

From: Tom Rosenthal [REDACTED]
Sent: 25 January 2020 07:52
To: Planning [REDACTED]
Subject: Submitted objection // Ref 2020/0048/T

Hello,

I wish to submit an objection to the following proposal :
2020/0048/T // the proposal to fell two trees at 15 Maresfield Gardens.
We are the tenants at that residence.

We have had an arboricultural report conducted on the trees in question.
I've attached that report below along with two other supporting documents.

I can't find a place to attach external documents anywhere in the 'comment section' and wondered if this was possible for you to do?

The only thing I wanted to add to the report were the following words :

Please find attached an arboricultural report on an oak and a beech in the rear garden of 15 Maresfield Gardens. In the light of the evidence in this report I formally request that permission to fell these trees be refused and that they be given TPO status. The report also makes it clear that any structural damage to Mourn House that might relate to the trees is solely their responsibility.

Time is running out to submit our comments so hope all the above is possible before
Tuesday
28th.

Many thanks,
Tom

--
Tom Rosenthal
[REDACTED]

Jeffrey G. Duckett B.A. PhD Cantab.FLS FZS
Emeritus Professor of Botany, University of London
Plant Anatomy, Cell Biology, Electron Microscopy,
Plant Ecology, Environmental Planning, Arboriculture.



21 January 2020

Tom Rosenthal
15 Maresfield Gardens
London NW3 5SN

Instruction

To carry out a site inspection at 15 Maresfield Gardens
and

to assess the possible role of trees in subsidence damage at the adjacent
property, Mourne House, 11-13 Maresfield Gardens, reported in September
2019.

Background

*Notification from Camden Council 7 January 2020, Application 2010/0048/T of
the request to fell a beech and oak in the rear garden of 15 Maresfield Gardens.
Comments requested by 28 January 2020.*

Auger Investigation report, Crawford and Company 12/11/19. Identifies a clay
substratum and roots down to 1.5m.

Soil report GTSL 29/11/19. Identifies a high plastic substratum down to 3m and
a more or less uniform moisture content.

Root identifications Richardson's Botanical Investigations 29/11/19. Very fine
roots. TH1 to 1.5m;- *Quercus* or *Castanea*. TH2 to 1.5m;- Possibly *Acer*,
Carpinus or *Aesculus*.

Crawford Technical Report on a subsidence claim 22 Oct 2019. Attributes the
damage to Mourne House as due to an episode of subsidence due to clay
shrinkage. Recommends trial pits to determine the depth and type of footings
and boreholes to determine the nature of the subsoil and influence of any
roots and monitoring to establish the rate and pattern of movement.

Arboricultural Appraisal Report, Crawford and Company following a site visit on 26/11/2019. Concludes that movement is associated with clay shrinkage. Recommends removal of a beech and oak tree in 15 Maresfield Gardens, both older than Mourne House . Other vegetation presents a potential future risk, namely birch trees and a cypress hedge 8m from Mourne House .

Comments by Stephen Williams on behalf of the Netherhall Neighbourhood Association 9/01/20. Notes that the evidence in the arboricultural report is very flimsy and relies on a separate structural report to say that trees are causing structural damage to Mourne House. Emphasizes that the trees predate Mourne House and that its construction should have taken full account of their close proximity.

Site visit 18 January

2020

Site Description (also see

images)

The site visit confirmed the previous reports that the beech and the oak are mature healthy trees that long predated the construction of Mourne House (1976). In fact the trees almost certainly predate 15 Maresfield Gardens (1883). The oak is probably over 200 years old and the beech, a faster growing tree than oak, at least 150 years old. Both trees were mature and almost certainly had a similar stature when Mourne House was built. Both trees show evidence of pollarding several years ago since when they have produced extensive regrowth. The trees are clearly visible from the street .

The rear garden of Mourne House contains young birch trees and is bordered by a large cypress hedge c8m from the property.

The boundary hedging between Mourne House and 15 Maresfield Gardens contains jasmine, climbing *Hydrangea*, ivy, *Choisya* and privet. None of these have any bearing on the damage to Mourne House.

Conclusions

The technical reports detailed above do not justify the request to remove the beech and the oak .

Given the proximity of the oak to Mourne House it was only to be expected that oak roots were identified from one of the trial pits. The absence of beech roots is at first sight surprising. All the roots (all very young) from TP2 were identified as *Acer*, *Carpinus* or *Aesculus*. Young roots of these trees can look very similar to those of beech so may well have come from the beech tree.

None of the technical reports take any account of the cypress hedge. Cypress has a high water demand and, considering the size of the hedge, must be extracting large amounts of water from the rear garden of Mourne House and thus contributing to shrinkage of the soil. Indeed, the hedge could account for up to the same amount of water extraction as the oak and the beech.

Although the soil analyses revealed the substratum to be highly shrinkable there is no evidence of desiccation specifically associated with the presence of the tree roots. This will require much more rigorous monitoring over a long period. Should this turn out to show desiccation specifically related to the trees this would still not justify their removal.

Because the oak and beech were mature when Mourne House was built, the design and construction (eg foundation depths) should have taken full account of the high risks they posed particularly so close to the building. Thus responsibility for the stability of Mourne House rests solely with the owners of this property and not the owners of 15 Maresfield Gardens. The owners of 15 Maresfield Gardens have not been negligent in any way.

Given the attractive appearance of the oak and the beech and their high general amenity value it is surprising that they are not covered by Tree Preservations Orders. The oak in particular is important in the historical context as it is a veteran tree predating the mainly Victorian buildings in the vicinity. The fact that old trees, like the oak, are amongst the most important features defining the character of the floristic landscape in Hampstead further underlines the need for their retention.

There is absolutely no guarantee that removal of the oak and beech will lead to the stabilization of Mourne House. In the absence detailed information on the geology of the site this could well make the situation worse. Likewise because of the close proximity of these trees to Mourne House pruning is unlikely to have any significant effect on their water demand adjacent to Mourne House.

Recommendations

The oak and the beech should be given TPO status.

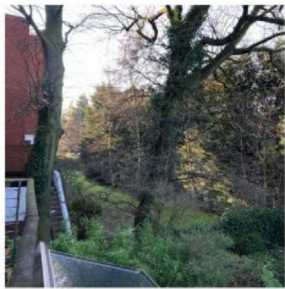
The owners of 15 Maresfield Gardens should ask for the request to fell of these trees be refused.

The insurers of 15 Maresfield Gardens should be made aware that subsidence damage to Mourne House is not their responsibility. Solving the subsidence issues lies entirely with the owners of Mourne House since the size and water demand of the trees must have been more or less the same when the property was built as they are today.

Jeffrey G Duckett

21 January 2020

Beech(left) and oak in
rear garden
15 Maresfield Gardens



Massive cypress hedge
and birches
in rear garden of
Mourne House



Street view



Evidence of pollarding several years ago

Oak



Beech

