



The Planning Inspectorate

3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5470
Customer Services: 0303 444 5000

e-mail: environment.appeals@pins.gsi.gov.uk

Tree Allocation
Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
London, WC1H 9JE
planning@camden.gov.uk

Your Ref: 2018/2458/T
Our Ref: APP/TPO/X5210/6946
Date: 12 September 2018

Dear Sir/Madam

**THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012, SI No. 605
APPLICATION TO CARRY OUT WORK ON PROTECTED TREES
APPELLANT: Mr Lance Rivington c/o Buta Ltd
SITE AT: 27 Buckland Crescent, London NW3 5DH**

We have received the above-cited appeal against your decision on an application to carry out work on a tree protected by a tree preservation order. The appellant will have sent a copy of the notice of appeal to you.

I am the case officer for the appeal and can be reached using the telephone number, email address and postal address at the top of this letter. When contacting me please quote the above reference.

You will note that the appellant has opted for the fast track procedure. We will assume that your Council is happy to proceed via the fast track procedure **unless** you indicate otherwise.

Please carefully read through the questionnaire found at the end of this letter and then complete the form and return it to me, together with copies of the documents cited on it, as soon as possible, preferably **within 2 weeks** of this letter. Please ensure that you send a copy of the completed questionnaire and associated documents to the appellant or their agent. If you have reason to believe that the appeal is invalid e.g. it has been submitted out of time or the appellant is not the person who made the application, ignore the questionnaire and simply provide the relevant information bringing your observations to our attention.

If the appellant has not seen any particular associated document that you provide with the questionnaire (such as an officer's report which may have informed your decision) then they will be given an opportunity to comment on it if they so wish.

Under the fast-track procedure we **cannot** accept any new reports or comments prepared after the decision was issued. Inspectors are only able to consider the information provided with the original application and that which informed your decision. This means councils have no right of reply to the matters raised on appeal.

Alternatively, if your Council wishes to be heard please let me know by email to the address above and we will send you a copy of the hearing questionnaire.

Once I have received the questionnaire and associated documents I will undertake a final validation of the file. On receipt of the completed questionnaire and associated documents I will check the file for completeness. If everything is in order and an accompanied site visit is required, we will contact you and the appellant, and where appropriate, the owner of the tree(s) to give notice of the Inspector's site visit.

If you are able to resolve this dispute with the appellant at any time during the appeal process before the site visit, please let me know. This would enable the withdrawal of the appeal and a consequent saving of time and public resources.

Finally, information on the awards of costs, which is applicable to appeals proceeding by way of a hearing, inquiry and the fast-track procedure, may be accessed through the Government's "*Planning Practice Guidance*" website:

<http://planningguidance.communities.gov.uk/blog/guidance/appeals/the-award-of-costs-general/>

This guidance is also being brought to the attention of the appellant.

Yours sincerely

Gemma Palmer
Environment Appeals Team

THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012, SI No. 605

TREE PRESERVATION ORDER APPEAL QUESTIONNAIRE

This appeal is being processed under the Fast Track regulations. Please complete this questionnaire and aim to return it to the Planning Inspectorate by 14 days from today. Please send a copy of this form to the Appellant/Appellant's Agent.

1. Details of the Appeal

Appellant's name and address:	Mr Lance Rivington c/o Buta Ltd, 57A Belsize Park Gardens, London NW3 4JN lancerivington@buta.co.uk
Agent's name and address:	
Details of appeal:	Refusal of consent to fell a Sycamore tree
Pins reference:	APP/TPO/X5210/6946

2. Background information

	Yes	No
(a) Is the appeal tree/ are the appeal trees located in a Conservation Area?	x	
(b) Is the appeal site subject to a separate live planning application or appeal to the Secretary of State?		x

If yes, please provide the name of the conservation area or your reference for the planning application: Belsize Park Conservation Area

(c) Is the site readily accessible for close inspection from public land, a public footpath, the roadside or is/are the tree(s) in a front garden?	x	
--	----------	--

Copies of the following are enclosed:

Item	Yes	No	Already submitted
(d) The application for consent including all enclosures	x		
(e) Your decision on the application	x		
(f) The tree preservation order (TPO)	x		
(g) A plan/map showing the location of the relevant TPO tree(s)			
(h) Evidence that the order was confirmed <i>This is a mandatory requirement. If the TPO has not yet been confirmed, you should advise us of the anticipated date of confirmation. We cannot proceed with the case until the TPO is confirmed. If you are unable to supply evidence that the TPO was confirmed, it is likely that we will decide that the appeal is invalid and the tree not protected.</i>	x	Not applicable	
(i) An up-to-date A4 plan of the area showing the appeal site, tree(s) near the centre and major roads at 1:1250 or 1:1000 scale or similar	x		

(j) A designated plan of the Conservation Area showing the site marked (if applicable)	x		
(k) The council officers or committee's report on the application (if any)	x		
(l) Third party representations	x		

3. Conditions

It is important that you set out any conditions you would like the Inspector to impose if allowing the appeal in part or in full, particularly with regard to replanting if the appellant is seeking consent to fell.

Within the first available planting season following the completion of works, a silver birch tree (*Betula pendula*) shall be planted as a extra heavy standard with a girth size of 14-16cm, within 5m of the removed tree unless otherwise agreed in writing by the local authority. Evidence of this shall be submitted to the council. The planting process should take into account the standards set out in BS8545:2014. Should the tree become severely damaged, diseased or dead within 5 years of planting it shall be replaced by trees of a the same size and species as that originally required to be plant.

Reason: In order to ensure the character and apperance of the conservation area is conserved in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan June 2017.

4. Copy to appellant

Please tick this box to confirm **a copy of this questionnaire and background papers** have been sent to the appellant ☒

Name:	Nick Bell	Date:	25/09/2018
Signature:	N Bell	Tel:	0207 9745939

