

Appendix (i)

Stanmore Christian Housing Association Ltd

Chairman - Barry R. Ingate FCA
Secretary - Pam Hewitt Tel: 01923 447288
Assistant Secretary - Lynette Cooper Tel: 020 8386 8561

'Paxfold'
48 Elizabeth Gardens
Stanmore
Middlesex
HA7 4UG

Director of Legal Services,
P.O. Box 2,
Civic centre,
Harrow,
Middlesex,
HA1 2UH.
Ref: L.P/CML/TPO-13708

~~STANMORE COUNCIL~~
~~Legal Services Department~~

22.11.2005

Received in Room 13

26th March 2006.

Dear Sir,

Re: Tree Preservation Order No 853, Du Cros Drive

We refer to your letter of 13th March and our subsequent telephone conversation with your Mr Ball from which we understand that this order is being made as a result of the damage caused from the building works being carried out at St William of York Church, Du Cros Drive.

We would firstly wish to point out that the area of land marked W1 does not all belong to St William of York as part of that plot was sold to Stanmore Christian Housing Association in April 2004 (See attached drawing). We are therefore very concerned that as a result of this order, we will be unable to develop this area as Extra Care Housing, which we are intending to do in conjunction with the London Borough of Harrow, subject to normal planning approvals. We are a very small voluntary run organisation and it has taken us many years to be able to negotiate the purchase of this land and to raise the necessary finance of some £480,000. If such an order does prevent us developing the site and thus reducing the value of this land, we could find that our bankers might wish to call in their loan, thus placing our existing sheltered housing tenants at great risk.

In addition, under the terms of our purchase from St William of York, we have a Right of Access from their car park through the woodland to our site, where we would need to build an access roadway to the development, which would necessitate the removal of some trees and bushes. The ability to do this is essential for any development on the site to enable access for emergency vehicles as well as future residents.

We are also obliged under the terms of our purchase to fence this particular area of land and to do this we need to level parts of the ground, which may mean the removal of some trees, none of which, in our opinion have any particular merit.

We are ourselves very anxious to preserve this woodland area as much as possible and any development would include appropriate and sensitive landscaping. Over the past years this site has become a dumping area for rubbish both from the houses that adjoin the site as well as other fly tippers. It would surely be better to allow the area to be sympathetically developed with new trees, rather than keep the rather overgrown state that exists at present, where some trees are dead or nearly dead and could be a danger.

Danger
or
We apparently have
issue for postfold

We would therefore ask you to reconsider your order, at least in respect of this small parcel of land, and would suggest that a meeting on site might be helpful so that you can see precisely the situation and we can look at any particular areas of concern that you might have.

Yours faithfully,


B. R. Ingate

Registered Office: As above. Registered with the Housing Corporation on 1.1.807
and as an Industrial and Provident Society with charitable status no. 21502R
Founder Chairman Rev. D. J. Cleveland MBE

Scheduled as 'Open Space'



Mr BR Ingate
Stanmore Christian Housing Association
Paxfold
48 Elizabeth Gardens
Stanmore HA7 4UG

Urban Living

29th March 2006

Dear Mr Ingate

**Tree Preservation Order (TPO) No. 853 - Du Cros Drive (No. 1) Stanmore
Woodland adjacent to St William of York Church**

I write further to your letter dated 26th March 2006 regarding your objection to the above.

Firstly, Tree Preservation Orders (TPO) cannot be used to stop development but can be used to protect trees from the threat of development. As such, within the planning system, TPOs are a material consideration to be considered, alongside many other issues, when assessing planning applications.

In regard to the above site, TPO No. 853 was placed on the woodland pending a development proposal and the existing tree damage that was sustained during the construction of the Church Hall. This TPO now ensures that, with any future development on site, the Council can (a) influence the construction type and activity that may impact on woodland trees and (b) better secure their replacement should any be scheduled for removal for any approved development.

I note your points on the Right of Access, level changes and landscaping and would be happy to discuss these with you on site.

My direct line, should you wish to make an appointment, is 0208 736 6092.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Russell Ball".

Russell Ball
Arboricultural Officer



2003-2004
Tackling Homelessness

Harrow Council, Planning Dept, PO Box 37, Civic Centre,
Station Road Harrow HA1 2UY
Switchboard 020 8863 5611 email info@harrow.gov.uk web www.harrow.gov.uk

Appendix (ii)

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48 Elizabeth Gardens
Stanmore
Middlesex
HA7 4UG

Russell Ball
Arboricultural Officer
P.O. Box 37,
Civic centre,
Station Road
Harrow,
HA1 2UY.

24th April 2006.

Dear Russell,

Re: Tree Preservation Order No 853, Du Cros Drive

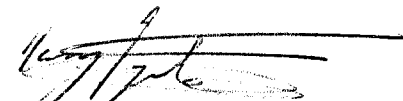
Thank you for your letter of 29th March and meeting with Mr Cooper and myself on 20th April. This has helped to clarify the position with regard to the Tree Preservation Order and although we are disappointed that the Order will be given permanent status, we understand the reasons and are ourselves anxious to ensure that the area maintains it's rural atmosphere. In the case of any future development, we have already stated that we would be quite willing to replant trees to replace any that would inevitably need to be removed and to sympathetically landscape the area.

In the meantime, we will consult with our partners and fencing contractor in order to put forward proposals as to what levelling works may be necessary in order to erect fencing around our site, which we are required to do in accordance with our purchase of the site from St William of York Church. As explained, we are equally anxious to secure the site in order to reduce any risk of intruders into our sheltered housing scheme and the vulnerable adults who live there. As also discussed, we agree that it would be advantageous to have the access road to our site in the area close to the new hall rather than where it had originally been anticipated under the terms of our purchase from St William of York. This would avoid destroying a number of trees and could add an element of security. It might however cause some problems within the Church car park design and would have to be agreed to by the Church and Diocese of Westminster.

Finally, we understand that if any trees on the site present a risk to our present buildings in respect of causing damage to drainage or possible subsidence, there would be no difficulty in obtaining approval to remove such trees, subject to satisfactory proof.

Please let us know if you have any further comments, following your visit to the site. Otherwise we shall write to you when we are in a position to have some firm proposals regarding the fence.

Yours sincerely,


B. R. Ingate

*consideration would be given
likely to be favourable*

LONDON BOROUGH OF HARROW URBAN LIVING PLANNING SERVICES 25 APR 2006 PASSED TO:	GM
	DO
	FR
	IP



Urban Living

Mr B.R. Ingate
Chairman: Stanmore Christian Housing Assoc. Ltd.
Paxfold
48 Elizabeth Gardens Stanmore
HA7 4UG

2nd May 2006

Dear Mr Ingate

Tree Preservation Order No. 853 – Du Cros Drive (No. 1) Stanmore

I write further to your letter dated 24th March 2006 and our site visit of 20th April 2006. I am pleased that the meeting helped to clarify the position regarding the TPO and that you understand the reasons for placing the Order on the woodland.

I can confirm that any tree removal and replacement would need to be considered within the context of a formal planning application and any landscape proposals that you submit. This would also apply to the location of the access road. Leading on from this point, I pleased to learn of your intention to submit proposals for levelling works so an assessment can be made on the possible impact on the protected trees.

I can also confirm that in order to determine applications to remove trees within the woodland that are implicated in damaging your buildings or drains, then we would require the submission of a Structural Engineer's report.

Lastly, in regard to my opening paragraph, do you intend to withdraw your objection on the above TPO? If this is your intention then I thank you in advance and would kindly request that you put this in writing for our files.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Russell Ball'.

Russell Ball
Planning Arboricultural Officer

cc Charlotte Lee (Legal Services: Harrow Council)



2003-2004
Tackling Homelessness

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Russell Ball
Arboricultural Officer
P.O. Box 37,
Civic centre,
Station Road
Harrow,
HA1 2UY.

18th May 2006.

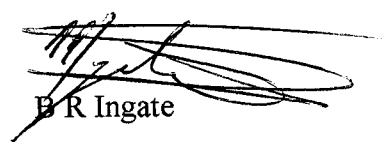
Dear Russell,

Re: Tree Preservation Order No 853, Du Cros Drive

Thank you for your letter of 2nd may 2006 and the information contained therein.

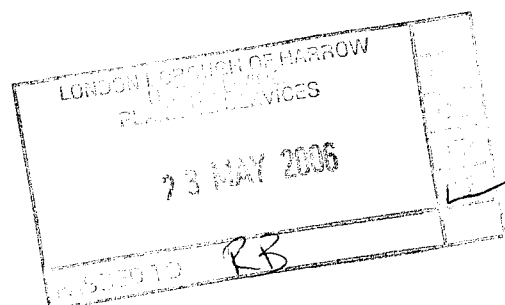
Although we understand and sympathise with the reasons for a Tree Preservation Order, we feel unable to withdraw our objections, since we believe that through no fault of our own, we are being penalised and forced into additional administrative work just to enable us to secure and tidy up the site, which for years has just been a dumping ground and totally neglected. We are a small organisation run by volunteers and we feel this is using a sledgehammer to crack a nut. Clearly we accept that any tree removal and replacement would need to be considered as part of a formal planning application, but just to do some minor levelling works, which does not involve the removal of any trees, so that a perimeter fence can be erected, seems unreasonable. If this restriction can be withdrawn, then we would be prepared to withdraw our objections.

Yours sincerely,


B R Ingate

Russell

— what restriction?





Mr BR Ingate
Stanmore Christian Housing Association
Paxfold
48 Elizabeth Gardens
Stanmore HA7 4UG

Urban Living

7th June 2006

Dear Mr Ingate

**Tree Preservation Order (TPO) No. 853 - Du Cros Drive (No. 1) Stanmore
Woodland adjacent to St William of York Church**

I write further to your letter dated 18th May 2006 regarding the above.

I note that your objection still stands and would reiterate that the TPO was placed on the woodland due to the significant tree damage that was sustained during the construction of the Church Hall. With respect to your pending development, the TPO now ensures that the Council can (a) influence the construction type and activity that may impact on woodland trees and (b) better secure their replacement should any be scheduled for removal for any approved development.

In your letter, there is reference to "some minor levelling works". I would point out that any soil level changes around trees can be very damaging to both their health and stability. However, I would be happy to meet you on site discuss these works. Prior to any such site visit I would ask that you send in a plan showing the extent of the proposed works.

I trust that we can address the levelling works issue so that you may withdraw your objection to the above TPO.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Russell Ball", with a stylized flourish at the end.

Russell Ball
Planning Arboricultural Officer

cc Charlotte Lee: Legal Services (Harrow Council)