

Application ref: 2023/3837/T  
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Date: 20 November 2023

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Mrs Pei-Ju Wu  
79 Parkhill Road  
London  
NW3 2XY

Dear Sir/Madam

## **DECISION**

Town and Country Planning Acts 1990 (as amended)  
Town and Country Planning (Tree Preservation Order) Regulations 1999

### **REFUSAL OF CONSENT FOR WORKS TO TREE/S UNDER A TREE PRESERVATION ORDER**

Address:  
**79 Parkhill Road**  
**London**  
**NW3 2XY**

Proposal:  
FRONT GARDEN: 1 x Lime (T1) - Fell to ground level.

The Council has considered your application dated 14 September 2023 and decided to refuse consent for the following reason(s):

#### Reason(s) for Refusal

- 1 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 a Camden Council Tree Section notice informing that the 'tree is dying and dangerous and needs to be removed asap' was found pinned to the tree.

It has been confirmed by Camden Council Tree Section, 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 an arboricultural professional operating in your area.' This information was included within 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.

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.

Informative(s):

- 1 It is advised that the tree owner obtains a report to assess the internal condition of the tree, quantifying any dysfunction the tree may be undergoing and making recommendations for any works to mitigate this issue. This is part of the duty of care regarding managing the tree on the property, for which the owner is responsible.

The council recommends contacting the Arboricultural Association via [www.trees.org.uk](http://www.trees.org.uk) to find an arboricultural professional operating in your area as this is a service the council does not provide.

If you are unhappy with the Council's decision you may appeal within 28 days of the date of this notice by writing to The Environment Team, Room 4/04, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Yours faithfully



Daniel Pope

Chief Planning Officer

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: [www.camden.gov.uk/dmfeedback](http://www.camden.gov.uk/dmfeedback). We will use the information you give us to help improve our services.