

Delegated Report

Officer

Tom Little

Application Number(s)

2020/5466/T

Application Address

North End Lodge
21 - 23 North End
London
NW3 7HN

Proposal(s)

REAR GARDEN: 1 x Beech (T1) - Reduce crown by approx. 3m on all aspects (25%).
1 x Holm Oak (T2) - Reduce height by up to 3m, sides by 1.5m (30%).
2 x Leyland Cypresses (T3 & T4) - Fell to ground level.
1 x Portugal Laurel (T5) - Reduce by approx. 1m (15%).

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

3

No. of responses

0

No. of objections

1**Summary of consultation responses:**

1. Strongly object to felling of t3and t4 layland cypresses , they are furthest from the rear of the property close to fence boundary and no photos provided to indicate their health or damage. No reason to remove this visual amenity in our ca.

CAAC/Local groups* comments:

*Please Specify

None

Assessment

As the cypresses are not covered by a TPO they are 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 cypresses in question are not visible or have very low visibility from a public place. They are growing in amongst other trees and vegetation. It is not considered that they 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 cypresses are not particularly large or noteworthy examples of the species. As they were formerly managed as part of a hedge it is likely that they will have structural weak points and poor form.
- *future potential as an amenity;*
While these trees do have the potential to become very large and certainly visible, it is considered that this would negatively impact on the adjacent trees and vegetation and give the close proximity to buildings and the species would be likely to be subject to high pruning pressure and possibly High Hedges complaints.
- *rarity, cultural or historic value;*
The cypresses are 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 trees make a small 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 make a minor contribution to the green appearance of the area however, their removal will be largely ameliorated by the existing trees. It is likely existing trees will benefit from their removal.

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, it would not be expedient to bring these trees under the protection of a TPO.