation to the tree, in accordance with Policy OS5 of the Local Plan (2018).

2) No less than five working days' notice shall be given to the Council's Arboricultural Officer before any work commences on trees (Telephone 020 8748 3020).

In order that the Council has the opportunity to ensure that the work is carried out in accordance with Condition 1, in accordance with Policy OS5 of the Local Plan (2018).

Justification for Approving the Application:

1) The principle of the proposed tree works: The proposed pruning would preserve the health of the London Plane trees (T1 - T6) and its contribution to the visual amenity of the surrounding Brook Green Conservation Area. In this respect, the proposal would be in accordance with Policies DC1, DC8 and OS5 of the Local Plan (2018).

- 2) Residential amenity: The proposal would not cause any detrimental harm to the amenities of any neighbouring properties in terms of loss of light, outlook and privacy. The proposed works would be of an improvement of the current situation and therefore, the proposal complies with Policy HO11 of the Local Plan (2018).

**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

All Background Papers held by Andrew Marshall (Ext: 4841):

Application form received: 28th August 2020

Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2019
The London Plan 2016
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

67 Sterndale Road London W14 0HU	21.10.20
67 Sterndale Road London W14 0HU	30.10.20
10 Dunsany Road London W14 0JP	27.10.20
69 Sterndale Road London W14 0HU	27.10.20
8 Dunsany Road London W14 0JP	30.10.20
71 Sterndale Road London W14 0HU	29.10.20
5 Augustine Road London W14 0HZ	29.10.20
69 Sterndale Road London W14 0HU	26.10.20
57 Sterndale Road London W14 0HU	26.10.20
3 Augustine Road London W14 0HZ	28.10.20
10 Dunsany Road London W14 0JP	27.10.20
61 Sterndale Road London W14 0HU	27.10.20
63 Sterndale Road London W14 0HU	27.10.20
59 Sterndale Road London W14 0HU	27.10.20
65 Sterndale Road London W14 0HU	28.10.20
63 Sterndale Road London W14 0HU	28.10.20
65 Sterndale Road London W14 0HU	28.10.20
1 Augustine Road London W14 0HZ	29.10.20
8 Dunsany Road London W14 0JP	29.10.20
10 Dunsany Road London W14 0JP	29.10.20
2 Augustine Road London W14 0HZ	29.10.20
67 Sterndale Road London W14 0HU	29.10.20
75 Sterndale Road London W14 0HU	29.10.20
75 Sterndale Road London W14 0HU	29.10.20

75 Sterndale Road London W14 0HU	29.10.20
12 Dunsany Road London W14 0JP	29.10.20
4 Dunsany Road London W14 0JP	31.10.20
4 Dunsany Road London W14 0JP	31.10.20
67 Sterndale Road London W14 0HU	31.10.20
1 Augustine Road London W14 0HZ	31.10.20
10 Dunsany Road London W14 0JP	27.10.20
59 Sterndale Road London W14 0HU	27.10.20
8 Dunsany Road London W14 0JP	30.10.20

1.0 BACKGROUND

- 1.1 The application specifically relates to the communal garden to the rear of 18-25 Lionel Mansions, Haarlem Road. Lionel Mansions is a four-storey mansion block, situated to the northern side of Haarlem Road.
- 1.2 The application site lies within the Brook Green Conservation Area and Lionel Mansions is designated as a Building of Merit.
- 1.3 The trees that are the subject to this application are 6no. London Plane trees, situated within the Lionel Mansions garden, to the rear of Lionel Mansions. Specifically, these trees are sited within the boundaries of the private garden and back onto the rear gardens of the properties located on Dunsany Road, Sterndale Road and Augustine Road. These trees are subject to Tree Preservation Order TPO/50/12/75.

2.0 RELEVANT PLANNING HISTORY

2018/00529/TPO - Pruning of 6no London Plane Trees (T1-T6) subject to Tree Preservation Order TPO/50/12/73. Approved.

2015/04986/TPO - Pruning of a Plane Tree subject to Tree Preservation Order TPO/50/12/73 (T5) by removing the lower branches. Approved.

2015/03325/TPO - Pruning of a Plane Tree subject to Tree Preservation Order TPO/50/12/73 (T5) by removing the lower branches. Refused.

2014/05076/TPO - Pruning of 5 no. London Plane trees (T1 - T5) in the rear garden subject to Tree Preservation Order TPO/50/12/73, with a 30% crown reduction. Approved.

2013/03535/TPO - Pruning of a London Plane tree (T1) subject to Tree Preservation Order TPO/50/12/73 by the repollard to previous points. Approved.

2011/03410/TPO - Pruning of 4 No. of London Plane Trees, subject to Tree Preservation Order TPO/50/12/73, by reducing the crown by 30%. Approved.

2011/01632/TPO - Pruning of London Plane tree in the rear garden, subject to Tree Preservation Order TPO 50/12/73 (T1), by up to 30% (crown reduction). Approved.

2011/01580/TPO - Pruning and crown reduction (30% max) of a London Plane tree subject to Tree Preservation Order TPO/50/12/73 (T1). Approved.

2007/02557/TPO - Pruning and crown reduction to previous point of 6 London Plane Trees T1 to T6 subject to Tree Preservation Order TPO/50/12/73. Approved.

2004/01462/TPO - Pruning of 6 No. London Plane trees by 30% (T1,T2,T3,T4,T5,T6,) in the rear communal garden subject to Tree Preservation Order T-50-12-73. Withdrawn.

2004/00842/TPO - Fell to ground 1 No. London Plane tree (T1) subject to Tree Preservation Order No. T-50-12-73; Pruning (50% reduction) of the 6 No. London Plane Trees (T1,T2,T3,T4,T5,T6,) in the communal garden subject to Tree Preservation Order T-50-12-73. Refused.

2004/00420/TPO - Felling of London Plane tree in the rear garden, subject to Tree Preservation Order TPO 50/12/73 T5. Refused.

2003/00945/TPO - Pruning of 6 no. London Plane trees in the gardens of Lionel Mansions (T1, T2, T3, T4, T5, T6) subject to TPO T50/12/73 comprising crown reduction by 40%, back to previous pruning points (Amended Proposal). Approved.

2000/00522/TREE - Remove Laburnum & Apple (trees 8 & 9). Cut back Holly from building and lightly trim Arbutus (trees 10 & 7). Approved.

2000/00489/TPO - Pruning of six London Plane trees subject to Tree Preservation Orders T50/12/73 (T1-T6). Approved.

1997/02756/TPO - Pruning of six London Plane trees (T1), (T2), (T3), (T4), (T5) and (T6) in the communal garden to rear of Block 18-25 subject to Tree Preservation Order T50/12/73. Approved.

1994/00180/TPO - Pruning of a Plane tree (T2) subject to tree preservation order (T50/12/73). Approved.

1984/01677/TPO - Pruning of six Plane trees (50% crown thinning) subject to a Tree Preservation Order. Approved.

1976/00264/HIST - The light pruning, crowning and thinning of trees T1, T2,T3,T4,T5 and T6.

3.0 THE PROPOSAL

3.1 The current application seeks to undertake the following tree works:

- Pruning of 6 no. London Plane trees (T1 - T6) in the rear garden subject to Tree Preservation Order TPO/50/12/73, with a crown reduction to most recent pruning points removing all new re-growth.

4.0 PUBLICITY AND CONSULTATION RESPONSES

4.1 Given the nature of the application (trees within their own site), public consultation is not normally required for this type of application.

4.2 Notwithstanding this, thirty-one (31) letters of objection have been received along with a petition, signed by thirty (30) individuals. In summary, the residents at Dunsany Road, Augustine and Road and Sterndale Road would prefer the 6no. London Plane trees to be double pollarded as an on-going management strategy, instead of the proposed crown reduction.

4.3 The concerns raised can be summarised as following:

- The canopy over the years has not been maintained by the 30% crown reduction;
- The canopy is now taller than the rooftops of the Sterndale homes;
- The trees growth extends over private gardens;
- Residents are worried about the stability of these trees and concerned that large branches or the whole trees would crush their houses or another person;
- Given these trees proximity to the surrounding houses and garden boundary walls, the extend of the increased canopy poses a danger to these houses. The dangers imposed by the 'increased area of sail' of the plane tree canopies in this private and enclosed space is subject to concentrated wind forces becoming more extreme, justification for double pollarding and reducing this danger.
- Tree roots are causing damage to houses and garden walls near the boundary. Houses on Sterndale Road have required engineering and underpinning to stabilise the structures due to tree root damage with increased water uptake and ground movement with continued tree growth;
- The leaf canopy is so extensive that it casts large shadows, causing reduction in light and inhibiting growth of flower beds and grass. Natural light in residential spaces has become more important as we adapt to new working routines in response to Covid-19.
- The hairs on the leaves of plane trees trigger allergic reactions;
- The full pollarding would minimise the problems.
- Please note that some of the representations also raised concerns in regard to the Fig tree (T10) and Cherry Plum (T7) that are sited within the communal garden. These do not form part of this application. However, crown reduction pruning works to the Fig and Cherry Plum and the reduction and felling of two other trees (all four of which are not covered by a TPO) have recently been the subject of a separate Six Week S211 Notice of tree work in a conservation area, 2020/02263/TREE, which the council did not object to within the six weeks so can now be legally carried out.

4.4 One (1) letter of support has been received in support of the trees to be pruned as proposed.

- If the tree were double pollarded, it would affect the privacy of those who use the garden, the garden would then be overlooked by the houses of Dunsany Road, Augustine and Road and Sterndale Road; It would have an impact on the enjoyment of the Residents of Lionel Mansions, and it would adversely affect the amenity of the garden; Plane trees from part of the history of Brook Green and have been in this area for over 100 years. This is also an irreversible decision once made.

5.0 PLANNING CONSIDERATIONS

- 5.1 The relevant planning considerations in this case, to be assessed against the policies in the National Planning Policy Framework (NPPF, 2019), The London Plan (2016) and the Council's Local Development Framework, comprising the Local Plan (2018) and Planning Guidance Supplementary Planning Document (2018). The following policies of these documents are considered to be of particular relevant to this application:

National Planning Policy Framework (2019)

- Conserving and enhancing the natural environment

The London Plan (2016)

- Policy 7.21 Trees and woodlands

The Local Plan (2018)

- Policy DC1 Built Environment
- Policy DC8 Heritage and Conservation
- Policy OS5 Greening the Borough
- Policy PO11 Detailed Residential Standards

THE PRINCIPLE OF THE PROPOSED TREE WORKS

- 5.2 Policy OS5 of the Local Plan (2018) states that the Council will seek to enhance biodiversity and green infrastructure in the borough by seeking to prevent removal or mutilation of protected trees. The loss of trees will nearly always result in a deterioration of the ecological value and environmental character of an area and will not be acceptable without good cause, particularly if subject to a Tree Preservation Order. Pruning or reducing, using best practice, should be investigated as an alternative to other trees works.
- 5.3 Policy DC8 of the Local Plan (2018) states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.
- 5.4 The application proposes to prune 6no. London Plane Tree (T1-T6), this includes crown reduction of all trees to the most recent pruning points by removing all new re-growth as part of a 2-3-year cyclical pruning. Planning history records indicate that there have been similar applications submitted and approved in 1997, 2000, 2003, 2004, 2007, 2014 and 2018, which all have been proposed to 'reduce the crown by maximum of 30%' or 'to the previous points'. There have also been some interim applications to reduce or prune individual trees. The proposed tree works under the current application are considered to be routine maintenance and would mitigate against the mutilation of the protected trees. The proposal would preserve the health and visual amenity of these trees and would not cause harm to the character of Brook Green Conservation Area in line with Policies OS5 and DC8 of the Local Plan. Officers raised no objections to the proposed tree works.
- 5.5 The council's Arboricultural Officer has been consulted and they raised no objection to the proposed tree works, subject to the condition that the proposed pruning is in accordance with BS3998:2010. Comments also specify that the

crown reductions are to be no further back than to the most recent previous pruning points or by a maximum of 30% of crown volume, whichever is the least. No pruning cuts are to be made which are greater than 100mm diameter.

RESIDENTIAL AMENITY

- 5.6 Policy HO11 of the Local Plan (2018) states that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, in terms privacy, outlook and enclosure.
- 5.7 Officers acknowledge that a number of representations are concerned with the growth of these trees, particularly their size, the canopy and the roots. Due to their location close to the boundary of the communal garden, the trees have overhung into the private gardens of the properties at Dunsany Road, Augustine and Road and Sterndale Road, thus, raising concerns of the stability of the trees, tree roots damaging the boundary walls, overshadowing, lack of lights, leaves fall into the gardens and allergic reactions.
- 5.8 The current application would reduce the size of the trees and their canopies. The proposed work would remove some of the branches that are of concern, would reduce shading, leaf fall and to introduce light into the rear garden of these properties. This would be considered as an improvement of the current situation in terms of its impact to these private gardens and complies with Policy HO11.
- 5.9 Comments received have suggested that the management strategy be changed to one of heavy pruning as a solution to minimise the issues raised. Officers would like to highlight that the trees subject to this application are TPO trees located within the communal garden to Lionel Mansions which is a private land that the council do not have powers to enforce upon. The current application has to be considered on its merits, and any proposals to prune the trees to a greater extent would need to be considered under a separation application.

6.0 RECOMMENDATION

6.1 Officers consider that the proposed tree works would preserve the health of the 6no. London Plane trees and preserve the visual amenity of the surrounding Ravenscourt and Starch Green Conservation Area. The proposal would enhance the amenity of the surrounding occupants. It is recommended that:

1) That the Committee resolve that the Chief Planning Officer be authorised to grant consent for the tree works subject to the conditions listed below; and

2) To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.