

15 May 2018

Our Ref: 70790/6724684

Attention:

London Borough of Camden Council
Planning Department

Dear Sir/Madam

Re: Tree Related Subsidence at 25 Frognal, London, NW3 6AR

**Notice under s.211 of the Town and Country Planning Act 1990 of intent to
Fell <T1, T2> False Acacia's**

We write in reference to our site survey of 26th February 2018 and confirm that we are the arboriculturists appointed on behalf of property insurers of the above risk address.

It is the view of chartered engineers appointed to investigate damage that the property has suffered differential movement and subsequent damage consistent with tree related clay shrinkage subsidence.

Further to discussions with the Structural Engineer who is assessing the required remedial works for the property, we are of the opinion that it is preferable to remove the implicated trees. This is because retaining the trees and implementing an engineered solution cannot happen without having serious effect on their root systems which are influencing the structure of the risk address.

This submission consists of a formal notification under Conservation Area Regulations of our intention to remove the trees as mentioned above which we believe are not protected under any Tree Preservation Order.

Whilst insurers have no requirement to submit prescribed levels of supporting evidence in relation to a Conservation Area notification we are enclosing copies of relevant technical reports, in the attached Appendices, as itemised below:

A Limited Company Registration: 091 169 18
Trading from: 2 The Courtyards, Phoenix Square,
Wyncolls Road, Severalls Park, Colchester, Essex
CO4 9PE

VAT Registration Number: 202 5315 61

Tel: 01206 751 626
Email: colchester@oca-arb.co.uk
Website: www.oca-arb.co.uk



1. A site plan, survey tables and photographs which locates vegetation that is the subject of this notification.
2. Engineers Reports dated **14th February 2018**.
3. Site investigation report dated **18th January 2018**.

We have demonstrated, from the evidence detailed above, two tests in line with current case law that show:

- **Tree roots were present underside of foundations:**
 - *Leguminosae* (False Acacia)
- 2. **Damage to the insured's property has resulted from tree related subsidence:**
 - History and timing of damage indicates it is tree root induced movement
 - Pattern of damage relative to the trees and mechanism of movement implicates the itemised tree species

Please accept this letter as our formal notification to undertake the works detailed below:

Tree Number (as per OCA plan)	Common name	Specification
T1	False Acacia	Fell and treat stump
T2	False Acacia	Fell and treat stump

Reasons for this notification:

1. The above tree works are proposed as a remedy to the differential foundation movement at the above address and to ensure the long-term stability of the building.
2. The above tree works are proposed to limit the extent and need for expensive and disruptive engineering repair works.
3. The above tree works are proposed to limit the duration of any claim period and, therefore, allow the landowner his right to the peaceful enjoyment of his property.
4. It is the case that an alternative to felling T1 to T2, such as pruning or significant pollarding of the trees, would not provide a reliable or sustainable remedy in this case.



- 5 We do not consider that any other potential means of mitigation, such as root barriers, would be effective or appropriate in the circumstances.
6. Estimated repair costs may be up to £17,000, depending upon whether the trees can be removed or have to remain.

Please provide your formal acknowledgement of this notification, indicating the date of its registration and the date that any decision would in your view, be due.

Please quote our reference number 70790/6724684 in all correspondence.

Insurers have no requirement to offer replacement planting in the circumstances of this notification being within a Conservation Area but Insurers are not unaware of the significance of the proposal in landscape terms.

A replacement planting scheme is seen as integral to this notification and could be accommodated on a 1:1 basis. The scheme is offered on an entirely voluntary basis and we are willing to discuss species in conjunction with the Council, the neighbours and the Insurer.

Should you wish to visit the risk property, please contact us in order that we may arrange suitable access. We trust that the above information is of assistance but should you have any queries please do not hesitate to contact us.

Yours faithfully

Tim Chechlinski
Mitigation Coordinator

Email: tim.chechlinski@oca-arb.co.uk
DDI: 01206 754994

Encl. Site Plan
70790 CA Notice
70790 Engineering Appraisal Report
70790 OCA Report
70790 Root Sample Report
70790 Site Investigation Report
70790 Sketch Plan
70790 Soil Sample Report

Copy: Oriel Services Limited

A Limited Company Registration: 091 169 18
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