

# Delegated Report

**Officer**

Tom Little

**Application Number(s)**

2021/3292/T

**Application Address**54 Parkway  
London  
NW1 7AH**Proposal(s)**

REAR GARDEN: 1 x Eucalyptus (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

**14**

No. of responses

**0**

No. of objections

**2****Summary of consultation responses:**

None

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

\*Please Specify

None

## Assessment

As the eucalyptus 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 eucalyptus 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 eucalyptus is not a particularly large tree, it is not in any way a noteworthy example of its species. It has poor form with severe lean and has been pruned hard or lost a leader. Eucalypts do not often respond well to hard pruning.
- *future potential as an amenity;*  
The tree is unlikely to grow much beyond its existing size due to its lean and position in a small garden resulting in the necessity for regular pruning and its position relative to adjacent buildings will prevent it from ever becoming visible from a public place.
- *rarity, cultural or historic value;*  
The eucalyptus is not of a rare species or, individually of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*  
While the tree may be considered to make a reasonable contribution to the landscape to the rear of the properties, 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 forms part of the greenery in the rear gardens between Parkway and Gloucester Crescent however this is not considered to be a sufficient reason to justify serving a TPO.

### **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, it would not be expedient to bring this tree under the protection of a TPO.