

# Delegated Report

**Officer**

Tom Little

**Application Number(s)**

2020/5426/T

**Application Address**22 Belsize Park  
London  
NW3 4DU**Proposal(s)**

FRONT GARDEN: 2 x Holly (T1 &amp; T2) - 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

0

No. of responses

0

No. of objections

1

**Summary of consultation responses:**

1. Strongly object to felling of these healthy holly t1+t2 although they are close to the building frontage, they are an appealing visual aspect to the ca and should not be discarded or felled for building maintenance purposes?! which is vague reason for removing them to say the least. They must be kept for their amenity value.

**CAAC/Local groups\* comments:**

\*Please Specify

None

## Assessment

As the hollies 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, are visible from a public place although they are set back from the road against the front of the property so less visible than other planting in the street, they are sufficiently visible 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 hollies are not particularly large trees, although they are nice little trees they are not in any way a noteworthy examples of the species.
- *future potential as an amenity;*  
The hollies are unlikely to grow much beyond their existing size as they are situated against the front of the property adjacent to lower ground floor windows, which will mean that they will require constant pruning.
- *rarity, cultural or historic value;*  
The hollies are not of a rare species or individually of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*  
The tree makes a reasonable contribution to the landscape however they are in an unsustainable position against the property as discussed earlier in the report.
- *contribution to the character or appearance of a conservation area.*  
The trees make a reasonably positive contribution to the character of the conservation area.

### **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 offers some benefits in terms of reducing pollution, absorbing CO2 and wildlife habitat however they are small and their contribution is not sufficiently significant contribute to the justification of serving a TPO.

On balance, due to the small stature and proximity of the hollies to the property it would not be expedient to bring them under the protection of a TPO.