

Application ref: 2023/3527/T
Contact: Liam Vincent
Tel: 020 7974 8677
Email: Liam.Vincent@camden.gov.uk
Date: 19 October 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Sedgwick International UK Ltd.
2 The Boulevard
City West One Office Park
Gelder Road
Leeds
LS12 6NY

Dear Sir/Madam

DECISION

Town and Country Planning Acts 1990 (as amended)

PART OBJECTION TO SECTION 211 NOTICE OF WORKS TO TREE/S IN A CONSERVATION AREA

Address:

**30 Eton Avenue
London
NW3 3HL**

Proposal:

REAR GARDEN: 1 x Ash (T1) - Fell and treat stump with eco plugs.
1 x Hawthorn (T13) - Fell and treat stump with eco plugs.

The Council has considered your notification of intended works to trees dated 25 August 2023 and decided to **OBJECT** to the following work:

REAR GARDEN: 1 x Ash (T1) - Fell and treat stump with eco plugs.

Reasons for objection:

- 1 The justification for the removal of the ash tree is due to its implication in subsidence damage affecting no.30 Eton Avenue. An arboricultural assessment report produced by a loss adjuster has been submitted. A London plane tree in the rear garden of no.22 Lancaster Grove has also been implicated as causal in the damage to no.30 Eton Avenue and is subject to another s.211 notification 2023/3530/T as it is located at a different property.
The Arboricultural Assessment Report describes in basic terms the ability of vegetation to desiccate soils and to affect (by causing movement to) building foundations leading to damage within the building structure. Included within the report are the findings of the tree survey undertaken for the report. This survey

has recorded that the Ash tree is 14m tall with a 12m wide canopy spread, a stem diameter of 470mm, and the base of the tree is 12.2m from the building. It also states that the roots of the tree are implicated but does not explain on what basis. The survey records the condition of the tree as 'fair', and that it has been 'subject to past management', (but) 'no significant recent management'. A site plan of no.30 Eton Avenue provides a basic illustration of the location of the damage to the building, and the trees and shrubs within the rear gardens of no.30 & 32 Eton avenue and no.18 & 22 Lancaster Grove.

The Arboricultural Assessment Report concludes on a 'preliminary basis' that the building failure is related to differential subsidence damage caused as a result of the action of the vegetation...and 'where a factual geotechnical report has been completed...(it) will describe the below ground foundation design, soil and geotechnical conditions, as well as any root identification where available.'

No other report or supporting evidence has been submitted, i.e., no detailed description of the type and severity of the damage that the alleged subsidence is causing; no root identification of the tree species implicated or of any kind; no factual investigation of the characteristics of the soil itself that would its likelihood to undergo volumetric change and no monitoring of the movement of the building itself (which would illustrate or not the cyclical patterns of desiccation and wetting of the soil beneath the foundations which are indicative of vegetative influence on soils).

No other course of action (e.g., crown reduction to reduce the implicated trees moisture uptake from the soil) to mitigate the issue has been considered or offered.

The large mature Ash tree is visible from the public realm from Eton Avenue and Lancaster Grove, with visibility above the rooflines of the properties. The tree contributes to the verdant character and appearance of the conservation area. The tree provides some level of amenity to the public.

The tree has not been inspected by the Council, and so no assessment of its physiological condition can be made.

From aerial photography it is apparent that the tree forms a significant part of the group of trees in the rear gardens of properties on Eton Avenue and Lancaster Grove, a wedge shaped green corridor running from the east to where it meets the tree lined Strathray Gardens to the west. The Ash tree is a large spreading canopy species, particularly suited to this type of location and offers significant habitat provision while helping to mitigate the effects of climate change. The tree is yet to achieve its ultimate size and form, and the level of public amenity it provides will increase over time as its stature increases.

The evidence submitted is not considered to demonstrate on the balance of probability that the tree is contributing to the damage.

The council has objected to the proposed removal of the Ash tree, and a tree preservation order has been served to protect the amenity the tree provides and to help preserve the character and appearance of the conservation area.

A Tree Preservation Order has been served on the tree/s and no work should be carried out without the prior consent of the Council.

However, the Council would not have any objection to the carrying out of the following works:

REAR GARDEN: 1 x Hawthorn (T13) - Fell and treat stump with eco plugs.

Informative(s):

- 1 This notice is valid for two years from the date of this letter or until the work is completed, whichever is the sooner.
- 2 You are advised that the appropriate standards for tree work are set out in BS 3998: 2010. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 3 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 3900 or www.naturalengland.org.uk.

Yours faithfully



Daniel Pope
Chief Planning Officer

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: www.camden.gov.uk/dmfeedback. We will use the information you give us to help improve our services.