

# Delegated Report

<b>Officer</b>	<b>Application Number(s)</b>
Tom Little	2020/5604/T

<b>Application Address</b>	
225 Goldhurst Terrace London NW6 3EP	

<b>Proposal(s)</b>
REAR GARDEN: 1 x Lime (T1) - Fell to ground level.

<b>Recommendation(s):</b>	No Objection to Works to Tree(s) in CA
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<b>Application Type:</b>	Notification of Intended Works to Tree(s) in a Conservation Area
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## Consultations

Adjoining Occupiers:	No. notified	21	No. of responses	2	No. of objections	2
<p><b>Summary of consultation responses:</b></p>	<ol style="list-style-type: none"> <li>1. Why is this tree being felled? All that is provided as background information is a simple sketch. No reason is given. If I understand your instructions correctly, detailed evidence and reasons must be provided only if the tree is subject to a TPO. I understand this is not the case with this tree. However, I think in a conservation area such information should ALWAYS be required whether or not the tree is subject to a TPO. I think the reasons why this tree is being felled should be provided or explained. There is far too much indiscriminate felling of trees in this conservation area in my opinion, and people are taking advantage of this lax 'regulation'.</li> <li>2. I, and others (based on what I have read in other similar comments) are concerned about what is perceived to be a non-caring attitude on the part of the Council re preserving the unique nature of South Hampstead and maintaining its contribution to a healthier and wildlife-friendly environment by the continuous felling of trees.</li> <li>3. This is a conservation area and part of the beauty of the area are the trees. When people move into the area they know the restrictions - or they should do.</li> <li>4. The lime is a traditional tree associated with this area. Many of them date to not long after the area was built.</li> <li>5. Lime is also a tree that encourages biodiversity, so not only will the tree be felled but an ecosystem. As has been highlighted during</li> <li>6. the pandemic, trees and biodiversity have a key role to play in bringing mental wellbeing - the fact that the area has traditionally had trees as high as the buildings also helps with this wellbeing.</li> <li>7. Trees help cut carbon emissions and air pollution - and air pollution from traffic (which is high in this area) causes all sorts of illnesses. Not only will this tree be felled for the present occupants, but also for future generations to benefit from.</li> <li>8. It will also set a precedent, which will basically open up the area to having all the mature, traditionally local trees felled.</li> </ol>					
<p><b>CAAC/Local groups* comments:</b> *Please Specify</p>	<p>CRASH submitted the following objection: I would like to submit an objection to the proposed felling of the lime tree at the rear of 225 Goldhurst Terrace. It is highly unfortunate that, as this tree is not currently subject to a TPO, no reason is given to support the request for felling. And, without any photographic evidence or materials available it is not possible to gauge the maturity, health or environmental contribution of the tree to the area. But it would seem likely that this tree, similar to other trees sited at the back of rear gardens in the conservation area, is a mature lime tree and forms part of a line of mature trees at the rear of gardens in this conservation area. These trees provide visual amenity, wildlife refuge, CO2 sink etc. I fail to understand how the continued permission to fell mature trees in Camden is in line with any of the environmental policies approved by Camden Council nor the Mayor's environmental strategies. Planting new trees on pavements while welcome, but often die from lack of watering and are knocked over by cars and vans parking, cannot balance out the destruction caused by felling mature trees especially if no reason has been made with the application.</p>					

## Assessment

As the lime 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. This is statutory legislation set at a national level. 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 lime tree in question is growing under a large conifer, it is not visible from a public place, it is not considered to provide 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 lime is suppressed by a large conifer it is growing within the crown of, it is not in any way a large or noteworthy example of its species. It has a completely suppressed and leaning form.
- *future potential as an amenity;*  
The lime has a completely unstable form and is not likely to safely reach a size where it will provide visual amenity.
- *rarity, cultural or historic value;*  
The lime is not of a rare species or, on an individual level of any known cultural or historic value. Lime trees are characteristic of the local area.
- *contribution to, and relationship with, the landscape;*  
Due to the position and form of the tree it's contribution to the landscape is minimal.
- *contribution to the character or appearance of a conservation area.*  
The lime has very limited visibility even within the rear gardens. Its contribution to the character and appearance of the conservation area is marginal.

### **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, due to the lack of visibility, diminutive size, poor form and lack of potential it would not be expedient to bring this tree under the protection of a TPO.