

**Cambridge, Jennifer**

---

**From:** Hutson, Alex  
**Sent:** 21 June 2010 09:59  
**To:** Planning and Public protection  
**Cc:** Genet, Matthias  
**Subject:** FW: Pruning of the trees in the Church Yard of St. Giles-in-the-fields, St. Giles High Street, London WC2H 8LG  
**Follow Up Flag:** Follow up  
**Flag Status:** Green  
**Attachments:** Application for tree works TCPA 1990.pdf

Dear PPP,

Please find attached a new application for tree works in a conservation area. PLEASE DO NOT CARRY OUT A CONSULTATION ON THIS APPLICATION.

Thanks.

Alex Hutson  
Trees and Landscape Officer

Telephone: 020 7974 5939

---

**From:** Taylor, Stephanie [mailto:Stephanie.Taylor@vinciconstruction.co.uk]  
**Sent:** 17 June 2010 16:09  
**To:** Hutson, Alex  
**Cc:** Hayes, Reuben; richard.foot@bamnuttall.co.uk; Malik, Ibt; arie.bein@vincibamnuttall.co.uk  
**Subject:** RE: Pruning of the trees in the Church Yard of St. Giles-in-the-fields, St. Giles High Street, London WC2H 8LG

Apologies! Please see complete form attached

---

**From:** Taylor, Stephanie  
**Sent:** 17 June 2010 16:05  
**To:** Hutson, Alex  
**Cc:** Hayes, Reuben; richard.foot@bamnuttall.co.uk; Malik, Ibt; arie.bein@vincibamnuttall.co.uk  
**Subject:** RE: Pruning of the trees in the Church Yard of St. Giles-in-the-fields, St. Giles High Street, London WC2H 8LG

Dear Alex,

Apologies for this new notification regarding the pruning of the trees, considering the responses provided yesterday.

The LUL legal team has contacted us earlier this morning to inform us that following a revision of a plan showing the limits of the land to which the Act is applicable, it was noted that the Land occupied by these trees is actually outside the limits of the Crossrail Act and therefore the S211 does seem to apply.

As discussed at our meeting and as agreed with the Church the level of pruning is minimal

22/06/2010

and we will be pleased to engage with your contractors to carry out these works. We've completed the requisite forms you've provided to us in the first place and we attach these for your attention.

Please could you confirm whether any further provisions are required and the likely timescale for us to proceed with these works

Look forward to hearing from you

Best regards  
Stephanie

---

**From:** Hutson, Alex [Alex.Hutson@camden.gov.uk]  
**Sent:** 16 June 2010 15:48  
**To:** Taylor, Stephanie  
**Cc:** Hayes, Reuben  
**Subject:** RE: Pruning of the trees in the Church Yard of St. Giles-in-the-fields, St. Giles High Street, London WC2H 8LG

Dear Stephanie,

Thank you for your email.

Providing the works undertaken are the minimum required to allow the monitoring, I can confirm the Council will not require a s211 notice.

I do however think it would be appropriate to use the contractors currently used by Camden, with on site supervision from the Council during the tree works also. If you agree to this, I will ask Reuben to provide you with a quote for the works.

Kind regards,

Alex Hutson  
Trees and Landscape Officer

Telephone: 020 7974 5939

---

**From:** Taylor, Stephanie [mailto:Stephanie.Taylor@vinciconstruction.co.uk]  
**Sent:** 16 June 2010 15:17  
**To:** Hutson, Alex  
**Cc:** 'Healy Adam'; richard.foot@bamnuttall.co.uk; steve.deeble@bamnuttall.co.uk; Malik, Ibt  
**Subject:** FW: Pruning of the trees in the Church Yard of St. Giles-in-the-fields, St. Giles High Street, London WC2H 8LG

Dear Alex,

**Re: Pruning of the trees in the Church Yard of St. Giles-in-the-fields, St. Giles High Street, London WC2H 8LG**

In response to your comments regarding the applicability of s211 (Town and Country Planning Act 1990), please see responses provided here below from both our team and London Underground:

**a) Response from the VINCI Bam Nuttall JV Settlement monitoring team**

The pruning is required so that we can control the works – the monitoring is not simply associated with

22/06/2010

the project but is a vital element to allow the commencement of the works. If the monitoring is not in place we won't be allowed to proceed with the works. For this reason we believe that a S211 notice (Town and Country Planning Act 1990) is not required as we would use the Crossrail Act (please refer to second response for clarity on the legal background).

Furthermore, it is our understanding that the Church wants the trees to be cut back and it is the Church who owns the trees. The trees themselves are not currently managed by Camden; the Church had an agreement with Camden Council that the council would manage the trees but this has been rescinded. Following a conversation we had with the Warden and Rector it would appear that since the Council did not maintain these trees the Church has brought them back under their control and no longer expects the council to manage them.

Going back to the works we've discussed, the level of pruning we are requesting is minimal and consists of reducing the crown of the tallest trees by approximately one meter. In the image below (bottom of the e-mail) the reduction of the crown is shown by the black line.

Relocating the Robotic Total Station (RTS) would not be a realistic option as that would mean closing the bus route along Denmark Street to re-position the monitoring targets that have already been directed towards 28 Denmark Street where the RTS is located.

It is not a realistic option to re-locate the proposed reference target, which on the graphic below is within the left hand red circle, as we are still no closer to getting access to Endeavour House than we were two months ago when we first requested access. The reference targets have been located on the building that we have been able to access.

#### **b) Response from LUL legal team**

The trees concerned are (a) in a conservation area and (b) are within Crossrail Act limits (LLAU and/or LoD). Section 19 (in addition to S18) of the Crossrail Act is the key reference (set out here below).

**One effect of S19 is that S211 of the T&CPA is disapplied for works to trees for the purposes of or in connection with the construction of the works authorised by this (Crossrail) Act, in relation to a tree growing on land within the relevant limits. We do not think there is any question that we need to do work to the trees "in connection with the construction of the works authorised by this Act"**

#### *CROSSRAIL ACT S19*

##### *19 Disapplication of controls*

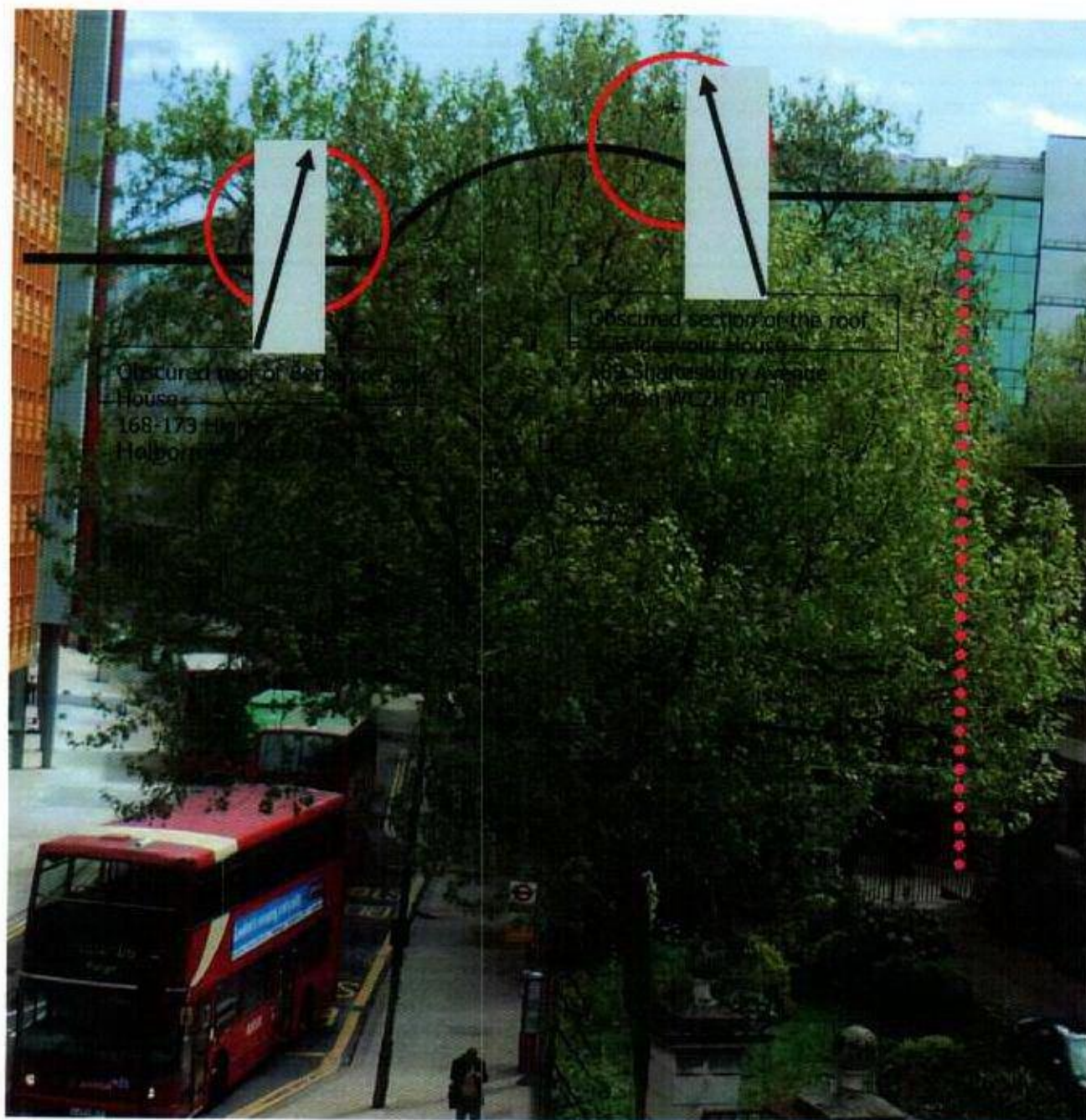
*(1) Neither of the following shall apply to tree works which are authorised for the purposes of this section-*

- (a) an order under section 198(1) of the Town and Country Planning Act 1990 (c. 8) (tree preservation orders), and*
- (b) section 211(1) and (5) of that Act (preservation of trees in conservation areas).*

*(2) Tree works are authorised for the purposes of this section if-*

- (a) they are required by a notice under section 18(1),*
- (b) they are carried out, for the purposes of or in connection with the construction of the works authorised by this Act, in relation to a tree growing on land within the relevant limits, or*
- (c) they are carried out in relation to a tree growing on land used for the purposes of or in connection with Crossrail and are necessary to enable the works authorised by this Act to be maintained or for reasons of safety in connection with the operation of any railway used for the purposes of or in connection with Crossrail.*

*(3) In this section, references to tree works are to works consisting of the removal, topping or lopping of a tree.*



I hope this clarifies the applicability of the Crossrail Act to this particular aspect of our works.  
Please don't hesitate to contact me should you wish to discuss this further.

Look forward to hearing from you

Best regards  
Stephanie

Vinci PLC Group of Companies

Opinions expressed in this e-mail are those of the individual not the company, unless specifically indicated to that effect.

This e-mail together with any files attached is confidential and intended for the addressee only.

If you have received this in error, please delete it from your PC and inform our IT Department on 01923 470407 or [itsupport@vinci.plc.uk](mailto:itsupport@vinci.plc.uk).

This footnote also confirms that this e-mail has been scanned for the presence of computer viruses.

Vinci PLC

Registered in England and Wales No. 737204 Registered Office : Astral House, Imperial Way, Watford, Hertfordshire, WD24 4WW

22/06/2010

Planning Services  
Camden Town Hall  
Argyle Street  
London WC1H 8EQ

Email (enquiries only): [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk)  
Telephone : 020 7974 1911  
Fax : 020 7974 5713

For office use  
Date  
Payee  
App. No.

Fee

Application for tree works: works to trees subject to a tree preservation order (TPO)  
and/or notification of proposed works to trees in a conservation area.

### Town and Country Planning Act 1990

#### Publication of planning applications on planning authority websites

Please note that with the exception of applicant contact details, the information provided on this application form and in supporting documents may be published on the authority's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the authority's website, please contact the authority's planning department.

Please complete using block capitals and black ink.

You must use this form if you are applying for work to trees protected by a tree preservation order (TPO). (You may also use it to give notice of works to trees in a conservation area).

It is important that you read the accompanying guidance notes before filling in the form. Without the correct information, your application / notice cannot proceed.

#### 1. Applicant Name and Address

Title:	<input type="text" value="Mr"/>	First name:	<input type="text" value="RICHARD"/>
Last name:	<input type="text" value="FOOT"/>		
Company (optional):	<input type="text" value="VINCI BAM NUTBALL JV"/>		
Unit:	<input type="text"/>	House number:	<input type="text"/>
		House suffix:	<input type="text"/>
House name:	<input type="text"/>		
Address 1:	<input type="text" value="Centre Point 10th Floor"/>		
Address 2:	<input type="text" value="103 New Oxford Street"/>		
Address 3:	<input type="text"/>		
Town:	<input type="text" value="London"/>		
County:	<input type="text"/>		
Country:	<input type="text"/>		
Postcode:	<input type="text" value="WC1A 1DD"/>		

#### 2. Agent Name and Address

Title:	<input type="text"/>	First name:	<input type="text"/>
Last name:	<input type="text"/>		
Company (optional):	<input type="text"/>		
Unit:	<input type="text"/>	House number:	<input type="text"/>
		House suffix:	<input type="text"/>
House name:	<input type="text"/>		
Address 1:	<input type="text"/>		
Address 2:	<input type="text"/>		
Address 3:	<input type="text"/>		
Town:	<input type="text"/>		
County:	<input type="text"/>		
Country:	<input type="text"/>		
Postcode:	<input type="text"/>		



### 3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (if known):

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

The trees are in the Church yard of St Giles in-the-Fields, adjoining St Giles High Street and Flitcroft Street

### 4. Trees Ownership

Is the applicant the owner of the tree(s): ☐ Yes ☒ No  
If 'No' please provide the address of the owner (if known and if different from the trees location)

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone numbers

Country code:	National number:	Extension number:
<input type="text"/>	<input type="text"/>	<input type="text"/>
Country code:	Mobile number (optional):	
<input type="text"/>	<input type="text"/>	
Country code:	Fax number (optional):	
<input type="text"/>	<input type="text"/>	
Email address (optional): <input type="text"/>		

### 5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☒ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☒ Yes ☐ No

### 6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

### 7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below: tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

With reference to the attached location plan

T01 London plane - reduce crown by no more than 1.5 metres, required to allow TCRSU/crossrail monitoring equipment to see reference target

## 7. Identification Of Tree(s) And Description Of Works continued ...

T02 London Plane - tree to be cut back on Southern Side by up to 2m to allow monitoring of north elevation of St Giles Church from Instrument on 28 Denmark Street

T03 London Plane - reduce crown by no more than 1.5 metres, required to allow TCRSU/ Crossrail monitoring equipment to see reference target

T04 London Plane - reduce crown by no more than 2.0 metres, required to allow TCRSU/ Crossrail monitoring equipment to see target

## 8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

### For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

### For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: ☐ Yes ☒ No  
If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. ☐ Yes ☒ No  
If YES, you are required to provide for:

#### Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

#### Other structural damage (e.g. drains, walls and hard surfaces)

Written technical evidence from an appropriate expert, including description of damage and possible solutions.

### Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)? ☒ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

Location Sketch no 1, ref VBN-SGC-SKE-001

Annotated photograph no 1, ref VBN-SGC-VIS-001

Continuation sheet for question 7

## 9. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

### Sketch Plan

- A sketch plan showing the location of all trees (see Question 8)



### For all trees

(see Question 7)

- Clear identification of the trees concerned
- A full and clear specification of the works to be carried out



### For works to trees protected by a TPO

(see Question 8)

Have you:

- stated reasons for the proposed works?
- provided evidence in support of the stated reasons? in particular:
  - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert
  - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist.
  - in respect of other structural damage - written technical evidence
- included all other information listed in Question 8?



## 10. Declaration - Trees

I/we hereby apply for consent/give notice for tree work as described in this form and the accompanying plans and additional information.

Signed - Applicant:



Or signed - Agent:

Date (DD/MM/YYYY):

(This date must not be before the date of sending or hand-delivery of the form)

## 11. Applicant Contact Details

Telephone numbers

Country code:

National number:

Extension number:

020 3102 5547

Country code:

Mobile number (optional):

079 8329 8093

Country code:

Fax number (optional):

Email address (optional):

richard.foot@bamnutts.co.uk

## 12. Agent Contact Details

Telephone numbers

Country code:

National number:

Extension number:

Country code:

Mobile number (optional):

Country code:

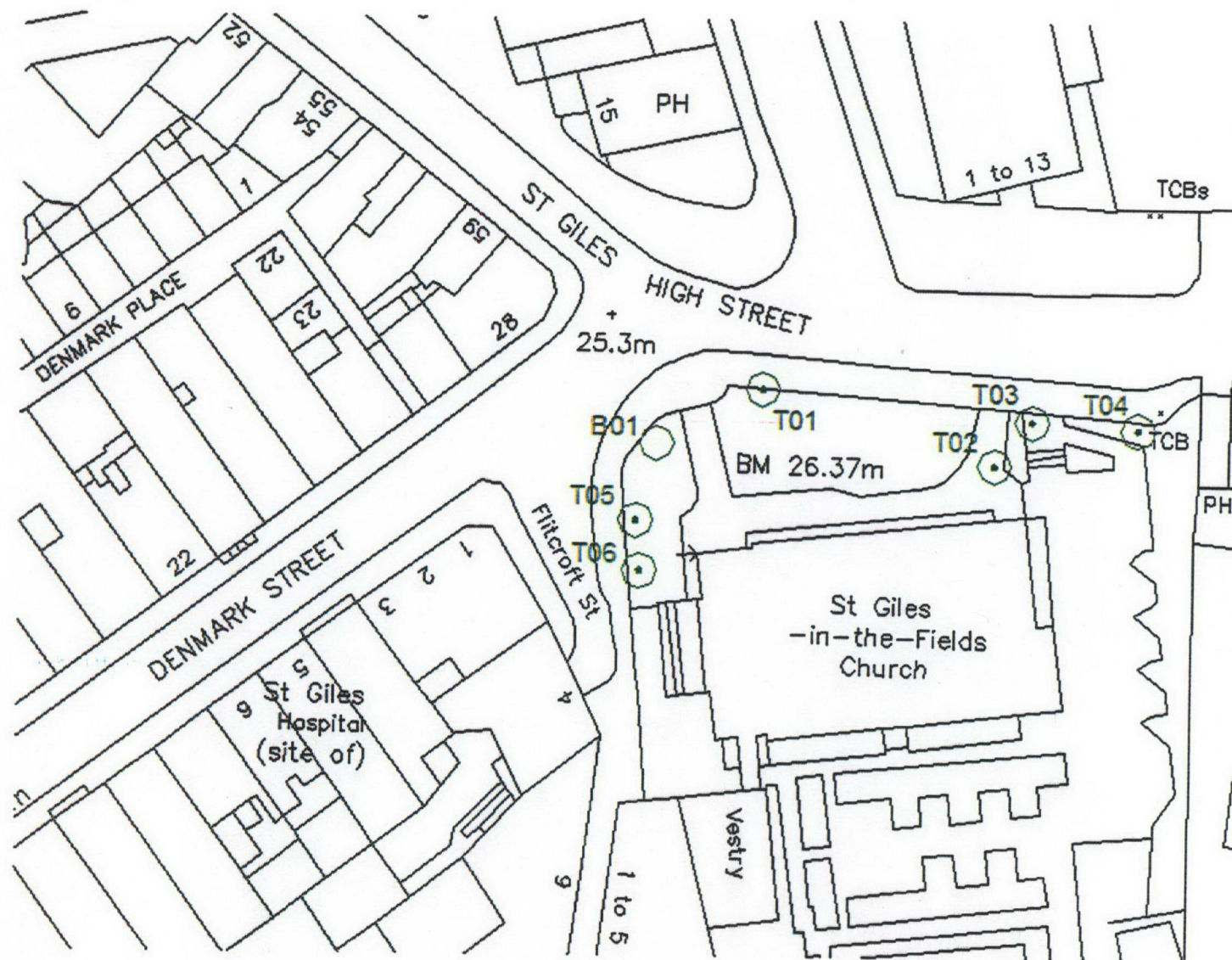
Fax number (optional):

Email address (optional):

Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.

(Please see guidance notes)





Ref: VBN-SGC-SKE-001

The Church of St. Giles-in-the-fields

Trees to be cut back to provide clear lines-of-sight for monitoring - St. Giles High Street, London WC2H 8LG

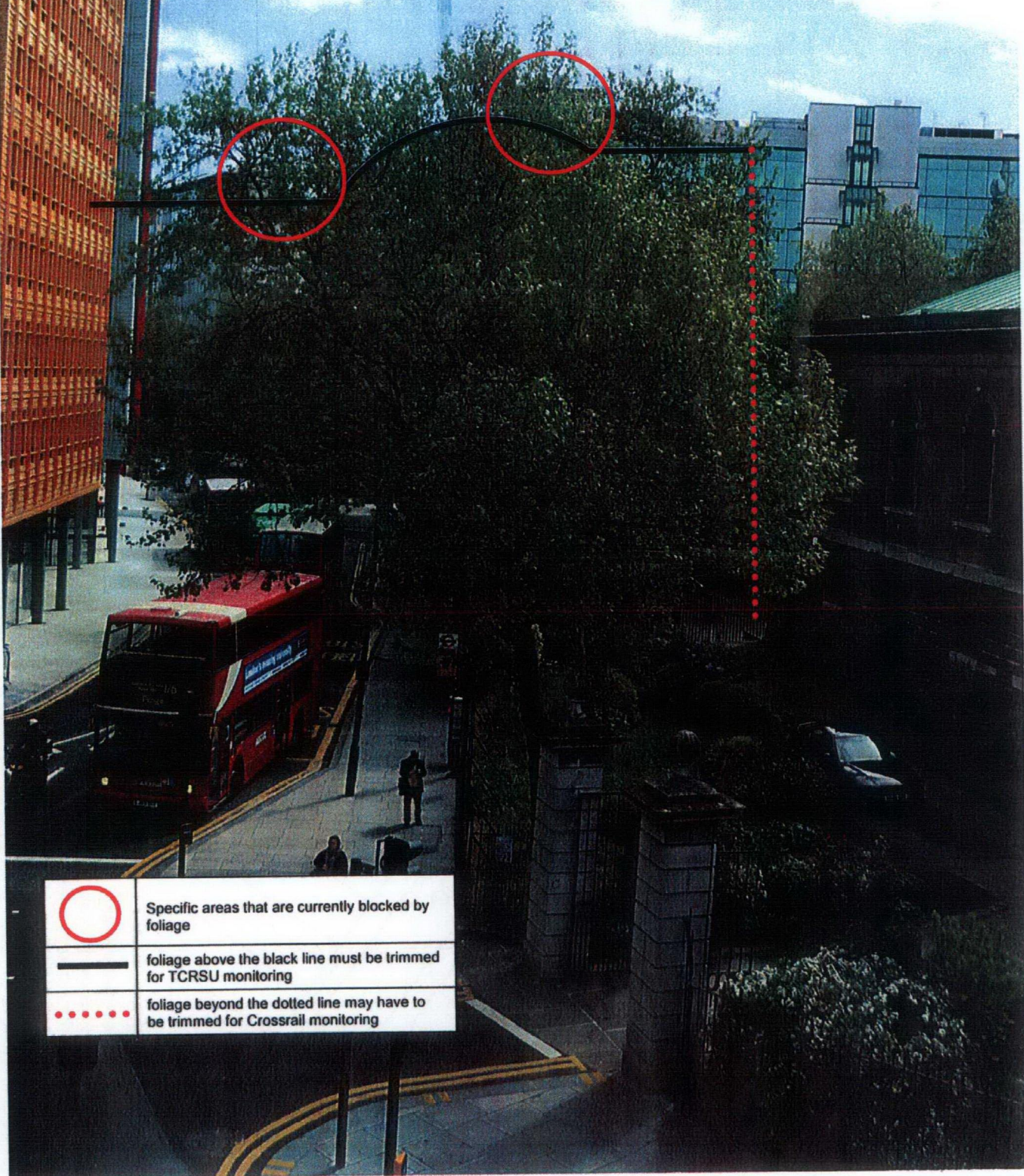
Application for tree works: works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area; Town and Country Planning Act



VINCI BAM Nuttall JV  
Delivering the Tottenham Court Road Station Upgrade  
On behalf of London Underground Limited



Ref: VBN-SGC-VIS-001  
The Church of St. Giles-in-the-fields  
Trees to be cut back to provide clear lines-of-sight for monitoring  
St. Giles High Street London WC2H 8LG



Specific areas that are currently blocked by foliage



foliage above the black line must be trimmed for TCRSU monitoring



foliage beyond the dotted line may have to be trimmed for Crossrail monitoring



VINCIBAM Nuttall

The Church of St. Giles-in-the-fields

Trees to be cut back to provide clear Lines-of-Sight  
for monitoring

St Giles High Street, London WC2H 8LG

Continuation Sheet for question 7

T05 London plane - this tree has been heavily cut back at some point. Selective removal of foliage will be needed to allow TCRSU/Crossrail monitoring equipment on 28 Denmark Street to see the West elevation of St. Giles-in-the-fields Church

T06 London plane - all details as above.

For T05 & T06 we propose to use our own staff to remove the leaves and twigs that currently obscure the lines-of-sight from the instrument located on 28 Denmark Street when it is viewing the western elevation of the church. No limbs more than 10mm in thickness will be cut away.