

Camden Legal Services

Memo

carole.jaffe-moses@camden.gov.uk

| | |
|--------------------------|--------------------------------|
| To Land Charges | From Carole Jaffe-Moses |
| Date 18 June 2009 | Ext 5680 |
| | Fax 2962 |
| | Ref 1157 58 |

TREE PRESERVATION ORDER

LAND AT OR ADJACENT TO 99-107 Bartholomew Road, NW5 2AR - C808

On the 25 September 2008 , a copy of the above Tree Preservation Order was sent to you with a request that it be registered as a Local Land Charge

The Tree Preservation Order was confirmed WITH MODIFICATIONS on 18 June 2009 and I now enclose the original Tree Preservation Order C808

Please retain these in your records

Carole Jaffe-Moses
For the Head of Legal Services

TPO Confirmed and Modified on 18 June 2009

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY
TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
TREE PRESERVATION ORDER C808 2008
LAND AT OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

The Council, The London Borough of Camden, in exercise of the powers conferred on it by Sections 198, 201, 203 of the Town and Country Planning Act 1990 hereby make the following Order -

Citation

1 This Order may be cited as TPO C808 2008

Interpretation

2 In this Order “the Authority” means “The London Borough of Camden” and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990

Application of Section 201

3 The Authority hereby directs that Section 201 [provisional tree preservation orders] shall apply to this Order and, accordingly, this Order shall take effect provisionally on 25 September 2008

Prohibited Acts in Relation to Trees

4 Without Prejudice to subsections (6) and (7) of Section 198 [power to make tree preservation orders] or subsection (1) of Section 200 [orders affecting land where Forestry Commissioners interested], and subject to Article 5, no person shall –

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy, or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the Authority and, where such consent is given subject to conditions, in accordance with those conditions

Subsection (6) of Section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping of trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section makes section 198 subject to section 39(2) of the Housing and Planning Act 1986 and section 15 of the Forestry Act 1967

Exemptions

5 (1) Nothing in Article 4 shall prevent –

- (a) the cutting down, topping, lopping, or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary –
 - (i) in the interests of the safe operation of the undertaking,
 - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker, or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995,
- (aa) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15 (1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes),
- (ab) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes,
- (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade,
- (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for production of fruit,
- (d) The cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a) (iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995, granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise),
- (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995,
- (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where the tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose “drainage body” and “drainage” have the same meanings as in the Land Drainage Act 1991, or

g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989

(2) In paragraph (1), “statutory undertaker” means any of the following –
a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier, or lighthouse undertaking, or any undertaking for the supply of hydraulic power,

a relevant airport operator (within the meaning of Part V of the Airports Act 1986),

the holder of a licence under Section 6 of the Electricity Act 1989,

a public gas transporter,

the holder of a licence under Section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,

a water or sewerage undertaker,

the Civil Aviation Authority or a body acting on behalf of that Authority,

the Post Office

Applications for Consent under the Order

6 An application for consent to the cutting down, topping, lopping, or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the Authority and shall –

(a) identify the tree or trees to which it relates (if necessary, by reference to a plan),

(b) specify the work for which consent is sought, and

(c) contain a statement of the applicant’s reasons for making the application

Application of Provisions of the Town and Country Planning Act 1990

7 – (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions, and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2)

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule

Directions as to Replanting

- 8 – (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the Authority may give to the owner of the land on which that part is situated (“the relevant land”) a direction in writing specifying the manner in which and the time within which he shall replant the relevant land
- (2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction
- (3) A direction under paragraph (1) may include requirements as to –
- (a) species ,
 - (b) number of trees per hectare,
 - (c) the preparation of the relevant land prior to the replanting, and
 - (d) The erection of fencing necessary for the protection of the newly planted trees

Compensation

9 (1) If, on a claim under this Article, a person establishes that loss or damage has been caused or incurred in consequence of –

- (a) the refusal of any consent required under this Order, or
- (b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the Authority

(2) No claim, other than a claim made under paragraph (3), may be made under this Article –

- (a) if more than 12 months have elapsed since the date of the Authority’s decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal, or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500

(3) Where the Authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, it shall not be required to pay compensation to any person other than the owner of the land, and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal

(4) In any other case, no compensation shall be payable to a person –

- (a) for loss of development value or other diminution in the value of the land,
 - (b) for loss or damage which, having regard to the statement of reasons submitted in accordance with Article 6c and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions,
 - (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent, or
 - (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions
- (5) Subsections (3) to (5) of Section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under Section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the Authority
- (6) In this Article –
- “development value” means an increase in value attributable to the prospect of development, and, in relation to any land, the development of it shall include the clearing of it, and
- “owner” has the meaning given to it by Section 34 of the Forestry Act 1967

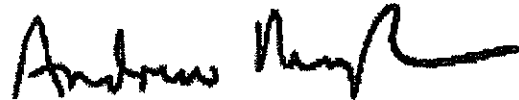
Application to Trees to be Planted Pursuant to a Condition

10 In relation to the tree(s) identified in the first column of Schedule 1 by the letter "C", being [a tree] [trees] to be planted pursuant to a condition (being a condition imposed under paragraph (a) of Section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when [that tree is planted] [those trees are planted]

Orders made by Virtue of Section 300

11 This Order takes effect in accordance with subsection (3) of Section 300 (tree preservation orders in anticipation of disposal of Crown Land)

Signed on behalf of
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF CAMDEN
THIS 25 September 2008

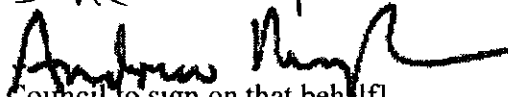


[Authorised by the Council to sign on that behalf]

The London Borough of Camden
in exercise of the powers conferred
upon them in that behalf by Section
198 of the Town and Country Planning
Act 1990, hereby confirm, do not confirm, with/without
any Modification, the foregoing Order

Signed on behalf of the
MAYOR AND BURGESS OF THE
LONDON BOROUGH OF CAMDEN

This 18 Day of June 2009



• [Authorised by the Council to sign on that behalf]

18 June 2009

Dated 25 September 2008

TOWN AND COUNTRY
PLANNING ACT 1990

TOWN AND COUNTRY
PLANNING (TREES)
REGULATIONS

TPO C808 2008

TREE PRESERVATION ORDER
RELATING TO LAND AT
OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

ANDREW MAUGHAN
HEAD OF LEGAL SERVICES
LONDON BOROUGH OF CAMDEN
TOWN HALL,
JUDD STREET
LONDON WC1H 9LP

[CLS/CLT/CJM/ C808 2008]

7

**SCHEDULE 1
SPECIFICATION OF TREES**

Trees Specified Individually
[encircled in black on the map]

Reference Number Description Situation

Specified by Reference to an Area

[within a dotted black line on the map]

Reference Number on Description Situation

The Map

Sycamore

Situated on a strip of land between the rear garden of 107 Bartholomew Road NW5 and the Railway

None

Groups of Trees

[within broken line on the map]

Reference number Description Situation

On the Map

None

TPO Modified 18/6/2009
T1

TPO Modified 18/6/2009
G1

X x Sycamore Trees
3

Situated on a strip of land between rear gardens belonging to 99 – 107 Bartholomew Road, London, NW5 2AR and the railway

Woodlands

[within continuous black line on the map]

Reference number Description Situation

On the Map

None

See new plan attached
at End of TPO.
Amended 18/6/2009



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Licence number: 100019726. Year: 2008.

Scale 1/1250 Date 24/9/2008

Centre = 529416 E 184764 N

Andrew [Signature]

99-107 Bartholomew Road, London N18 2AR

**SCHEDULE 2
PART 1**

[Provisions of the Town and Country Planning Act 1990 applied
with adaptations and modifications]

**Provision of the Town and
County Planning Act 1990**

Adaptation or Modification

Section 69 (registers)

(a) In subsection (1)

(i) Omit "in such manner as may be prescribed by a development order",
"such" in the second place where it appears, and "as may be so prescribed", and

(ii) substitute "matters relevant to tree preservation orders made by the Authority" for
"applications for planning permission"

(a) In subsection (2) (i) after "contain" insert "as regards each such order", and

(ii) for paragraphs (a) and (b) substitute –

"(a) details of every application under the order and of the authority's decision (if
any) in relation to each such application, and

(b) a statement as to the subject-matter of every appeal under the order and of the date
and nature of the Secretary of State's determination of it" (c) Omit subsections (3) and (4) (as
required by section 198(4))"

**Section 70 (determination
Of applications general
Considerations)**

(a) In subsection (1) (i) substitute – "Subject to subsections (1A) and (1B) where "for
where", "the authority" for "a local planning authority", "consent under a tree preservation
order" for "planning permission" where those words first appear, and "consent under the order"
for "planning permissions" in both of the other places where those words appear, (ii) after "think
fit", insert – "including conditions limiting the duration of the consent or requiring the
replacement of trees)", and (iii) omit "subject to Sections 91 and 92," (b) After subsection (1)
insert – "(1A) Where an application relates to an area of woodland, the authority shall grant
consent so far as accords with the practice of good forestry, unless they are satisfied that the
granting of consent would fail to secure the maintenance of the special character of the woodland
or the woodland character of the area (1B) Where the authority grant consent for the felling of
trees in a woodland area they shall not impose conditions requiring replacement where such felling
is carried out in the course of forestry operations (but may give directions for securing
replanting)" (c) Omit subsections (2) and (3)

**Provision of the Town and
Country Planning Act 1990**

Adaptation or Modification

**Section 75 (effect
of planning permission)**

(a) In subsection (1) substitute – (i) “Any” for the words from “Without” to “any”, (ii) “consent under a tree preservation order” for “planning permission to develop land”, (iii) “the consent” for “the permission”, and (iv) “the land to which the order relates” for “the land” (b) Omit subsections (2) and (3)

**Section 78 (right to appeal
Against planning decisions
And failure to take such
Decisions,**

(a) In subsection (1) substitute – (i) “the authority” for “a local planning authority”, (ii) “consent under a tree preservation order” for “planning permission” in the first place where these words appear, (iii) “consent under such an order” for “planning permission” in the second place where these words appear, (iv) for paragraph (c) substitute – “(e) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction, or (d) fail to determine any such applications as it referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority”, (b) Omit subsection (2) (c) In subsection (3) for “served within such time and in such manner as may be prescribed by a development order,”, substitute – “in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made, and such notice shall be served – (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the Authority’s decision or direction or within such longer period as the Secretary of State may allow, (b) in respect of such a failure as it mentioned in that paragraph, but if the Authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal of a grant” (d) For subsection (4), substitute – “(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3)” (e) For subsection (5), substitute – “(5) For the purposes of the application of section 79 (1), in relation to an appeal made under subsection (1) (d), it shall be assumed that the authority decided to refuse the application in question”

**Section 79 (determination
Of appeals (a)**

(a) In subsections (1) and (2), substitute “the authority” for “the local planning authority”, (b) Omit subsection (3), (c) In subsection (4), substitute – (i) “substitute 70(1) and (1B) for “sections 70, 72(1) and (5), 73 and 73A and Part 1 of Schedule 5” (ii) “consent under a tree preservation order “for “ planning permission.”, and (iii) “the authority” for “the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development by virtue of section 65 or 71”, (d) Omit subsections (6) and (6A), (e) In subsection (7), omit the words after “section 78”

SCHEDULE 2 – PART II

PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990

AS ADAPTED AND MODIFIED BY PART 1

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part 1 of this Schedule, apply to consents, and applications for consent under this Order

Section 69

- 1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the Authority
- 2) The register shall contain, as regards each such order –
 - (a) details of every application under the Order and of the Authority's decision (if any) in relation to each such application, and
 - (b) a statement as to the subject-matter of every appeal under the Order and of the date and nature of the Secretary of State's determination of it
- (5) Every register kept under this section shall be available for inspection by the public at all reasonable hours

Section 70

- (1) Subject to subsections (1A) and 1(B), where an application is made to the Authority for consent under a tree preservation order –
 - (a) they may grant consent under the Order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees, or
 - (b) they may refuse consent under the order

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting)

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the Order relates and of all persons for the time being interested in it

Section 78

(1) Where the Authority –

- (a) refuse an application for consent under a tree preservation order or grant it subject to conditions,
- b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an Order or grant it subject to conditions,
- c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that Authority required by such a direction, or
- d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the Authority,

the applicant may by notice appeal to the Secretary of State

3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made, and such notice shall be served –

(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow,

(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the Authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant

(2) The applicant shall serve on the authority a copy of the notice mentioned in subsection(3)

4)For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question

Section 79

(1) On an appeal under section 78 the Secretary of State may –

- (a) allow or dismiss the appeal, or
- (b) reverse or vary any part of the decision of the Authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it has been made to him in the first instance

- (2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the Authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose

- 4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the Authority

- 5) The decision of the Secretary of State on such appeal shall be final

- (5) Schedule 6 applies to appeals under Section 78

NOTICE TO ACCOMPANY TPO

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

NOTICE UNDER REGULATION 3

THE LONDON BOROUGH OF CAMDEN TREE PRESERVATION ORDER

NUMBER C808 2008

LAND AT OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

TAKE NOTICE that the London Borough of Camden in pursuance of its powers as Local Planning Authority under Sections 198, 201, [and 300] of the above-named Act, has this day made a Tree Preservation Order in respect of

Land at **OR ADJACENT TO**

99 – 107 Bartholomew Road, London, NW5 2AR

shown on the attached map

A copy of the Order, together the map included therein, is enclosed

The grounds for making the said Order are as follows

In the interests of amenity

A certified copy of the Order and map included therein may be inspected without charge at the offices of the London Borough of Camden, Planning Reception, Environment (Planning) Department, Fifth Floor, Town Hall, Argyle Street, London WC1H 8EQ between the hours of 10 00am and 4 00pm on Mondays to Fridays

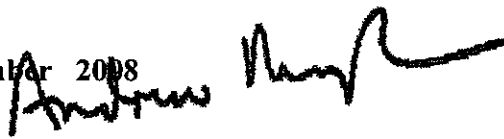
Should you wish to raise any objections or make representations with respect to the tree[s], groups of trees or woodlands which are specified in the Tree Preservation Order, they should be made in writing to the Tree Preservation Officer, Environment Department [Ref **KF/C808 2008**], London Borough of Camden, Sixth Floor, Town Hall, Argyle Street, London WC1H 8EQ, stating the grounds of objection and specifying the particular tree(s) or woodlands in respect of which it is made Any objection or representation duly made must be received by the Culture and Environment Department (Planning) of the London Borough of Camden by **25 October 2008**, and made in accordance with Regulation 4

If no objections or representations are duly made, or if any so made are withdrawn, then not less than 42 days from the date of the service of this Notice, the Order may be confirmed (without any modification) by the above authority as an unopposed Order. If objections are received in the form referred to above and not withdrawn then the Authority, having considered all such representations, may confirm the Order either with modifications or in the original form.

The Order contains a direction under Section 201 of the Town and Country Planning Act 1990 which has the effect of bringing the Order into effect forthwith for a period of six months provisionally. Within that period the Order must be confirmed or otherwise it ceases to have effect.

Dated 25 September 2008

[Signed]

A handwritten signature in black ink, appearing to read "Andrew Mack", written over the date.

[Duly Authorised Officer]

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

REGULATION NO 4

Objections and representations

4(1) Subject to paragraph (2), objections and representations –

a) shall be made in writing and –

- i) delivered to the authority not later than the date specified by them under Regulation 3(2) (c),**
- ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date,**

b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made , and

c) in the case of an objections, shall state the reasons for the objection

4(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected

**THE LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
TREE PRESERVATION ORDER NO C808 2008
LAND AT OR ADJACENT TO
99 – 107 Bartholomew Road, London, NW5 2AR**

SITE NOTICE

TAKE NOTE that on the **25 September 2008**, the London Borough of Camden issued Tree Preservation Order under Section 198 , 201 [and 300] of the Town and Country Planning Act 1990 , in respect of the trees identified on the site plan

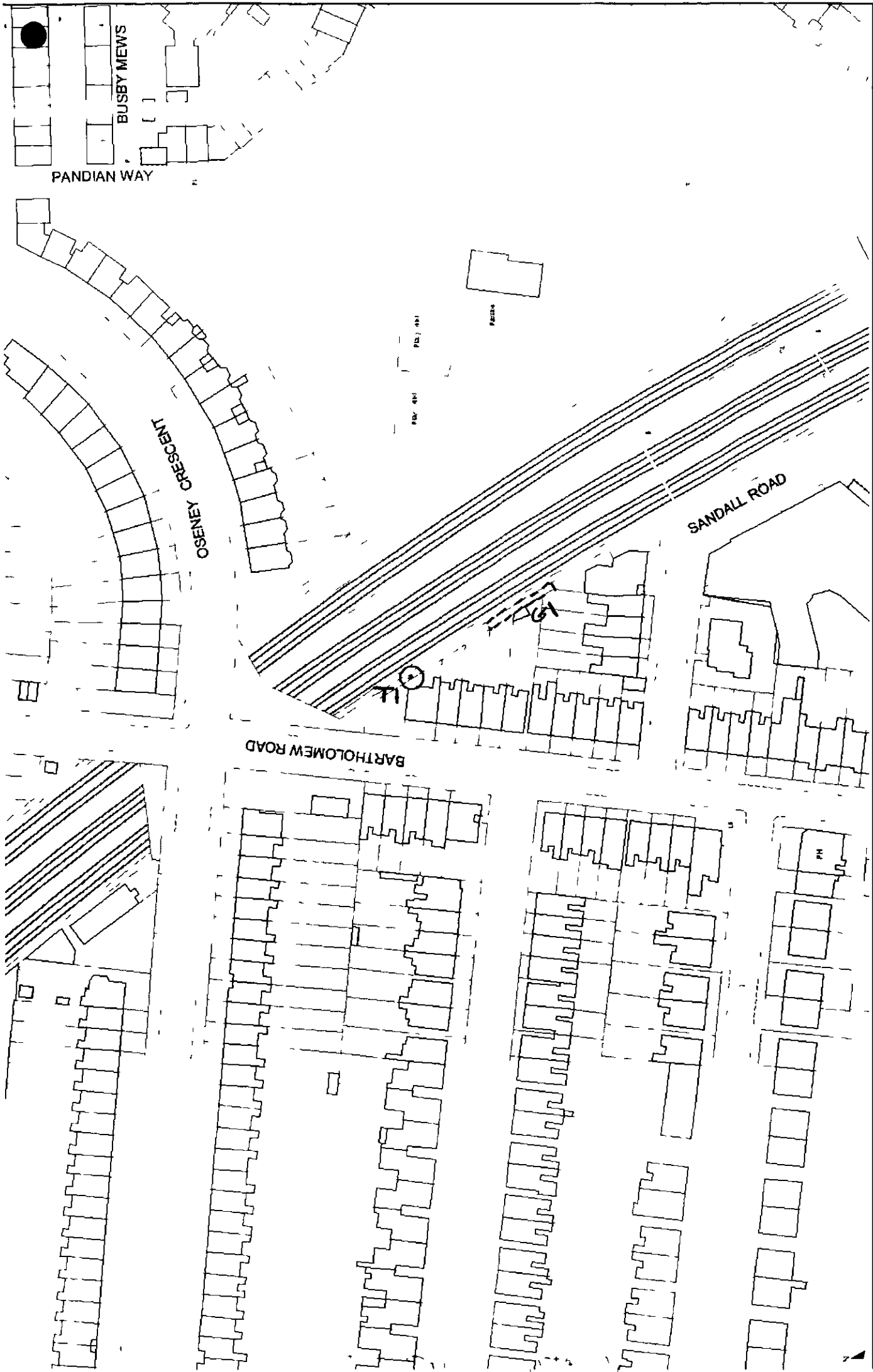
The Order contains a direction under Section 201 of the Act, the effect of which is that the Order takes immediate effect and continues in force for six months or until the date on which the Order is confirmed, whichever comes last

A certified copy of the Order and the map included therein may be inspected without charge at Reception, Environment (Planning) Department, 5th Floor, Argyle street, London WC1H 8EQ between the hours of 10 00am and 4 00om on Mondays to Fridays

Any person wishing to make an objection or representation on the making of this Order may do so under Regulation 4 of the Town and Country Planning (Trees) Regulations 999 Any objection or representation must be in writing and must state the grounds for making the objection or representation and specify the particular tree in respect of which it is made All objections and representations must be received by the **25 October 2008**

Any enquiries in connection with this Notice should be made to the Tree Preservation Officer, Culture and Environment Department (Planning)[Ref KF/C808 2008], London Borough of Camden, Fifth Floor, Town Hall, Argyle Street, London WC1 8EQ (Telephone 020 7974-5616)

Note Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it, is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000, or twice the sum which appears to the Court to be the value of the tree, whichever is the greatest, or on indictment to a fine, the penalty for any other contravention of this Order is a fine not exceeding £2,500 on summary conviction



Camden

99-107 Bartholomew Road

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Scale 1/1250

Centre = 529415 E 184776 N

Date 6/4/2009

0119024

Camden Legal Services

memo

| | |
|------------------------------|-----------------------------------|
| To LAND CHARGES Cc | From Carole Jaffe- Moses |
| Date 25 /9/ 08 | Ext 5680 |
| | Ref CLS/CLT/CJM/ 1157/ 000 |

TREE PRESERVATION ORDER

LAND AT OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

A tree Preservation Order has been issued in respect of the above property, which may be identified, from the Plan attached to it

Please record the Order on your cards as follows

“Included in the London Borough of Camden Tree Preservation Order No **C808 2008** made under the Town and Country Planning Act 1990 (as amended) Land **at or adjacent** to

~~12 St Albans Road, London, NW5, 1RD~~

99-107

I will lodge the original Order with you when (and if) it is confirmed

For the time being I enclose a copy of the Tree Preservation Order, and of the Notice of the issue of the Tree Preservation Order

NB The last day for confirming this Tree Preservation Order is **25 March 2009**
Please note that the Department of the Environment has issued guidance that in certain circumstances, a Tree Preservation Order may be confirmed past this date. In practice, I shall always endeavor to confirm any TPO before the six months expires, providing I am instructed to do so

Thanks,
Carole Jaffe-Moses

FOR THE HEAD OF LEGAL SERVICES

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY
TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
TREE PRESERVATION ORDER C808 2008
LAND AT OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

The Council, The London Borough of Camden, in exercise of the powers conferred on it by Sections 198, 201, 203 of the Town and Country Planning Act 1990 hereby make the following Order -

Citation

1 This Order may be cited as TPO C808 2008

Interpretation

2 In this Order “the Authority” means “The London Borough of Camden” and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990

Application of Section 201

3 The Authority hereby directs that Section 201 [provisional tree preservation orders] shall apply to this Order and, accordingly, this Order shall take effect provisionally on 25 September 2008

Prohibited Acts in Relation to Trees

4 Without Prejudice to subsections (6) and (7) of Section 198 [power to make tree preservation orders] or subsection (1) of Section 200 [orders affecting land where Forestry Commissioners interested], and subject to Article 5, no person shall –

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy, or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the Authority and, where such consent is given subject to conditions, in accordance with those conditions

Subsection (6) of Section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping of trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section makes section 198 subject to section 39(2) of the Housing and Planning Act 1986 and section 15 of the Forestry Act 1967

Exemptions

5 (1) Nothing in Article 4 shall prevent –

- (a) the cutting down, topping, lopping, or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary –
 - (i) in the interests of the safe operation of the undertaking,
 - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker, or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995,
- (aa) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15 (1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes),
- (ab) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes,
- (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade,
- (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for production of fruit,
- (d) The cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a) (iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995, granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise),
- (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995,
- (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where the tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose “drainage body” and “drainage” have the same meanings as in the Land Drainage Act 1991, or

g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989

(2) In paragraph (1), “statutory undertaker” means any of the following –
a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier, or lighthouse undertaking, or any undertaking for the supply of hydraulic power,

a relevant airport operator (within the meaning of Part V of the Airports Act 1986),

the holder of a licence under Section 6 of the Electricity Act 1989,

a public gas transporter,

the holder of a licence under Section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,

a water or sewerage undertaker,

the Civil Aviation Authority or a body acting on behalf of that Authority,

the Post Office

Applications for Consent under the Order

6 An application for consent to the cutting down, topping, lopping, or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the Authority and shall –

(a) identify the tree or trees to which it relates (if necessary, by reference to a plan),

(b) specify the work for which consent is sought, and

(c) contain a statement of the applicant’s reasons for making the application

Application of Provisions of the Town and Country Planning Act 1990

7 – (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions, and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2)

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule

Directions as to Replanting

- 8 – (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the Authority may give to the owner of the land on which that part is situated (“the relevant land”) a direction in writing specifying the manner in which and the time within which he shall replant the relevant land
- (2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction
- (3) A direction under paragraph (1) may include requirements as to –
- (a) species ,
 - (b) number of trees per hectare,
 - (c) the preparation of the relevant land prior to the replanting, and
 - (d) The erection of fencing necessary for the protection of the newly planted trees

Compensation

- 9 (1) If, on a claim under this Article, a person establishes that loss or damage has been caused or incurred in consequence of –
- (a) the refusal of any consent required under this Order, or
 - (b) the grant of any such consent subject to conditions,
- he shall, subject to paragraphs (3) and (4), be entitled to compensation from the Authority
- (2) No claim, other than a claim made under paragraph (3), may be made under this Article –
- (a) if more than 12 months have elapsed since the date of the Authority’s decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal, or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500
- (3) Where the Authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, it shall not be required to pay compensation to any person other than the owner of the land, and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal
- (4) In any other case, no compensation shall be payable to a person –

- (a) for loss of development value or other diminution in the value of the land,
- (b) for loss or damage which, having regard to the statement of reasons submitted in accordance with Article 6c and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions,
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent, or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions
- (5) Subsections (3) to (5) of Section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under Section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the Authority
- (6) In this Article –
- “development value” means an increase in value attributable to the prospect of development, and, in relation to any land, the development of it shall include the clearing of it, and
- “owner” has the meaning given to it by Section 34 of the Forestry Act 1967

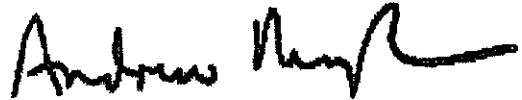
Application to Trees to be Planted Pursuant to a Condition

10 In relation to the tree(s) identified in the first column of Schedule 1 by the letter "C", being [a tree] [trees] to be planted pursuant to a condition (being a condition imposed under paragraph (a) of Section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when [that tree is planted] [those trees are planted]

Orders made by Virtue of Section 300

11 This Order takes effect in accordance with subsection (3) of Section 300 (tree preservation orders in anticipation of disposal of Crown Land)

Signed on behalf of
MAYOR AND BURGESSES OF THE
LONDON BOROUGH OF CAMDEN
THIS 25 September 2008



[Authorised by the Council to sign on that behalf]

The London Borough of Camden
in exercise of the powers conferred
upon them in that behalf by Section
198 of the Town and Country Planning
Act 1990, hereby confirm/ do not confirm, with/without
any Modification, the foregoing Order

Signed on behalf of the
MAYOR AND BURGESS OF THE
LONDON BOROUGH OF CAMDEN
This Day of 2008

• [Authorised by the Council to sign on that behalf]

Dated **25 September 2008**

TOWN AND COUNTRY
PLANNING ACT 1990

TOWN AND COUNTRY
PLANNING (TREES)
REGULATIONS

TPO C808 2008

TREE PRESERVATION ORDER
RELATING TO LAND AT
OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

ANDREW MAUGHAN
HEAD OF LEGAL SERVICES
LONDON BOROUGH OF CAMDEN
TOWN HALL,
JUDD STREET
LONDON WC1H 9LP

[CLS/CLT/CJM/ C808 2008]

7

**SCHEDULE 1
SPECIFICATION OF TREES**

Trees Specified Individually
[encircled in black on the map]

| <u>Reference Number</u> | <u>Description</u> | <u>Situation</u> |
|-------------------------|--------------------|------------------|
|-------------------------|--------------------|------------------|

Specified by Reference to an Area
[within a dotted black line on the map]

| <u>Reference Number on</u> | <u>Description</u> | <u>Situation</u> |
|----------------------------|--------------------|------------------|
|----------------------------|--------------------|------------------|

The Map

None

Groups of Trees
[within broken line on the map]

| <u>Reference number</u> | <u>Description</u> | <u>Situation</u> |
|-------------------------|--------------------|------------------|
|-------------------------|--------------------|------------------|

On the Map

None

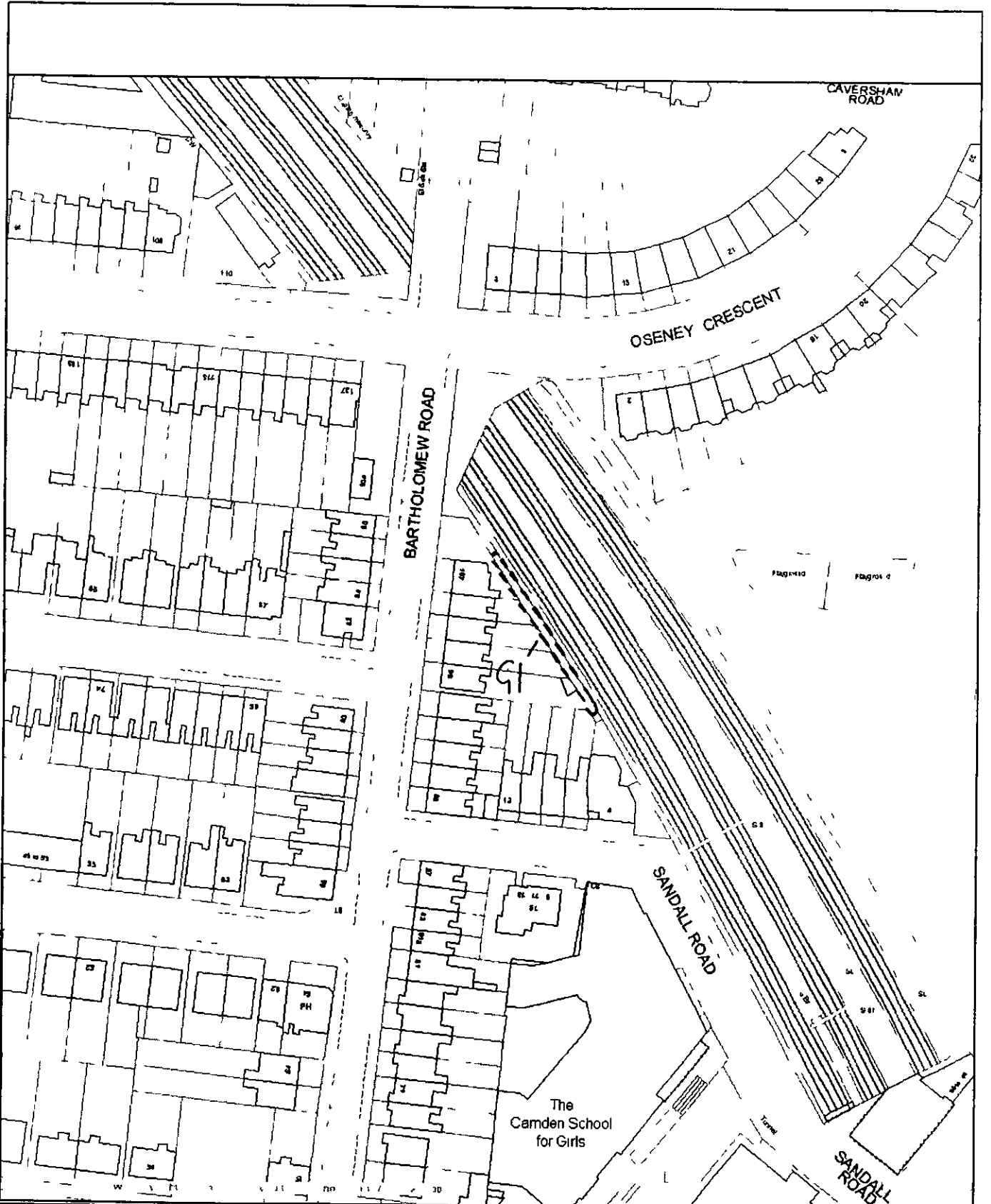
| | | |
|----|--------------------|---|
| G1 | 6 x Sycamore Trees | Situated on a strip of land between rear gardens belonging to 99 – 107 Bartholomew Road, London , NW5 2AR and the railway |
|----|--------------------|---|

Woodlands
[within continuous black line on the map]

| <u>Reference number</u> | <u>Description</u> | <u>Situation</u> |
|-------------------------|--------------------|------------------|
|-------------------------|--------------------|------------------|

On the Map

None



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Licence number 100019726 Year 2008

Scale 1/1250 Date 24/9/2008

Centre = 529416 E 184764 N

Andrew Hunt

99-107 Bartholomew Road, London NW5 2AR

**SCHEDULE 2
PART 1**

[Provisions of the Town and Country Planning Act 1990 applied
with adaptations and modifications]

**Provision of the Town and
County Planning Act 1990**

Adaptation or Modification

Section 69 (registers)

(a) In subsection (1)

(i) Omit "in such manner as may be prescribed by a development order", "such" in the second place where it appears, and "as may be so prescribed", and

(ii) substitute "matters relevant to tree preservation orders made by the Authority" for "applications for planning permission"

(a) In subsection (2) (i) after "contain" insert "as regards each such order", and

(ii) for paragraphs (a) and (b) substitute –

"(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and

(b) a statement as to the subject matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it" (c) Omit subsections (3) and (4) (as required by section 198(4))"

**Section 70 (determination
Of applications general
Considerations)**

(a) In subsection (1) (i) substitute – "Subject to subsections (1A) and (1B) where "for where", "the authority" for "a local planning authority" "consent under a tree preservation order" for "planning permission" where those words first appear, and "consent under the order" for "planning permissions" in both of the other places where those words appear, (ii) after "think fit", insert -- "including conditions limiting the duration of the consent or requiring the replacement of trees", and (iii) omit "subject to Sections 91 and 92," (b) After subsection (1) insert – "(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting)" (c) Omit subsections (2) and (3)

Provision of the Town and Country Planning Act 1990

Adaptation or Modification

Section 75 (effect of planning permission)

(a) In subsection (1) substitute – (i) “Any” for the words from “Without” to “any”, (ii) “consent under a tree preservation order” for “planning permission to develop land”, (iii) “the consent” for “the permission”, and (iv) “the land to which the order relates” for “the land” (b) Omit subsections (2) and (3)

Section 78 (right to appeal Against planning decisions And failure to take such Decisions,

(a) In subsection (1) substitute – (i) “the authority” for “a local planning authority”, (ii) “consent under a tree preservation order” for “planning permission” in the first place where these words appear, (iii) “consent under such an order” for “planning permission” in the second place where these words appear, (iv) for paragraph (c) substitute – “(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction, or (d) fail to determine any such applications as it referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority ”, (b) Omit subsection (2) (c) In subsection (3) for “served within such time and in such manner as may be prescribed by a development order,”, substitute – “in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made, and such notice shall be served – (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the Authority’s decision or direction or within such longer period as the Secretary of State may allow, (b) in respect of such a failure as it mentioned in that paragraph, but if the Authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal of a grant ” (d) For subsection (4), substitute – “(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3) ” (e) For subsection (5), substitute – “(5) For the purposes of the application of section 79 (1), in relation to an appeal made under subsection (1) (d), it shall be assumed that the authority decided to refuse the application in question ”

Section 79 (determination Of appeals (a)

(a) In subsections (1) and 2), substitute “the authority” for “the local planning authority”, (b) Omit subsection (3), (c) In subsection (4), substitute – (i) “substitute 70(1) and (1B) for “sections 70, 72(1) and (5), 73 and 73A and Part 1 of Schedule 5 ” (ii) “consent under a tree preservation order “for “ planning permission ”, and (iii) “the authority” for “the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development by virtue of section 65 or 71 ”, (d) Omit subsections (6) and (6A), (e) In subsection (7), omit the words after “section 78”

SCHEDULE 2 – PART II

PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990

AS ADAPTED AND MODIFIED BY PART 1

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part 1 of this Schedule, apply to consents, and applications for consent under this Order

Section 69

- 1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the Authority
- 2) The register shall contain, as regards each such order –
 - (a) details of every application under the Order and of the Authority's decision (if any) in relation to each such application, and
 - (b) a statement as to the subject-matter of every appeal under the Order and of the date and nature of the Secretary of State's determination of it
- (5) Every register kept under this section shall be available for inspection by the public at all reasonable hours

Section 70

- (1) Subject to subsections (1A) and 1(B), where an application is made to the Authority for consent under a tree preservation order –
 - (a) they may grant consent under the Order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees, or
 - (b) they may refuse consent under the order

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting)

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the Order relates and of all persons for the time being interested in it

Section 78

(1) Where the Authority –

- (a) refuse an application for consent under a tree preservation order or grant it subject to conditions,
- b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an Order or grant it subject to conditions,
- c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that Authority required by such a direction, or
- d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the Authority,

the applicant may by notice appeal to the Secretary of State

3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made, and such notice shall be served –

(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow,

(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the Authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant

(2) The applicant shall serve on the authority a copy of the notice mentioned in subsection(3)

4)For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question

Section 79

(1) On an appeal under section 78 the Secretary of State may –

(a) allow or dismiss the appeal, or

(b) reverse or vary any part of the decision of the Authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it has been made to him in the first instance

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the Authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose

4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the Authority

5) The decision of the Secretary of State on such appeal shall be final

(5) Schedule 6 applies to appeals under Section 78

NOTICE TO ACCOMPANY TPO

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

NOTICE UNDER REGULATION 3

THE LONDON BOROUGH OF CAMDEN TREE PRESERVATION ORDER

NUMBER C808 2008

LAND AT OR ADJACENT TO

99 – 107 Bartholomew Road, London, NW5 2AR

TAKE NOTICE that the London Borough of Camden in pursuance of its powers as Local Planning Authority under Sections 198, 201, [and 300] of the above-named Act, has this day made a Tree Preservation Order in respect of

Land at **OR ADJACENT TO**

99 – 107 Bartholomew Road, London, NW5 2AR

shown on the attached map

A copy of the Order, together the map included therein, is enclosed

The grounds for making the said Order are as follows

In the interests of amenity

A certified copy of the Order and map included therein may be inspected without charge at the offices of the London Borough of Camden, Planning Reception, Environment (Planning) Department, Fifth Floor, Town Hall, Argyle Street, London WC1H 8EQ between the hours of 10 00am and 4 00pm on Mondays to Fridays

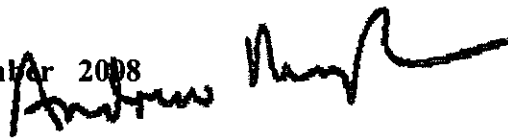
Should you wish to raise any objections or make representations with respect to the tree[s], groups of trees or woodlands which are specified in the Tree Preservation Order, they should be made in writing to the Tree Preservation Officer, Environment Department [Ref **KF/C808 2008**], London Borough of Camden, Sixth Floor, Town Hall, Argyle Street, London WC1H 8EQ, stating the grounds of objection and specifying the particular tree(s) or woodlands in respect of which it is made Any objection or representation duly made must be received by the Culture and Environment Department (Planning) of the London Borough of Camden by **25 October 2008**, and made in accordance with Regulation 4

If no objections or representations are duly made, or if any so made are withdrawn, then not less than 42 days from the date of the service of this Notice, the Order may be confirmed (without any modification) by the above authority as an unopposed Order. If objections are received in the form referred to above and not withdrawn then the Authority, having considered all such representations, may confirm the Order either with modifications or in the original form.

The Order contains a direction under Section 201 of the Town and Country Planning Act 1990 which has the effect of bringing the Order into effect forthwith for a period of six months provisionally. Within that period the Order must be confirmed or otherwise it ceases to have effect.

Dated 25 September 2008

[Signed]

A handwritten signature in black ink, appearing to read "Andrew Hunt", written over the date.

[Duly Authorised Officer]

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

REGULATION NO 4

Objections and representations

4(1) Subject to paragraph (2), objections and representations –

a) shall be made in writing and –

- i) delivered to the authority not later than the date specified by them under Regulation 3(2) (c),**
- ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date,**

b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made , and

c) in the case of an objections, shall state the reasons for the objection

4(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected

**THE LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
TREE PRESERVATION ORDER NO C808 2008
LAND AT OR ADJACENT TO
99 – 107 Bartholomew Road, London, NW5 2AR**

SITE NOTICE

TAKE NOTE that on the **25 September 2008**, the London Borough of Camden issued Tree Preservation Order under Section 198 , 201 [and 300] of the Town and Country Planning Act 1990 , in respect of the trees identified on the site plan

The Order contains a direction under Section 201 of the Act, the effect of which is that the Order takes immediate effect and continues in force for six months or until the date on which the Order is confirmed, whichever comes last

A certified copy of the Order and the map included therein may be inspected without charge at Reception, Environment (Planning) Department, 5th Floor, Argyle street, London WC1H 8EQ between the hours of 10 00am and 4 00om on Mondays to Fridays

Any person wishing to make an objection or representation on the making of this Order may do so under Regulation 4 of the Town and Country Planning (Trees) Regulations 999 Any objection or representation must be in writing and must state the grounds for making the objection or representation and specify the particular tree in respect of which it is made All objections and representations must be received by the **25 October 2008**

Any enquiries in connection with this Notice should be made to the Tree Preservation Officer, Culture and Environment Department (Planning)[Ref KF/C808 2008], London Borough of Camden, Fifth Floor, Town Hall, Argyle Street, London WC1 8EQ (Telephone 020 7974-5616)

Note Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it, is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000, or twice the sum which appears to the Court to be the value of the tree, whichever is the greatest, or on indictment to a fine, the penalty for any other contravention of this Order is a fine not exceeding £2,500 on summary conviction