

7.9.2016

Dear [REDACTED],

The situation with trees in conservation areas is not ideal in the level of control we have, essentially the 6 week notice allows the council to consider if the tree warrants a TPO.

Although we regularly make TPOs and have several thousand trees protected within the borough, a large number of the conservation area notices we receive do not warrant a TPO, and so we then have no control over the level or quality of the work – all though we can offer advice through informatives.

The standard tests for a TPO is that it must be in the interest of public amenity, and it must be expedient. So usually the tree would be reasonably visible from the public realm, or have some other important public function. Expedient in this case usually means there is some threat to the tree. Within a Conservation Area we must also consider the impact on the character and appearance of the area.

I hope this information is useful to you going forward, please let me know if I can be of any further assistance.

Kind regards,

[REDACTED]  
Tree and Landscape Officer

Telephone: 020 7974 [REDACTED]

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**From:** [REDACTED]  
**Sent:** 06 September 2016 17:03  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear [REDACTED],

Thank you very much for your email.

While the news is very depressing, it will also be helpful for informing the Policies which are being drafted for the Neighbourhood Plan. The Redington Froggnal Conservation Area has suffered a huge loss in the number of trees in private gardens over the years and we are keen to try to give greater protection to them in our Redington Froggnal Neighbourhood Plan.

I'm fairly certain that any replanting at Sarum Chase has been, at best, minimal!

With kind regards,

[REDACTED]

**From:** [REDACTED]  
**Date:** Tuesday, 6 September 2016 16:13  
**To:** [REDACTED] >  
**Subject:** RE: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear [REDACTED],

Firstly let me apologise for the time taken to respond to your email – I have had a few bouts of annual leave in the last month and it created a bit of a correspondence build up.

With regard to your enquiry, the replacement planting as part of 2006/0371/T is not enforceable by the council. 2006/0371/T was a notification of intent to carry out works to trees in a conservation area under section 211 of the Town and Country Planning Act. As such, the council does not have power to grant or refuse consent, nor impose conditions.

The council can only object in the form of the creation of a Tree Preservation Order, and in this case, no such objection was made.

I see from the decision notice that replacement trees were intended, but we do not have the power to require that they do this.

I will investigate further to see if any planting has been carried out and remind the owners of their stated intent, but this is all I can do in this instance I am afraid.

Please let me know if I can be of further assistance or if you would like more information.

Kind regards,

[REDACTED]

Tree and Landscape Officer

Telephone: 020 7974 [REDACTED]

[REDACTED]

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**From:** Nancy Mayo [<mailto:nmayo@blueyonder.co.uk>]

**Sent:** 22 August 2016 22:34

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** FW: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear Mr. [REDACTED],

I am writing further to my enquiry of 27 February, which I understand was passed to yourself.

I should be grateful if you could kindly confirm whether the following trees have now been replanted at 23 West Heath Road, as required by the planning consent:

- 5 x Lombardy Poplar
- 11 x Silver Birch
- 10 x English Oak
- 9 x Sweet Chestnut
- 3 x Horse Chestnut.

With kind regards,

[REDACTED]

**From:** [REDACTED] >

**Date:** Tuesday, 1 March 2016 13:05

**To:** [REDACTED] >

**Cc:** [REDACTED]

**Subject:** RE: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear Ms [REDACTED],

My colleague [REDACTED] is dealing with the case at 23 West Heath Road (Ref: EN16/0144).

Regards

[REDACTED]  
Principal Planning Enforcement Officer

Telephone: 020 7974 [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** nmayo [mailto:[REDACTED]] On Behalf Of [REDACTED]  
**Sent:** 27 February 2016 01:20  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear Mr. [REDACTED],

I am writing further to my telephone call of 12 February about the failure to enforce the promised replanting at Sarum Chase (see emails below). I have not received any response from the Enforcement department and should be grateful if you would formally log my complaint. Contractors left the site before Christmas, so it is time to re-open the case.

I should appreciate confirmation of the case.

Kind regards,

[REDACTED]  
[REDACTED]

Tel. 020 [REDACTED]

**From:** <[REDACTED]>  
**Date:** Thursday, 10 January 2013 11:45  
**To:** [REDACTED] >  
**Cc:** [REDACTED] >  
**Subject:** RE: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear Ms [REDACTED],

Thank you for your prompt response and for forwarding photographs of the site.

I have noted your concerns and the information you have provided has been linked to the Planning Enforcement file.

However at present while builders are still on site we would not insist that any trees or hedges are planted due to the risk of damage.  
I have therefore closed the enforcement case for now but this can be reopened if there is a breach of planning control at a later stage.

[REDACTED], our Trees & Landscape officer dealt with application no. 2006/0371/T dated 28/02/06 that relates to the trees to be planted.

I have copied [REDACTED] in to this email as I note that the Informative attached to this application does state: ***"this notice is valid for 2 years from the date of this letter or until the work is completed, whichever is the sooner"***.

Please contact me if you have any further queries you would like to discuss.

Best wishes

[REDACTED]  
Planning Site Inspector

Telephone: 020 7974 [REDACTED]

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**From:** [REDACTED]  
**Sent:** 09 January 2013 16:26  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: EN12/1094 - redevelopment of Sarum Close, 23 West Heath Road NW3

Dear Ms [REDACTED]

I have today taken the photos below of the un-wooded site at Sarum Chase. I spoke to the builder on the left-hand side of the third photo and he informed me that the owner "loves trees" and that the grounds are "like a mini forest" with "million of trees" at the rear. This is not at all clear from the photos, although some small trees / bushes have been planted behind the red railings on Platts Lane (4th and 5th photos). The site certainly has not been returned to its previous state of mature woodland (prior to the large-scale felling), as promised in the planning applications and the site seems very bare (all photos) compared to its previous state.

The officer delegated report relating to planning application 2009/4676/P states that *The proposed landscape design incorporates high quality tree planting (including Beech, Field Maple, Oak, Birch, Pine and Cedar) which is considered acceptable and compliments the character of the site and its proximity to the heath.*

*A Yew hedge is to run along the frontage (north) of the site which will provide continuity within the streetscape and year round colour. Holly/Hawthorn hedging will be planted around the western perimeter of the site which will provide screening and the reinstatement of the hedging which was removed to implement part of the development.*

*The proposed details are considered acceptable and will enhance the character and biodiversity of the site and it is recommended Condition 3 be approved.*

Three planning consents:

- 2005/3118/T
- 2006/0371/T
- 2006/2143/T

regrettably gave permission for the **felling of some 41 trees, including 7 Lombardy Poplars, 3 Scots Pines, an Oak and numerous other native species.** As a result, the grounds have been completely bare and bereft of any wildlife for several years, where previously they had been home to a great many species.

However, a condition of the consent 2006/0371/T was that the following new trees should be planted:

- 5 x Lombardy Poplar
- 11 x Silver Birch
- 10 x English Oak
- 9 x Sweet Chestnut
  - 3 x Horse Chestnut.

I think it would be worth a site visit to check that the developer has complied with the request to return the site to its former state as mature woodland.

With kind regards,

[REDACTED]















> From: '[REDACTED]'  
> Date: Tue, 8 Jan 2013 11:24:30 +0000  
> To: [REDACTED]  
> Subject: RE: EN12/1094 - Sarum Close, 23 West Heath Road NW3  
>  
> That would be really helpful.  
>  
> Thank you  
>  
> [REDACTED]  
> Planning Site Inspector  
>  
> Telephone: 020 7974 [REDACTED]  
>  
>  
> From: [REDACTED]  
> Sent: 08 January 2013 11:17  
> To: [REDACTED]  
> Subject: Re: EN12/1094 - Sarum Close, 23 West Heath Road NW3  
>  
> Dear Ms [REDACTED],  
>  
> Thank you for your reply. I shall go and take some photos and come back to  
> you.  
>  
> With kind regards,  
>  
> [REDACTED]  
>

>

>

>> From: "[REDACTED]" >

>> Date: Tue, 8 Jan 2013 11:08:40 +0000

>> To: [REDACTED] >

>> Subject: EN12/1094 - Sarum Close, 23 West Heath Road NW3

>>

>> Dear Sir/ Madam,

>>

>> You contacted us recently about trees that should have been replaced at the  
>> above address.

>> Do you know if work has now completed and builders are no longer on site?

>> Also if possible, would you be able to send photos of the areas where the  
>> trees should be planted?

>>

>> Many thanks

>>

>> [REDACTED]

>> Planning Site Inspector

>> Regeneration and Planning

>> Culture and Environment

>> London Borough of Camden

>>

>> Telephone: 020 7974 [REDACTED]

>> Web: camden.gov.uk<<http://www.camden.gov.uk/>>

>>

>> 6th floor

>> Town Hall Extension (Development Management)

>> Argyle Street

>> London WC1H 8ND

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