

Gwen Exford,
Tree officer,
Bromley Council,

Dear Gwen,

14/03744/TPO | Fell 1 horse chestnut in the front garden SUBJECT TO: TPO 1591 (T3) | Sandford Close 72 The Avenue Beckenham BR3 5ES

We object to this application. Whilst we are sympathetic to the anxiety suffered by Mr. Hilleard and his family on account of not being able to insure their property, 72 The Avenue, against subsidence, we do not see any justification for felling this tree.

It appears that this Application has arisen because the insurance company is concerned that the tree might cause damage to 72 The Avenue. However, no one is, or has, made any suggestion that 72 The Avenue has been damaged in any way. So apparently and manifestly, the tree is not causing any problem to the property. Therefore there's no reason to fell it.

In addition, we notice that no one is demanding the felling of this tree on account of any alleged subsidence that it might be causing to 70 The Avenue so again there is no reason to fell it. Various documents were submitted with this application but we believe that they are completely inadequate in providing justification for the felling of the chestnut and we would make the following comments.

- 13 trees are allegedly implicated with damage at number 70 but there is no evidence that this particular chestnut is causing subsidence at either 70 or 72. A DNA analysis should be obtained if necessary.
- Marishal Thompson make this disclaimer: -

No technical investigations are available at the time of reporting, therefore assumptions outlined in Note⁽¹⁾ above apply: recommendations may be subject to change following evaluation of any investigations that may be forthcoming.

Note 1 is this:-

Note⁽¹⁾: This report is intended for use between the client, Marishal Thompson Group and any parties detailed within the report. It is based on the understanding at the time of visiting the property that Engineers are satisfied that damage is attributable to clay shrinkage subsidence exacerbated by vegetation.

And they say this: -

Engineers should consider focusing investigations to strengthen factual evidence for disclosure to third party tree owners.

Indeed indeed. There is no evidence provided of any subsidence at Carey Court, 70 The Avenue. How was it measured, how bad was it? Where was the subsidence? Is the house still moving? Was any remedial work carried out to Carey Court 70 The Avenue? If so, what? Have any trees been felled at 70 The Avenue or was it not thought necessary at the time?

They also say: -

Based on our site inspections, and taking account of vegetation location, relative to the focal area of movement / damage, it is our opinion that T7 (Oak) will be exerting the principal vegetative influence to the property. It is also our opinion that T11 (Ash) is considered as being a contributory factor in the damage.

[ie damage to Carey Court] So where is the need to fell the chestnut?

- We notice to our astonishment that the arboricultural report is nearly three years old! An up to date report should be on obtained. Further, the report only says that the chestnut might be a 'future risk'- it doesn't say it **IS** a risk at all.
- The *letter* from Marishal Thompson dated 10 January, 2012 says: -

Our clients rely on the enclosed report as evidence to suggest that the damage at the property is caused by subsidence which is caused or made worse by the actions of vegetation sited on your property. The vegetation and management required are detailed in the enclosed Arboricultural Report.:

We think this misrepresents the position. The chestnut in question is actually identified as a possible 'future risk' and is not identified as a 'current claim requirement'. And in any case this accusation relates to number 70, not 72

- Contrary to what is stated in the Application, no site plan is provided which identifies the tree in question.
- The chestnut is significantly older than the building in question so it can hardly be blamed for the building being inadequately constructed. We suggest that this issue should have been noted by a building surveyor at the time of purchase of the property and we suggest that the applicant seeks a remedy from him.

Finally, we note that the applicant is related to an Elected Member but the name of this Member has not been provided.

We see no justification in allowing this application.

Yours sincerely

Ravensbourne Valley Preservation Society