|  |  |
| --- | --- |
| Delegated Report |  |
| Officer | Application Number(s) |
| Liam Vincent | 2024/1982/T |
| Application Address |  |
| Flat 1, 226 Camden Road NW1 9HG |  |
| Proposal(s) |
| FRONT GARDEN: 1 x Holly (T2) - Fell to ground level and remove stump.1 x Elder (T3) - Fell to ground level and remove stump.1 x Ash (T4) - Fell to ground level and remove stump. |
| Recommendation(s): | No objection to proposed works to a tree in a conservation area |
| **Application Type:** | Notification of Intended Works to Tree(s) in a Conservation Area |
| Consultations |
| Adjoining Occupiers:  | No. notified | **11** | No. of responses | **1** | No. of objections | **-** |
| Summary of consultation responses: | The Council received one response from adjoining occupiers to this notification, which can be summarised as follows:* No details provided to corroborate the relation between the trees and the external wall damage.
* No information to substantiate any relation of the trees with risk of collapsing or subsidence to the building and walls.
* No information submitted regarding any history of subsidence.
* No information has been submitted regarding the alleged December 2021 flooding or any relationship between the trees’ roots and the busting of the Thames Water mains pipe
* The trees are healthy, not dead
* They provide shelter to bird and insect populations, and attenuate traffic noise from busy Camden Road
* The ivy could be removed without necessity of harming the tree.
* The applicant has not presented proof that they are the owner of the trees.
* It does not appear that an LPA officer has been consulted, as no such evidence has been submitted.
 |
| CAAC/Local groups\* comments:\*Please Specify | None received |

|  |
| --- |
| Assessment |
| The Council has received a S.211 notification to remove three trees – a Holly, an Elder, and an Ash in the front garden of a private residence on Camden Road, which is located within the Camden Square conservation area. The trees form a tight, cohesive group, are of a medium scale (approximately 9m tall) and are highly visible from public places, from approximately 100m north and south on Camden Road, from Cantelowes Road adjacent to the property and from Cantelowes Gardens on the opposite side of the road. The notification gives the following as reasons for removal:* *To ensure the tree(s) and the roots don’t cause any future risk of collapsing or subsidence to the building and walls.*
* *History of subsidence caused by trees and (their) roots to the building.*
* *In December 2021, the tree roots outside the building busted Thames Water mains pipe causing a flood on the street and flood into our flats and our neighbour’s flat.*
* *Damage caused by the trees. The walls have cracked and been repaired several times.*
* *The trees are dead and Ivy has grown over T3. The other trees have no leaves and are just dead branches.*

The trees are considered to be of poor form. The Ash tree has a significantly swept stem and is in an unsustainable location growing against the boundary wall, which is already showing signs of distortion i.e., pushed outwards by incremental growth of the stem. The Holly tree is in a similar position and the crown is engulfed by Ivy. Ivy is a climbing plant and is therefore not afforded legal protection under s.211 of the Town and Country Planning Act. The council has no powers to insist on its retention or removal. The Elder is not considered an exemplary specimen. The Government provides Planning Practice Guidance on the suitability of making Tree Preservation Orders as part of the National Planning Policy Framework, which states:*Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:** *size and form;*
* *future potential as an amenity;*
* *rarity, cultural or historic value;*
* *contribution to, and relationship with, the landscape; and*
* *contribution to the character or appearance of a conservation area.*

While it is regrettable to allow the removal of the trees and the loss of the amenity they provide, it is not expedient to serve a TPO to protect these trees. None of the trees have significant future potential due to proximity to structures, and are considered to be of poor form. None of the trees are noteworthy examples of their species, are of any known cultural or historic value, or are of a rare species. The Council does not object to the proposed removals. |