

Camden Planning Department
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

15 Torriano Avenue
London
NW5 2SN

Attention : James Remington 4861

3 January 2015

Dear Sirs,

Application for Works to Tree(s) covered by TPO – 2014/7618/T

We are the owners of 15 Torriano Avenue and Object to the application for proposed works to a tree(TPO) on our land.

The proposal involves the felling to the ground of a Horse Chestnut Tree (*Aesculus Hippocastanum*) that is located towards the end of our rear garden. This tree has been protected with a Tree Preservation Order for many years but it is now been put at risk due to this application. The planning proposal to fell our tree has not been authorised by us. We have not been consulted by Arboricultural Solutions LLP acting on behalf of the occupants of 13 Torriano Avenue (neighbour) who have submitted this application without our knowledge.

Material consideration

This tree has been growing in our rear garden since we moved into the property in 1974. It is located towards the end of our rear garden and has provided a lovely private garden space for our family to enjoy for many years. This Horse Chestnut Tree makes a natural screen at the rear of the property to provide privacy for our kitchen and sitting rooms and two main bedrooms. If our tree is felled we would then lose our privacy and expose our property to the Kentish Town Community Centre KTCC and to the three and four story Peckwater and Woolsey flats opposite. We also respect the privacy of the Torriano Avenue Infants School and by protecting the Horse Chestnut Tree it would continue to provide privacy between the school playground and the rear side of the blocks of flats and houses located opposite on Busby Place Road. The tree is clearly visible from the Public Highways of Torriano Avenue A5200, Busby Place and Oseney Crescent. The amenity value of this tree is substantial as this tree provides privacy and a positive green space environment for both our property and the flats and houses opposite and including the nearby infants school.

Environmental and ecological impact

The Chestnut tree in our garden provides a rich environment for plants and wildlife. The tree attracts many wild birds and bees. Bats can be observed flying in and around the tree in the summer and autumn. There is a small pond under our tree and it is home to frogs, toads and newts. The leaves that fall from the Horse Chestnut tree provide the perfect environment for a wide variety of wildlife to hibernate in winter. The felling of this tree would have a negative environmental impact on our property and on the local area.

Related documents

This application was submitted by Arboricultural Solutions LLP with related documents. The first related document was made by Soiltech Surveys date 13.11.12. The report shows the location of the Horse Chestnut tree located towards the end of our rear garden. It is important to highlight to the planning department that the Horse Chestnut Tree is located 15 metres away from our property.

However the owner of 13 Torriano Avenue built a two storey modern addition to the rear of their property in 1992. This newly constructed addition extended and encroached into the rear gardens. Consequently the block plans show the property at 13 Torriano Avenue closer to the Horse Chestnut tree than it would have been when the house was originally constructed in the late 1800's. The owner of 13 Torriano Avenue has also recently removed the entire central partition wall in the basement of their property and we therefore have issues and concerns regarding 'settlement after construction' especially after the applicant has made a number of subsidence claims in the various reports submitted with this application. Please note that these Victorian properties were built on London Clay. London Clay underlies most of the Greater London Area and is particularly susceptible to shrink-swell behaviour and is described as the most commonly encountered problem soil (Crilly 2001 and Jones 2006) Also the foundations were built using loose stone and rubble and do not comply with any modern day building standards. Therefore these recent building alterations will create extensive stress on a period Victorian property that were not suitability designed and we also constructed on the London Clay. To validate this statement we refer to the final quote made by the applicant Fiona Critchley (Arboricultural Solutions)

"In many cases where trees have been implicated in such structural damage, it has been found that the structures had been built on foundations, which were unsuitable for shrinkable clay soils".

The applicant has failed to inform the Camden Planning Department that as an 'Act of Kindness' and without prejudice to our neighbours we felled to the ground two trees on our property at 15 Torriano Avenue. The two trees that were felled on the 30th October 2014 were the Willow tree at the front of our property and the Ash Tree at the side of our property. These two trees no longer exist but the applicant continues to report these trees in their reports. Therefore the Trial pits and Borehole data is outdated as they do not report any of the recent changes of the two trees being removed and also fails to mention the recent structural building works carried out by the applicant. The only recent trial pit test taken refers to the front of the applicants property whereas the Horse Chestnut Tree is in the Rear of our garden.

This current planning application has submitted reports that are both misguided and outdated. There has also been insufficient time to survey the Horse Chestnut tree since the recent removal of the Ash and Willow trees. We removed the two trees at the front and side of our property on condition that the applicant made no further efforts to remove the Horse Chestnut tree at the end of our rear garden or make claims in the event of heave. The owner of 13 Torriano Avenue has disregarded the recent documented neighbour agreement we made. We Object to the removal of the TPO and the felling of the Horse Chestnut tree as there have been no changes to the rear of our garden. It is for this reason that we want to preserve and protect this historic tree as it provides a major visual contribution to the character and the appearance of the area.

Yours Sincerely
Mr Stanley