

Delegated Report

Officer		Application Number(s)					
Liam Vincent		2024/3063/T					
Application Address							
29 Edis Street NW1 8LE							
Proposal(s)							
REAR GARDEN: 1 x Acer (T3) - Fell to ground level.							
Recommendation(s):		Objection to notification of intended works to tree(s) in a conservation area.					
Application Type:		Notification of Intended Works to Tree(s) in a Conservation Area					
Consultations							
Adjoining Occupiers:		No. notified	16	No. of responses	3	No. of objections	1
Summary of consultation responses:		The Council received three responses for the proposed works, which can be summarised as follows: <ul style="list-style-type: none"><i>A haven for birds, bees and squirrels, it contributes substantially to the corridor of gardens between Edis Street and Princess Road - a rare environmental amenity at this time of threat from climate change. it also significantly reduces overlooking between houses built so closely together.</i><i>Removing this tree would considerably change the privacy screen between my house and the houses on Edis Street.</i><i>It should not be destroyed on environmental grounds and for the terrible impact it will have on us. There is a shortage of trees in the vicinity and the TPO should be respected.</i>					
CAAC/Local groups* comments: <small>*Please Specify</small>		None received.					

Assessment

A S.211 notification has been received proposing the removal of a mature Acer tree in the rear garden of a private residence on Edis Street, which is located within the Primrose Hill conservation area.

The tree has relatively low visibility from a public place being screened from the street by another tree however it may be glimpsed from Chalcot Road is highly visible from the rear of the properties along Edis Street and Princess Road. It provides screening between properties and forms part of a band of trees in rear gardens which is specifically mentioned in the Primrose Hill conservation area appraisal. The tree is considered to make a positive contribution to the character and appearance of the conservation area.

The notification alleges that the tree is causing subsidence in the nearby property. Data from soil samples taken during the site investigation indicates the presence of desiccated clay soil beneath foundation level, and level monitoring has been undertaken which indicates seasonal movement of the foundations that might be associated with vegetation. However, no root samples taken from the trial pit and borehole were identified as Acer roots, therefore the evidence submitted is not sufficient to attribute this to the Acer: it does not demonstrate that on the balance of probabilities the Acer is contributing to the damage. The reasons for the work are not robust enough to justify the proposed works.

The Council objects to the proposed removal of the tree and a tree preservation order will be served to protect the visual amenity the tree provides and preserve the character of the conservation area.