

Delegated Report

Officer

Tom Little

Application Number(s)

2022/4675/T

Application Address8 Adamson Road
London
NW3 3HR**Proposal(s)**

REAR GARDEN: 1 x Laurel (T2) - Lightly crown reduce height and sides by 0.5 - 1m (regrowth) to form a smaller, neater specimen.

1 x Plum (T4) - Fell to ground level and apply appropriate herbicide.

1 x Silver Birch (T5) - Fell to ground level and apply appropriate herbicide.

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

0

No. of responses

No. of objections

1**Summary of consultation responses:**

1.

CAAC/Local groups* comments:

*Please Specify

The Belsize Society submitted the following objection to the proposed works:

For the Belsize Society: we wish to object to the felling of T4 Plum and T5 Silver Birch. These trees are visible from Eton Avenue and form part of an important green corridor of trees between Adamson Rd and Eton Avenue. This area is close to the heavy traffic and air pollution of Swiss Cottage and the corridor of trees helps to mitigate the effects of the air and noise pollution. It also provides a diverse wildlife habitat that extends along the series of trees. Felling trees should be the very last resort and no reasons are given for the felling of these two trees.

Assessment

As these 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 plum and the birch have some visibility from Eton Avenue although this is screened to some degree by a row of trees along the border of the garden in front.

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;*
Neither of the trees is a particularly large or noteworthy tree. The birch is growing close to a larger sycamore in the adjacent garden which has affected the form of the tree causing it to lean towards the house, it would also appear to have lost its leader historically also detrimentally impacting on the form and life expectancy of the tree. The plum is not a large tree having been managed by regular pruning, it has a multi stemmed and congested form.
- *future potential as an amenity;*
The proximity to the building and sycamore combined with the leaning form of the birch tree are likely to mean ongoing pruning pressure which would prevent the tree from reaching much greater size and would also be very likely to relatively quickly kill the tree as birch do not tolerate regular pruning well. The plum is already pretty much full size, would appear to be relatively mature and lacking in vigour, while it provides some amenity at present, this is likely to decline rather than increase from here on.
- *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 contribution to the landscape, however this is something of a backdrop to the other trees in front.
- *contribution to the character or appearance of a conservation area.*
The trees are considered to make a contribution to the character of the conservation area however this is limited as they are screened by other trees and individually have poor form and low vigour.

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 relatively low visibility, presence of other trees, proximity to buildings, poor form and low vigour it would not be expedient to bring this tree under the protection of a TPO.