

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2017/6775/T	Dr Dr Vicki Harding	Garden Flat 19 Frogna Lane NW3 7DB	28/12/2017 17:08:22	OBJ	Dear Nick Bell, Re: 2017/6775/T 26 Daleham Gardens I am writing to object to the felling of this TPO lime which has been requested on behalf of a subsidence claim at 24 Daleham Gardens without sufficient proof that it is the tree at fault here. While movement testing and soil analyses has apparently been performed, few - and certainly far from adequate - data have been provided that illustrate that the tree is the cause of cracking and subsidence and not the far more likely causes here. These houses and gardens are in the vicinity of the tributaries and ground water forming Shepherd Stream. The soil here is not London Clay as such, it is clay with a considerable proportion of silt and sand partings. Many houses in the area are subject to subsidence caused by silt erosion from the soil by the action of ground water. Not only that, it is evident that where a house has been underpinned to some considerable depth, the part of the house that is on very shallow foundations – here the bay – is going to be suffering from differential subsidence. No data has been provided to show that movement is consistent with seasonal variation and rainfall. Indeed, in the tree report it is stated that cracks present in December 2016 had CLOSED UP by May 2017. Clearly not vegetation-related seasonal variation. Much more likely to be the unusual rainfall patterns across the seasons due to Climate Change nowadays affecting swelling of any clay more generally – a factor in differential subsidence. The fact that the tree roots go down to 2 metres, that the soil here is particularly stiff and that desiccation found here is only given as less than 40% of the liquid limit is insufficient. Of course the tree roots are going down here; they are after the significant quantity of constant but variable levels of ground water here that is being recharged during heavy rainfall. Indeed Driscoll himself states in the Clay Research Newsletter Issue 119 – April 2015 – Page 2 ‘The Driscoll Rule’ ”• Because $w < 0.4w_L$ is entirely empirical, it cannot take account of the differing stress histories to which natural clays have been subjected. Differing stress histories (or degrees of over-consolidation (arising from the removal of over-burden in geological time) may result in two soils in identical states of desiccation (or soil suction), with identical index properties, having different water contents; no criterion based on Atterberg Limits could hope to account for these differences. • Furthermore, it does not take account of the general decrease in soil water content with depth encountered in most over-consolidated clays. Clearly therefore, $w < 0.4w_L$ should be used only as a rough guide and it is unwise to use

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					an assessment of desiccation solely on this criterion, particularly if desiccation is slight. The "rule" should be applied with caution and should always be supported by other evidence." Please refuse this application to fell until such time as evidence has been presented that differential subsidence is not present, and that soil erosion has not occurred here. It would seem that the sensible solution here is to underpin the bay too to prevent further movement. Then all trees and the wisteria can be retained whether or not it is believed that the vegetation is responsible. Vicki Harding, Tree Officer Heath & Hampstead Society
