

# Delegated Report

**Officer**

Tom Little

**Application Number(s)**

2021/2364/T

**Application Address**180 Camden Road  
London  
NW1 9HG**Proposal(s)**REAR GARDEN: 1 x Prunus (T1) - Fell to near ground level.  
1 x Tree of Heaven (T2) - Fell to near 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

**22**

No. of responses

No. of objections

**1****Summary of consultation responses:**

1. This tree is exceptional and whilst I can understand that it is too big and needs to be reduced its beauty in spring brings much pleasure to many neighbours including us at 184 Camden Road.( I notice that we are not included on the list of neighbours nearby and should be. 184 basement residence is included. )The loss of the tree would seriously affect the environment in gardens surrounding 180 Camden Road.

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

\*Please Specify

None

## Assessment

As the trees 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, the trees in question are not visible or have very low visibility from a public place, they are 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 neither tree is particularly large tree, or in any way a noteworthy example of its species. The tree of heaven has poor form with significant lean growing out of the base of a garden wall. The Prunus is growing close to the rear elevation of the property.
- *future potential as an amenity;*  
The trees are unlikely to grow much beyond their existing size and their position relative to adjacent buildings will prevent it from ever becoming visible from a public place.
- *rarity, cultural or historic value;*  
Neither tree is of a rare species or of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*  
It is considered that the trees make a reasonable contribution to the landscape to the rear of 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 trees are considered to make contribution to the character of the conservation area however this 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 trees offer 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, poor form and proximity to adjacent structures it would not be expedient to bring these trees under the protection of a TPO.