

Delegated Report

Officer

Tom Little

Application Number(s)

2021/2246/T

Application Address71 Arlington Road
London
NW1 7ES**Proposal(s)**

REAR GARDEN: 1 x Ash (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

10

No. of responses

2

No. of objections

5**Summary of consultation responses:**

The Council received 4 objections to the proposed works and one support. The objections are summarised below:

1. It is a fine mature ash tree.
2. It is one of a number of mature trees separating the garden to the rear of Arlington Road and Albert Street and providing screening.
3. No evidence is shown for decay.
4. It is the home of a happy Grey Squirrel family
5. We would be very sad to lose it.
6. I cannot see what tree is planned to replace it.
7. There is no need for this tree to be felled.
8. The long gardens of the houses on Arlington Road provide the perfect location for tall trees to grow.
9. The trees support a wide range of wildlife and enhance biodiversity.
10. It is really important that mature trees are not cut down as they contribute to improving air quality and sequestration of carbon.
11. A huge number of trees have been felled by HS2 in the southern part of the borough.
12. Ash trees are threatened by ash dieback and should be preserved where possible.

CAAC/Local groups* comments:

*Please Specify

The following objection was submitted by the Camden Town conservation area advisory committee:
I object to the above application given mature trees are at a premium in Camden Town. Also, ash trees are in danger of being wiped out in the countryside. Maybe you could suggest careful pruning, root or branch, if the tree is encroaching too much?

Assessment

As the ash 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 ash 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 ash is not a particularly large tree, it is not in any way a noteworthy example of its species. This tree has been poorly pruned in the past leaving the tree with an unbalanced crown with a mixture of different length pegs. Poor tree work historically, has prevented wounds from healing correctly and decay fungi have been able to gain a foothold in the tree, numerous decay pockets are visible. Resulting regrowth is crowded and tangled and would certainly result in multiple structural problems within the crown if allowed to grow larger.
- *future potential as an amenity;*
The condition of this tree is likely to prevent the tree from growing much beyond its current size due to either failure or preventative measures. This combined with the trees position relative to adjacent buildings will prevent it from ever becoming visible from a public place.
- *rarity, cultural or historic value;*
The tree is not of a rare species, although, admittedly, the species is threatened by ash dieback. This tree is not of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*
It is considered that the tree makes a reasonable contribution to the landscape to the rear of the properties and contributes to screening between 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 tree is considered to 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 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, the poor condition of the tree combined with the visibility from a public place mean that it would not be expedient to bring this tree under the protection of a TPO.