TPO C18A 2010/1365/T + (1) 2010/1367/T

Camden

Planning Services
Camden Town Hall
Argyle Street
London WC1H 8EQ

Email (enquiries only): env.devcon@camden.gov.uk
Telephone : 020 7974 1911
Fax : 020 7974 5713

For office use
Date
Payee
App. No.
Fee

Application for tree works: works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area.

Town and Country Planning Act 1990

Publication of planning applications on planning authority websites

Please note that with the exception of applicant contact details, the information provided on this application form and in supporting documents may be published on the authority's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the authority's website, please contact the authority's planning department.

Please complete using block capitals and black ink.
You must use this form if you are applying for work to trees protected by a tree preservation order (TPO). (You may also use it to give notice of works to trees in a conservation area).
It is important that you read the accompanying guidance notes before filling in the form. Without the correct information, your application / notice cannot proceed.

1. Applicant Name and Address

Title:	MR
First name:	J. M
Last name:	SAYERS
Company (optional):	FLAT NO 5
Unit:	
House number:	12
House suffix:	
House name:	
Address 1:	WOODCHURCH ROAD
Address 2:	
Address 3:	
Town:	LONDON
County:	
Country:	ENGLAND
Postcode:	NW6 3PN

2. Agent Name and Address

Title:	MR
First name:	SHANE
Last name:	LANIGAN
Company (optional):	URBAN FORESTRY
Unit:	
House number:	
House suffix:	
House name:	BEAMOND BUNGALOW
Address 1:	BEAMOND END
Address 2:	
Address 3:	
Town:	ABBOTS LANGLEY
County:	HERTFORDSHIRE
Country:	ENGLAND
Postcode:	WD5 0RP

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit: | House number: | House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (if known):

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

4. Trees Ownership

Is the applicant the owner of the tree(s): ☑ Yes ☐ No

If 'No' please provide the address of the owner (if known and if different from the trees location)

Title: | First name:

Last name:

Company (optional):

Unit: | House number: | House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional):

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☑ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☐ Yes ☐ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below : tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

T1 - FALSE ACACIA x 1 - REMOVE DEAD SECTION AND DEAD WOOD AND CLEAN OUT CROWN - EXEMPT

T6 - FALSE ACACIAS. REMOVE AND TREAT TO PREVENT REGROWTH

T7 - SYCAMORE x 1 - REMOVE LOWER BRANCHES UP TO APPROX 5M AND CROWN BY APPROX 20%

T8 - OAK x 1 FELL TO GROUND LEVEL AND TREAT TO PREVENT REGROWTH

9. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8) ☑

For all trees
(see Question 7)

- Clear identification of the trees concerned ☑
- A full and clear specification of the works to be carried out ☑

For works to trees protected by a TPO
(see Question 8)

Have you:

- stated reasons for the proposed works? ☑
- provided evidence in support of the stated reasons? in particular:
  - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert ☐
  - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist. ☑
  - in respect of other structural damage - written technical evidence ☑
- included all other information listed in Question 8? ☑

10. Declaration - Trees

I/we hereby apply for consent/give notice for tree work as described in this form and the accompanying plans and additional information.

Signed - Applicant:

Or signed - Agent: KATKINS

Urban Forestry

Date (DD/MM/YYYY): 04/03/08

(This date must not be before the date of sending or hand-delivery of the form)

11. Applicant Contact Details

Telephone numbers M L SAYERS

Country code:	National number:	Extension number:
0207	624 0466	

Country code:	Mobile number (optional):
0207	372 5341.

Country code:	Fax number (optional):
~~0207~~	.

Email address (optional): johnmsayers@yahoo.co.uk

12. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension number:
01923	268066	

Country code:	Mobile number (optional):
07976	296997

Country code:	Fax number (optional):
01923	268066

Email address (optional): urbanforestry@aol.com.

Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.

(Please see guidance notes)

7. Identification Of Tree(s) And Description Of Works continued ...

REASONS & PLAN AS PER SIMON PRYCE REPORT
COPY ATTACHED

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees
A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes).
It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO
Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: ☐ Yes ☐ No
   If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. ☑ Yes ☐ No
   If YES, you are required to provide for:

   Subsidence
   A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

   Other structural damage (e.g. drains, walls and hard surfaces)
   Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)
Are you providing separate information (e.g. an additional schedule of work for Question 7)? ☑ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

Simon Pryce Arboriculture

Report

Client:	**Twelve Woodchurch Road Ltd**
Site:	**No.12 Woodchurch Road, London, NW6 3PN**
Instruction:	**Mr J Sayers, for Twelve Woodchurch Road Ltd**
Subject:	**Trees and other vegetation near the building and their effects on it. Safety of tree near the road. Specification for necessary or appropriate work.**
Inspection date:	**1 December 2009**
Report date:	**11 December 2009**
Reference:	**09/124**
Author:	**Simon Pryce, B.Sc., F.Arbor.A, C.Biol, M.I.Biol, MICFor Arboricultural Association Registered Consultant**

CP House, Otterspool Way, Watford, Herts, WD25 8HP
tel. 01923 467600 fax 01923 396557
www.simonpryce.co.uk
info@simonpryce.co.uk

1 Introduction

1.1 This report has been prepared on the instructions of Mr J Sayers on behalf of Twelve Woodchurch Road Ltd, the company that owns the freehold of the property.

1.2 I have been asked to inspect trees growing near the house and to recommend any necessary or appropriate work. The main consideration is the effects on the structure of the building, but I have also been asked to advise on their safety, particularly that of a false acacia growing in the front garden.

1.3 This report is based mainly on a site visit and inspection on 1 December 2009 accompanied by Mr Sayer and other residents for some of the time. The inspections were visual and made from ground level, with no climbing or test boring as these were not warranted.

1.4 I have also been provided with a site sketch dated December 1987 showing the drain layout and some of the trees and an undated single page report prepared by Marishal Thompson for Crawford THG.

1.5 This case is appraised and discussed below and a schedule of comments and recommendations for individual trees and shrubs is appended. Left and right are used as if facing the house from the street in front, unless noted otherwise.

2 Background

The site

2.1 The building is a three storey house that dates from the mid to late 19th Century and has a more recent full height extension built onto the left hand side of the rear elevation and is divided into a number of flats.

2.2 The local planning authority is the London Borough of Camden and the house is in a designated Conservation Area.

Damage

2.3 The house has suffered from subsidence damage in the past, which was remedied by underpinning. Full details have not been supplied except that the extension was done in 1985 and the original part of the house in about 1990. The foundations were taken to 2 - 2.5m but only the external walls were done, so the internal ones are still on the original footings. From descriptions of the work it appears that the new foundation was a beam spanning between deeper concrete bases, which is more economical in time, materials and cost than a continuous deep foundation.

2.4 An oak growing near the back of the house was reduced at about this time, possibly in connection with the damage.

2.5 Since then there has been some cracking and movement of internal walls. I gather that this shows some seasonal movement, but that formal monitoring has now ceased.

2.6 A report prepared by Marishal Thompson lists the oak and two other trees, a false acacia in front and a sycamore to the rear. They advocated taking no action with the acacia but that the oak and sycamore should be removed and the stumps treated to prevent regrowth. This report is undated, although the small photograph inset in it has a date stamp, which is not very clear, but which appears to be 2001. The oak has been reduced and regrown and its appearance in this picture compared with now is consistent with that.

2.7 The buildings insurers have withdrawn subsidence cover until the oak and sycamore are removed.

3 Trees

3.1 The three trees in the Marishal Thompson report are the largest and most significant near the house, although there a few others in the gardens, including a small old acacia, several acacia sucker shoots and a large London plane to the rear. These are described individually in the schedule forming the second part of this report, with recommendations for any necessary or appropriate work. They are numbered on the attached sketch of the site layout.

4 General comments

4.1 Tree roots grow with little force but during the growing season their drying effect can be considerable. Most clay soils shrink when dried and swell as they rehydrate in winter. This can cause movement in buildings nearby if their foundations do not extend below the affected zone, particularly during dry summers. There is usually a seasonal cycle, with downward movement in summer followed by recovery over winter when the weather is cooler and wetter and the vegetation inactive. Actively growing trees can cause a progressive downward movement as well.

4.2 Large, vigorous trees, particularly species with high water demands can dry the soil so deeply and severely that it does not rehydrate fully in winter. This causes a persistent moisture deficit [desiccation], particularly where trees root deeply in the heavier clays. If such trees die or are removed the consequent soil rehydration and swelling can lead to heave damage in buildings nearby, especially if they were built after the soil drying occurred.

4.3 The size, age and vigour of an individual tree will all influence its drying effect on the soil, but there is also considerable variation between species. Oaks are naturally well adapted for growth on clay, having deep, wide spreading roots and a strong ability to extract water. As a result they are more commonly associated with subsidence than many other species. The other species here are regarded as moderate water demanders, with false acacias being relatively low in that category.

4.4 Pruning will reduce water uptake, but most healthy trees respond by sprouting and their water demand increases in proportion with the new growth, which is often vigorous. This needs to be recut regularly in order to maintain control, which is not always effective with large vigorous trees close to buildings. This kind of management as a long term measure can be harmful, although oaks will tolerate it better than many other species. Felling will remove the threat, provided there is not a potential for heave. It is sometimes possible to replace trees with other species that present a reduced risk without the need for intensive maintenance.

5 Appraisal and discussion

Cause of the problems

5.1 Site investigation information from the previous investigations and underpinning work is not available but Geological Survey maps show the local sub soil as London clay. This is consistent with my own experience of numerous subsidence cases in north London, some in nearby streets. London clay has a high capacity for shrinkage and swelling with changes in moisture content, one measure of this being the plasticity index, which is typically about 50%. As a result cases of subsidence caused by roots from trees or large shrubs are relatively common. Although the available information is limited it does seem likely that the oak was a material cause of the problems, as it is a healthy specimen of a high water demanding species growing close to the house.

5.2 Underpinning the outer walls will have made them far more resistant to any soil shrinkage and swelling caused by roots, although it is not unknown for roots to grow beneath underpinning and cause further movement. The more recent movement is confined to internal walls, suggesting that the underpinning bases are sufficiently deep, but that roots have grown between them and are causing shrinkage under the middle of the building. Climatic effects alone can cause soil shrinkage and swelling, but it is extremely rare for that to be significant beneath the footprint of existing buildings.

5.3 The available information indicates that the most likely cause of any such movement is the oak at the rear of the building. If necessary that could be confirmed by site investigation, but it would involve lifting the floor in one or more places and sinking trial pits and bore holes. Although the oak was reduced in the past it is healthy and has grown a dense, new crown. Another relevant point is the construction of the deep retaining wall on the boundary near the tree some time in 1985. The tree has survived the root loss with no visible ill effects, but this will have reduced the available soil volume, making rot growth under the building more likely.

5.4 The other trees are fairly large, but are farther from the building and have a lower propensity than the oak to cause this kind of problem, so are much less likely to be involved or to cause problems in future. Current movements are minor, also suggesting strongly that only the oak is involved.

Remedial or precautionary work

5.5 The oak could be reduced back to the former points or even more severely, but would regrow again and the work would need to be repeated regularly in order to contain it, ideally every 1 - 2 years. It is too close to the building for that to be reliable and would look highly unnatural, so a more reliable option would be to remove it.

5.6 On the basis of the available information removal of the sycamore would be excessive at this stage. If the problems continue after removing the oak it could be considered although, in that event, more thorough and detailed investigation would be in order, given its greater distance and lower water demand. For the present there is some scope for moderate pruning to reduce its water uptake without adversely affecting its health or appearance.

5.7 There is no evidence that the false acacia in the front garden has caused any problems or that it is a significant subsidence threat, but it has a large dead limb over the road. The timber of this species is strong, even when dead, but the dead limb should be removed for safety.

5.8 The attached schedule contains individual recommendations for work on the trees near the house. This is based on the available information and the most suitable management of the species concerned. It will reduce any drying effect on the sub soil under the foundations significantly, although it might need to be reviewed if the problems persist

Heave

5.9 Without more information about soil conditions and the foundations it is not possible to draw firm conclusions about the possibility of heave. Given the oak's water uptake and proximity to the house felling is likely to cause some soil swelling, which could lead to some movement in the building. However it is likely that the underpinning incorporated anti heave measures, which would prevent any major movement in the outer walls. This could be investigated if required, although it would involve sinking bore holes and analysing the soil for signs of long term desiccation associated with tree roots.

5.10 Felling in stages over several years is sometimes advocated as a means of reducing the risk of heave, but there is no point, as it simply prolongs an inevitable process.

Restrictions

5.11 As the garden is in a designated Conservation Area Camden Council must be given six weeks notice of any proposed felling or pruning of trees over 75mm diameter at 1.5m. They can allow this either by confirming in writing that they do not object or by letting the six weeks elapse without making a tree preservation order [TPO], which is the only way they can prevent work of which they do not approve. In that case or if trees are already protected it is necessary to make a formal application for the work. If this is refused it is possible to appeal and in some cases to claim compensation for any consequent loss.

5.12 The oak is fairly large, but has little public amenity value and is a threat to the house, so it would be unreasonable of Camden to resist its removal, partly because it could leave them open to a claim. Removal of the false acacia sucker shoots is not likely to be controversial either.

5.13 Removing the dead section of the false acacia at the front is a matter of public safety and exempt from the normal procedures; it is simply necessary to give the council five days notice. That work should be done without undue delay.

Tree work

5.14 Any treework should be carried out in accordance with BS 3998: 1989, Recommendations for Treework, and any other relevant standards. It is essential that the contractor doing the work has appropriate third party and public liability insurance. The Arboricultural Association has a list of approved contractors, published in the Tree Services section of their web site at www.trees.org.uk or they can be contacted on 01242 522152.

5.15 It would be advisable to remove stumps and main roots of felled trees if possible. Apart from being unsightly and often inconvenient stumps are frequently colonised by honey fungus [*Armillaria* sp.], which can then spread and infect other trees nearby. Susceptible species are often killed and in other cases it can decay the roots while the tree is alive, making it unstable.

Tree no.	Species	Distance	Height	Trunk diameter	Estimated age	Comments and recommendations
The trees are described in order, starting in front of the house and going towards the rear. Asterisks in the first column denote those in other ownership. m/s = multiple stemmed.						
1	False acacia	6m	15m	750mm	80+ yrs	Twin trunked from just above ground, but the fork is well formed and sound looking. It is disturbing some stone work near the entrance but this is not a significant problem and there is no evidence that it is affecting the house. Mainly healthy, but has a large dead section overhanging the road. • *Remove dead section.*
2	Pear	4.5m	9m	300mm	60+ yrs	Healthy, but not very vigorous. There are no signs that it has affected the house and any further growth will be slow. • *No work needed beyond normal maintenance.*
3 *	Lime	10m	9m	250mm	40+ yrs	Has been topped several years ago and grown on. Will make some more growth, although it is not a major or imminent threat and tolerates pruning well. • *No work needed at present, could be reduced if the need arose.*
4	London plane	25m	20m	850mm	90+ yrs	Has been pollarded earlier in its life then left to grow on. Crown contains some minor dead wood, but it is healthy and the house is well beyond likely influencing distance. • *No work needed to safeguard the house.*
5	False acacia	25m	10m	450mm	50+ yrs	Largely dead, but forms an interesting feature and leans into the garden, so is not a major threat to third parties. • *No work needed.*
6	False acacias	9m	8m avg.	150mm avg.	10+ yrs	Sucker shoots from tree 5. Not an imminent threat to the building but are not likely to form very good specimens. • *Remove.*
7	Sycamore	7m	15m	480mm	50+ yrs	Healthy, but is approaching mature size and its growth will be slowing. Fairly near the building, but all the evidence indicates that the oak is the main cause of the ongoing movement, if not the only one. • *Remove lower branches up to about 5m, thin crown by about 20%.*

Tree no.	Species	Distance	Height	Trunk diameter	Estimated age	Comments and recommendations
8	Oak	5m	15m	2 x 400mm	60+ yrs	Healthy relatively young tree that has been reduced several years ago and is regrowing vigorously. Available evidence indicates that it is the main cause of the ongoing movement, probably the only one, and is too close for further reduction too be effective. • *Remove.*

Simon Pryce

Simon Pryce, B.Sc., F.Arbor.A, C.Biol, M.I.Biol, MICFor
Arboricultural Association Registered Consultant

BOF

23 FEB 2010

RSA

Royal & Sun Alliance Insurance plc

17 York Street
Manchester
M2 3RS

Tel +44 (0) 845 678 4172
Fax +44 (0) 161 235 3001

www.rsagroup.com

J M Sayers
Flat 1
Woodchurch Road
London
NW6 3PN

10th February 2010

Your Ref:
Our Ref: Blocks of Flats, Residential Properties– E.G.
Email – hh.bof@uk.rsagroup.com
Direct Dial – 0161 923 1227

Dear Mr Sayers,

Policyholder: Twelve Woodchurch Road Limited
Policy Number: RKK567696
Risk Address: 12 Woodchurch Road, London, NW6 3PN

We refer to the above Building Insurance policy and your recent letter.

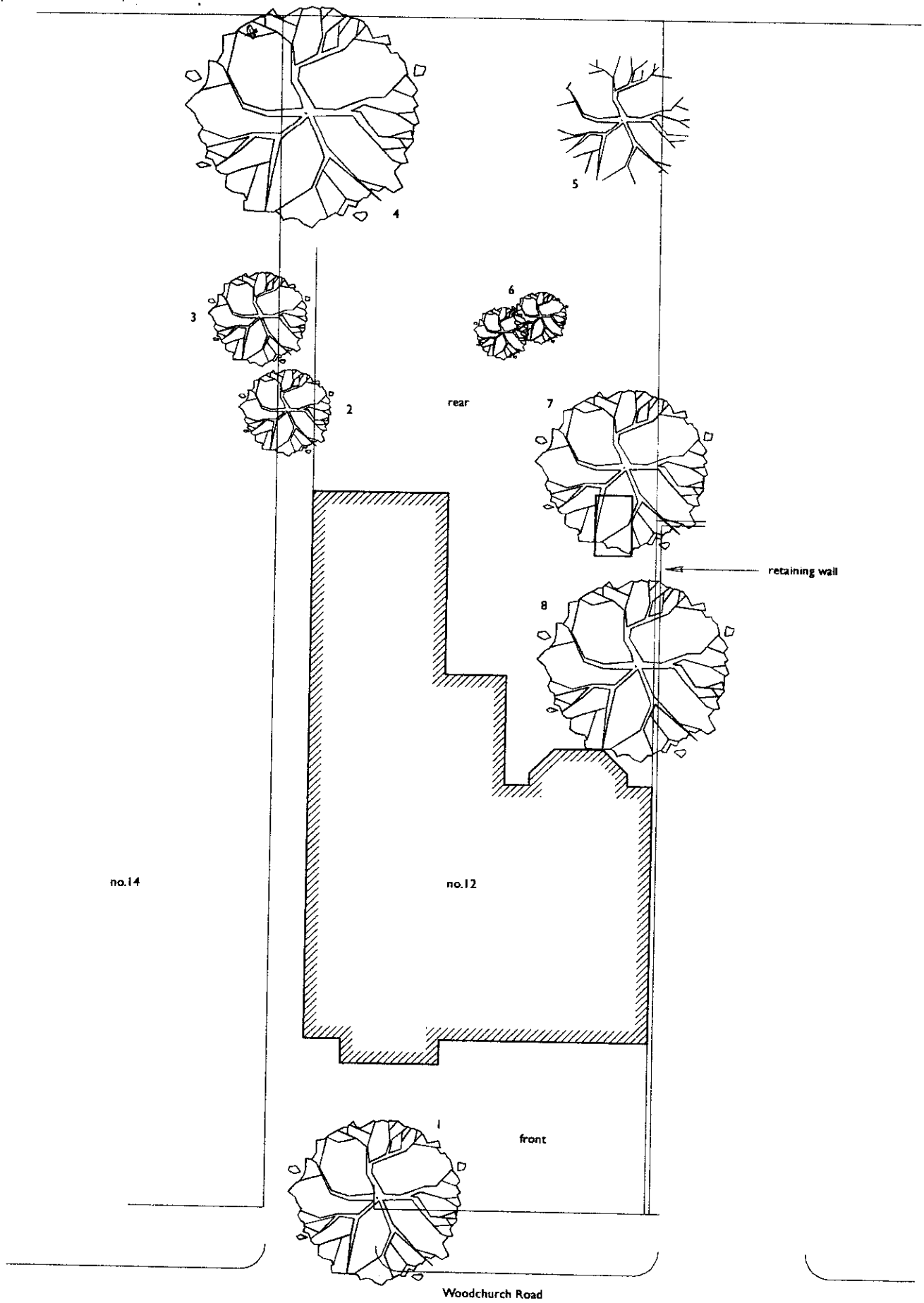
Thank you for submitting a copy of the recent Arboricultural Report. We appreciate that the size and reach of the trees has changed since our report was commissioned in 2005. Given the updated information we are willing to reinstate the subsidence cover once we have received written confirmation that the Oak tree has been removed, the Sycamore tree has been pruned and other works undertaken as per the report.

We note that Simon Pryce has advised that the local council will have the option to agree this removal of the tree, please keep us updated with the situation.

We hope the above is in order and we look forward to hearing from you in the future.

Yours Sincerely,

Mrs Elaine Greenaway
Technical Customer Manager
Blocks of Flats team



Simon Pryce Arboriculture		
Client: Twelve Woodchurch Road Limited	Site: 12 Woodchurch Road, London, NW6 3PN	Reference: 09/124
Drawn by: Simon Pryce, B.Sc., F.Arbor.A, C.Biol, M.I.Biol, M.I.C.For		Date: 1 December 2009
		Scale: Not to scale