

Delegated Report		Analysis sheet	Expiry Date:	30/10/2023
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Nick Bell			2023/3651/T	
Application Address			Drawing Numbers	
Fitzroy Yard Fitzroy Road London NW1 8TP				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
ON STREET: 1 x Contorted Willow (T1) - Fell to ground level.				
Recommendation(s):	Approve application for works to tree(s) covered by a TPO.			
Application Type:	Application for Works to Tree(s) covered by a TPO			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	45	No. of responses	02	No. of objections	02
			No. electronic	00		
Summary of consultation responses:	<p>The council received two objections to the application:</p> <ul style="list-style-type: none"> • I object to the felling of this tree. London and the climate need as many trees as possible. • This is an objection to the new application, (after the TPO), re the felling to the ground of this distinctive amenity value tree which is in the Primrose Hill Conservation Area. The TPO was given to serve, 'protect the character and appearance of the Conservation Area that the amenity tree provides', (as stated late 2022). The value of this established tree species is increased due to low numbers of trees in this location. Re other reasons (like foundations etc) - the photographs re are not convincing enough to justify, blame this T1 Willow Contorted Willow tree and 'fell it to the ground level'. <p>Re: The opinion 'that this tree has a low amenity value and makes a very limited contribution to the character & appearance of the Conservation Area'. With respect, the tree consult agent, acting on behalf of the applicant, is not local, does not look out, view this tree regularly. Many neighbours and locals do daily and value greatly this well formed, special, established T1 tree, that is seasonally silhouette distinctive, that encourages, hosts wildlife, adds greatly to the character of the locale, the conservation area. This T1 tree species helps combat climate change and better suits the process of Urban Rewilding re continuing and attracting wildlife, and the benefit of cleaner air via removing air pollution. It serves the environment providing abundant shelter, habitat and protection for wildlife, its branches good for nesting - Birds, (including songbirds, various tits, starlings, warblers, sparrows, robins and the rarer woodpeckers and jays), animals - squirrels, and on occasion/s bats use this tree. It is a good attractive example of its species, and already adds greatly to biodiversity and the appearance of its location and area. Due to its age it also has relevant cultural and historic value. This particular willow tree species was awarded an AGM, Award of Garden Merit by the RHS, an award originally awarded by the RHS Council, with the aim of identifying outstanding plants. Re: 'overgrown', 'fast growing: This healthy tree has been observed for many years and it has not grown fast. It is stated on arborists' sites that although pruning is not necessarily required, it can be undertaken 'to remove dead branches and ensure good airflow, the tree requires little maintenance.' It is also stated that, if necessary, Contorted Willows can be pruned during their dormancy period, (crown-lifted and thinned, hat-rack topped, etc). *The applicant stated that this T1 Contorted Willow is not diseased or that there are fears that it might break or fall. The suggested decorative Japanese Prunus 'Amanogawa' or Ligustrum spp replacement tree is not sympathetic to conservation preservation culture or protected areas, and importantly, will not aid urban rewilding, provide anywhere near the same ecosystem environment, for local wildlife as the T1 Contorted Willow - It will change the area appearance and</p>					

	character radically.
CAAC/Local groups* comments: *Please Specify	None received.

Assessment

The TPO tree works application is for the removal of a corkscrew willow that is situated within a mews in the Primrose Hill Conservation Area.

The tree is partially visible from the public realm and contributes to the character and appearance of the conservation area to some degree.

The willow tree is causing damage to the boundary wall of a listed building. The boundary wall is included in the listing. The damage is not vegetation-related subsidence whereby the action of the tree removing moisture from the soil is causing soil volumes to alter, but that of direct damage. The tree makes contact with the wall in winds, resulting in cracking and displacement of coping. The council shares the view of the agent that pruning the tree will not remedy the situation.

The removal of the tree is required to abate or prevent an actionable nuisance as the wall is under shared ownership. As such the removal of the tree falls under one of the exemptions to TPOs.

The tree does provide a level of visual amenity, some degree of habitat and helps to combat climate change but these factors do not override the preventing or abating of an actionable nuisance exemption.

It is recommended that the application be approved and a replacement tree be secure via condition.