

HCAAC's objections to HGY/2023/3352

Highgate Conservation Area Advisory Committee ("HCAAC") objects to the above application.

HGY/2023/3352 is for:

"Removal of a group of 3 Cypress trees due to combination of inappropriate species for growth potential and safety when works are carried out. In addition, removal of a silver Birch tree (inappropriate location) and a dead Cherry tree. All as described in Tree Report by Broad Oak Tree Consultants"

HGY/2022/4004, being the application for, amongst other things, the basement works referred to in this current application, made no mention of the need to remove the Cypress trees. Quite the contrary, the applicant positively stated that no trees would be felled. It was on this basis that permission was granted.

Application HGY/2022/4004 and the documents in support were highly detailed. We wish to draw the Council's attention, in particular, to Section 10.0 (Stage 1 – Screening), of the BIA.

At #15 on page 13 of the BIA, the question asked in the first column "Criteria" was:

"Will any tree/s be felled as part of the proposed development and/or are any works proposed within any tree protection zones where trees are to be retained?"

The answer in the second column "Issue of Concern?", was "No" and in the third column "Notes" it was stated unequivocally that "No trees will be felled."

Those conclusions were reached in the full knowledge of the existence of the Cypress trees, both from site visits and as depicted in the applicant's drawings 326_S_01 Rev P2 and 326_S_03.

As a result, the scheme the subject of application HGY/2022/4004 was considered, commented upon, and eventually approved by the Council. The applicant cannot now revisit that application and the permission granted thereon via an application to fell trees.

If the applicant believes that the Cypress trees need to be felled, then it must submit a fresh full application for such basement works it wishes to undertake, including the provision of a new BIA to allow proper consideration by all concerned. In doing so, the applicant would also have to address the adverse effects of removal of the trees to neighbours' amenity due to overlooking from the loft and balcony to 69 Cromwell Avenue.

For all the above reasons, this application must be refused.