

CRASH

Combined Residents' Associations of South Hampstead

48 Canfield Gardens

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Development and Regeneration Management
London Borough of Camden
Town Hall
Judd Street
London WC1 8ND

19th April, 2016

Dear Sirs,

Tree Felling Application No 2916/2019/T 57 Aberdare Gardens NW6 3AL

This association wrote to you on 7th October 2015 to put on record our objection to an application (2015/5289/T) to fell to the ground three mature London plain trees in a property which backs on to 57 Aberdare Gardens – the location of this current application. It was made by the owner, or assurers, of this property and registered without prior consultation or agreement with the owner of the plain trees in Greencroft Gardens, who had not previously been apprised of the proposal. Once made aware of it, she staunchly objected and resisted any such action and was greatly relieved when Camden refused the application and made the trees the subject of a preservation order.

Sadly it appears that Camden's decision has not dissuaded the owners and assurers of 57 Aberdare Gardens from continuing to wage war on trees in this conservation area. CRASH, once again, objects in the strongest possible terms to this latest application to fell two further trees.

It is worrying, yet indicative of the applicant's determination to be rid of all large trees on this property, that the very same ground engineer's report from CET Property Assurances, as well as the identical arboricultural assessment prepared by OCA - both of which were carried out in January of 2015 and submitted to support the felling of the London plane trees – are now being recycled without amendment and presented as evidence to support the damage caused by two willow trees - not mentioned at all in the earlier application. These reports remain as demonstrably unconvincing and lacking in evidence as technical support for the current application as they did when presented in October of last year to support application 2015/5289/T for the felling of the plane trees.

The CET Property Assurances ground report currently submitted presents no new evidence for any significant damage done by any trees in the immediate vicinity. As in the previous application the report admits that the very same "Root samples were obtained from the site with no reference given to the types of tree or shrub from which they may have originated". It goes on to state that the one plane tree root described as positive was only 0.5 -1.00 mm in diameter and that "There were no 1.00 mm diameter roots in the sample". Furthermore, the report actually seems to suggest that any disturbance to the property is as likely to have come from damage to drain water waste gullies and drainage run disturbance as from tree root damage. Needless to say, since it was commissioned to support an application to fell a completely different collection of trees, there is no mention anywhere in the report of any damage being caused by willow tree roots.

OCA's arboricultural assessment is no more convincing. As in the previous application they only "consider" that differential movement and damage may have been caused by trees growing adjacent to the property, (they present no actual proof of the fact!) and go on to state that "In years in which rainfall is less than the total amount of water taken from the soil by plants then shrinkage will occur. This shrinkage may remove support from foundations leading to cracking in the fabric of the building". As already stated, this report was prepared over fifteen months ago, during a comparatively dry winter. No new investigations have been made in the meantime with particular respect of the willow trees which are now being threatened. CRASH contends that, following an unusually wet winter this year, the report is clearly out of date and since it was originally intended to support an application to fell the plane trees, it has no relevance to any offending willow tree roots or their being the cause of what Camden officers have determined as "slight" damage to the property. CRASH is further concerned to see that these out-of-date and recycled reports continue to include the plane trees in the garden of 67 Greencroft in a list of "adjacent" trees likely to be the cause of damage to the Aberdare Gardens property.

On 5th December 2015, following consideration of the original application, Camden gave formal notice of Tree Preservation Order No C1161 2015 on the aforementioned plane trees. They gave as grounds for that TPO the fact that the one London plane tree root discovered was, at less than 1mm, "insignificant". The only other root found was "too immature to analyse". The property damage had been categorised "as category 2, described as 'slight' – cracks that can be easily filled. Recurrent cracks can be masked by suitable linings. For domestic dwelling, which constitute the majority of cases, damage at or below Category 2 does not normally justify remedial work other than the restoration of the appearance of the building". Camden's notice of the TPO states that they are "considered to be a significant arboricultural and landscape feature. As such, the removal of two mature plane trees would break up the tree belt which is considered to be harmful to the character of this part of the conservation area. Due to the slight level of damage described balanced with the level of harm to the conservation area the removal of the two plane trees would cause, it is considered that the property damage should

be repaired and the trees should be retained." For the time being, at least, the plane trees had been saved.

This latest request to fell the two willow trees suggests that the applicant, whether the owner of the property himself or his assurers and agents, is determined to stop at nothing in a seemingly barbaric attempt to denude this garden, and indeed the surrounding area, of greenery. Many of the trees in the immediate vicinity of the property are probably more than 120 years old, some are over 60 feet high and they all form part of an important and almost continuous 400 metre-long belt of mature trees which once bordered a small stream running between the gardens of Greencroft and Aberdare Gardens which is, perhaps, how there come to be willows in this garden. All the trees provide screening and privacy for rear gardens in both streets. It is important to register the fact that far too many trees are being lost in the area, and indeed, within the garden of 57 Aberdare some trees already appear to have been removed - though we can find no record of permissions. Mrs Hadida, the owner of 67 Greencroft Gardens, has already endured the lopping of the lower branches of her plane trees which overhang the Aberdare Gardens property.

If we are now to permit developers, or parties acting on their behalf, to fell to the ground any tree considered to be likely to impact the foundations of nearby properties, then the whole of South Hampstead and the streets locally known as "the Gardens Area", will become a virtual desert. If we accept, as evidence of property damage, perfunctory, recycled and irrelevant evidence then no tree in this conservation area will be safe. In light of the shortcomings of the present application CRASH requests that the same tree preservation order should be afforded to the willow trees as was applied to the plane trees. The wilful destruction of greenery within this conservation area has to be stopped now.

CRASH respectfully asks you to refuse the above application.

Yours truly,



Peter Symonds
Chairman