



Notting Hill Housing Trust
Bruce Kenrick House
2 Killick Street
LONDON
N1 9FL

22/05/2020

Dear Sirs

Re: Tree related subsidence at 2 Cleve Road, London NW6 3RR
Your tree shown as on adjacent land at 4 Cleve Road

We are writing to advise you that the above-named property is suffering damage in the form of cracking and structural movement. Sedgwick Mitigation Centre has been appointed by Sedgwick Subsidence team, who are acting on behalf of the property Insurers, to oversee the mitigation measures required. Sedgwick Mitigation Centre are not involved in any aspect of liability, should this be deemed necessary at a later stage.

Please find enclosed an Engineering Appraisal Report, a Site Investigation Report and an Arboricultural Assessment Report which provide evidential and technical information.

The Building Consultant's Engineering Appraisal Report concludes that the cause of damage to 2 Cleve Road is clay shrinkage subsidence, due to roots from adjacent vegetation extracting moisture from the soil, thus altering its moisture content.

The Site Investigation Report confirms the presence of clay and roots from the tree families Aesculus, which are Horse Chestnuts, Quercus, which are Oaks, and Castanea, which include Sweet Chestnut which were found when excavating a trial pit/bore hole at the above address.

The Property Risk Inspection, site survey Report has implicated that T6 Oak tree is the most likely source of the above Quercus roots, and as per the enclosed District Land Registry documentation, the Oak tree T6 is shown on land under the title of 164899, and this is shown as Title Absolute of Notting Hill Genesis. Section 5 of the Report confirms that the Oak tree T6 in question is subject to Conservation Area statutory controls, and as such we have made a separate application with the Local Authority, for which we will update you of its outcome in due course.

Crack width and level monitoring has been instructed and readings are to be taken at eight-week intervals. We shall forward these readings onto you as soon as they become available.

Continuation / 2


Based on the above information we kindly ask you to acknowledge receipt of this letter and confirm ownership of the T6 Oak tree by agreeing to mitigate the damage that it is causing, subject to the Conservation Area application approval.

Should you require any further information or clarification on the above, please do not hesitate to contact the undersigned.

We look forward to hearing from you and are happy to receive correspondence via email if this is your preferred form of communication.

Yours faithfully,



 Derek Stern
Tree Mitigation Specialist





☒ Postcode ☐ Title number

NW6 3RR

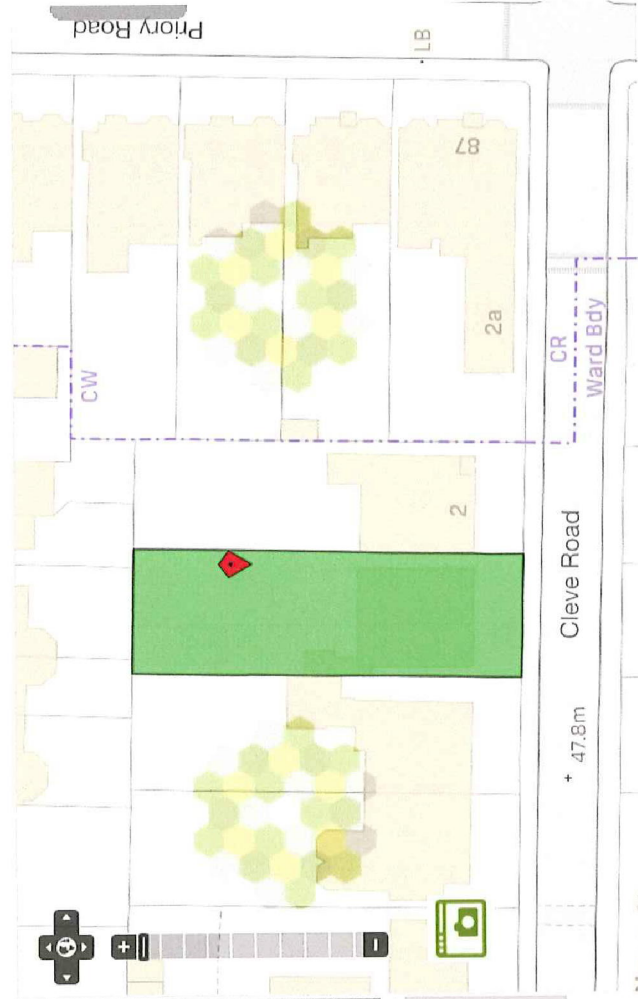
or

Street name only

Town or Locality

Search

Reset



Titles (1 of 1 loaded)

Title number information	Estate	Address
164899 Freehold		FLAT A, 4 CLEVE ROAD, LONDON NW6 3RR
		FLAT B, 4 CLEVE ROAD, LONDON NW6 3RR

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 14 MAY 2020 AT 11:32:49. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, CROYDON OFFICE.

TITLE NUMBER: 164899

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

CAMDEN

- 1 (17.12.1912) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Flats A-F, 4 Cleve Road, London (NW6 3RR).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (04.05.2018) PROPRIETOR: NOTTING HILL GENESIS (Community Benefit Society No. 7746) of Bruce Kenrick House, Killick Street, London N1 9FL.
- 2 (18.07.2012) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 5 July 2012 in favour of Prudential Trustee Company Limited referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following covenant contained in a Conveyance of the land in this title dated 22 June 1885 made between

1. George Henry Errington, Blackett Revell and Henry Haversham Godwin Austen (Vendors)
2. Henry Horace Powell Cotton
3. Jacob Walter (Purchaser)

so far as such covenant affects the land and is capable of being enforced.

"And the Purchaser doth hereby for himself his heirs executors administrators and assigns covenant with the Vendors their heirs and assigns that he or they will preserve and maintain the existing form plan and elevation of the buildings now erected on the said piece of

Title number 164899

C: Charges Register continued

land and will not alter or change the same and will not use occupy or permit to be used or occupied the said messuage or dwellinghouse for the purposes of any trade or manufacture or for any other purpose than a private residence."

- 2 (18.07.2012) REGISTERED CHARGE dated 5 July 2012 affecting also other titles.

NOTE: Charge reference MX405654.

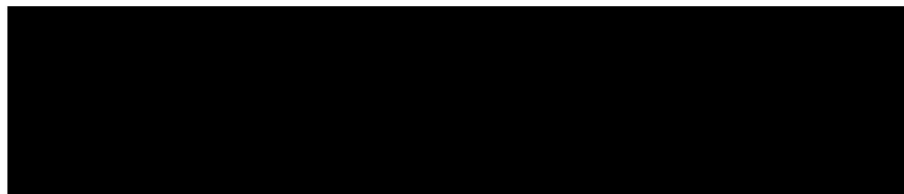
- 3 (18.07.2012) Proprietor: PRUDENTIAL TRUSTEE COMPANY LIMITED (Co. Regn. No. 1863305) of 10 Fenchurch Avenue, London EC3M 5AG and of trustees.admin@mandg.co.uk.
- 4 (18.07.2012) The proprietor of the Charge dated 5 July 2012 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

End of register

ARBORICULTURAL ASSESSMENT REPORT

For:	Client:	Sedgwick International UK
	Insurer:	QBE European
Site:	Policyholder:	Central & Cecil Housing Trust
	Risk Address:	2 Cleve Road, London, NW6 3RR
Refs:	PRI Ref:	
	Client Ref:	
	Insurer Ref:	

Arborist Name:	Will Hinde	Date:	11/05/2020
QC:	Thomas Peppiatt	Date:	12/05/2020



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1.0 INTRODUCTION & BRIEF

- 1.1** Property Risk Inspection has been instructed behalf of the building insurers of the insured property. We have been advised that the insured property has suffered differential movement and damage that is considered to have been caused by trees growing adjacent to the property influencing soils beneath its foundations.
- 1.2** We have been instructed to undertake a survey of the vegetation growing adjacent to the insured property in order to provide our opinion as to whether, based on the available information, any of this vegetation is likely to be influencing soil moisture levels beneath the foundations of the property, and if so, to provide recommendations as to what tree management could be implemented to effectively prevent damage continuing.
- 1.3** The vegetation growing adjacent to the risk address has been surveyed from the ground. All distances are measured to the nearest point of the risk address unless otherwise stated.

2.0 LIMITATIONS

- 2.1** Recommendations with respect to tree management are associated with the risk address as stated on the front cover of this report and following consultation with investigating engineers. The survey of trees and any other vegetation is associated with impacts on the risk address subject of this report. Matters of tree health, structural condition, and/or the safety of vegetation under third party control are specifically excluded. Third party land owners are strongly advised to seek their own professional advice as it relates to the health and stability of trees under their control.
- 2.2** Recommendations do not take account of any necessary permission (statutory or otherwise) that must be obtained before proceeding with any tree works.
- 2.3** Recommendations do not take account of any requirements for survey or mitigation relating to European or other protected species, e.g. bird nesting or bats. Land owners must obtain their own professional advice in respect of any protected species.

3.0 DISCUSSION AND ANALYSIS

3.1 Soils, soil water and vegetation

All vegetation requires water to live, and this water is substantially accessed from the soil within which the plants' roots grow.

If the soil is classified as a clay soil, then it will hold very much more water than sands, gravels and loam soils. As plants abstract water from the clay soil, the soil volume will "shrink" and "swell" during the summer as water is first removed and then added by summer rainfall. In years in which rainfall during the summer is less than the total amount of water taken from the soil by plants, shrinkage will occur. This shrinkage may remove support from building foundations, leading to cracking in the fabric of the building.

3.2 Vegetation management

The control of trees, shrubs, and climbers, by removal or pruning as appropriate, are proven techniques that can control total soil water loss thereby minimising soil shrinkage and allowing repairs to proceed.

If vegetation management works are carried out promptly, then repairs can usually proceed very quickly and the duration and distress associated with the disruption that tree related subsidence brings can be minimised.

3.3 Third party liaison and statutory controls

Tree roots do not respect physical or property boundaries and can travel for many metres beyond the above ground "dripline" of the canopy of the vegetation.

The purpose of this report is to ascertain which vegetation is the most likely substantial and/or effective contributory cause of the damage witnessed to allow for liaison with third parties or with local administrative Councils as necessary.

3.4 Evidential framework

The engineer has determined on a preliminary basis the damage to the property, its location and the likely mechanism of movement, and has concluded that the building failure is related to differential subsidence damage caused as a result of the action of vegetation.

Where a factual geotechnical report has been completed, this will describe the below ground foundation design, soil and geotechnical conditions, as well as any root identification where available.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 Recommendations

On the basis of our findings, we have considered a practical vegetation management specification.

This specification will assist in reducing the impact of the adjacent vegetation on soil moisture levels, thereby potentially stabilising foundations of the affected area of the building.

Where felling has been proposed, this will be on the basis that the vegetation in question would not respond well to a severe reduction in leaf area that would inevitably lead to decay, the development of potential hazards, and an annual or other on-going management commitment and cost.

If pruning is recommended, the specification will be designed to allow continual ease of re-pruning with a reasonable prospect of a reduction in soil water use.

4.2 Recommended vegetation management to address the current subsidence:

Tree No:	Species	Works Required
T1	Horse Chestnut	Fell and treat stump
S1	Laurel (Cherry)	Fell and treat stump
T2	Cypress	Fell close to ground level (approx. 50mm)
T6	Oak	Fell and treat stump

5.0 STATUTORY CONTROLS

The London Borough of Camden Council has confirmed that none of the implicated vegetation is subject to a Tree Preservation Order. However, they are within the South Hampstead Conservation Area



6.0 APPENDIX 1: TREE TABLES





Property Risk Inspection
L I M I T E D

Tree No	Common Name	Age Class	Condition	Height (m)	Crown Spread (m)	Stem diam. (mm)	Dist to bldg. (m)	Roots Implicated	Pruning history	Recommendation	Tree work constraints	Notes	Owner address	Owner
T1	Horse Chestnut	Mature	Good	13.4	8	600*	4.7	Y	Subject to past management.	Fell and treat stump.	Access through side/rear gate.		Benfine Ltd 89 Priory Road London NW6 3NL	C3P
SG1	Mixed species shrubs	Early Mature	Good	2.5	1.50	40*	1.7	N	Subject to past management.	No work required.		Buddleia, Elder and spotted Laurel.	89 Priory Road London NW6 3NL	P3P
S1	Laurel (Cherry)	Mature	Good	4.9	4	100*	2.2	N	Subject to past management.	Fell and treat stump.	Access through side/rear gate.	Multi-stem. Thought to be a contributing factor to the damage. Implicated due to size and location. No root ID.	Benfine Ltd 89 Priory Road London NW6 3NL	C3P
T2	Cypress	Mature	Good	14.3	7.0	400*	5.3	N	Subject to past management.	Fell close to ground level (approx. 50mm).	Access through side/rear gate.	Thought to be a contributing factor to the damage. Implicated due to size and location. No root ID.	Benfine Ltd 89 Priory Road London NW6 3NL	C3P

Tree No	Common Name	Age Class	Condition	Height (m)	Crown Spread (m)	Stem diam. (mm)	Dist to bldg. (m)	Roots Implicated	Pruning history	Recommendation	Tree work constraints	Notes	Owner address	Owner
TG1	Mixed species group	Early Mature	Good	9	5.0	150*	11	N	Subject to past management.	No work required.		Ash and Holly	89 Priory Road London NW6 3NL	P3P
T3	Ash	Mature	Good	17.7	8	350*	10.6	N	Subject to past management.	No work required.		Twin stem	91 Priory Road London NW6 3NL	P3P
T4	Sycamore	Mature	Good	16.2	7.0	400*	15.3	N	Subject to past management.	No work required.			91 Priory Road London NW6 3NL	P3P
T5	Sycamore	Mature	Good	15.7	8	380*	19.3	N	Subject to past management.	No work required.		Twin stem.	4 Cleve Road London NW6 3RR	P3P
T6	Oak	Mature	Good	15.8	12	600*	15.4	Y	Subject to past management.	Fell and treat stump.	Access through side/rear gate.		Notting Hill Genesis Bruce Kenrick House Killick Street London N1 9FL	C3P
T7	Cherry	Mature	Good	8.5	6	290	12.3	N	Subject to past management.	No work required.			2 Cleve Road London NW6 3RR	PH
SG2	Mixed species shrubs	Early Mature	Good	2.9	2	30	8	N	Subject to past management.	No work required.		Distance measured to damaged extension. Philadelphus, Cotoneaster, Hebe, Yew.	2 Cleve Road London NW6 3RR	PH

* Value is estimated