

Delegated Report

Officer

Tom Little

Application Number(s)

2022/0480/T

Application Address33 Broadhurst Gardens
London
NW6 3QT**Proposal(s)**FRONT GARDEN: 1 x Thuja (T1) - Fell to ground level.
1 x Thuja (T2) - Fell to ground level.**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

15

No. of responses

0

No. of objections

1

Summary of consultation responses:

None

CAAC/Local groups* comments:

*Please Specify

The following comments were received from CRASH:

CRASH objects to the proposed felling of these two trees in the front garden of 33 Broadhurst Gardens. These trees are healthy and form an important part of the street landscape and realm which is highly visible to the public in line with the conservation area status and Camden policies. No reason is given for felling - one of them appears to be causing some movement to the front wall but, as in other cases in the area, this movement should not be reason to fell trees. The trees have been allowed to grow into an attractive shape which would be a loss to this stretch of Broadhurst. CRASH requests that Camden consider serving TPOs on the two trees.

Assessment

As the Thujas are not covered by a TPO and were 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. 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. There are several criteria that must be considered when assessing the suitability of a tree for a TPO which can be broken down as follows (taken from the current planning practice guidance that LPAs use when assessing a tree):

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

These trees are highly visible from some distance along Broadhurst Gardens.

Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- *size and form;*

The Thujas are not particularly large examples of their species. They have very poor form due to previous management as they were significantly reduced in height.



- *future potential as an amenity;*

These trees are capable of growing to a very large size and being evergreen create a lot of shade, if they were retained they would be subject to ongoing pruning pressure as they would rapidly fill the front garden as the main leaders have been removed and they would grow in a more spreading then upright form. They have already been significantly reduced in height which has impacted their form they would be difficult to reduce laterally to any

significant degree without removing the growth points and killing the tree. I would not be feasible to maintain these trees in a reasonable and safe way and also maintain visual amenity and make a positive contribution to the character and appearance of the conservation area.

- *rarity, cultural or historic value;*

The Thujas are not of a rare species or of any known cultural or historic value.

- *contribution to, and relationship with, the landscape;*

The Thujas provide greenery within the street scene however they are not particularly attractive trees. They are within a small front garden and are not an appropriate species for this setting without regular trimming to keep them as a smaller tree, this point has long passed and reducing them back to an appropriate size and shape would result in the death of the trees.

- *contribution to the character or appearance of a conservation area.*

The contribute greenery to the street scene however this alone is not a sufficient reason to bring them under the protection of a TPO.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

The tree offers some benefits in terms of reducing pollution, absorbing CO2 and wildlife habitat however the current legislation does not put sufficient weight on to these factors to justify serving a TPO.

On balance, due to poor form, difficulty of maintaining them in a way that would bring them back to an attractive state appropriate in size for the small front garden setting, it would not be expedient to bring these trees under the protection of a TPO.