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Mark Berry,
Head of Planning,
Town Hall,
The Parade,
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21st December 2015.

Ref: TPO 450
Planning ref: 15/01180/CAT

Dear Mr. Berry,

I wish to object to your refusal to allow the felling of a lime tree (T1 on your plan) in my front garden, and to the subsequent serving of a Tree Preservation Order. I understand that the Council has a responsibility to preserve trees that have a high amenity value, but would point out that none of my neighbours held it in sufficient regard to object to my proposal. It is also important that the Council balances the environmental benefits of trees against the environmental problems caused in residential areas.

I should like to expand on the evidence I presented in my original application.

I had a long discussion with Mr. Turpin when he came to inspect the tree. I explained that the house had been built in the very dry summer of 1976 on a plot where around twenty poor quality trees (mainly poplars) had been removed. The Council at that time stipulated which trees should be retained, and where new trees should be planted (see plan). When I moved to the house in 1991, the foundations were badly cracked. Professor Ian Richardson, the renowned arboricultural expert was consulted during the ensuing negotiation with the insurance company, and he concluded that the damage to the property was partly due to subsidence caused by the mature trees in Nos.21 and 22; partly to the fast growing Leylandi hedge that had been planted as a screen along the boundary of No.21; and partly due to heave resulting from the removal of the poplar trees.

His report recommended that the Leylandi hedge should be reduced to 2.5 metres (never to exceed 3 metres); that the 15 metre horse chestnut in No.21 should have the crown thinned by half, and regularly restricted; and that the limes, horse chestnuts and fruit trees to the east of the property (No.22) should have their leaf area reduced by one third. My neighbour at No.21 has been diligent in maintaining the hedge at the recommended height; he regularly applies to have the horse chestnut reduced, but Council permission is usually below the recommended 50% crown reduction. My neighbour at No.22 has had limited reductions made to his trees, but in general, the mature trees have grown, thereby increasing the uptake of water from the surrounding soil.

The report also suggested that "the trees in the front garden are probably safe at present, but they must not be permitted to grow any larger." The lime tree in question was originally

overshadowed by a large chestnut, and after that was removed in 1976, the lime flourished. The only way I could get ongoing buildings insurance on the property was to take over the previous owner's policy, and to comply with Professor Richardson's recommendations. With Mr. Young's approval, I have gradually replaced the original trees with more manageable varieties, and the lime is the sole survivor.

At a distance of 9 metres from the front of the house, the root system will extend to the foundations, and certainly be growing around the drains. A paper, "The distance at which trees can affect a building" (Architects Journal, 7th December 2006), states:

"Implementing a policy to prune or lop trees to prevent them from growing to full height is not a workable, long-term strategy for controlling the root network. A crown reduction of 70 per cent by volume (approximately 35 per cent height reduction) reduces the water draw by only a small amount and only during the year of pruning. In subsequent years the soil moisture levels return to normal. This is partly because pruning encourages shoot growth and hence larger leaves, which then make similar demands on the water absorption capacity of the root system."

Professor Richardson has actually committed us to a losing battle. Council permission for crown reduction is usually restricted to 25%; each successive pruning causes a growth spurt; as the limbs get thicker, the tree surgeons are reluctant to cut back to the original pruning points. The result is that the tree is now considerably larger after each reduction than it was in 1991. The logical conclusion is that the only way to stop the tree growing is to replace it with a smaller garden-friendly species.

Mr. Turpin complimented me on the replacement planting I have done around the house. I love trees, and I believe I have always acted responsibly in removing trees that were either too large for the garden, or in poor health, and by planting trees and shrubs that were more suitable for the size of the plot and proximity to the house. This garden was a horticultural desert when I moved here in 1991, and I have greatly increased the "leaf count" with careful planting. You can see from the aerial photograph submitted with the original application that we also have excellent tree cover in the adjoining properties. I have once again said that I am willing to take Mr. Young's advice on a replacement tree and its position.

An amenity is something useful or pleasant. A lime tree is an amenity in a park, or in a wide avenue of trees. It is too large for a domestic garden, and is now becoming a real problem. Apart from the potential damage to my foundations and drains, it throws out more and more suckers; it rains down black sap, killing the verge and plants beneath it, and damaging the cars parked below; and it is cracking the garden wall. In placing a TPO on this tree, you are implying that its removal is a threat to the environment, but conservation doesn't necessarily require preservation. I could have "preserved" the garden as I found it in 1991, but I chose to replant, and all the changes that I have made to the garden has benefitted the local environment. I see my application as a continuance of that conservation.

I therefore ask that you reconsider your decision.

Yours sincerely,

A handwritten signature in black ink that reads "Alan Rogers". The signature is written in a cursive style with a large, sweeping initial 'A'.

Alan Rogers.

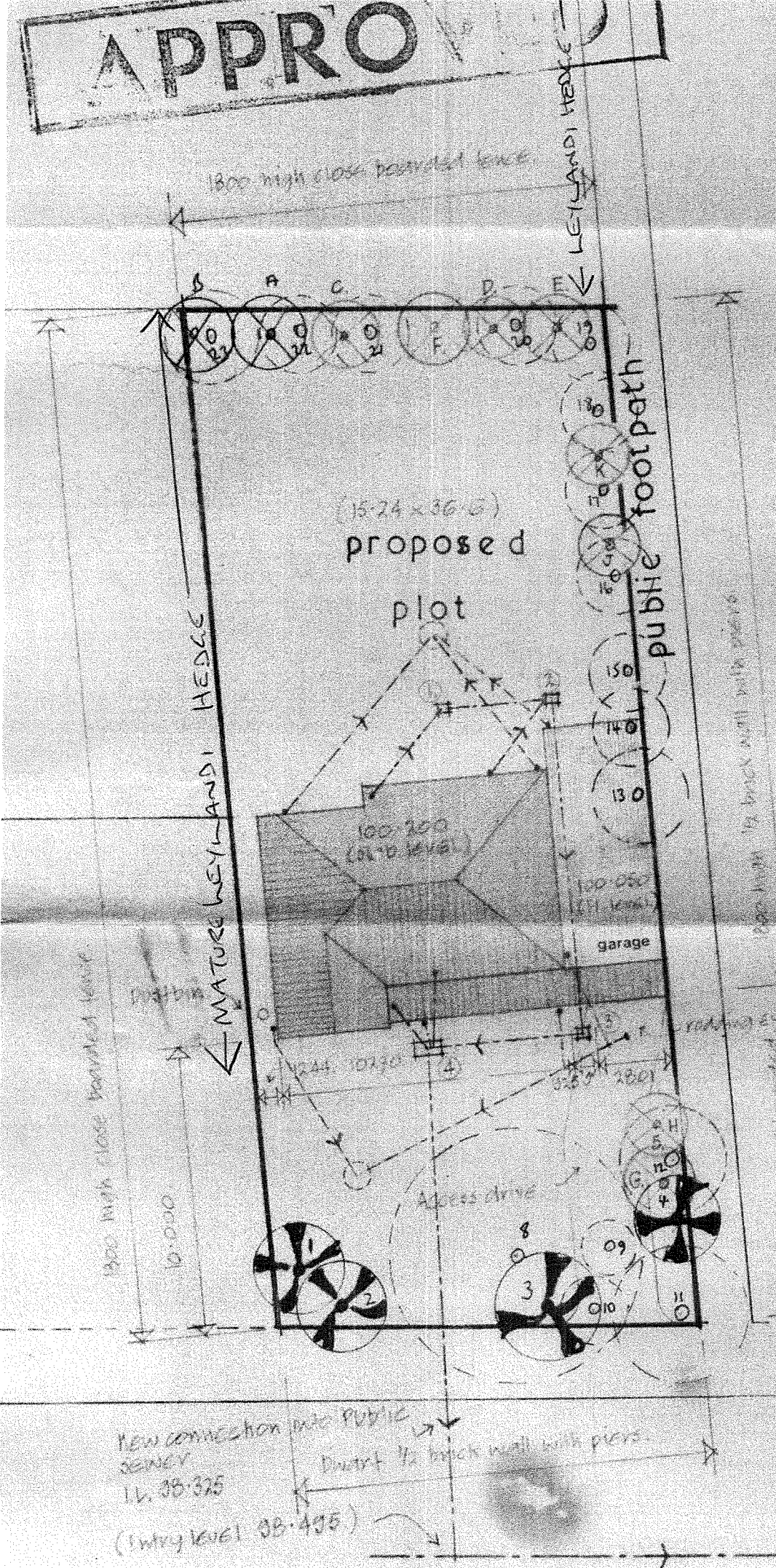
Enc: Plan of plot, 1976.
Prof. Richardson's report, 1991 (Poor copy, no letterhead)

APPRO

- TREES TO BE RETAINED -
- 1 FIR
 - 2 FIR
 - 3 BEECH
 - 4 MAPLE
 - 5 SILVER BIRCH (2 No)
 - 6 FIR
 - 7 FIR

- TREES TO BE REMOVED -
- 8 CHESTNUT
 - 9 FIR
 - 10 BEECH (Pool)
 - 11 Poplar (---)
 - 12 Poplar (---)
 - 13 Poplar (---)
 - 14 Poplar (---)
 - 15 Poplar (---)
 - 16 Poplar (---)
 - 17 Poplar (---)
 - 18 Poplar (---)
 - 19 Poplar (---)
 - 20 Poplar (---)
 - 21 Poplar (---)
 - 22 Poplar (---)
 - 23 Poplar (---)

- TREES TO BE PLANTED -
- | | |
|---|--------------|
| A | LEYLANDI |
| B | --- |
| C | --- |
| D | --- |
| E | --- |
| F | MAPLE |
| G | SILVER BIRCH |
| H | SILVER BIRCH |
| J | LEYLANDI |
| K | LEYLANDI |



1/2 brick wall with piers

1800 high close boarded fence

New connection into public sewer
 Entry level 98.495
 1/2 brick wall with piers

Existing soil M

Dear Sirs,

21A The Headway, Ewell

I was pleased to meet Mr Stephenson when I visited 21A The Headway on 8th October, 1992.

- 1 I am a Chartered Biologist with the academic qualifications listed on the letterhead. Particularly relevant among my publications is the book *Tree Roots and Buildings*, by D F Cutler & I B K Richardson (Longman, 1981; ed. 2 1989), written while I was a member of the research staff at the Royal Botanic Gardens, Kew. Since 1979 I have acted as an independent Consultant Botanist, specializing in tree/building problems.
- 2 The 1976 house has suffered damaging structural movement from 1991 onwards. The underlying soil is clayey and the foundations are only 1 metre deep. Trees on and near the site will have promoted differential soil shrinkage by their root action, especially in dry periods.
- 3 Previously there were many more trees on the site, particularly significant being a row of Poplars adjacent to the nearby public footpath. Some were very near the position of the building, and there would have been considerable soil 'recovery' after felling of these Poplars; some of this could have been 'long-term', meaning that there could have been soil expansion taking place under at least part of the building for some years after its completion; how long would have depended on the size and vigour of the nearest trees and their root systems, as well as on properties of the clay.
- 4 A row of 10-metre Cypresses, planted in 1976 at the time of construction, is very close to the opposite (left-hand) flank wall. These will have been increasing in root activity, especially in dry summers such as 1989-91.
- 5 It can therefore be seen that the building may well have been stressed from at least two, more or less opposing forces, namely heave from the (removed) Poplars and subsidence from the Cypresses. Recently this has been manifested in damage.

- 6 It might be worth-while reducing the Cypresses drastically, to about 2.5 metres in height (thereafter never to exceed 3.5 metres) to reduce and more or less stabilize their root activity. On this occasion I have strong reservations as to the effectiveness of this course of action, because of the probable complexity of the forces which the structure has undergone, and I consider that underpinning may well be the only permanent solution to the problem.
- 7 There are other trees nearby which could at least potentially be a threat to a proven vulnerable building. There is a large 15-metre Horse Chestnut in the adjacent left-hand garden, behind the Cypresses. This will, like the conifers, almost certainly have roots drying the soil under part of the building. If underpinning is not undertaken, this tree should be severely reduced in leaf-area - say by crown-thinning to half the present amount - and thereafter regularly restricted as regards future growth.
- 8 To the right, along the public footpath, are a mixture of Limes, Horse Chestnuts and Fruit Trees; these pose a threat to the garage and should be reduced by at least a third of their leaf-areas, and never again exceed three quarters their present combined area; felling of about a third of the more robust trees in this group would have a similar effect, preferably combined with some pruning of the remainder.
- 9 Trees in the front garden are probably safe at present, but they must not be permitted to grow any larger, again bearing in mind the proven vulnerability of the structure.
- 10 Where there is a requirement to reduce trees and thereafter monitor them, 'before and after' photographs can be good points of reference for the Tree Surgeon in the future.
- 11 I would like in summary to repeat that on this occasion I am not convinced that reduction of the nearby trees will result in a permanent stabilization of this building. It is my opinion that underpinning may well be the only solution.

Yours faithfully,



Dr Ian Richardson.