

# Delegated Report

<b>Officer</b>		<b>Application Number(s)</b>							
Liam Vincent		2023/3837/T							
<b>Application Address</b>									
79 Parkhill Road, London NW3 2XY									
<b>Proposal(s)</b>									
FRONT GARDEN: 1 x Lime (T1) - Fell to ground level.									
<b>Recommendation(s):</b>		Refuse works to Tree(s) covered by a Tree Preservation Order							
<b>Application Type:</b>		Application for works to Tree(s) covered by a TPO							
<b>Consultations</b>									
<b>Adjoining Occupiers:</b>		No. notified	<b>2</b>	No. of responses	<b>2</b>	No. of objections	<b>0</b>		
<b>Summary of consultation responses:</b>		Two responses were received in support of the removal, of the tree, which are summarised as follows: <ol style="list-style-type: none"><li><i>We wish to write to support of the application for felling the Tilia Cordata tree in the small front garden of 79 Parkhill Rd. For over two years now the tree has been showing signs of disease such as root rot and fungus with a substantial fall of twigs and brittle branches, canker and leaf grey mould spot.</i></li><li><i>I am writing to express my full support for my neighbour who has requested the felling of a very large lime tree located at 79 Parkhill Road. I understand that the Camden Tree Section has identified this tree as needing removal due to its deteriorating health.this tree's condition has worsened over time, making it a potential hazard...</i></li></ol>							
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		None received.							

## Assessment

This application is to carry out works to a Lime tree covered by a Tree Preservation Order (TPO) in the front garden of a private residence in Parkhill Road, NW3.

The tree is covered by the TPO reference 36H-T46.

The proposed works are to *'Fell to ground level.'* The justification for the works is that *'Camden tree section put up a notice on the tree saying that the tree is dying and dangerous and needs to be removed asap. The tree section told me that as the tree is in my private land, I need to contact you for the permission to have the tree removed.'*

It has been confirmed by Camden Trees Team, that they have no knowledge of the tree, or any notice being affixed to this private tree by them or their contractor. As such this reason for felling the tree cannot be considered.

The tree significantly contributes to the verdant character and appearance of the street scene, provides a high level of public amenity, has been regularly maintained by crown reduction, and the tree appears to be in at least fair physiological condition and is considered to be at least a reasonable example of its species.

A previous application to remove the tree in 2022 (2022/0379/T) was refused as robust evidence to implicate the tree as a causal factor in property damage was not submitted. The case officer who made that decision stated that during a site visit he *'identified a wound at the base of the tree, visible from the highway. There appeared to be an area of necrotic tissue associated with the wound and a Ganoderma spp. fungal fruiting body on the stem which may be causing internal decay. It is recommended that the owner of the tree have a full inspection of the tree undertaken by a suitably qualified arboricultural professional, including an internal assessment of the tree, to ascertain its condition in the interest of public safety. The council recommends contacting the Arboricultural Association via [www.trees.org.uk](http://www.trees.org.uk) to find a arboricultural professional operating in your area.'* This information was included upon the decision notice as an informative which was sent to the applicant who is the owner of the tree.

A visual inspection was made of the tree and a fungal fruiting body is still evident. The tree owner was made aware of this, and the duty of care owed regarding managing this tree on the property. The advice to obtain a report quantifying any dysfunction the tree may be undergoing and making recommendations for any works to mitigate this issue was carefully explained again, repeating the method of finding a suitably qualified professional and the type of information that would be considered robust enough to support an application to remove the tree. The inspection highlighted the need to assess the internal condition of the tree, which is a service the council does not provide.

No evidence or assessment regarding the condition of the tree has been submitted for this application, and the alleged involvement of the Council's Trees Team is erroneous. The justification given for the work (which is a legal requirement), is not robust enough to support the need to remove the tree.

It is recommended that the application be refused to protect the amenity the tree provides and the character and appearance of the conservation area.