

**Application No : 10/00574/TPO**

**Ward:  
Plaistow And Sundridge**

**Address : Sundridge Park Golf Club Garden Road  
Bromley BR1 3NE**

**OS Grid Ref: E: 540912 N: 170682**

**Applicant : OCA UK Ltd**

**Objections : YES**

**Description of Development:**

Fell 4 oak trees at Sundridge Park golf course, opposite 107 New Street Hill, Bromley.  
SUBJECT TO TPO 690

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land  
Sites of Interest for Nat. Conservation

**Proposal**

Felling of 4 oak trees

**Location**

On land at Sundridge Park Golf Course, opposite 107 New Street Hill.

**Comments from Local Residents**

Object to loss of trees, consider felling not justified.

**Planning Considerations**

This application has been made by arboricultural consultants acting for Insurers of 107 New Street Hill, Bromley. It is alleged that the 4 oak trees have contributed to subsidence of the property. The reasons given for the proposed felling of the 4 oak trees is to remedy differential foundation movement and to ensure long term stability of the property, to limit the extent and need for an expensive engineering solution, to limit the duration of the claim period, alternative pruning work would not provide a reliable or sustainable remedy and root barriers would not be effective or appropriate.

The background is as follows – damage to the property was first noticed in the summer of 2006. Investigations were carried out and a lilac at 107 was felled and a cherry and wisteria at the adjoining property at 105 were pruned in 2007. Repairs were undertaken in April 2008. However further damage was noted in the summer of 2008 and further investigations were carried out.

The investigations were carried out in September 2008. A trial pit was excavated to the left hand side of a front bay window and the foundations were seen to be to 1025mm deep although it was noted that they were constructed of weak concrete which appeared to crumble away. Tree roots were found to a depth of 1.8 metres and were identified as oak and wisteria or elm. The wisteria was in the garden of 105 and was removed early in 2009. Crack and level monitoring was carried out from February to November 2009. A further trial hole was excavated in September 2009, this time to the right of the front bay. At this location the foundations were seen to be only 900mm deep. Roots were seen but there is no reference to any further root identification.

The house was built in the early 1970's and is a two storey brick detached house under a tiled roof with a single storey flat roofed bay window at the front. The damage is cracking at the junction of the main building and bay window and cracking at the front corner of the left hand elevation, both of these fall within the category described as slight damage. There is also some slippage of brickwork at the damp proof course at the front right hand corner and this is with the category of moderate damage. The crack and level monitoring show there is downward movement of the front elevation during the summer and upward movement during the winter. This is consistent with the time of year when soil moisture deficits are reaching their peak. Damage caused by leaking drains has been discounted.

It is alleged that the damage is caused by vegetation abstracting moisture from the soil leading to shrinkage of the soil and thereby causing the property to subside. The arboricultural report submitted with the application identifies a wisteria at no.105 (already removed) and 9 oak trees within woodland on land on the opposite side of the road to the property. This land is within the ownership of Sundridge Park Golf Club and the trees are growing within a small woodland fronting 67 to 109 New Street Hill. Of the 9 oak trees it is suggested that 4 are implicated in the movement of 107. The trees are between 19.5 and 22.1 metres from the house. The house is at a higher level than the trees with the footway and road between them. It should be pointed out that of the remaining 5 oak trees on the land opposite the house two are less than the 22.1 metres maximum separation of the trees proposed to be felled. No evidence has been submitted to substantiate which of the oak trees is implicated in the damage.

It should be pointed out that estimated costs of repair vary between £10,000 and £20,000, the lower cost if the trees are removed and the higher cost if the trees remain. The evidence submitted shows that the property has suffered some structural damage but the adjoining property (122 Portland Road) is of an identical design and also has some cracking to the elevation fronting New Street Hill. The other properties in the road were built in the 1930s and there have been no other cases of subsidence

where the protected trees on the land opposite have been implicated. DNA testing is available in specialist laboratories and can help in identifying which individuals of the several of the same species which may be implicated in subsidence cases. No such evidence has been submitted with this application and whilst some tree work may be required it may not be necessary to fell all 4 trees. The choice of the 4 from a group of 9 does not appear to be based on any of the evidence submitted with this application.

### **Planning History**

None relevant

### **Conclusions**

The evidence submitted with the application shows that the property at 107 New Street Hill has suffered some structural movement. However no clear link with the 4 trees proposed to be felled has been established.

### **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The 4 oak trees are considered to make an important contribution to the visual amenities of the street scene as they are an integral part of a wider area of woodland and the proposed felling would be detrimental to the visual amenities of the locality. Insufficient evidence has been submitted to justify the felling of 4 oak trees.

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