

# The Fitzroy Park Residents' Association

*Please reply to:* Dancers End  
Fitzroy Park  
Highgate  
London  
N6 6HT

Mr Gary Bakall  
Principal Planning Officer  
Planning & Environment  
5 Pancras Square  
LONDON  
N1C 4AG

Dear Mr Bakall

RE: 2017/2987/T – TPO C780 – OBJECTION TO FELL

I was given your name this afternoon as a primary point of contact by a member of your team as a Tree Officer has yet to be assigned to assess this concerning case.

My interest in this Application is as Chair of the Fitzroy Park Residents' Association and our concern has been triggered by the recent application of a Resident to fell TPO C780 2007 "at the earliest opportunity."

As the detailed planning history below shows, this tree has been the subject of numerous attempts to remove it to facilitate on-going development of the property. As far back as 2012 the current owner stated that this flowering cherry compromised the production of a landscaping scheme for the frontage and last week confirmed to me his intention was to replace it with a much smaller and less imposing specimen once it had been removed.

Furthermore, Simon Jones Associates have repeatedly stated that they do not consider that this tree makes a major contribution to the character and appearance of Fitzroy Close or of the Highgate Conservation Area.

This opinion in contrary to that held by Alex Hutson, the Tree Officer for Camden who handled all three previous attempts to have it felled. His opinion was upheld on Appeal in 2013 by the Planning Inspectorate. Dr Biddle OBE stated that TPO C780 makes a positive contribution to the tree scape of Fitzroy Close and the local character of the Highgate Conservation Area and refused the Appeal to fell.

Dr Biddle also acknowledged that TPO C780 showed some signs of stress and recommended appropriate remedial treatment is sought to alleviate these symptoms. However, since 2013, the property has been subject to a substantial 3-year renovation project and during this entire time no attempts to protect TPO C780 from construction impacts have been

noted. Nor has there been any evidence that this Applicant has adopted a programme designed to provide remedial treatment to support its full recovery.

Simon Jones Associates has now designated TPO C780 as DDD, posing a risk of serious harm to both pedestrians and vehicles. They have also discarding pruning as an option.

To summarise.

- For the past 10 years it has been the view of the Council, supported by the Planning Inspectorate, that TPO C780 makes a significant contribution to the tree scape of Fitzroy Close and the local character of the Highgate Conservation Area.
- For the past 5 years the current owner has made several attempts to have it felled to facilitate development on site. Despite recommendations by the Planning Inspectorate to provide remedial treatment to alleviate stress to TPO C780, this was not done, nor was the tree provided with any protection during extensive 3-year construction works proximate to it.
- It is also noted that Beech Trees Nos 14, 13, 12, 11, 10 & 9 (as per Simon Jones Associates Tree Plan) have not been protected from scaffolding in their canopy for many, many months and it is therefore possible that crown reduction may be necessary once works are completed.

**It is for these reasons that FPRA wishes to object stongly to this Application to fell TPO C780.** We accept the tree is showing signs of stress but feel a more appropriate remedy would be to undertake a crown reduction and an intensive programme of remedial treatment to save it. We would add that even if it were to die thereafter, it would provide a valuable habitat that would support species diversity in the Borough and should therefore be retained.

I would be grateful if you could please acknowledge receipt of this email/letter and have the assigned Tree Officer contact me as a matter of some urgency.

Thank you in anticipation  
Your sincerely



Karen Beare  
Chair – Fitzroy Park Residents Association



CC – Nick Bell, Camden Tree Officer  
CC – Harley Atkinson, Treasurer FPRA

1. **October 2007**  
**2007/4819/T**

Applicant: Glynn Manson

Application to fell two cherry trees to the front and side of the property was refused and TPO C728 2007 was placed on them on 8 August 2008.

2. **December 2011**  
**2011/6346/T – TPO C728**

Applicant: James Light

Agent: Simon Jones Associates

Tree Officer: Alex Hutson

Application to fell flowering Cherry tree to side of property between 1 & 2 Fitzroy Close. Simon Jones Associates reported sparse foliage, with die back rendering it moribund, possibly because of limited root development due to adjacent brick retaining walls.

**Decision: Permission is granted, conditional** on a Prunus avium (Wild Cherry) be planted as a heavy standard with a girth size of 12-14cm as close to where the dead Cherry stood no later than end of March 2012.

3. **October 2012**  
**2012/4972/T – TPO C728**

Applicant: James Light

Agent: Simon Jones Associates

Tree Officer: Alex Hutson

Application to fell remaining 6.5m flowering Cherry tree to front of property **to facilitate ongoing development of the property by the Applicant which he considered compromised the production of a landscaping scheme for the frontage.** Simon Jones Associates supported the case for felling because his opinion is as an ornamental specimen the TPO Cherry does not make a major contribution to the character of appearance of Fitzroy Close or of the Conservation Area and furthermore could pose a risk of subsidence.

**Decision: Permission is refused.** The remaining Cherry was found to be in reasonable health with a useful life expectancy, providing a decent level of visual amenity within the streetscape as part of the Highgate Conservation Area preserving the character of this part of the Conservation Area.

It was also noted that the felled Cherry had not yet been replaced and failure to do so may result in a Tree Replacement Notice being served.

4. **February 2013**

**2013/0327/T – APPEAL**

Applicant: James Light  
Agent: Simon Jones Associates  
Tree Officer: Alex Hutson

Application made to the Planning Inspectorate.

**Decision: Appeal is dismissed** by Dr P G Biddle OBE.

Main Issues: Positive contribution of the tree to the tree scape of Fitzroy Close and local character of the Conservation Area and the condition of the tree. Specifically, compared to the north side of the Close that features a small hawthorn and Himalayan birch, the remaining cherry is the only mature specimen on the south side of the Close. It is prominent and provides an important component to the tree scape of the Close enhancing the Conservation area.

Furthermore, it is recommended that **appropriate remedial treatment is sought to alleviate signs of stress in the tree to maintain it** until the *Prunus* planted as a replacement for T1 has had time to establish and contribute to the tree scape.

5. **May 2017**

**2017/2987/T – TPO C728**

Applicant: James Light  
Agent: Simon Jones Associates  
Tree Officer: Yet to be assigned

Application to fell Cherry as DDD.

Simon Jones Associates Tree schedule describes Cherry (T22) as having moderate health (ie: no meaningful change since 2012) and re-states that it has a “low landscape value” directly contradicting the findings of Planning Inspectorate.

Simon Jones Associates May 2017 letter states this tree now poses a risk of serious harm to both pedestrians and vehicles. Pruning has been discarded as an option as it is the opinion of SJA that its contribution as a natural habitat will be minimal and visual amenity to the tree scape of the Conservation Area will be lost. The Applicant is therefore arranging for the tree to be felled and removed at the earliest opportunity.