

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

SUMMARY

This report seeks to confirm the Tree Preservation Orders placed on the trees specified in this report.

REPORT

The trees located at: 10-27 Connaught House & Eveline Court, Connaught Gardens N10 3LH & 3LA

Species: T1, T5, T12 – Lime
T2-T4 – London Plane
T6, T8, T10 – Horse Chestnut
T7, T13-T21 – Sycamore
T9 – Holly
T11 – Birch
T22-T23 – Ash

Location: Rear garden - 10-27 Connaught House & Eveline Court, Connaught Gardens N10 3LH & 3LA

Condition: Good

The Council's Arboriculturalist has reported as follows:

A Tree Preservation Order should be attached on the following grounds:

1. The trees are of high amenity value being clearly visible from a public place.
2. The trees appears healthy for their species and age and have a predicted life expectancy in excess of 40 years.
3. The trees are suitable to the location, significantly contributing to the character of the local area.

1 objection letter received from 1 Eveline Court, Connaught Gardens, N10 3LA

Comments on Tree 23:

- The tree appears to be a self seeded tree
- Specimen has low amenity value
- Specimen is unhealthy, showing signs of disease and decay
- Specimen unsuitable to location; too close to Eveline Court and may be responsible for the evident subsidence and damage to the driveway/forecourt of Eveline Court

Comments on Tree 8:

- The tree is extremely close to Eveline Court causing pest problems, blocking drainage from the flat roof and blocking light to the flats at end of Eveline Court
- Concerns exist that the proximity of the tree to the building threatens the foundations

Comments on Tree 9:

- The tree is extremely close to Eveline Court causing, blocking light to the flats at end of Eveline Court

Comments on Tree 7:

- The tree is extremely close to Eveline Court causing blocking drainage from the flat roof and blocking light to the flats at end of Eveline Court
- Concerns exist that the proximity of the tree to the building threatens the foundations

Comments on Tree 10 and 12-22:

- Maintenance work is regularly required on these trees to prevent obstruction to vehicular traffic on Connaught Gardens, and to maintain safety for pedestrians

Comments on Tree 4, 5 and 6:

- Trees are not of high amenity, and they are not visible from any public place

The Council Arboricultural Manager has commented on these objections as follows:

Tree 23: Agree with the reasons given for objection. This tree should be removed from the TPO.

Tree 8: Do not agree with the objection. This tree should remain part of the TPO. The problems listed in points a – c, can be mitigated by pruning works. Any reasonable request to carry out pruning works would be permitted. There is no evidence to suggest the tree is causing damage to the foundations. If in the future, evidence was submitted that clearly identifies the tree as a cause of subsidence damage the Council would consider the evidence based on its merits and current case law.

Tree 9: Agree with the reasons given for objection. This tree should be removed from the TPO.

Tree 7: Do not agree with the objection. This tree should remain part of the TPO. The problems listed can be mitigated by pruning works. Any reasonable request

to carry out pruning works would be permitted. There is no evidence to suggest the tree is causing damage to the foundations. If in the future, evidence was submitted that clearly identifies the tree as a cause of subsidence damage the Council would consider the evidence based on its merits and current case law.

Tree 10 and 12-22: Do not agree with the objection. These trees should remain part of the TPO. Any reasonable request to carry out pruning works would be permitted.

Trees 4, 5 & 6: Do not agree with the objection. This tree should remain part of the TPO. Any reasonable request to carry out pruning works would be permitted. They are clearly visible from the public highway in Connaught Gardens (see attached photo which shows L-R: T8-T4).

Tree 11 should be removed from the TPO, as it does not fulfil the criteria.

There are three additional trees in the vicinity that fulfil the criteria for TPO status. T1: Ash is shown on the attached site plan and should be added to this TPO. The other two trees should be protected by a separate TPO.

It is essential a TPO is made for the trees above as they currently have no statutory protection. They are not within a Conservation Area, but are of significant amenity value. Developers removed trees from an adjacent site recently which were of equal importance.

RECOMMENDATION

That the Tree Preservation Order upon the aforementioned tree under Section 198 of the Town and Country Planning Act 1990 be confirmed.

Emma Williamson
Head of Development Management & Planning Enforcement