

APPLICATION FOR TREE WORKS

In respect of: London Borough of Hillingdon
Tree Preservation Order

Location of tree and damage: Tree Preservation Order - Oak tree located in the front garden of 12 Watford Road Northwood, Middlesex, HA6 3NR is causing damage to 14 Watford Road Northwood, Middlesex, HA6 3NR ("the Property")

SUMMARY OF CLAIM HISTORY AND EVIDENCE

esure Insurance Limited ("esure") provide property insurance to Mr Arif Sayani ("the Applicant") in respect of 14 Watford Road Northwood, Middlesex, HA6 3NR ("the Property").

The Property is a two storey detached property built in 1930. The house is of traditional construction with a hip tiled roof. The Property benefits from a 2-storey extension to the right-hand side

The Applicant first noticed damage in the form of cracking to the front of the Property in summer 2018 and subsequently notified esure. esure instructed Sedgwick loss adjusters to undertake causation investigations in order to establish the cause of the damage. At the time a Holly, Magnolia and Cypress tree were removed in circa May 2020.

Following removal of the above trees remedial repairs were undertaken to the Property in circa April 2021.

By October 2021 cracking had returned and by July 2022 damage had worsened.

Causation investigations undertaken have implicated an Oak Tree as identified by Tamla Tree Consulting ("T1 Oak") at 14.5m high and 15m distance to the Property, as the material cause of damage to the Property.

T1 Oak has been identified as within the ownership of Mr Amit Chohan 12 Watford Road Northwood, Middlesex, HA6 3NR. However, T1 Oak is subject to a Tree Preservation Order ("the TPO") imposed by London Borough of Hillingdon ("the Council").

If removal of TPO on T1 Oak is not granted, the costs of underpinning the Property will be in excess of £100,000.00 plus VAT. If tree is removed super structure repairs will costs an additional £35000.

The evidence obtained is as listed below.

Evidence

The following site investigations, level monitoring and expert arborist opinion was obtained following the Applicant first noticing damage to the Property.

1. Geotechnical Site Investigations undertaken by Auger dated 21 August 2019

Two trial pit boreholes ("TPBH") were excavated to the front of the Property. TPBH was excavated to the front right hand side of the main Property. The foundation was revealed to be 1.5m bearing onto stiff brown clay. TPBH2 was excavated to the front of the Property which revealed foundations to be 1.5m bearing onto clay soils.

Roots emanating from the magnoliaceae species were discovered which includes magnolia.

2. Property Risk Inspection Arboricultural Report dated 04 December 2019 ("PRI")

Property Risk Inspection Limited were instructed by Sedgwick on behalf of the insurer, esure. They were advised to give their opinion and recommendations to prevent the damage from continuing. PRI identified T3 Holly, SG1 Mixed Species and T2 Oak as the dominant feature proximate to the area of the movement and identified as the primary cause of the subsidence damage to the Property. PRI recommended that removal of T3 Holly, SG1 Mixed Species Group should be removed and T2 Oak to be 70% by vol canopy reduction in 2019 and pruning back to those dimensions in 2021 and 2023.

3. Geotechnical Site Investigations undertaken by CET dated 11 August 2022

TP/BH1 was excavated to the front right-hand corner of the property to a depth of 5m. Foundations were revealed to be 1050mm bearing onto stiff brown clay.

A remote borehole (BH2) was excavated to the west of the left-hand side (front) of the property to a depth of 0.85m.

4. Property Risk Inspection Arboricultural Report dated 16 September 2022 ("PRI")

PRI identified T2 Oak as the substantive and effective cause of the subsidence damage to the Property and have recommended that the T2 oak tree should be removed and stump treated.

5. Sedgwick Engineers Appraisal Report dated 31 January 2023

The report states main area of damage is to the front right side of the property and takes the form of external stepped cracking and internal diagonal cracks, and sloping front door.

This pattern of damage indicates a mechanism of downwards movement to the right hand side of the property

Damage falls into category 4 of Table 1, Building Research Establishment Digest 251 which describes it as "slight".

Sedgwick have advised that:

"Based on the information detailed above, we are of the opinion that damage has occurred due to clay shrinkage subsidence. This has been caused by moisture extraction by roots altering the moisture content of the clay subsoil, resulting in volume changes, which in turn have affected the foundations."

Furthermore

"If mitigation is achieved it is proposed that repair costs will be in the region of £35000.00 however if the vegetation remains either a root barrier or traditional underpinning will be required subject to further review and costs are likely to exceed £100,000.00."

6. Level monitoring from October 2018 until October 2023

The readings have shown a pattern of seasonal and cyclical movement supporting that the implicated T2 Oak is the cause of the damage.

An independent arboricultural report has been obtained given damage has re-occurred:

7. Tamla Trees Consulting Arborist Report dated June 2023

Keiron Hart from Tamla Trees has concluded that the evidence supports that the Property is suffering from damage caused by tree roots subsidence.

Tamla have identified T1 Oak (identified as T2 Oak by PRI) as the cause of the damage and have recommended that T1 Oak should be removed.

In order to stabilise the property, the cause of the movement must be removed. This can be achieved by removal of the T1 Oak tree.

Bundle of Documents:

1. **Geotechnical Site Investigations undertaken by Auger dated 21 August 2019**
2. **Geotechnical Site Investigations undertaken by CET dated 11 August 2022**
3. **Property Risk Inspection Arboricultural Report dated 04 December 2019**
4. **Property Risk Inspection Arboricultural Report dated 16 September 2022**
5. **Sedgwick Engineering Appraisal Report dated 31 January 2023**
6. **Level monitoring from October 2018 until October 2023**
7. **Tamla Trees Consulting Arborist Report dated June 2023**

Signed:

A handwritten signature in black ink, appearing to read 'Tazra', is written over a horizontal line.

Solicitors for the Applicant
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Ref: T10918017

Dated this 9th November 2023