

Delegated Report

Officer	Application Number(s)	Application Address
Liam Vincent	2024/4673/T	7 St. Mark's Crescent NW1 7TS

Proposal(s)

(TPO REF: C1173 2016) REAR GARDEN: 1 x Birch (T2) - Fell to ground level.

Recommendation(s): Refuse application for works to tree covered by a TPO

Application Type: Application for works to a tree covered by a TPO

Consultations

Adjoining Occupiers:	No. notified	6	No. of responses	1	No. of objections	0
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Summary of consultation responses:
The Council received one response (supporting) which is as follows:
I fully support the application to fell the silver birch tree. The unevenness of the ground due to its root growth has become dangerous, and I do not feel safe on the occasions when I use that area of the garden. Further, its extreme height blocks some of the view from my upper window.

CAAC/Local groups* comments:
*Please Specify
None received

Assessment

The Council has received a TPO application proposing to remove a mature birch tree in the rear garden of a property on St. Mark's Crescent, which is within the Primrose Hill conservation area.

The tree is highly visible from the canal towpath and adds considerable visual amenity value to the area, helping to soften the built structures behind it in a similar fashion to the other rear garden trees nearby. It also greatly contributes to the natural habitat along the canal side, which is a fragile and important area for nature conservation within a highly and densely populated and built area of the borough.

The reasons given for the proposed removal are that the tree's roots are causing damage to the wall of the canal and destabilising foundations of a garden building; it is casting a shadow into a neighbour's garden; and that the 'need to prune the tree in itself reduces its beauty and thus its benefit to passers-by on the canal towpath'.

A historic s211 notification to remove the tree due to the damage that it is allegedly causing to the canal wall was objected to due to a lack of robust evidence (e.g., from a structural engineer) and resulted in the TPO being served to protect the tree and its contribution to the conservation area. Similarly, in this application there has been no evidence submitted to support the need to remove the tree. An engineering solution to address any issues with the foundations of the garden building should be explored.

Other reasons given are not robust enough to justify the tree's removal. Removal of the tree would have a significant and negative impact upon the character of the conservation area.

It is recommended that the proposed works are refused.