

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2014/4283/T	S. Nix	Flat 3 63 Greencroft Gardens	29/07/2014 17:35:52	OBJ	<p>Re Planning Reference 2014/4283/T – 63 Greencroft Gardens NW6 3LJ:</p> <p>I am writing to state my objections regarding the reference stated above. I am an owner/occupier and leaseholder to the freeholders in the above property.</p> <p>Firstly, I object to the fact that no names or reasons are listed respective of the above-referenced notification. Section 8 of the Tree Application document ('Trees – Additional Information') indicates that the trees are not diseased and that there is no alleged damage to property.</p> <p>I have now established who proposed these works and the reasons, which was no easy task. Therefore, I also object to the fact that such information has been so difficult to find out by someone living at the property who will be affected by these works.</p> <p>The leaseholders in the property who have proposed this have a private garden and have nothing to do with the communal garden, which is the location of the trees in the above-referenced notification. The communal garden is shared by the 6 other flats in the property. The leaseholders proposing the tree works pay no maintenance for the communal garden where the trees of the intended works are located and do not enjoy access to the communal garden. The maintenance charges of the communal garden are shared by the other 6 flats.</p> <p>Regarding the communal garden, there is a shade problem which is causing the grass to die off in the back part of that garden. I suggest that this problem is due primarily to a massive London plane tree in the back garden of the large ground floor flat in the adjacent property, no. 61. I have discussed this with some of the neighbours there and have also written to the managing agent for that property about this. I have also spoken with the owner/occupier of that flat.</p> <p>On 29/07/14 the tree surgeon who visited the property at no. 63 came again to assess the shade problem coming from the large tree belonging to no. 61 and agreed that this tree is the main cause of the shade problem affecting no. 63.</p> <p>Regarding no. 63 Greencroft Gardens and the proposed tree works, none of the other leaseholders was told anything about this prior to receiving the notification letter from the Council. This is completely ignoring the instructions from the freeholders to the leaseholders dated 9 May 2007 stating:</p> <p>“We would like to remind all Leaseholders that any alterations or maintenance of the shared property parts need to be undertaken in consultation with all interested parties.” And, “When one or more leaseholders wish to undertake some works it is the required course of action under the lease, to seek the approval of the freeholder and the fellow leaseholders. [The managing agent] can be contacted to facilitate decision making and ensure appropriate communication is maintained between all parties”. And “If any leaseholders would like to make any changes to the common parts or gardens please observe this process, so the interests of all interested parties are heard and considered”.</p> <p>I believe it is relevant here to point out that the above letter was sent directly as a result of actions by</p>

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the leaseholders proposing the current tree works at no. 63 resulting in the cutting off a branch or part of a branch or branches of a pear tree in the communal garden, as well as parts of various shrubbery in the front of the property without any consultation whatsoever of the other leaseholders, the freeholders or Camden Council.

Regarding the currently proposed tree works, I vigorously object that such major works have been put forward without

- a) first consulting the other leaseholders and the freeholders appropriately
- b) providing any reasons for the intended works
- c) providing the leaseholders or the freeholders with any supporting documentation or details (it is my understanding that photographs were submitted to the tree surgeon mentioned in the application document – these have not been provided to the other leaseholders).

Furthermore, one of the flats in the property (no. 63) has recently been sold, and the new leaseholders have not yet taken possession of it. Therefore, these new leaseholders, who are eligible to use the communal garden, do not have a chance to respond to this notification.

I also reject the idea that any of the trees indicated in the proposed works is causing a shade problem for the private garden area of the leaseholders proposing the tree works at no. 63. I have spoken with other residents in the first-floor flat at the back of the house, which faces the communal garden, and they have no complaints about lack of light due to excess shade.

Regarding the trees mentioned in the notification, I object to the 'fell and poison' instruction regarding the 2 sycamore trees. As this is a conservation area, the outright removal of trees is to be taken extremely seriously. I do not believe these two trees are causing any specific or major problem and feel removing them entirely is excessive. In addition, what effect, potential or otherwise, does 'poison' have on the other trees and vegetation, not to mention wildlife and domestic animals that also live near and use the communal garden?

I would also like to mention that this is not the first time problems have arisen because of the actions of the individuals proposing these intended works (please see above).

Furthermore, I have also informed our managing agent of my objections and am continuing to seek legal advice in this matter.

I understand that these works have been put on hold for the time being, but I would like to go on record as saying I would like to be kept fully informed in future about any committee meetings or similar regarding this situation.

Thank you for your attention.