

# Delegated Report

**Officer**

Tom Little

**Application Number(s)**

2022/4579/T

**Application Address**83 South End Road  
London  
NW3 2RJ**Proposal(s)**

REAR GARDEN: 1 x Portuguese Laurel (*Prunus lusitanica*) (T2) - Fell to ground level.  
1 x Persian Ironwood (*Parrotia persica*) (T1) - Reduce the crown by 15%, 0.6m.

**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

**9**

No. of responses

**1**

No. of objections

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

1. My garden backs onto this property. I feel that the laurel should be reduced, not felled. There is no good reason to remove a perfectly healthy tree which helps the green canopy. It also gives privacy to my house and garden from the tall houses in South End Road. I have no objection to the reduction of the Persian Ironwood.

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

\*Please Specify

None

## Assessment

As the laurel 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 laurel 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 laurel is not a particularly large tree, it is not in any way a noteworthy example of its species.
- *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.
- *rarity, cultural or historic value;*  
The laurel is not of a rare species or of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*  
The tree provides some screening between the properties however this alone is not a sufficient reason to bring the tree under the protection of a TPO.
- *contribution to the character or appearance of a conservation area.*  
The tree is considered to make little contribution to the character of the conservation area and 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 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 it would not be expedient to bring this tree under the protection of a TPO.