

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 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