

Delegated Report

Officer

Liam Vincent

Application Number(s)

2023/1758/T

Application Address

7 Provost Road, NW3 4ST

Proposal(s)

T1 - birch tree (10m, 0.5m) - Remove to ground level. Replant with a similar species of reasonable girth and height but further away from the house.

T2 - elder tree (8m) - sever Ivy at base of tree and shave ivy back to main stem

T3 - fig tree (5m) - take down to ground level.

T4 - eucalyptus tree (14m) - reduce crown lateral growth by up to 1.5m from the crown tips (radial spread)

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

66

No. of responses

1

No. of objections

1**Summary of consultation responses:**

1. None apart from the Eton CAAC response detailed below.

CAAC/Local groups* comments:

*Please Specify

The main issue here is the proposal to fell a mature sliver birch located quite close to the rear of the house. We would have no objection provided the Tree Officer does ensure that a "Replant with a similar species of reasonable girth and height but further away from the house" is carried out, as indicated is the intention on the application form. In recent years many of the houses on Provost Road have changed hands and new owners tend to clear the overgrown gardens. Slowly but surely the conservation area is losing its biodiversity, a trend exacerbated by the erection of rear extensions and garden rooms.

Assessment

The section 211 notification is to remove a Birch and a Fig tree (fell to ground level), sever the stem of the ivy and shave it back to the main stem in an Elder tree and reduce the crown of a Eucalyptus in the rear garden of 7 Provost Road, which is a private residential property situated in the Eton conservation area.

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 the suitability of a tree for a TPO):

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.

In this case, the Birch and fig trees in question are of very low / negligible visibility from a public place; they are not considered to provide significant visual amenity to the public. The Eucalyptus and the Elder are visible from the public realm, and the work to both is considered to be within the realms of good arboricultural management.

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 Birch, Fig, and Elder trees are not a particularly large, nor are they considered in any way noteworthy examples of their species. The Eucalyptus is not considered a noteworthy example of its species.

- *future potential as an amenity*

The trees are unlikely to grow much beyond their existing size. The Birch's position relative to adjacent buildings will likely prevent it from ever becoming visible from a public place. The Eucalyptus forms part of a cohesive visual amenity screen between the rear gardens of the private properties and the LB Camden housing estate.

- *rarity, cultural or historic value*

These trees are not of a rare species or of any known cultural or historic value.

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

It is considered that the trees make a reasonable contribution to the landscape to the rear of the properties, however the lack of visibility from the public realm significantly reduces the weighting that this can be given when considering TPOs. The Eucalyptus and Elder are more visible, and this type of regular maintenance will encourage retention in future.

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

The trees are considered to make a reasonably positive contribution to the character of the conservation area however this is limited to the rear gardens. The Eucalyptus and Elder are more visible, and this type of regular maintenance will encourage retention in future.

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 trees offer some benefit 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 TPOs.

On balance it would not be expedient to bring these trees under the protection of TPOs. Under the current conservation area guidelines and requirements, the council has no powers to add conditions of any kind, relating to replacement planting or otherwise, when determining s.211 notification.

The minimal reduction of the Eucalyptus and removal of the ivy from the Elder is considered good maintenance of these trees.