

Delegated Report		Analysis sheet	Expiry Date:	17/02/2016
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Gerry Oxford			2015/7275/T	
Application Address			Drawing Numbers	
94 Haverstock Hill London NW3 2BD				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
(TPO REF C978) FRONT GARDEN: 1 x Acer - Fell				
Recommendation(s):				
Application Type:	Application for Works to Tree(s) covered by a TPO			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	56	No. of responses	02	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>One formal objection was received as well as one petition containing 92 signatures asking for the tree to be retained.</p> <p>The objection can be summarised as follows:</p> <ul style="list-style-type: none"> -We have always had cracks come and go over the 40 years that we have lived here -I worry if the trees are removed that in another 6 years that the problems are still here -In the past few years: <p>Victorian main drain repaired that runs from the property to the road</p> <p>Front steps were underpinned</p> <ul style="list-style-type: none"> -We employed a structural engineer, at the time he advised us that he was not happy with the underpinning of the steps and had an agreement made that if the corner of the property nearest the stairs moved that this would be classed as a continuation of the current claim and not a new claim. <p>-----</p> <p>The petition was signed by 92 people which includes signatures from residents living either side of the property that has damage (96 Haverstock Hill)</p>					
CAAC/Local groups* comments: *Please Specify	None					

Site Description

End of terrace property with a coach house on the end. There is an Elm tree growing on the site approximately 10 metres from the front façade of the property. This tree is growing approximately 1.5 metres above the garden flat floor level. The Sycamore tree is located in the neighbouring pubs garden.

Relevant History

On going issues over the past 10 years with reported cracks and property movement

Relevant policies

LDF Core Strategy and Development Policies

The relevant policies to this proposal are CS5, CS13, CS 15, DP24 and DP25 of The London Borough of Camden Local Development Framework which was formally adopted on the 8th November 2010.

The relevant supporting guidance document is Camden Planning Guidance, September 2013, No 1 Design: Chapter 6 refers to trees.

Assessment

The tree is considered to provide a high level of visual amenity within the streetscape and it makes a positive contribution to the character of this part of the conservation area. The tree appears to be in good health with a significant safe, useful, life expectancy.

The evidence which has been supplied with the application to remove the tree is considered to be inconclusive.

Comments from The Councils engineer that was involved in this case:

At the meeting it was agreed with the engineering gentleman representing the Insurance Company that there was little to no structural damage to the front façade of the property. Minor cracking detected was not uncommon for a property of this age in this area.

Various investigations have been carried out to the outside of the building alongside the front building façade. Desiccation and root activity was reported to have been found in the soil alongside the front building facade, however this was a significant distance from the internal passage area where the floor subsidence had occurred. It would have seemed more appropriate to carry out an investigation to the area of defect especially since previous investigations into movement at this property did not state any internal issues relating to floor subsidence.

It was also determined that significant structural works had been carried out to the property in or around 2011. A “goal post” type support was constructed to take loadings from the floors above where the internal supporting wall was removed to make way for a new bathroom. In order to construct the new support, a new concrete footing would have had to have been constructed and chasing/excavations carried out for the new plumbing. This is in close proximity to the area of the most severe subsidence.

It would have seemed appropriate to have carried out an investigation in this area to determine whether the point load introduced to the new foundation had caused subsidence or whether the excavations were suitably backfilled prior to reinstating the concrete slab.

In summary it would have been more definitive to have explored the conditions in the immediate area to determine any possible root activity and localised soil desiccation.

The Council's Building Control service have confirmed that at various stages during the internal wall removal and steel replacement that an officer inspected the works. In the report in relation to the new footings for the 'goal post' steel the officer observed that no roots were found.

It is considered that the evidence submitted is insufficient to demonstrate that the tree is the cause of damage.

It is recommended that the application is refused to protect the visual amenity the tree provides and to preserve the character of this part of the conservation area.