

**From:** HLE Manager [REDACTED]  
**Sent:** 17 February 2020 08:32  
**To:** Curry, Rav [REDACTED]  
**Cc:** Martin Narraway [REDACTED] Peter Jacobs [REDACTED]  
rosalind durant [REDACTED]  
**Subject:** Objection to Planning Application 2020/0344/T

Hello Rav, thank you for your kind offer of uploading our submission. Please find it below and would you confirm receipt?

**Planning Application 2020/0344/T**

**Notification of Intended Works to Tree(s) in a Conservation Area**

**Outside 59 Hillway London N6 6AD**

The Trustees of the Holly Lodge Estate and the Committee representing the plot owners of the Holly Lodge Estate would like to submit the following objection to this second application to fell this tree.

Please see the three attachments from arboreal experts which support our objection.

This lime tree is one of 83 mature limes on Hillway which make up a magnificent avenue with much biodiversity and amenity value and to lose one would spoil this major feature along the spine of the Estate.

These trees are subject to a regular cycle of maintenance, with epicormic growth trimmed 3-4 times a year and pollarding every 3-4 years.

We do not believe that there is sufficient evidence that the subsidence is caused by the lime.

We are not aware of any other subsidence problems being caused by these trees and suspect it is more likely to be a result of the long hot summer we had that year and the hard standing that covers the driveway of 59 Hillway, so we doubt this tree is the cause.

We also make reference to the Highgate Neighbourhood Plan - Policy OS2 Protection of Trees and Mature Vegetation which states:

*Within the conservation areas or when protected by a TPO, specimen, veteran and mature trees and mature vegetation, which have townscape, ecological or amenity value should be retained.*

Kind regards

Barbara Wheatley

Holly Lodge Estate Manager



Holly Lodge Estate Committee Office



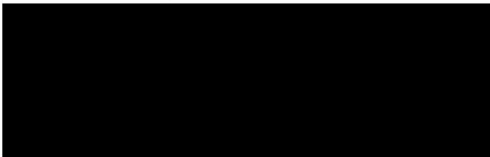
**Front aspect of 59 Hillway and the avenue of limes lining the entire length of Hillway .**

Note the row of cypress along the left margin of no 59, the hard standing sloping away from the front of no 59

and the pollarded lime standing in the wide grass verge


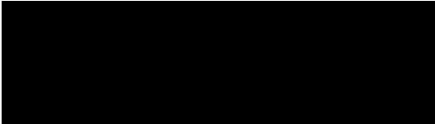


Jeffrey G. Duckett B.A. PhD Cantab.FLS FZS  
Professor of Botany



31 January 2020

Barbara Wheatley  
Holly Lodge Estate Manager

### **Instruction**

**To prepare an arboricultural report on a mature lime tree in relation to subsidence damage at 59 Hillway**

#### **Background information.**

*General* By far the most striking and attractive feature of the landscape in the Holly Lodge Estate is an avenue of regularly pollarded mature lime trees (see image). Indeed, this lime avenue is one of the best in London and every effort should be made to retain it in its entirety.

*Previous documentation leading to the request to fell the lime outside 59 Hillway.*

Camden application 2020/0344/T Registered 24/1/2020

Innovation Group . Addendum Report on behalf of Sheilas Wheels 20 Jan 2020

Details damage, first reported 1 Aug 2018, and a previous investigation, Oct 2018.

Soil desiccation down to 2.4m. Suggests that this is due to root-induced desiccation.

Lime, Vitaceae and cypress roots identified in a trial pit down to 1.3m.

Lime tree T1 opposite no 59 (see image) is the dominant tree and is implicated in the damage.

Monitoring of the soil in 2019 revealed seasonal changes in soil desiccation. This increased during the summer and was followed by recovery in the winter. These changes are attributed solely to water extraction by the lime viz desiccation increased after leaf emergence and went down after leaf fall. The report suggests that the pruning of the lime has been ineffective in mitigating the nuisance from the tree.

Removal of a row of cypress and the lime is recommended otherwise expensive underpinning/ construction of a root barrier might be needed.

### **Site description**

The image shows the lime tree and row of cypress. The lime is some 10m from the front of no 59 and the cypresses are much closer, Whilst almost all the front garden of no 59 is given over to hard standing the lime stands in the middle of a broad grass verge outside the property.

### **Conclusions**

The previous site investigations do not provide any conclusive evidence that the lime tree is responsible for the damage to 59. The report attributes drying of the soil exclusively to the lime tree and takes no account of the natural drying cycle in the absence of vegetation, namely summer drying and rehydration in the winter. The absence of such a control invalidates the conclusions that trees are the sole source of the soil desiccation. The fact that drying of the soil began before the lime had put on much new growth following pruning in November 2018 suggests this is much more due to the natural cycle.

Limes are classified as moderate in terms of water demand with maximum tree to damage distances of 12 to 15m. Thus the lime is within this distance but other factors need to be taken into consideration at no 59. Because of the sloping front garden and hardstanding most rain will run off the front garden rather than sinking into the ground particularly next to the house. Summer drying of the soil could therefore have been predicted regardless of the presence of the lime. Hardstandings, which affect both the water supply and the aeration of the soil, are not conducive to root growth. Most of the active roots of the lime and water extraction will therefore be from the wide grass verge and not from the front garden of no 59.

HLE's regular pollarding of the limes is the optimum practice for maximizing their amenity value set against the risk of subsidence damage to the properties along Hillway.

In the absence of conclusive evidence there is no good reason to remove the lime outside no 59.

It is also noteworthy that the row of cypresses has not been removed as recommended in the Innovation Group Report .

Considering the immense amenity value of the lime avenue it is most surprising that these trees are not covered by Tree Preservation Orders.

### **Recommendations**

Maintain the pollarding of the limes on a 3-4 year cycle.

The HLE should apply for TPO status for all the limes along Hillway.

Jeffrey G Duckett

31 January 2020



Barbara Wheatley  
Holly Lodge Estate Manager  
Holly Lodge Estate Committee Office



Date: 13<sup>th</sup> February 2020

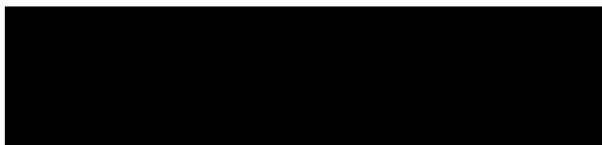
Dear Barbara,

REF: Application to remove Lime outside 59 Hillway – LBC. No 2020/0344/T

This statement is in response to your request for a counter argument with regards to the above application.

#### ARBORICULTURAL STATEMENT

1. I have seen and concur with the findings and opinion described within the report on the above provided by Professor Jeffrey Duckett and dated 31<sup>st</sup> January 2020
2. Further argument to support the retention of this tree and to contest the evidence provided by the insurance company is as follows:
  - I. The evidence provided within the Innovation Group report are insufficient in detail with regards to density of Lime roots and hydrology of the ground near to the foundations over a reasonable period of time (3 growing seasons)
  - II. The evidence does not support the allegation that the Lime tree is solely responsible (along with other lesser vegetation) for the subsidence at number 59
  - III. The evidence provided is, in no way, substantial enough to require the removal of an important and healthy avenue tree with considerable local amenity and biodiversity value
  - IV. The insurance company and their advisers tend to use the NHBC standards and guidelines to determine whether trees are likely to be the culprits in causing subsidence of foundations on shrinkable clay soils  
Ref: Chapter 4.2 Building near trees



- V. This standard was designed to determine the required depths of new build foundations in relation to existing trees growing on shrinkable clay soils, in order to prevent subsidence damage to a building and not to make the case for inadequate foundations failing due to proximity of tree(s)
- VI. The buildings in Hillway certainly pre-date the NHBC standards and it is highly likely that the depth of the foundations for the soil type and nearby trees is inadequate Ref: section 4.2-C
- VII. Lime trees are considered a moderate water demand tree with an average mature height of 22 metres REF: section 4.2-A
- VIII. The NHBC guidelines indicate that the zone of influence of a moderate water demand tree is 0.75 x mature height of the species, which in the case of the Lime tree is up to 16.5 metres REF: 4.2-D5 table 2
- IX. It is generally accepted that the cyclical reduction of street trees near buildings is a good way to control and moderate water demand. This tree and the other avenue Lime trees are cyclically reduced back to previous points of reduction at around 12 metres high, every 3 years in line with this principle.
- X. Finally, it could also be considered that the rooting zone for this tree can be calculated using the principle of typical root area used in the BS 5837: 2012 Trees in relation to Development etc. which is 12 x diameter of the tree at 1.5 metres above ground level giving a radius of the root zone. For this Lime tree it is  $500 \times 12 = 6$  metres radius around the tree and if off-set to allow for the road sub-base being a barrier to rooting of 20%, then would be 7.2 metres on the property side of the tree

### Recommendation

- 1. The Lime tree is retained and afforded protection with a Tree Preservation Order on the grounds of its important value for local amenity and biodiversity
- 2. Consideration be given to placing a TPO on the whole avenue of Hillway Limes to deter future claims for removal on similar grounds
- 3. That the foundation depth for number 59 are properly investigated and reported
- 4. That monitoring of the seasonal hydrology of the site is carried out for a minimum of 3 years

### Declaration

This Arboricultural statement is provided without prejudice as an objective and professional assessment of the tree described

Signed:

[Redacted Signature]

Date: 13.02. MMXX

**Richard Wassell. Director**

**CHort MCIHort MArborA NDarb (RFS) Kew Diploma NEBOSHlevel3**

[Redacted Box]

[Redacted Box]