

Delegated Report

Officer

Tom Little

Application Number(s)

2021/0704/T

Application Address

99 Gloucester Avenue
London
NW1 8LB

Proposal(s)

REAR GARDEN: 1 x Lime (T1) - 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	47	No. of responses	0	No. of objections	1
Summary of consultation responses:	None					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>The following comments were submitted on behalf of the Primrose Hill Conservation Area Advisory Committee:</p> <p>We have recently seen this application 2021/0704/T and wonder why it is necessary to fell a lime tree? It seems to be an extreme move, with no realistic justification given.</p> <p>If it has been poorly pruned, it is surely possible to grow this pruning out and train the tree to be more attractive. To say it is a monolith relates to what is around it, so the applicant can surely plant more mitigating trees of suitable species in his garden? The site of the tree is clearly not a problem as the applicant proposes to replant a different species in the same spot.</p> <p>“This tree has been poorly prune in the [past] and is an unattractive monolith. The proposal is to re plant with a tree more suitable for the location. A maple tree is one of the proposed species.”</p> <p>We do not often comment on tree applications but this one seems to be unconsidered horticultural vandalism of a species which has natural longevity. The green corridor behind Gloucester Avenue houses is a special one in the Conservation Area with relatively large open spaces between Gloucester Avenue, Edis Street and Utopia Village which requires stewardship in order to preserve its appearance and character.</p>					

Assessment

As the apple 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 lime tree in question is not visible or has very low visibility from a public place, 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 lime is not a particularly large tree, it is not in any way a noteworthy example of its species. The lime has been pollarded badly in the past while the tree would regrow a crown, it would be recommended that the tree be regularly reduced in order to prevent failure of regrowth and potential injury or damage to property as it is situated within a small rear garden.
- *future potential as an amenity;*
The tree is unlikely to grow much beyond its existing size and its position relative to adjacent buildings will prevent it from ever becoming visible from a public place. See the previous comment regarding recommended reduction.
- *rarity, cultural or historic value;*
The lime is not 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 tree makes a contribution to the landscape to the rear of the properties, however this is severely impacted by the pollarding and 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 tree is considered to make a contribution to the character of the conservation area however this diminished by the appearance of the tree and 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, due to the lack of visibility and poor form of the tree it would not be expedient to bring this tree under the protection of a TPO.