

From: Dr. M.A. Zaheer Afridi
Sent: 04 August 2020 09:51
To: Planning
Subject: Susan's Trees email.docx

Dear Colleague,

Please review Peter Symonds's attached email yourself and visit the house and only then decide on the case.

Kind regards.

Dr Maz AFRIDI

CRASH – The Combined Residents’ Associations of South Hampstead – objects in the strongest possible terms to applications 2020/3019/T, 2020/3020/T and 2020/3021/T for the felling of three mature Plane trees in Greencroft Gardens.

In the first instance these applications claim that the trees are located in the gardens of three different properties which is simply not the case, so all three applications fail even to locate the trees accurately. Furthermore, the application suggests that because the roots of one of the trees – and it is by no means clear which one is being referred to as the culprit - is judged to be responsible for damage to the Aberdare Gardens property, ALL THREE trees should be destroyed. This would be a barbaric remedy which, if allowed, will be an act of environmental vandalism from Camden Council, who in February of this year was proudly trumpeting its having been awarded a ‘Tree City of the World’ designation from the Food and Agriculture Organisation of the United Nations.

The trees under threat are each well over a hundred years old and part of a shade-giving row of Planes dividing the back-to back gardens between Aberdare and Greencroft Gardens. They have been a much-loved feature of this conservation area for many decades. Following Camden’s refusal of the same applicant’s 2017 demand that they be removed, the owner of the trees had them severely pollarded at her own expense, yet that has done nothing to dissuade the applicant’s determination to have them destroyed.

The sketchy and often inaccessible technical evidence presented by Sedgwick on behalf of the applicant includes an interim insurance claim report prepared in April 2019 which suggests that, following the pollarding, the Aberdare garden property remained stable. The report suggests that further monitoring be carried out *‘and if the results are the same and the property remains stable that the insurers move to repair advising that any movement in Summer 2018 was minor and due to one of the hottest summers on record whereas (in) a normal summer like 2019, the property has remained stable.’* Overall, the report remains equivocal, and certainly does not suggest that the property damage is definitely due to the trees.

Additionally, there are further cracks recorded to the front (Street frontage) of the property which suggests they are likely to be attributable to general subsidence caused by shrinkage after a hot summer. It is certainly unlikely that they too are caused by trees a street away. The landowner himself has already removed a number of trees from his own garden and no consideration appears to have been given to the possibility of this having caused ‘heave’ and so subsidence to the property.

It is clearly financially convenient to the applicant and his insurers now to claim that the trees in Greencroft Gardens - which have to be over thirty metres away from his property - should be responsible for the damage, yet there has been not one single complaints of similar damage to the nearer neighbouring properties in Greencroft Gardens which are far more likely to be affected.

The threatened Planes were fully mature long before the modern extension to 57 Aberdare Gardens was built. CRASH contends that the existence of such trees should have been taken into account when the foundations were being laid. Furthermore, insurance companies generally require clients to complete a questionnaire with direct relevance to subsidence and property damage. A question on an Aviva Insurance form, for example, asks *“Are there any trees or shrubs within 20m (65ft) of the property and which are more than 5m (15ft) in height?”* It was surely incumbent on the insurers to determine this issue before being prepared to underwrite a property bordered by such outstanding and mature specimens.

Finally, the application states the felling of these trees is *‘proposed as a remedy to differential foundation movement and to ensure the long-term stability of the (Aberdare Gardens) building’*. It

makes no allowance for the likely damage to the Greencroft Gardens properties which may be caused by the resultant heave. It goes on to state *'They are proposed to limit the extent and need for expensive and disruptive engineering work'* although such engineering works are, again, possible as a result of heave, and likely to be required to Greencroft Gardens properties. Finally, the application states that *'They are proposed to limit the duration of any claim period (which is of undoubted benefit to the insurers) and thereby allow the landowner his right to the peaceful enjoyment of his property.'* After a distressing three year battle to save these trees, the Greencroft Gardens landowner would, I am sure, like to be afforded the same consideration.

May we ask that a Camden Tree Officer makes a special effort to inspect the site and see for himself the extent of the claimed – but unseen - damage to the property.

In the meantime, CRASH respectfully asks that the application be refused.

Kind regards

Peter Symonds

Chair