

Delegated Report

Officer

Tom Little

Application Number(s)

2020/5597/T

Application Address37 Hollycroft Avenue
London
NW3 7QJ**Proposal(s)**

REAR GARDEN: 1 x Robinia (T1) - Fell to ground level
1 x Plum (T2) - Remove low lateral branch growing over decking. Crown thin the remaining tree by 20%. Reduce overhang from neighbour's garden back towards garden fence line by approx. 1.5m.
1 x Purple Leaf Plum (T3) - Reduce height by approx. 3m and shape. Crown thin by 20%.
1 x Magnolia (T4) - Crown reduce by approx. 2m and shape.
1 x Magnolia (T5) - Crown reduce by approx. 2m and shape.
Palm Tree group (G1) - 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

6

No. of responses

2

No. of objections

2**Summary of consultation responses:**

1. Without an intelligent private tree policy in Camden we are losing trees that we need during the climate crisis.
2. All felling of trees should be banned by the Council as of now.
3. Strongly object to felling and removing the rear garden 1x robinia t2 and the palm tree group again in the rear garden g1 as these are away from buildings and have a very probable visual value amenity and provide privacy to both gardens backing in to one another!

CAAC/Local groups* comments:

*Please Specify

None

Assessment

As the *Robinia* and the palms are not covered by a TPO they were 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 trees concerned are not visible or have very low visibility from a public place, they are 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 *Robinia* is a large tree however it is in severe decline due to the presence of decay fungi, it has deadwood throughout the crown, the palms are not particularly large or noteworthy examples of their species.
- *future potential as an amenity;*
The *Robinia* has a very limited safe useful life expectancy.
The palms would never grow to a size where they would become visible from a public place.
- *rarity, cultural or historic value;*
None of the trees of a rare species or individually of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*
It is considered that the trees make a reasonable contribution to the landscape to the rear of the properties, however the lack of visibility and/or safe useful life expectancy 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 might be 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 trees offer 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, due to the lack of visibility and/or safe useful life expectancy it would not be expedient to bring these trees under the protection of a TPO.