

7 July 2023

Camden Council - Planning Trees
5 Pancras Square
London N1C 4AG

By email: planning@camden.gov.uk

Ref: 2023/2513/T

Dear Council,

I wish to submit comments on an application for proposed works at 19 Steele's Road, London NW3 4SH ("this application"), relating to the removal of a Magnolia tree ("tree") by sectional take down. As the apartment owner of the First Floor Flat, 19 Steele's Road, London NW3 4SH ("Flat"), the proposal has a direct impact on the Flat and surrounding properties and I strongly object to the application.

Initially, as the Council is aware the proposed tree removal is within a conservation area as designated by Camden Council ("Council"). As the Council outlines, this designation *protects individual buildings and trees which make a positive contribution to the character and appearance of the area*. It is without question that the adult tree referred to above makes a positive contribution to the character and appearance of the area given its size, its spectacular beauty – especially when in flower – the shade and cooling impact it provides, and that it can be seen by all surrounding properties on Steele's Road, Haverstock Hill, Eton Villas and Eton Road. Conservation areas were established to protect the area from the unnecessary removal of trees exactly such as this one and despite the application expressing "a view to re-plant a similar tree", it is "a view" not "a commitment" to the Council or the residents. Therefore, that statement is completely meaningless, and were there to be any future plans to develop the site and extend the property below, owners of the property could then argue there was no longer the capacity to re-plant a tree of a similar size or nature, as I expect would be the case. Therefore, rejecting this application is entirely consistent with the principles and objectives of the conservation area designation and adult trees in the conservation area should be protected by the Council.

In addition to the positive, visual aspect, there are a significant number of scientific studies which outline the positive mental health effects that trees and private gardens provide. In a 2021 [Mental Health Foundation report](#) released as part of Mental Health Awareness Week, it summarises a number of scientific papers that have consistently found evidence that mental health and wellbeing can be linked, in part, with how close we live to nature spaces and street trees or private gardens. Trees have been linked to many positive psychological effects including lower levels of depression, anxiety, and stress; and better personal wellbeing and neighbourhood wellbeing. Clearly the removal of a large adult tree from a private garden is inconsistent with supporting the personal wellbeing and neighbourhood wellbeing of residents in the LGA, and this application should be rejected.

I would ask the Council to consider this application in light of Camden Council's Tree Policy for Council Owned Trees ("Policy"), and the Camden Planning Guidance, Trees, March 2019 ("Guidance"), which explicitly outlines the very limited circumstances in which Council owned trees should be removed (per below). The Guidance clearly states that *many of the principles within it [the Policy] should be considered in the context of private development schemes. For example, it sets out circumstances when the removal of a tree or heavy pruning should be avoided.*

The Policy explicitly outlines that trees should only be removed in the following circumstances:

- *Dead, dying or dangerous*
- *Proven to be causing significant structural damage*
- *Considered by the Tree Service to be inappropriate species for the location*
- *When removal is required as part of an agreed management plan, or as an overall agreed improvement project.*

None of the above circumstances apply in this situation and as the owner of a flat at 19 Steele's Road for the last eight years, I am unaware there has ever been any issue that would qualify this tree for an agreed management plan or improvement project. And as the Policy states clearly, the obstruction of light or a view, as is given as a reason for removing the tree in this application, does not constitute circumstances in which the removal of a tree or heavy pruning is acceptable in a conservation area. There is no proven structural damage to the property either, which invalidates the point in the application that tries to suggest there is a risk, at an unspecified date in the future, to the property and drainage system. Therefore, applying the Council's own Policy to this application, which the Guidance suggests is appropriate for private developments, clearly demonstrates that this application does not meet the standards set out for approving the removal of this tree, under any circumstance, and it should be rejected.

In addition, approving the removal of the adult tree, which was a height of at least 100 feet before it was drastically pruned back earlier this year (as evidenced further in the appendices and in the application itself), is incongruent with Camden Council's declaration of a climate emergency. As the Council would be aware, Magnolia trees are not only historically identifiable to the Local Government Area ("LGA") but also take an extremely long time to grow, given their one to two feet of growth per year. Were this tree removed, replacing the carbon benefit to the LGA would require in excess of 40 years of new tree growth, which cannot be consistent with the objectives of the 2025 Camden Climate Action Plan ("CCAP"). If the Council approves unnecessary applications to remove adult trees from residents of the LGA, especially in conservation areas, the impact on the objectives of the CCAP would be materially negative. The Council should be setting an example that it is serious about the declaration of a climate emergency and protect the environment and biodiversity of the LGA by rejecting applications to unnecessarily remove fully grown adult trees such as this one.

Until recently when the tree was drastically pruned back to prepare the property below for sale – without any warning by the owners' legal representatives that the pruning was to take place – the tree had grown to a height whereby it offered privacy from both the houses on Eton Villas and the large apartment building at 30 Eton Road, and privacy to the residents on Eton Villas from the Flat. Not only would removing the tree negatively impact the privacy afforded to the Flat and surrounding properties from the Flat, including the apartments at 30 Eton Road, as outlined previously it would take in excess of 40 years for a new tree to replace the privacy benefits of the current tree. Given the unnecessary negative long-term impact removing the tree would have on the privacy of the Flat and the privacy of the surrounding properties, this application should be rejected.

Unfortunately, I am not in a position to submit a recent photograph of the tree at its significantly greater height before the drastic pruning, or in flower, as it never occurred to me to take one – given I always expected it to be there – and as previously stated I was not forewarned by the owners' legal representatives of the intended drastic pruning. However, I can provide the Council with four photographs:

- Appendix A is a photograph taken on 28 February 2018, during a period of weather commonly known as the 'Beast from the East', which I suspect members of the Council will remember, and clearly shows the height of the tree from the view of the Flat balcony – the window boxes are at the bottom of the photograph. As the Council can see, more than five

years ago the tree was of a height that was above the balcony railing and during Winter at a time it was deciduous (the adult tree on the right of the photograph partially obscuring the apartment building at 30 Eton Road, on Eton Villas, has subsequently been removed).

- Appendix B is a recent satellite image provided to Google (date not known), available via a Google search of 19 Steele's Road, which clearly shows the tree in full leaf at its recent size. From this image, the adult size of the tree relative to the building and the surrounding trees can be clearly identified, highlighting the long-term impact of removing the tree.
- Appendix C is a photograph taken on 28 June 2023 which is of the vista from the balcony of the Flat looking down on the property below. The removal of the tree would significantly negatively impact not only the vista from the Flat but also the vistas of the surrounding properties. The Council may also wish to compare the accuracy of the sketch that has been provided as part of this application with this photograph.
- Appendix D is a photograph taken on 4 July 2023 which demonstrates the vista from the window overlooking the balcony of the Flat toward 30 Eton Road, which confirms both the large tree on the right of the photograph in Appendix A has been removed, which has impacted the vista and privacy of the Flat and surrounding properties, it also demonstrates the permanent impact to the [REDACTED], and surrounding properties from the Flat, that removal of the tree would have (once it has regrown following the recent drastic pruning).

The Council may also wish to review any Digital Terrain or Surface Models of the LGA which have been undertaken to confirm the prior height of the tree and verify the significant impact it would have, were it to be removed.

To summarise these objections for the Council, they are as follows:

- The tree is in a designated conservation area, and it unquestionably makes a positive contribution to the character and appearance of the area and surrounding properties given its size, outstanding natural beauty, and the shade and cooling impact it provides to residents of the building and surrounding properties;
- Trees are linked to many positive psychological benefits including lower levels of depression, anxiety, and stress; and better personal wellbeing and neighbourhood wellbeing. Removing an adult tree is not supportive of desirable outcomes to the mental health of residents;
- Applying the Council's tree Policy to this application, as the Council's Guidance suggests, determines that this application does not meet the standards set out in the Policy for approving the removal of trees as part of a private development;
- Approving the removal of the tree is completely incongruent with the Council's declaration of a climate emergency and the objectives of the 2025 CCAP, and the Council should be setting an example to residents by rejecting the unnecessary removal of adult trees given they adversely impact these objectives; and
- Removing the tree would unquestionably impact the Flat and surrounding properties by eliminating the privacy benefit that the tree affords and as it would take in excess of 40 years for a new tree to replace these benefits of the current tree.

I strongly urge the Council to reject this unnecessary, non-compliant application, especially given the overwhelmingly negative impact it would have to the LGA and its residents.

Regards, David Schiller

APPENDIX A

The tree was previously of a height that was above the balcony railing and during Winter at a time it was deciduous, demonstrating the positive impact to the privacy of the Flat and surrounding properties from the Flat.



APPENDIX B

A satellite image of the tree in full leaf at its recent size. From this image, the adult size of the tree relative to the building and the surrounding trees can be clearly identified, highlighting the impact it would have were the tree to be removed.



APPENDIX C

The vista from the balcony looking down on the property below, demonstrating the significant negative impact to the vista of the Flat and the surrounding properties if the tree is removed and the property extended. Comparing this photograph to Appendices A & B demonstrates the significant drastic pruning which took place earlier this year.



APPENDIX D

As a result of the drastic pruning, the vista from the Flat now frustratingly has a clear view of 30 Eton Road. Once the tree is able to regrow, the [REDACTED] and properties on Eton Villas will be returned, and the vista of the residents in the apartments at 30 Eton Road will also be returned.

