

Delegated Report

Officer

Liam Vincent

Application Number(s)

2023/3264/T

Application Address

9 Elsworthy Road, London NW3 3DS

Proposal(s)

FRONT GARDEN: 'T2 - Approx. H10 S5 30DBH - Chinese Privet (located in frontage of no. 9)
Reduce lateral growth that encroaches across frontage of no. 7 by approx. 2m'

Recommendation(s):

No objection to notification of intended works to tree(s) in a conservation area.

Application Type:

Notification of Intended Works to Tree(s) in a Conservation Area

Consultations

Adjoining Occupiers:

No. notified

1

No. of responses

1

No. of objections

1

Summary of consultation responses:

One response was received, which stated:

1 – 'I note that this application was about proposed tree works at 9 elsworthy road.
Please withdraw this application.'

CAAC/Local groups* comments:

*Please Specify

None

Assessment

The S.211 notification is to carry out pruning of a Chinese Privet tree in the front garden of a private residence on Elsworthy Road, situated within the Elsworthy Conservation Area. The reason for pruning is that the tree canopy is encroaching across the frontage of number 7.

The proposed tree works to prune the canopy back from the edge of the canopy by 2m are not considered detrimental to the long term health of the tree. While there will be some impact upon the appearance of the tree, it is not considered significant to the visual amenity the tree provides to the public, or to the character of the conservation area. The tree forms part of a larger group which includes two large broadly spreading canopied trees nearby which dominate the landscape.

Under common law, the applicant is within their rights to prune overhanging vegetation back to boundary.

The decision notice to the agent will give an informative that the works should be carried out in accordance with 'BS3998:2010 Tree Work. Recommendations.'

The Council has no powers to instruct the agent to withdraw the notification as any person is within their rights to submit a s.211 notification irrespective of ownership.

The tree is not of an unusual or rare species and is of no known cultural or historical significance. The tree is not considered to be a noteworthy example of its species.

It is not expedient for the council to serve a tree preservation order to object to the works.