

From: 
To:
Cc:
Subject: FW: Tree Preservation Order C11762016 Rear Garden - 22 Hilltop Road, London NW6 2PY
Date: 28 November 2016 10:45:37
Attachments: [image001.png](#)
[Report - 22 Hilltop Rd.pdf](#)
[christopher.ashplant_01-11-2016_16-36-21.pdf](#)
[CCE03112016.pdf](#)

FYI

From: Nigel O'Doherty
Sent: 07 November 2016 15:44
To: 'planning@camden.gov.uk'
Cc: Christopher Ashplant; Seth Kwakye
Subject: Tree Preservation Order C11762016 Rear Garden - 22 Hilltop Road, London NW6 2PY

Sirs

RE; Tree Preservation Order C11762016 Rear Garden - 22 Hilltop Road, London NW6 2PY

We act on behalf of Genesis Housing Association who own the freehold interest of 22 Hilltop Road London NW6 2PY.

We are a Chartered Building Surveyors and for the two years have been trying to get the tree subject of the recent TPO removed as it has caused a serious structural problem to the very large retaining wall on the downhill side between 22 Hilltop Road and 6 and 8 Gladys Road to the West. The wall is over 3m high and the tree immediately adjacent. This wall is over 120 years old and is effectively life expired. The ball of roots from this and an adjacent cypress tree is pushing the wall over and it is badly cracked and in danger of collapse.

I attach structural engineers report prepared by Peter Kelsey + Associates giving reasons for removal why the wall is in such poor condition and the need to completely reconstruct.

We have looked at alternative proposals such as retaining part of the wall or providing sheet piles but there is no practical alternative but to rebuild. The wall has lost all of its inherent strength and therefore stitching across where the bulge and cracking is does not get to any stable section of wall. Alternatives such as sheet piling, localised repair or bridging in the locality of the tree roots is not a viable option.

We as Surveyors dealt with a similar tree which fell over and caused the retaining wall adjacent between 22 Hilltop Road and 4 Gladys Road to collapse about 10 to 12 years ago. You should also be aware that the walls are long from No.6 and 8 Gladys Road which also retain rear gardens to Hilltop Road have for the most part had to be rebuilt over the years completely. Unfortunately because of access issues the Gladys Road property is being continuous terraces there is only access through a private foot path and through the rear garden to 22 Hilltop Road, my clients property.

From the correspondence we have seen it does not appear that the Council had viewed the tree or the wall from the rear of the Gladys Road gardens where the problem is most evident.

The works to this tree and rebuilding this section of the retaining wall would have been undertaken but we have been denied access by the housing association tenant. I attach a copy of an court injunction affording access and referring to removal of the tree which is granted last week. Party Wall awards with all the owners of 6 & 8 Gladys Road are also in place.

These gardens to 22 Hilltop are well stocked with trees the resident having planted row of Leylandii to the Southern boundary and also a Willow central to the rear garden. My clients do not consider that this particular tree add anything to the amenity of the area and as stated in your covering letters to adjoining owners (attached) it can only be "glimpsed" from Gladys Road and can hardly be seen behind the row of Leylandii from properties in Hemstal Road.

On behalf of Genesis Housing Association we formally object to the TPO and request that the notice is rescinded forthwith.

Would you please acknowledge receipt of this letter and let us have your decision in due course. Any queries can you please e-mail me.

Finally, the injunction which has cost my clients considerable amount of money has a limited timeframe so an early decision would be appreciated and my clients would stress that the application (we understand by Mr Grimm Genesis's tenant) to have the tree listed is just another manoeuvre to stop works to repair this dangerous structure. My clients are therefore concerned that they appear not to have been consulted or advised of the intention to place TPO on this tree

Kind regards

Nigel

Nigel O'Doherty F.R.I.C.S.

robsonwalsh

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