

# Delegated Report

## Officer

Tom Little

## Application Number(s)

2023/1730/T

## Application Address

Flat Ground Floor  
274 Camden Road  
London  
NW1 9AB

## Proposal(s)

REAR GARDEN: 1 x Weeping Ash (T1) - 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

18

No. of responses

0

No. of objections

1

### Summary of consultation responses:

1. is this the same tree that has actually already been felled in the same location? I was away when the tree was felled and had not received notification. We need trees both for air quality and also to combat the considerable noise pollution in the areas. it takes generations for replacement trees to reach maturity and be able to help aerate the city. Please no more felled trees in this conservation area - we need them for our health and wellbeing

### CAAC/Local groups\* comments:

\*Please Specify

None

## Assessment

As the pear is not covered by a TPO it was 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.*

In this case, the ash tree in question is not visible or has very low visibility from a public place, it is not considered to provide significant visual amenity to the public.

### **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 ash tree not a particularly large or noteworthy example of its species, it is in poor condition with pockets of decay and poor regrowth.
- *future potential as an amenity;*  
The tree is unlikely to grow much beyond its existing size and its position relative to adjacent buildings will prevent it from ever becoming visible from a public place.
- *rarity, cultural or historic value;*  
The ash is not of a rare species or of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*  
The ash is small and has very poor form and is not considered to make a positive contribution to the character and appearance of the landscape.
- *contribution to the character or appearance of a conservation area.*  
The ash is small and has very poor form and is not considered to make a positive contribution to the character and appearance of the conservation area.

### **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, primarily due to the poor form of the tree and also the lack of public visibility it would not be expedient to bring this tree under the protection of a TPO.

