

Delegated Report

Officer

Tom Little

Application Number(s)

2019/4687/T

Application Address225 Goldhurst Terrace
London
NW6 3EP**Proposal(s)**

REAR GARDEN: 1 x Large Conifer - Fell to ground level.

Recommendation(s):

No Objection to Works to Tree(s) in CA

Application Type:

Notification of Intended Works to Tree(s) in a Conservation Area

Consultations**Adjoining Occupiers:**

No. notified

17

No. of responses

1

No. of objections

1

Summary of consultation responses:

I am puzzled and concerned by this application. This appears to be a healthy, mature tree with no signs of subsidence. I am sure that its presence is appreciated by many whose windows overlook it. In the South Hampstead conservation area, we are blessed by abundant greenery, but we cannot take it for granted -- it must be fought for and protected at every step. I would urge planning officers to reject this application unless sufficient information is provided as to why a large, healthy, mature tree such as this should be felled.

CAAC/Local groups* comments:

*Please Specify

Assessment

As the conifer is not covered by a TPO it was subject to a section 211 notification of intended works to trees in a conservation area, unlike a TPO application there is no requirement to give reasons for the proposed works. A section 211 notification gives the LPA six weeks to consider objecting to the proposed works. If the LPA wishes to object then it must serve a tree preservation order on the relevant trees. There are several criteria that must be considered when assessing the suitability of a tree for a TPO which can be broken down as follows (taken from the current planning practice guidance that LPAs use when assessing a tree):

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

In this case the conifer in question has very low visibility from a public place in that a very small sliver is visible from the park at the end of the terrace on Belsize Road, it is not considered to provide significant visual amenity to the public.

Individual, collective and wider impact

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;*
The conifer reasonably large however it is not in any way a noteworthy example of its species.
- *future potential as an amenity;*
The tree is unlikely to grow significantly larger in this position, the buildings and other adjacent trees will prevent this tree from ever having significant visibility within the public realm.
- *rarity, cultural or historic value;*
The conifer is not of a rare species or of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*
It is considered that the tree makes a reasonable contribution to the landscape to the rear of the properties, however the lack of visibility from the public realm significantly reduces the weighting that this can be given when considering a TPO.
- *contribution to the character or appearance of a conservation area.*
The trees are considered to make a reasonably positive contribution to the character of the conservation area however this is limited to the rear gardens.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

The tree offers some benefits in terms of reducing pollution, absorbing CO2 and wildlife habitat however the current legislation does not put sufficient weight on to these factors to justify serving a TPO.

On balance mainly due to the lack of visibility it would not be expedient to bring these trees under the protection of a TPO