

# Delegated Report

<b>Officer</b>		<b>Application Number(s)</b>					
Liam Vincent		2023/4233/T					
<b>Application Address</b>							
30 Edis Street, London NW1 8LE							
<b>Proposal(s)</b>							
REAR GARDEN: 1 x Mimosa (T2) - Fell to ground level.							
<b>Recommendation(s):</b>		Objection to notification of intended works to tree(s) in a conservation area.					
<b>Application Type:</b>		Notification of Intended Works to Tree(s) in a Conservation Area					
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>12</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>		<ul style="list-style-type: none"><li>None received for this notification, however notification reference 2023/2822/T to fell an Acer in the rear garden of 29 Edis Street has received many responses.</li></ul>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>		<ul style="list-style-type: none"><li>None.</li></ul>					

## Assessment

The s.211 notification is to remove a semi-mature Mimosa tree (*Acacia dealbata*) in the rear garden of a private residence in Edis Street, which is located within the Primrose Hill conservation area.

It is alleged that the Mimosa tree is contributing to property damage brought about by subsidence of the foundations at number 29 Edis Street, *'attributable to clay shrinkage subsidence exacerbated by vegetation.'* The applicant proposing the removal of the Mimosa tree has stated that *'with due regards to species profile, size and proximity, T2 (Mimosa) is considered the dominant causal feature proximate to the focal area of movement and accordingly, where vegetation is confirmed as being causal, we have identified it as the primary cause of the current subsidence damage.'*

The applicants have taken and analysed soil samples to verify that the soil at the property is capable of volumetric change due to moisture abstraction and have also found root samples that belong to the same taxonomic family as the Mimosa tree.

However, the level monitoring provided does not present results of a cyclical nature, which is a specific character of the influence of vegetation. The monitoring results show a persistent downward movement, associated with shrinking soil volume (common to desiccation of the soil). No upward movement is showing (which is indicative of soil re-hydrating) that is usual during the wetter winter months. Consequently, the evidence submitted at this time is not considered to demonstrate on the balance of probability that the tree is contributing to the damage.

The tree is visible from Chalcot Road and the rear of a number of private residences on Princess Road and Edis Street. The tree contributes to the verdant character and appearance of the Primrose Hill conservation area. The tree provides a reasonable level of amenity to the public, especially as it is an evergreen species which continues to provide canopy cover and colour during the winter months when the majority of vegetation nearby is out of leaf.

From aerial photography it is apparent that the tree forms a significant part of the group of trees in the rear gardens of properties on Edis Street and Princess Road, a green corridor running from Chalcot Road north-east to where it meets the rear of the properties on Gloucester Avenue. The Mimosa tree is a medium spreading canopy species, particularly suited to this type of location and offers significant habitat provision while helping to mitigate the effects of climate change. The tree is yet to achieve its ultimate size and form, and the level of public amenity it provides will increase over time as its stature increases.

The rear garden trees of Edis Street are explicitly mentioned on page 15, *Sub-Area Two – Central area, Topography and Character, Principal Roads* of the Primrose Hill conservation area statement:

*"Other significant views are of the rears of terraces that face onto principal roads and their small, narrow garden spaces. These gardens often contain mature trees and are bounded by medium height brick walls that side on to secondary roads and alleyways. A significant example of this is the section of Chalcot Road between Edis Street and Princess Road, where the rears of properties and garden spaces to these two latter roads are highly visible."*

A Fig tree in the rear garden of 33 Princess Road when it is in leaf obscures most of the view of the Mimosa. A separate application has been made to remove the Fig tree, which has been approved. This will remove any obstruction to the view of the Mimosa tree making it fully visible.

### Conclusion

It is recommended that this s.211 notification is objected to, and a tree preservation order be served to protect the amenity the tree provides and the character and appearance of the conservation area.