

Dike, Darlene

From: [REDACTED]
Sent: 20 February 2015 14:26
To: Planning
Cc: [REDACTED]
Subject: Ref: 2015/0862/T
Attachments: 9852189_Gospel_Oak_Nursery_boundary_wall_&_trees_08.01.15.docx; 14.731_p1_(1).jpg; 14.731_p1_(2).jpg

Dear Sirs

Having finally received a notification for the application to fell the trees to the rear of our house I am writing to formally object to this desecration of an attractive runs of mature trees.

This saga has been running for a while and follows from the original planning application to extend the primary school. This application clearly stated that the trees would be retained and it was on that basis that the proposal was supported both by ourselves, other neighbours and the CAAC. Had the felling of the trees been included in the original application all would have objected strongly. I have been in dialogue with Camden through Lorraine Revah and have been fed various responses to objection. The first suggests that the sticky substance falls below the trees was a reason for the proposed removal as is clear in this message from Lisa Marie Bowles:

Bea Sullivan from the Council's Children Schools and Families Department has been quite involved with this site and has informed me that that the Nursery School at Gospel Oak Primary School is being extended and the Head is reclaiming the area behind the fence for school use. This is where the lime trees are currently situated.

The lime trees have become like weeds and damaged the boundary walls. The growth has encroached onto the playground and the trees release a sticky substance which falls and sticks onto the surface of the playground and can also stick to children.

The intention is to remove the lime trees but to replant another species of trees in their place. Bea informs me that although from a distance they may look attractive, on close inspection the problem is visible.

Bea is going to find out the replacement species and the numbers of trees which are intended to replace the lime trees and will be in touch shortly.

I hope that this provides a reasonable explanation for the potential lime tree felling and if you have further concerns or queries please do not hesitate to contact Cllr Revah.

The next communications emphasise damage to the walls and originally stated that the entire boundary wall was required to be re-built on engineers' advice. Knowing this to be untrue I obtained advice from an independent structural engineers, Martin Redston, whose report I have attached. His inspection of my rear wall and the walls in the gardens adjoining mine, disagreed with the report by Camden's engineers. In due course it was accepted in a letter from Richard Lewin, also attached, that the section of wall to the rear of our property was indeed in good condition. In any account, it should not be accepted that the re-building of any other less secure sections of wall would essentially require the felling of these trees.

There has been a considered effort to justify the removal of these trees and it can only be read that the original reasons might in fact be more true than the later conflicting engineering advice stemming largely from the head seeking to "reclaim the area" previously safely behind a wire fence.

We do not want these trees felled and in a conservation area this should be strongly resisted. Should the council approve this application we would ask that mature examples of the same species be planted and not a generic 'precinct' tree as mentioned in earlier communications.

Steven Adams



Date: 8th January 2015

Your Reference: email 12/12/14

Our Reference: 9852189

Enquiries to: [REDACTED]

**Children, Schools and Families
Directorate**

Post only:
London Borough of Camden
Town Hall
Judd Street
London, WC1H 9JE.

Councillor Lorraine Revah
Members Office
Town Hall

Phone: 020 974 4527
Richard.Lewin@camden.gov.uk
camden.gov.uk

Dear Councillor Revah,

Re: Gospel Oak Nursery Boundary Wall/Trees

I am responding to your recent enquiry relating to the additional points raised by Mr Steven Adams, regarding the trees at Gospel Oak School's nursery building, adjacent to his property.

The first issue relates to the planning application submitted by our architect on 6th November 2014 and the fact that there is no record of the application on the planning on-line portal. It would seem that as the submission included a separate issue relating to the refurbishment/extension works currently underway at the nursery, the planners have this week requested the architect to make an entirely separate submission in respect of the removal of the trees and to re-submit the original application. This has been the cause of the application not appearing on the planning portal. Once received the fresh application will be uploaded.

The planners have confirmed that consultation will take place with local residents and the conservation area committee. In addition our representatives will be in contact with each adjoining owner in terms of progressing the requisite party wall agreements to facilitate execution of the proposed works and to discuss the individual needs of each of the adjoining owners that may be affected by the proposed rebuilding of the boundary wall.

Within Mr Adams's email he raises the issue of ownership of the wall, which the Authority asked Landers & Associates to look into last year. It would seem that there are no clear indications as to ownership on the Land Charges Register or on site visually. There are piers on both sides of the wall; therefore it would be usual to presume that the wall is in shared ownership between the two property owners on either side. The site was originally owned by the LCC (London County Council), with the site eventually being transferred to Camden as successors in title.

On the basis of a shared ownership of this wall the Authority considered it is liable for addressing the repair/replacement of the boundary wall for the damage caused by the trees sited on its land. Very shortly we shall be commencing consultation with all affected adjoining owners to reach agreement on the proposed works to reinstate the wall, and fence above, to a sound condition via entering into formal individual party wall agreements.

Director
Martin Pratt

The second issue raised by Mr Adams relates to the condition of that part of the boundary wall that backs onto his garden and is considered to be in reasonable condition. We do not contest the findings of Mr Adams structural engineer's report, which is also reflective of our engineers' report for that part of the wall. However the wall condition deteriorates very rapidly beyond Mr Adams' garden and is in a distressed condition to such an extent that the two separate engineers' reports that the Authority has received have recommended its demolition and rebuilding. Currently a real danger exists farther along the wall that is shared with other adjoining owners, where the wall is approximately 100mm out of plumb over a height of 1100mm.

Formal consultation with the adjoining owners is due to commence shortly and that will be the opportunity to explore with Mr Adams the benefits of perhaps retaining that part of the wall which backs onto his garden, as we do accept it is the one garden with very minimal damage and is not in danger of collapse. Obviously our intent was to provide a longer term solution to all adjoining owners along this section of the wall but we are happy to accommodate Mr Adams' wishes to retain his section of wall if that is practicable. We shall also explore the potential for retaining the tree(s) directly behind Mr Adams' property if they are not directly causing damage to that, or any other part of the wall.

In terms of the trees that will be used to replace those lime trees that are agreed to be removed, we confirm that the final decision will be taken by the Authority's tree planning officer. Those shown by the architect are merely suggestions for consideration. Again all residents will have ample opportunity to express any preferences they may have during the period of consultation.

I hope that this response addresses Mr Adams' concerns and we are confident that any further queries he may have can be addressed during the planning and party wall consultations.

Yours sincerely,


Richard Lewin

Assistant Director, Strategy and Resources
Children, schools and families
Camden Council

cc. Councillor Leyland

Martin Redston Associates
Consulting Civil & Structural Engineers
martin@redston.org

 8 Edward Square, London N1 0SP
Tel 020 7837 5377 Fax 020 7837 3211

 6 Hale Lane, London NW7 3NX
Tel 020 8959 1666 Fax 020 8906 8503

Our ref: 14.731
11th December 2014

Steve Adams
6 Rona Road
London
NW3 2JA

Dear Mr Adams

It is assumed that a risk assessment has been prepared by the Local Authority for the possibility of risk or injury to people in the vicinity to the wall should it suddenly collapse. In this instance is our opinion that minor cracking will occur if any instability is caused and that there will be considerable warning before collapse may take place.

Finally in the event of any legal or mediation action which may occur as a result of this issue, it is certain that full reporting and technical information will be required in any event.

We trust this information is in accordance with your current requirements but if you have any further questions please do not hesitate to contact us.

Yours sincerely

A black rectangular box used to redact the signature of M A Redston.

M A Redston