

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/6670/T	Roland Grimm	22a hilltop rd london NW6 2PY NW6 2PY	24/12/2016 22:08:38	PETITNOBJ E	Roland Grimm 22a Hilltop Rd London NW6 2PY

24 Dec 2016

Dear Sir/Madam,

Planning Application 2016/6670/T

Re: Letter from Nigel O'Doherty 28.Nov 2016.

Mr Nigel O'Doherty is a dishonest surveyor who has been acting in bad faith and without any regard for the truth. His company was directly involved in felling a Sycamore tree in the garden of 22 Hilltop, hence he must be fully aware it had not fallen over.

Nigel O'Doherty's submission states dishonestly :

"We as surveyors dealt with a similar tree which fell over and caused the retaining wall adjacent to collapse about 10 –12 years ago"

The alleged falling over of the tree is a deliberate fabrication by Mr O'Doherty.
No tree has ever fallen in the garden of 22 Hilltop Rd.

The root network of the southern Sycamore had actually prevented the collapse of the relatively stable soil structure for several months after the retaining wall, which stands on the ground of 4 Gladys Rd., had collapsed into the garden of 4 Gladys Rd.
A restrictive covenant in the land registration of 4 Gladys Rd shows the wall should be no higher than 6 ft. The wall is nearly twice that recommended height.

The true cause of why the wall had failed was neglect by the owner of 4 Gladys Rd.
The wall and its foundation had been built entirely on the property of 4 Gladys Rd.
The owners of that property had failed to maintain the exposed mortar joints on their side and allowed ivy and other aggressive plants to destroy the integrity of the wall.

A second Sycamore used to stand a few metres to the south of the present TPO protected Sycamore tree. Around 2003, after I had unsuccessfully requested to Genesis/PCHA's highest appeal panel that Genesis/PCHA pollard both Sycamore trees, the company stated that they had no funds to do so and that I had no legal right as a tenant to sun and daylight, which the two trees were blocking completely from reaching my flat, causing me SAD induced depression.

I appealed to the Housing Ombudsman. The Housing Ombudsman wrote that nothing could be done

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about the dishonest claim by Genesis/PCHA who had stated the trees were 30 metres away from my house and therefore they were not responsible for pollarding the trees. The Sycamore tree is actually half that distance from my house.

I have fully documented evidence relating to both of the above proceedings.

Additional documented evidence that Nigel O' Doherty is dishonest:

On 3. March 2014 Nigel O'Doherty wrote to me stating:

"I'm the consultant party wall surveyor for the works to replace this wall. The trees also need to be removed. It is unfortunate that this has come to light when you have recently had other works undertaken at the property by Genesis who have a duty of care to you and adjoining owners that the property is safe and comply with their landlord repairing obligations."

Evidence shows the above Email was copied to Genesis/PCHA at the highest level.

My repeated request for repairs to the retaining wall from 2003 onwards had been totally ignored by Genesis/PCHA.

Therefore, as early as 2004, I requested Camden Council to intervene. Camden Council visited the garden and sent several warning letters to Genesis/PCHA and sent copies to owners in Gladys Rd.

9. Feb 2004 (A Silkoff)
7. Dec 2007 (J.Merghani)

The London Buildings Act 1939 Part VII Dangerous and neglected structures.

"My attention has been drawn to the back garden and rear wall of the above premises.

The structure does not appear to be dangerous at present. However, delay in carrying out remedial work to rectify the defect could result in a dangerous condition developing in the future.

If this occurs, the Council may find it necessary to serve a dangerous structure notice, and to avoid this possibility you should carry out any necessary work as soon as possible."

Copies of all three letters have been given to Camden Council Planning Dept.

Yours faithfully
Roland Grimm

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2016/6670/T	Marcel Maag	24 Hilltop Rd.	17/12/2016 18:31:56	COMMNT	<p>I have lived at this address for 35 years and have appreciated this tree for all these years. It gives a lot of privacy, especially in summer, to many houses/flats along Hilltop, Hemstal and Gladys Rd. It is a great asset for the 'rear garden square' and in a time when the pollution level in London is rising, every tree needs to be cherished for the ability to absorb Carbon Dioxide and give off Oxygen.</p> <p>Over the past few years we have lost several trees on Hilltop Rd. most recently the about 50 year old mountain ash outside 24 Hilltop Rd. We cannot loose even more, perfectly sound trees.</p> <p>I know the owner of 22 Hilltop Rd. sites structural problems with the retaining wall but I know that these problems can be overcome with a different engineering solution.</p> <p>Please save this tree.</p>
2016/6670/T	Roma Agrawal	24 Hilltop Road West Hampstead	17/12/2016 12:35:11	OBJ	We object to the application to fell the large tree in the back garden of 22 Hilltop Road as neighbours.
2016/6670/T	Concerned neighbour	20 Hilltop Road	17/12/2016 12:34:02	OBJ	<p>I enjoy the view of the tree that this application seeks to fell. It adds great quality to my outlook and amenity.</p> <p>Please explore alternative construction methods to rebuild the wall whilst retaining the protected tree. Perhaps constructing a strong wall in front of the neglected wall should suffice.</p>

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2016/6670/T	Ihab El Ghazzawi	Flat 3 9 Hilltop Road West Hampstead NW6 2QA NW6 2QA	25/12/2016 11:23:23	OBJLETTE R	<p>Dear Mr. Remmington,</p> <p>It is with much surprise and great disappointment that I hard about the intent to remove a tree in the garden of 22 Hilltop Road that has been there and visible from the main road for the last 5 decades.</p> <p>I looked at the various reports on the Camden Planning Website and I was really surprised to see that the date of the visit was Sept 2013 - over 3 years ago !?! And that it said very clearly that the surveyors feel that 40% of the damage "could" be contributed to the tree's roots where as 60% was due to "loss of adhesion" to the mortar joints.</p> <p>May I ask, why this was not fixed and remedied as soon as it was pointed out ? Why was it left to deteriorate even more ? And why are they now taking the easy option, the less expensive option of removing an entire tree ?</p> <p>It must be noted that this tree cannot be replaced, the wall can be rebuilt, but may cost more to keep the tree - the right option should not always be the cheapest and most commercially viable option.</p> <p>Please kindly STOP this application from progressing and leave this tree alone. Kindly get the Housing Association in question to deal with this issue and fix the wall, which they seem to have completely forgotten about for such a long time - it seems not much maintenance has been done on it and do the right thing (not the cheaper option).</p> <p>Thanks in advance for your support and for your understanding on this issue.</p> <p>Best regards,</p> <p>Ihab El Ghazzawi Flat 3, 9 Hilltop Road, West Hampstead, London NW6 2QA</p>

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2016/6670/T	Roland Grimm	22a hilltop rd london NW6 2PY NW6 2PY	25/12/2016 01:16:55	COMMNT	Roland Grimm 22a Hilltop Rd London NW6 2PY

24 Dec 2016

Dear Sir/Madam,

Planning Application 2016/6670/T
Re: Letter from Andy Martin 28.Nov 2016.

Mr. Martin's letter states "we are Consulting Structural Engineers".
The company Andy R. Martin & Associates Ltd. consists of one person.
His associate membership of the Institute Of Structural Engineers is listed as the most basic qualification of the institute.

Andrew Robin Martin was a director of Peter Kelsey & Associates.
According to his signed statement Mr. Martin visited the garden of 6 Gladys Rd
in September 2013.

His structural report states: "Within No 4 Gladys Rd, the mortar has deteriorated where the binder has broken down." The retaining wall in No 4 Gladys Rd is new and 100% perfect.

His report states further " A measured retained height of 175cm" The true retained height is only 150cm.

This single structural report is so obviously inaccurate it cannot be trusted.

In October 2013 Peter Kelsey & Associates produced a works schedule to replace the retaining wall, which on land registry papers appears to stand on land belonging entirely to properties in Gladys Rd.

Peter Kelsey & Associates were dissolved via compulsory strike off in September 2014.

Mr Martin continued trading in Jan 2015 as a single person under the name of Andy R. Martin & Associates Ltd.

In May 2016 Mr.O'Doherty of Robson Walsh LLP signed a party wall agreement with the surveyor for Gladys Rd. making his company the building owner, thus depriving me as a tenant of having to be served with party wall notices by the adjoining owners. In reality the retaining wall sits wholly on land belonging to the Gladys Rd properties, which include covenants that their walls should not exceed 6 ft in height.

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Other than hearsay there is no tangible evidence that alternative methods have ever seriously been explored. The foundation width of 1.8 m appears excessive. The foundation of the rebuilt southern part of the wall, which is literally next to the Sycamore trunk were nowhere near as wide. The flank wall between 4 and 6 Gladys Rd which extends to the Sycamore trunk appears solid.

A tree of this quality and size is a valuable local amenity. Two people who don't even live in Camden and who have no arboriculture qualifications made the decision over 3 years ago to kill the Sycamore, one of them even claiming it was likely to kill somebody by dishonestly stating another tree had previously fallen nearby.

Such unacceptable behaviour cannot be tolerated in a civilised society based on lawful principles.

I also requested mediation which Genesis refused out of hand.

Yours faithfully

Roland Grimm

2016/6670/T	Elisabetta Falcetti	24 Hilltop road ground floor flat London NW6 2PY	17/12/2016 11:24:40 OBJ	I am the owner of the ground floor flat on 24 Hilltop road, the property that borders the applicant on 22 hilltop road. I have reviewed the application and would like to express my strong objection to it. The big tree at the end of the garden of No 22 Hilltop Rd must be about 50 years old and has recently been listed as a valuable tree in its position. It is a tree which I can see from the rear of my house and it gives me a lot of privacy in summer. Also, equally important, every tree in a city like London should be treasured for what it does to help clean the air.
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Re: Planning Application 2016/6670T

Response to consultation response from Mila Tanya Griebel of 2 Gladys Rd.

It is incomprehensible how, as a neighbour, Mrs Griebel can state that I have not kept the garden in a good state. Since I moved to 22 Hilltop Road in 1986 I have transformed the garden from an overgrown rubble strewn landfill site left by PCHA/Genesis into a beautiful nature reserve which is clearly appreciated by all creatures and most sensible humans. I will upload photos to show this transformation.

The section of retaining wall bordering No 2 and No 4 Gladys road happens to be almost new and strong enough to withstand a minor earth quake. It is baseless and absurd for Mrs Griebel to allege that the protected tree is an accident waiting to happen.

I believe the true reason for Mrs' Griebel' scare mongering letter is that she has an axe to grind.

This is best summed up by the fact that Mrs Griebel will viciously complain about me softly playing a tune on an acoustic nylon strung guitar in my garden on a summer afternoon, yet I have never heard Mrs Griebel yelling from her balcony when her next door neighbours in Gladys Rd or Hemstal Rd have used their gardens or balconies to have extremely noisy parties well into the early hours.

Yours faithfully
Roland Grimm
