

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

4

Death with  
2/11/99  
DB

APPLICANT:

Keith Horn Architects,  
58 St. Paul's Road,  
Canonbury,  
London  
N1 2QW

APPLICATION NO: PP/99/02212/55

APPLICATION DATED: 20/10/1999

DATE ACKNOWLEDGED: 28 October 1999

APPLICATION COMPLETE: 28/10/1999

DATE TO BE DECIDED BY: 23/12/1999

SITE: 29 Pembroke Road, London, W8 6DP

PROPOSAL: ~~Enlargement of existing dining room of 5sq.m.~~ <sup>on boundary to Marlborough Court,</sup> to form new room of 18.5sq.m. including glazed linking vestibule from existing reception room.

ADDRESSES TO BE CONSULTED

- 1.
2. 31 Pembroke Road W8
- 3.
- 4.
5. Flats 1-60 & 5A, 10A, 12A, 15A, 20A, 25A, 30A, 35A, 40A,
6. 45A, 50A, 55A, 60A.
7. Marlborough Court
8. W8
- 9.
- 10.
- 11.
- 12.
13. 23 Coogan Place W8
- 14.
- 15.

75

CONSULT STATUTORILY

- HBMC Listed Buildings
- HBMC Setting of Buildings Grade I or II
- HBMC Demolition in Conservation Area
- Demolition Bodies
- DoT Trunk Road - Increased traffic
- DoT Westway etc.,
- Neighbouring Local Authority
- Strategic view authorities
- Kensington Palace
- Civil Aviation Authority (over 300')
- Theatres Trust
- National Rivers Authority
- Thames Water
- Crossrail
- LRT/Chelsea-Hackney Line

ADVERTISE

- Effect on CA
- Setting of Listed Building
- Works to Listed Building
- Departure from UDP
- Demolition in CA
- "Major Development"
- Environmental Assessment
- No Site Notice Required
- Notice Required other reason
- Police
- L.P.A.C
- British Waterways
- Environmental Health

✓  
1/11/99

# DEVELOPMENT CONTROL

## TECHNICAL INFORMATION



ADDRESS 29 Pembroke road

29 PEMBROKE ROAD

POLLING DISTRICT KB PP992212



- |     |  |        |  |
|-----|--|--------|--|
| HB  | Buildings of Architectural Interest          | LSC    | Local Shopping Centre                          |
| AMI | Areas of Metropolitan Importance             | AI     | Sites of Archeological Importance              |
| MDO | Major Sites with Development Opportunities   | SV     | Designated View of St Paul's from Richmond     |
| MOL | Metropolitan Open Land                       | SNCI   | Sites of Nature Conservation Importance        |
| SBA | Small Business Area                          | REG 7  | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights   |

| Conservation Area | HB | CPO | TPO | AMI | MDO | MOL | SBA | Unsuitable for Diplomatic use | PSC |   | LSC | AI | SV | SNCI | REG 7 | ART IV |  |
|-------------------|----|-----|-----|-----|-----|-----|-----|-------------------------------|-----|---|-----|----|----|------|-------|--------|--|
|                   |    |     |     |     |     |     |     |                               | C   | N |     |    |    |      |       |        |  |
| 8A                |    |     |     |     |     |     |     |                               |     |   |     |    |    |      |       |        |  |

|  |   |
|--|---|
|  | Within the line of Safeguarding of the proposed Chelsea/Hackney underground line    |
|  | Within the line of Safeguarding of the proposed Eastwest/Crossrail underground line |

|                          |  |
|--------------------------|--|
| Density                  |  |
| Site Area                |  |
| Habitable rooms proposed |  |
| Proposed Density         |  |

|                     |  |
|---------------------|--|
| Plot Ratio          |  |
| Site Area           |  |
| Zoned Ratio         |  |
| Floor Area proposed |  |
| Proposed Plot Ratio |  |

|                    |           |  |
|--------------------|-----------|--|
| <b>Daylighting</b> | Complies  |  |
|                    | Infringes |  |

|                    |                 |  |
|--------------------|-----------------|--|
| <b>Car Parking</b> | Spaces required |  |
|                    | Spaces proposed |  |

**Notes:**

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**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS TP MRTPI Cert TS

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6

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**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

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The Occupier  
1 file copy  
file copy  
file copy

Switchboard: 0171-937-5464  
Extension: 3190  
Direct Line: 0171-361- 3190

Facsimile: 0171-361-3463  
Date: 2 November 1999

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My reference:

Your reference:

Please ask for:

My Ref: DPS/DCC/PP/99/02212/JS

Planning Information Office

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Proposed development at: 29 Pembroke Road, London, W8 6DP**

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

**Proposal for which permission is sought**

**Extension to existing dining room to form new room of 18.5sq.m. on boundary to Marlborough Court, including glazed linking vestibule from existing reception room.**

**Applicant**

**Keith Horn Architects, 58 St. Paul's Road, Canonbury, London  
N1 2QW**

Yours faithfully,

**M. J. FRENCH**

Executive Director, Planning and Conservation



### **WHAT MATTERS CAN BE TAKEN INTO ACCOUNT**

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- \* The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- \* Effect upon the character or appearance of a Conservation Area;
- \* Effect upon the special historic interest of a Listed Building, or its setting;
- \* Effect upon traffic, access, and parking;
- \* Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation

### **WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT**

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- \* Loss of property value;
- \* Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- \* Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct)
- \* Smells (Also covered by Environmental Services)
- \* Competition between firms;
- \* Structural and fire precaution concerns; (These are Building Control matters)

### **WHAT HAPPENS TO YOUR LETTER**

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

**If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.**

### **WHERE TO SEE THE PLANS**

Details of the application can be seen at the **Planning Information Office, 3rd floor, Town Hall, Hornton Street W8**. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the **Chelsea Area (SW1, SW3, SW10)** can be seen at **The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (0171-361 4158)**, for the **Central Area (W8, W14, SW5, SW7)** can be viewed in the **Central Library, Town Hall, Hornton Street, W8**. and applications for districts **W10, W11 and W2** in the **North** of the Borough can be seen at **The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11** (under the Westway near Ladbroke Grove Station **0171-727-6583**). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

**PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY**



**MEMORANDUM**

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**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

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**My Ref: PP/99/02212/JS**

**CODE A1**

**Room No:**

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**Date: 2 November 1999**

**DEVELOPMENT AT:**

**29 Pembroke Road, London, W8 6DP**

**DEVELOPMENT:**

**Extension to existing dining room to form new room of 18.5sq.m. on boundary to Marlborough Court, including glazed linking vestibule from existing reception room.**

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)

**M.J. French**

Executive Director, Planning & Conservation



9

# RBKC District Plan Observations CONSERVATION AND DESIGN

|   |                             |           |            |                |
|---|-----------------------------|-----------|------------|----------------|
| Address<br>29, Pembroke Road, W8.                                     | Appl. No. JS<br>PP/99/02212 | L.B.<br>— | C.A.<br>SA | N<br>CV<br>S ✓ |
| Description<br>Extension to the existing dining room to form new room |                             | Code<br>— |            |                |

of 18.57. m, to boundary to Marlborough Court,  
including glazed linking vestibule from the existing reception room.

The scheme proposed is unwelcome, given the degree of encroachment  
of the proposed extension into the rear elevation of the main  
house. The fenestration arrangement will be unbalanced,  
the building 'edge' will be obscured. The principle  
of the extension may also be unwelcome, given the significant  
extension of the existing building line.

H1B  
11. 11. 99

10 10

THE ROYAL BOROUGH OF

# NOTICE OF A PLANNING APPLICATION



TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

**KENSINGTON AND CHELSEA**

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

- (a) for development of land in or adjacent to a Conservation Area.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The Reference Library, Chelsea Old Town Hall, Tel. 0171-361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbroke Grove, W11, Tel. 0171-727-6583.

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Dept. 705) within 21 days of the date of this notice.

## SCHEDULE

ALS  
~~17/11/99~~  
17/11/99

Reference: PP/99/02212/JS

Date: 12/11/1999

29 Pembroke Road, London, W8 6DP

Extension to existing dining room to form new room of 18.5sq.m. on boundary to Marlborough Court, including glazed linking vestibule from existing reception room.

APPLICANT Keith Horn Architects,

7 April 2000

10

11

- Discussion with Chris Colwell. (Trees).

British standards state that in the case of a Mature Tree, as in this case, any building should be 6M from the tree but that there may be scope for it to be 2M closer. Therefore, 4M would be the minimum distance.

However, Chris feels it may be possible for the proposed structure to be closer to the tree than 4M but less than currently proposed. The applicant would need to submit detailed drawings including foundation details etc to show that tree would not adversely affect the tree.

- Advised Mike French of this

- Rany applicant — Advised him of position.  
(MR BUXTON).

- Rany agent — Advised him, too, of position.  
(MR HORNE).

— Also advised him to submit existing or proposed elevation from Marlborough Court

— Also advised him to reduce size of glass link structure to proposed dining room extension.

John Sheerman



12

29 PEMBROKE ROAD

1999 Electoral Roll :

|                   |    |
|-------------------|----|
| Buxton, Dagmar. S | 29 |
| Buxton, Robert. V | 29 |
| Ortiz, Simon      | 29 |

Council Tax (2000).

Nº 29

Braceant Apt, Nº 29

(2 separate entries)

Conclusion : This is not a single family dwelling.

13

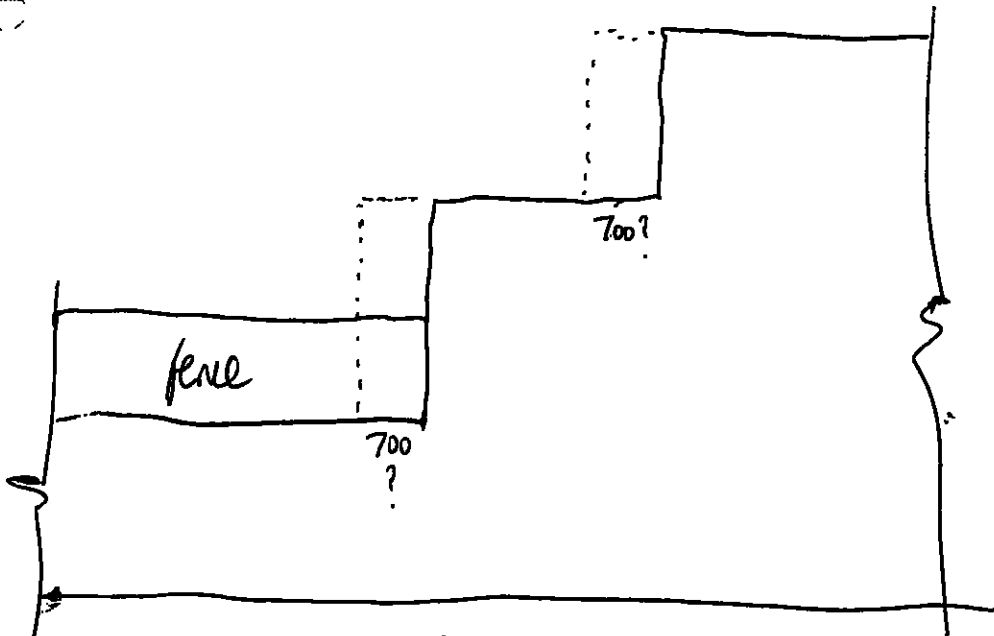
1976 — Side Ext at of level

— [Implimented].

[N.B. Basement = separate s/c flat  
as shown on drawings]

1989 — Side Ext over

— [Implimented].



View from flats next door. 31/8/00.

Handwritten notes: 'RC', '14', 'JJS', 'JG 29/6', and circled numbers '14' and '103'.

369/3

23 June 2000

Royal Borough of Kensington & Chelsea  
Planning and Conservation  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

SS  
COPY OF PLAN ;  
TO INFORMATION  
OFFICE PLEASE

DCC & lease

|                               |     |     |     |     |     |     |      |
|-------------------------------|-----|-----|-----|-----|-----|-----|------|
| RECEIVED BY PLANNING SERVICES |     |     |     |     |     |     |      |
| EX                            | HDC | PL  | W   | SE  | ENF | AS  | ACK  |
| DIR                           |     |     |     |     |     |     |      |
| 103 6 JUN 2000                |     |     |     |     |     |     |      |
| APPLS                         | IO  | REC | ARB | FWD | CON | DES | FEES |
|                               |     |     |     | PLN | DES |     |      |

Attention: Mr. John Shearman

Dear Sir,

RE: 29 Pembroke Road, London W8  
Ref. no. DPS/DCC/PP/99/02212

Following our telephone discussion regarding the Council's comments on the proposals which were submitted on 21<sup>st</sup> October 1999, we enclose amended proposals and additional information for your consideration.

The amendments take into account the Council's comments as follows.

1. The link between house and new dining conservatory has been reduced as suggested and the existing metal balustrade is retained.
2. The roof over the conservatory has been amended and the balustrade removed.
3. Two new drawings illustrating the minor change to the garden wall, and the previous proposed additional pergola and timber screen reduced to its existing location, have been included. Dwg.no. 369.SK11 & 369.SK12.
4. An arboricultural tree report was commissioned to assess the proposal and is included for your reference. They conclude that subject to the necessary precautions being taken during and after construction and construction of the mini pile foundations taking full account of the root system, the proposals will not be detrimental to the tree.

Changes to the ground cover around the tree are also being taken into account. The large ivy covering of the tree trunk has also been removed. We enclose 4 copies of the revised drawings nos. 369.SK 4A, 5A, 7A, 8A, 11 & 12, and 1 copy of the tree report.

Should you have any further queries, please contact the writer.

Yours faithfully,

Keith Horn

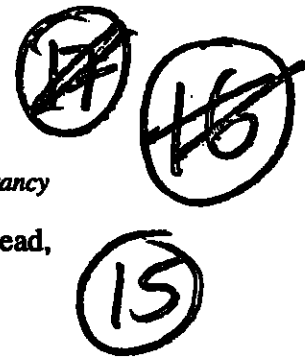
c.c.: Mr. Robert Buxton



## BARROW & HOLDING

*Arboricultural & Woodland Management and Consultancy*

58 Glenview Road, Boxmoor, Hemel Hempstead,  
Hertfordshire HP1 1TB  
Telephone & Fax: (01442) 252339



Our Ref: IB-199

Your Ref:

Date: 1.9.00

Keith Horne Architects  
58 St Paul's Rd  
London  
N1 2QW

Dear Sirs;

### **RE: GROWTH PATTERNS OF LONDON PLANE TREES**

Further to my conversation with Mr. Buxton on 25<sup>th</sup> August, I understand that the local authority have expressed some concern that the future root and trunk expansion of the Plane tree in the rear garden of No. 29 Pembroke Rd, may have an adverse effect upon the proposed extension.

Following some research into this subject from published articles and the Arboricultural Advisory Information Service, I can state the following...

As with most broadleaf trees, Planes have their lifespan's divided into three distinct phases. The first is a period of very rapid growth towards maturity, the second being maturity itself, where the tree will not expand much beyond its mature size, and the third stage is decline towards death, this period can be as short as 25 years, or as long as 500 years.

It is recorded that several of the very first London Plane trees ever to be planted in this country are still in existence. In his book, "Trees of Britain and Northern Europe", Alan Mitchell makes note of two London Plane trees at Bryanston in Dorset, which are Britain's tallest hardwoods, standing at 152 & 158 feet in height, with a stem girth of 8.4m, and a group in the Bishops Palace in Ely, Cambridgeshire, all were planted around 1680, and are still in good form.

The tree at Pembroke Rd is approximately 105 feet in height, with a stem girth of 5m. It is quite obvious that providing the tree suffers no serious set backs, it is likely to continue to grow, however, it should be noted that the tree is considered fully mature, having been planted in 1820, and will only be making very slow expansion growth, no more than 1m in diameter every 35 years or so, indeed, as this tree is in an urban situation, and not an ideal woodland setting like those in Dorset, its growth may well be further slowed.

(16) (18)

From this evidence, we conclude that although this tree will continue to grow, it will do so over an extremely long period of time at a very slow rate, which is unlikely to have any significant effect on the foundations or the extension itself. In addition we feel that the proposed installation of decking around the tree would be a vast improvement on its current crazy paving surround, as it will allow for any trunk expansion which may occur in future.

With reference to the piling between the tree's buttress roots; we feel that until excavations are carried out to reveal the rooting zone into which the piles are to be driven, it would be impossible to say how close they will come to the root system itself. With careful positioning of the micro piles and use of slip collar rings around them, the likelihood of distortion being caused by root expansion is very small.

I hope you find this information useful, if I can be of any further assistance, please, do contact me again.

Yours sincerely,



Ian Barrow. Cert. Arb'  
Associate of the Arboricultural Association.

15 15

design

developments

17

369/3/RBKC

BY FAX AND POST  
Fax No.: 7361 3463

4 September 2000

Royal Borough of Kensington & Chelsea  
Planning and Conservation  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

| RECEIVED BY PLANNING SERVICES |     |     |     |            |         |      |        |
|-------------------------------|-----|-----|-----|------------|---------|------|--------|
| EX DIR                        | HDC | N   | C   | SW         | SE      | ENF  | AO ACK |
| JL                            |     |     |     | 6 SEP 2000 |         |      |        |
| FEES                          | IO  | REC | ASB | FWD PLN    | CON DES | FEES |        |

Attention: Mr. John Shearman

Dear Sir,

RE: 29 Pembroke Road, London W8  
Ref. no. DPS/DCC/PP/99/02212

Further to the site visit by Mr. Colwell and discussions regarding the future growth of the tree which require to be objectively assessed. We enclose a written report from the arboricultural consultancy Barrow & Holding regarding their assessment on the tree's future growth.

Their conclusion is that "although the tree will continue to grow, it will do so over an extremely long period of time at a very slow rate, which is unlikely to have any significant effect on the foundations or the extension itself."

On site it is clear that growth over the last 10 years has not disturbed an existing brick wall around the tree's base.

At a recent site re-inspection, we also determined that although the distance between the tree at its nearest point to edge of the radius of the proposed conservatory floor slab is approx. 1 metre at floor level, the conservatory floor is raised off the existing ground level and the glazed section is set back approx. 300mm from the edge of the suspended floor slab.

The distance between the glazed wall and the tree is actually around 1200mm and this increases to 1500mm at the head of the door and increases further the higher you take the measurements as the tree reduces in size and is inclined slightly away from the house.

We understand that there still remains some questions in the mind of Mr. Colwell and his colleague Nick Bentley regarding the potential further growth of the tree, and that Mr. Colwell will be arranging for a core test to be taken to assess the actual growth in recent years.

We hope the enclosed comments from Barrow and Holding prove helpful in bringing their deliberations to an early conclusion.

18

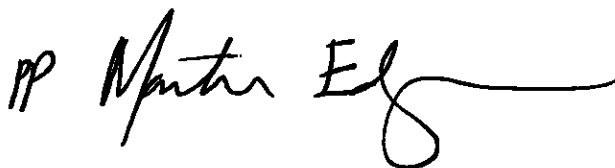
369/3/ RBKC  
4 September 2000

As discussed, other than the resolution of the proximity to the tree, the architectural matters now appear to be agreed.

- A. The first floor doors opening onto the balcony are to be converted to windows.  
Access onto the roof would be limited to occasional maintenance.  
The plants in the tubs on the roof are proposed to be watered by an automatic watering system.
- B. The link between the Living Room and the Conservatory has been reduced as agreed. We are to provide the amended elevation for your information.
- C. The short 750mm extension of the garden wall does not, in our opinion, affect the view or light to neighbouring properties as the wall will simply be replacing an existing timber fence.  
A site inspection should clarify this.

As the application has now been running for nearly 1 year, our client would appreciate it if these outstanding matters can be dealt with as soon as possible.

Yours faithfully,



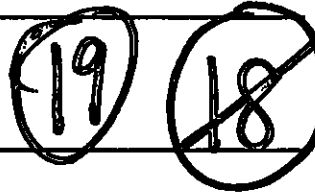
Keith Horn

c.c.: Mr. Robert Buxton  
Mr. Ian Barrow

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**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

**THE ROYAL  
BOROUGH OF****Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS**

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**Derek Patch  
AAIS  
Alice Holt Lodge  
Wrecclesham  
Farnham  
Surrey  
GU10 4LH****Switchboard: 020 7361 2605  
Extension: 2767  
Direct Line: 020 7361 2767  
Facsimile: 020 7361 3463****08/09/00****KENSINGTON  
AND CHELSEA**

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My reference:

Your reference:

Please ask for: **Nick Bentley**

Dear Derek,

**London Plane Tree, 29 Pembroke Road, London, W8**

Further to your telephone conversation with Nick Bentley, I write to confirm that we wish to commission a report into the possible affect and implications on a protected tree of a planning application involving construction of an extension.

The brief is as follows;

In conjunction with background documentation and other published sources of information considered to be relevant;

1. Accurately plot on a plan the London Plane tree, taking measurements at both breast height and at ground level.
2. Provide an assessment of tree condition.
3. Establish the rate of stem girth growth of the tree and estimate potential for future growth, for the next 50 years, 100 years, and for the reasonable life expectancy of the tree. Estimate the capacity of the tree's stem to move under wind loading.
4. Provide general observations on the arboricultural report supplied by the applicant, commenting particularly on foundation construction proposals, making recommendations as appropriate.

The council will arrange access on your behalf and a Tree Officer will attend at the time of your site visit along with any representatives nominated by the applicant.

I would be grateful if you can confirm your acceptance of this commission and indicate the likely costs.

Yours sincerely

Chris Colwell  
Arboricultural Officer  
for the Executive Director of Planning and Conservation

enc. location map/ letters Keith Horn Architects 23 June 2000 & 4 Sept (includes report on growth patterns of London Plane), Barrow & Holding tree report May 2000, photographs, drawings; SK 4, SK 5, SK 7, SK 8, SK 11, SK 12.



PK/SS  
Same comment as before  
20/11

Copy only  
" DC/C

20

|                               |     |     |     |            |            |      |
|-------------------------------|-----|-----|-----|------------|------------|------|
| RECEIVED BY PLANNING SERVICES |     |     |     |            |            |      |
| E<br>DIR                      | HDC | N   | C   | SW         | SE         | ENF  |
| 20 NOV 2000                   |     |     |     |            |            | 19   |
| APPL                          | IO  | REQ | ARB | FWD<br>PLN | CON<br>DMS | FEES |

THE BROOK HOUSE  
29 PEMBROKE ROAD  
LONDON W8 6DP  
Tel 020 7602 5941  
Fax 020 7460 3213

Copy - Mike French

Any thing you can  
do to resolve this  
matter would be  
much appreciated!

Robert.

17 November, 2000

Mr John Shearman  
Planning & Conservation Department  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

Dear Mr Shearman,

Ref no DPS/DCC/PP/99?02212 - Extension at Ground Floor level

The above application was submitted by my architects over a year ago. On the 1<sup>st</sup> February you attended the site with Nick Bentley, and we discussed design details and the proximity of the large Plane tree. After this meeting you agreed with me on the telephone that the design details could be taken care of but that the structure would not be allowed closer than 1 meter from the tree. The actual design of a suspended platform on mini-piles posed no problem to the roots. You advised me to get an arboricultural expert to submit a report to back up our application.

On 12<sup>th</sup> May Chris Colwell visited the site and after this visit he consulted with Nick Bentley and expressed concern about the 1 meter minimum distance on account of the possible growth of the tree in 50 years time. My own uninformed opinion would contend that the huge superstructure of the tree would be far more of a danger to the main body of the house by that time, especially in the event of another storm like that of 1997 when the branches actually dislodged several roof tiles.

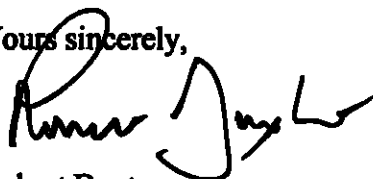
I have spent thousands of pounds in architects, structural engineers and arboriculturist fees, and still over one year later we seem to have no resolution of this matter. We can take the minimum gap between the wall and the glazed section to 120 mm but beyond that there is insufficient room to make the project worthwhile.

I am copying this letter to Mike French who I informed of the inordinate delay some four months ago!

24

I would be glad if you would contact Keith Horn as soon as possible at least to let him know where we stand and the outcome of the report that you commissioned some time ago from Derek Patch.

Yours sincerely,



Robert Buxton

→ cc Mr Mike French – Director of Planning  
Mr Keith Horn – Keith Horn Architects  
Mr Ian Barrow – Barrow & Holding – Arboricultural Consultancy

1 DEC 2000

Internal discussion meeting — Paul Helsey } Dent Unit  
 John Shearman }  
 Chris Colwell } Tree Section  
 Nick Bentley }

Still concerns about impact of dent on tree due to proximity.

"apprehension", "discomfort", "concern for occupier of property" is mentioned in British Standards.

Nick Bentley reiterated concerns that the dent looks too close and feels too close to the tree.

Drawings show tree 900mm from dent.  
Agreed that this is too close.

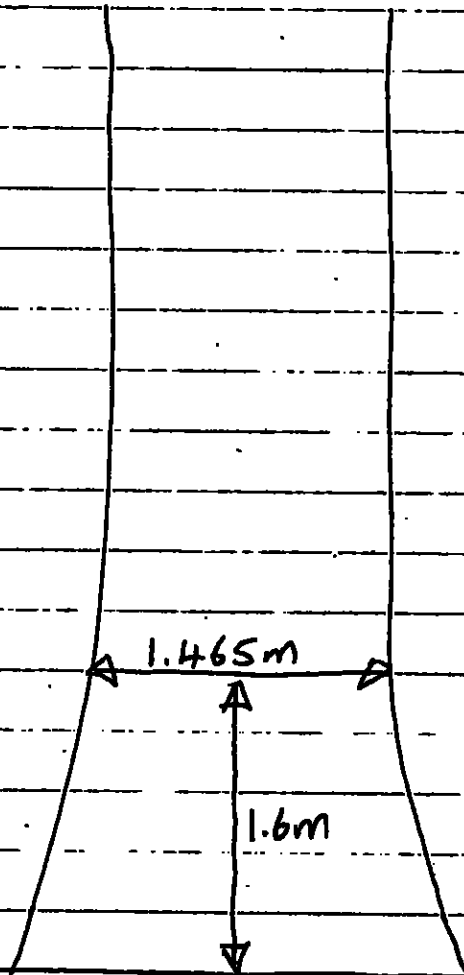
Tree section would prefer to see 1.4m distance.

Agreement that 1.2m may be acceptable.

● Anticipated growth: 50-100 years may be expected.

29

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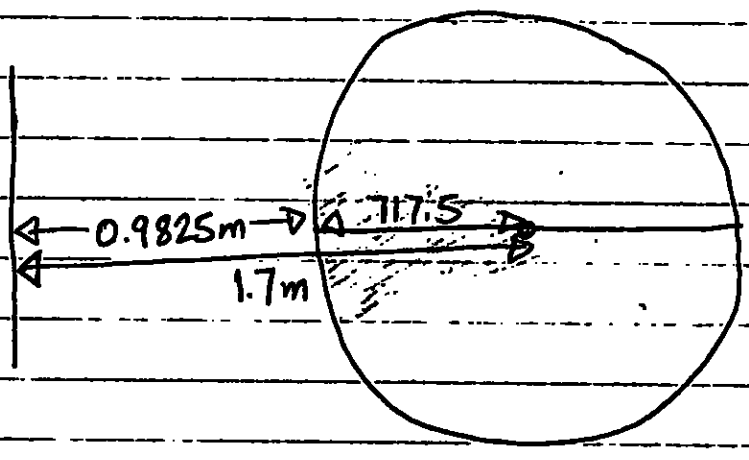


| Year. | Diameter | Radius |
|-------|----------|--------|
|-------|----------|--------|

|                       |                 |      |        |       |
|-----------------------|-----------------|------|--------|-------|
| 1 m height (diameter) | 2000            | 1435 | 717.5  |       |
|                       | 2050            | 1985 | 992.5  | + 275 |
|                       | <del>2500</del> | 2535 | 1267.5 | + 550 |

24  
25

|                         |      |      |      |       |
|-------------------------|------|------|------|-------|
| 0.5 m height (diameter) | 2000 | 1780 | 890  |       |
|                         | 2050 | 2200 | 1100 | + 210 |
|                         | 2100 | 2620 | 1310 | + 420 |



5.9 m from face of rear wall of original house.

26  
Frank JS  
G Ali  
Developments

design

369/2

12 January 2001

OK  
COPY OF PLANS  
TO INFORMATION  
OFFICE PLEASE

COPY  
TO INFORMATION  
OFFICE PLEASE

Royal Borough of Kensington and Chelsea  
Planning and Conservation  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

|                               |     |     |     |            |            |      |           |
|-------------------------------|-----|-----|-----|------------|------------|------|-----------|
| RECEIVED BY PLANNING SERVICES |     |     |     |            |            |      |           |
| EX<br>DIR                     | HDC | N   | C   | SW         | SE         | ENF  | AO<br>ACK |
| 17 JAN 2001 79                |     |     |     |            |            |      |           |
| LEAS                          | IO  | REC | ARB | FWD<br>PLN | CON<br>DES | FEEB |           |

Attention: Mr. John Shearman

Dear Sir,

RE: 29 Pembroke Road, London W8  
Ref.no - DPS/DCC/PP/99/02212

Further to our telephone conversation, the drawings enclosed (369.SK4B,5B,7B,8B) have been amended as follows:

1. The position of the glazed door and window has been adjusted to the agreed minimum distance of 1.2 metres from the tree (measured from a point on the tree that corresponds with the finished floor level of the new structure - 400mm above ground level). The curved structural support edge beam is now in a set back position with the window and doors on its outer edge. This spans between the mini pile positions.
2. A roof-light has been added, thereby ensuring that the flat roof area is for maintenance access only and cannot be used as a roof terrace.
3. The existing pergola and trellising to be retained on the boundary wall to provide the existing level of privacy.
4. The glazed doors at the existing first floor dining room are to be altered to make a window with a sill level of 850mm above the internal floor level. This can be used for maintenance access to the roof.

If you have any queries regarding the above, please do not hesitate to call me. I look forward to hearing from you soon.

Yours faithfully,

Martin Edgar  
Keith Horn Architects

c.c. Mr. Robert Buxton

27 26

**RBKC ARBORICULTURAL OBSERVATIONS**

|                            |                                 |   |                    |
|----------------------------|---------------------------------|---|--------------------|
| <b>Address</b>             | <b>Application No.</b>          | <b>DC Officer</b>                       | <b>Date of Obs</b> |
| 29 Pembroke Road           | 99/2212                         | JS                                      | 27/02/01           |
| <b>Development</b>         |                                 | <b>Arboriculturist's Recommendation</b> |                    |
| enlargement of dining room |                                 | No objection: conditions to apply       |                    |
| <b>Status of Tree</b>      |                                 |   |                    |
| <b>C.A. No.(if any)</b>    | <b>T.P.O. No. &amp; Details</b> | <b>Tree Work Applications</b>           |                    |
| No. 8                      | T3 5/76                         |   |                    |

**Comments :**

With reference to revised drawings submitted 12<sup>th</sup> January 2001 and the amendments detailed within the accompanying letter, we feel that sufficient regards to the current and future needs of the London Plane tree subject to tree preservation order have been met.

The proposal is acceptable, however Planning permission should only be granted subject to a number of conditions the first of which should read; **'the minimum distance between the tree and any construction must be no less than 1200mm from the closest part of the trunk of the tree, measured at 400 mm above the garden level existing at the date of this decision'**.

(Drawing 369 SK5 rev.B [read in conjunction with 369 SK7 rev. B] shows the outline of the upper masonry above the doors).

A further condition upon which permission can be granted is one that safeguards roots of the London Plane tree. I suggest therefore the following as being appropriate;

**'Positioning of piles to support ground beams should be determined on the basis of careful hand excavation to a depth of at least 1000mm and the full width (or diameter) required for construction. Any roots encountered greater than 150mm circumference or 50mm diameter may be cut only at the discretion of the Council's Arboriculturist. Prior to the construction of any piles the written permission of the Council Arboriculturist must have been obtained.'**

A final condition should read. **'Conditions upon which this permission is granted take precedence over all engineering detailing and drawings approved by the councils Building Control section.'**

Nick Bentley

Signed:



Date:

1-3-1



Frank  
J.S.  
Jy 9/3

**THE BROOK HOUSE**  
**29 PEMBROKE ROAD**  
**LONDON W8 6DP**  
Tel 020 7602 5941  
Fax 020 7460 3213

8 March, 2001

John Shearman  
Royal Borough of Kensington & Chelsea  
Planning & Conservation  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

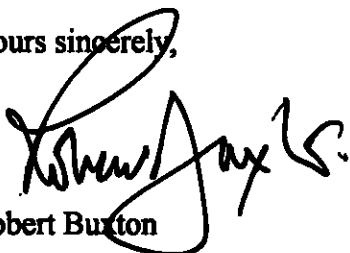
Dear Mr Shearman,

**Re : 29 Pembroke Road**

Further to our telephone discussion of this morning, I enclose two photographs taken from either side of the proposed extension. The existing side wall is to be extended by 0.7m. I have indicated on the photos where I estimate that the top corner of this wall will be.

I look forward to hearing from you in due course.

Yours sincerely,

  
Robert Buxton

|                               |     |  |  |               |            |       |           |
|-------------------------------|-----|--|--|---------------|------------|-------|-----------|
| RECEIVED BY PLANNING SERVICES |     |  |  |               |            |       |           |
| EX<br>DIR                     | HDC |  |  | SW            | SE         | ENF   | AO<br>ACK |
| 11                            |     |  |  | - 9 MAR '2001 |            |       |           |
|                               |     |  |  | FWD<br>PLN    | CON<br>DES | FEEES |           |

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**PLANNING AND CONSERVATION**THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL  
BOROUGH OF****KENSINGTON  
AND CHELSEA**The Occupier  
1 file copy  
file copy  
file copy020-7937-5464  
Switchboard: 2079/ 2080  
Extension: 020-7361- 2079/ 2080  
Direct Line:Facsimile: 020-7361-3463  
Date: 26 March 2001

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCC/PP/99/02212/JS

Planning Information Office

Dear Sir/Madam,  
**TOWN AND COUNTRY PLANNING ACT 1990****Proposed development at: 29 Pembroke Road, London, W8 6DP**

You were recently notified on, and/or have commented on, the application for development at the above address. The Council has now received **AMENDMENTS** to this application, and brief details of these are set out below. The Council's Planning Services Committee, in considering the proposal, welcomes comments upon these amendments. Members of the public may inspect copies of the amended plans, and any other submitted documents. Details are provided overleaf.

**Amended Proposal****Extension to existing dining room to form new room of 18.5sq.m. on boundary to Marlborough Court, including glazed linking vestibule from existing reception room. REVISED DRAWINGS RECEIVED. ANY FURTHER COMMENTS MUST BE RECEIVED BY 09/04/2001.****Applicant Robert Buxton, 29 Pembroke Road, Kensington, London W8 6DP**

Anyone who wishes to submit comments on the amended application should write to the Council at the above address within 14 days of the date of this letter.

Yours faithfully,

**M. J. FRENCH**

Executive Director, Planning and Conservation

### WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

### WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

### WHAT HAPPENS TO YOUR LETTER

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

### WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

***PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY***

Both JVW.  
KMC  
25/10  
DC label please

design

developments

369/2

19 October 2001

Royal Borough of Kensington and Chelsea  
Planning and Conservation  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

Attention: Mr. John Shearman

Dear Sir,

RE: 29 Pembroke Road, London W8  
Ref.no - DPS/DCC/PP/99/02212

The Client would like to make a minor amendment to the approved scheme.

The overall design and size remains as approved.

An additional glazed window is incorporated in lieu of the block panel in order to obtain a more all round vision of the garden.

need drawing.

We would like this to be formally approved as a minor amendment to the existing scheme.

Yours faithfully

Keith Horn

|                               |     |             |     |         |         |     |        |
|-------------------------------|-----|-------------|-----|---------|---------|-----|--------|
| RECEIVED BY PLANNING SERVICES |     |             |     |         |         |     |        |
| EX DIR                        | HDC | N           | C   | SW      | SE      | ENF | AO ACK |
| (25)                          |     | 25 OCT 2001 |     |         |         |     |        |
| APPEALS                       | IO  | REC         | ADB | FWO PLN | CON DES | FEE |        |

07764184828

P.K

/ KEITH HORN ARCHITECTS /

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design

developments

369/2

22 October 2001

Royal Borough of Kensington and Chelsea  
Planning and Conservation  
Central Area Team  
The Town Hall  
Hornton Street  
London W8 7NX

Attention: Mr. John Shearman

|           |             |    |     |      |          |          |
|-----------|-------------|----|-----|------|----------|----------|
| EX<br>DIR | HDC         | TP | CAC | AD   | CLU      | AO<br>AK |
| RB<br>KJC | 26 OCT 2001 |    |     |      | PLANNING |          |
| N         | S           | SW | SE  | APP  | IO       | REC      |
|           |             |    | ARB | FPLN | DES      | FEEB     |

Dear Sir,

RE: 29 Pembroke Road, London W8  
Ref.no - DPS/DCC/PP/99/02212

Please find attached dwg.no. 369.SK7 C, which should have accompanied our letter dated 19<sup>th</sup> October 2001. We also enclose a copy of the letter for ease of reference.

Please accept our apologies for the oversight.

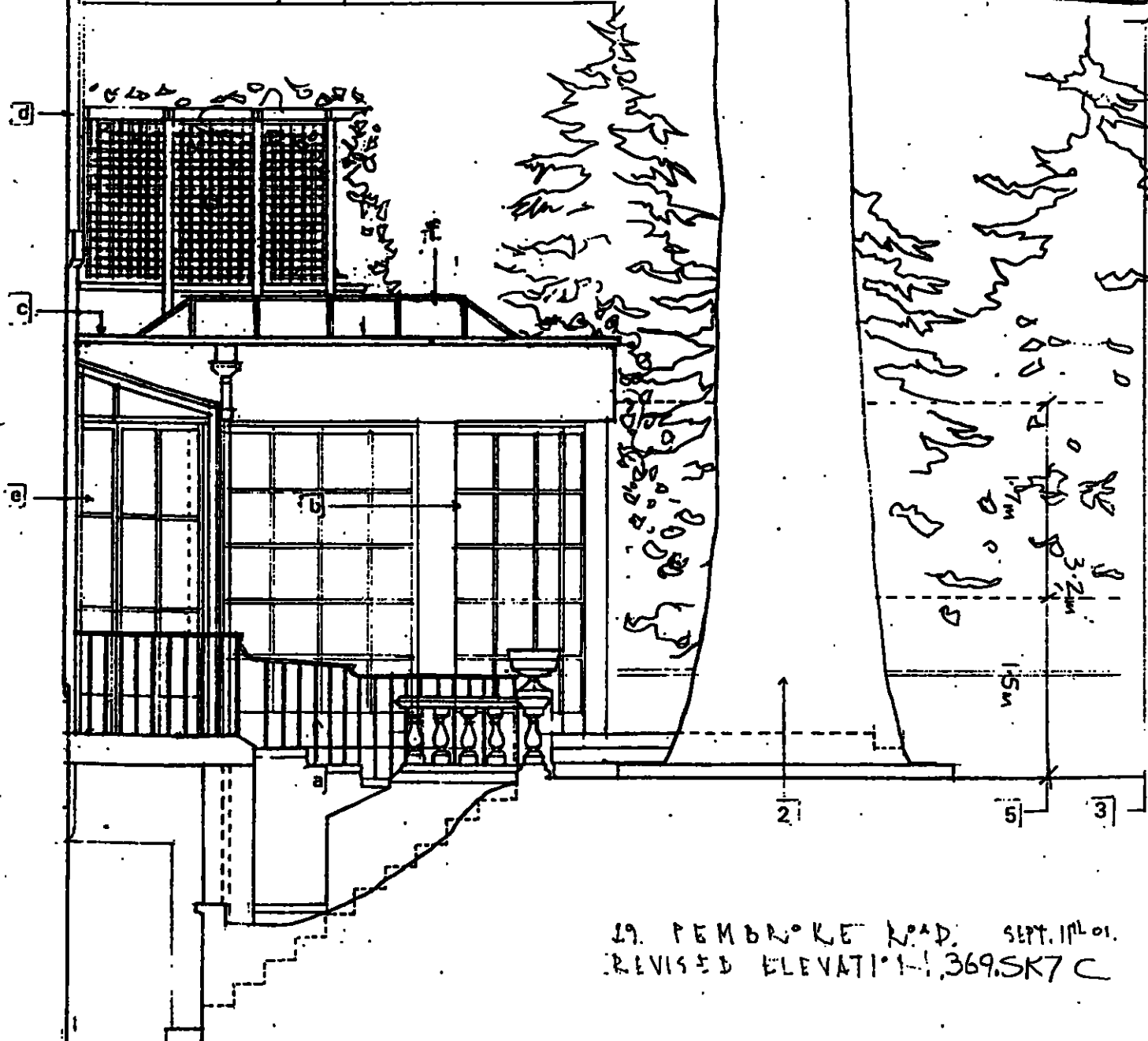
Yours faithfully

Keith Horn

57  
COPY OF PLANS  
TO INFORMATION  
OFFICE PLEASE 57

32

|        |             |    |     |      |          |       |
|--------|-------------|----|-----|------|----------|-------|
| EX DIR | HDC         | TP | CAC | AD   | CLU      | AO AK |
| RB     | 26 JUL 2001 |    |     |      | PLANNING |       |
| KJC    |             |    |     |      |          |       |
| N      | C           | SW | SE  | APP  | IO       | REC   |
|        |             |    | ARB | FPLN | DES      | FEES  |



19. PEMBROKE ROAD. SEPT. 1911.  
REVISED ELEVATION. 369.SK7 C

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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33

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

Keith Horn  
Keith Horn Architects  
58 St. Pauls Road  
London  
N1 2QW

Switchboard: 020 7937 5464  
Extension: 2186  
Direct Line: 020 7361 2186  
Facsimile: 020 7361 3463  
Email: joost.vanwell@rbkc.gov.uk  
Web: www.rbkc.gov.uk

05/11/01

My reference: **DPS/DCC/PP/99/** Your reference:  
**2212/JVW**

Please ask for: **Joost Van Well**

Dear Sir,

**Town and Country Planning Act 1990**  
**29 Pembroke Road, W8**  
**Erection of a rear extension**

I refer to your letter of the 19<sup>th</sup> October 2001 regarding the above. In my opinion the additional window as shown on drawing 369.SK7C is a non material alteration to the approved plans granted planning permission on 18 May 2001 (reference number PP/99/2212).

If you have any further queries regarding this matter please do not hesitate to contact my officer Mr. Van Well on the above mentioned telephone number.

Yours faithfully,

  
M.J. French  
Executive Director, Planning and Conservation

**REASON FOR DELAY**

CASE NO. PP/99/2212

*None*  
*None*  
**(35)**  
**(34)**

This case has been identified as a "Target" application, which has the target for being passed through to the Head of Development Control within 6 weeks of the date of completion.

In the case of this application, there has been a delay of 7 YEAR 4 MONTHS

I have been unable to pass through the case within the target period for the following reason(s) *[highlight as necessary]*

- 1) Delays due to internal Consultation *[highlight one or all]*
  - (i) Design
  - (ii) Transportation
  - (iii) Policy
  - (iv) Environmental Health
  - (v) Trees ✓
  - (vi) Other
- 2) Further neighbour notification/external consultation necessary (spread or time period)
- 3) Awaiting Direction from English Heritage/other EH delays...
- 4) Revisions requested, but not received in time ✓
- 5) Revisions received but inadequate ✓
- 6) Revisions received but reconsultation necessary ✓
- 7) Of the Committee cycle
- 8) Applicant's instruction
- 9) OTHER REASON.....

Signed *Shm Leman* (Case Officer)





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29 PEMBROKE RD W8



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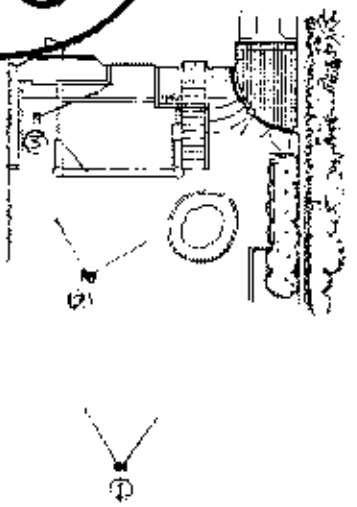


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RECEIVED  
 26 OCT 1999  
 TOWN PLANNING  
 J.K. & C.

36



PP992212

APPROVED BY  
 PLANNING SERVICES CTTEE  
 15 MAY 2000  
 CONSENT REF

|     |      |             |            |                                     |         |                    |       |     |     |         |          |  |
|-----|------|-------------|------------|-------------------------------------|---------|--------------------|-------|-----|-----|---------|----------|--|
| REV | DATE | DESCRIPTION | PROJECT    | THE BRICK HOUSE<br>30 PEMBROKE ROAD | DRAWING | EXISTING<br>PHOTOS | SCALE | NTS | DWG | 4-10 TH | DRAWN BY |  |
|     |      |             | ARCHITECTS | KEITH HORN ARCHITECTS               |         |                    |       | SKF |     |         |          |  |

ARBORICULTURAL ADVISORY  
*and* INFORMATION SERVICE



**London Plane Tree at 29, Pembroke Road,  
London W8.**

**November, 2000**



Alice Holt Lodge • Wrecclesham • Farnham • Surrey • GU10 4LH



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~~38~~

**ARBORICULTURAL ADVISORY  
and INFORMATION SERVICE**

**London Plane Tree at 29, Pembroke Road,  
London W8.**

A report prepared by Derek Patch, Arboricultural Advisory and Information Service, at the request of The Royal Borough of Kensington and Chelsea Council and following a site inspection on Thursday 28<sup>th</sup> September, 2000.

**Background.**

Mr Buxton, the owner of 29 Pembroke Road, London, W8, has applied to The Royal Borough of Kensington and Chelsea Council for planning permission to extend the ground floor accommodation of his property into the rear garden. This will bring the building close to an existing London plane tree which is the subject of a Tree Preservation Order.

The Officers of the Council are concerned that development close to the tree will compromise its health and stability. Alternatively, once the extension is constructed and occupied there could be pressure on the Council to allow the tree to be pruned or even removed. Furthermore if the tree survives then as its trunk and roots increase in diameter there could be an increasing threat to the extension. In these scenarios the tree would become threatened.

In order to resolve the conflicts of interests the Borough Council's Tree Officer asked the Arboricultural Advisory and Information Service to provide technical guidance.

**The Brief.**

The 'Brief' as set out in a letter from the Borough Council's Tree Officer dated 11<sup>th</sup> September, 2000, was:-

- To provide a visual assessment of tree condition
- To provide general observations on the arboricultural report submitted by the applicant, commenting particularly on the proposed foundation construction, and making recommendations as appropriate.
- To establish the rate of stem diameter growth of the tree and estimate potential for future growth, for the next 50 years, 100 years, and for the reasonable life expectancy of the tree.
- To estimate the capacity of the tree's stem to move under wind loading.

29 46

- To plot on a plan the position of the London plane tree, taking measurements at both breast height and at ground level.

### **The Site.**

Pembroke Road is a residential area of Kensington which retains, on the south side, many Victorian buildings. No. 29 and its neighbour to the west are of that era of building, but to the east there is a block of 20th Century flats (Plates 1 and 2).

The rear garden of No. 29 is enclosed on the east by a brick wall topped with a close boarded fence. Privacy close to the house is further created by a screen of tall Cypress trees (Plate 2) growing in a raised bed within the garden of No. 29. There is a similar wall and fence construction on the west side of the rear garden.

The 'ground' floor level of No. 29 is elevated approximately 350mm above the level of the rear garden lawn, which is generally flat (Plate 3). However, No. 29 is built with a basement which has its floor level about 3m below that of the garden. Access to this can be gained from the rear garden down a flight of stone steps (see plan).

The London plane tree, the subject of this report, stands towards the north east corner of the rear garden some 5.9m from the face of the rear wall of the original house and 3.4m from the eastern boundary of the site (see plan).

### **The Tree.**

The tree is a mature specimen London plane (*Platanus x hispanica*). It has a trunk girth of 4.52m (equivalent to a diameter of 1435mm) measured at 1.6m above ground level. This trunk is more or less vertical, although the 'lumps' on the trunk combined with its natural taper tend to suggest a slight lean towards the north. The overall height of the tree is about 32m and there is a branch-free trunk of about 12m. The branch spread of the crown is symmetrical and extends to about 25m diameter.

The foliage size, density and colour all suggest that this is a very healthy and vigorous specimen (Plate 1). There were no visible signs of structural weakness in the branch system. However, distortions in the branches, at about 15m above ground level, tend to suggest that this tree was probably managed by pollarding many years ago. All wounds resulting from such an operation appeared to have occluded leaving no signs to suggest that decay organisms that gained entry into the tree through the wounds remain active. This is not surprising since complete occlusion of a wound excludes oxygen from the wound and appears to inhibit further fungal activity.

It appears that between the date the applicants photographs were taken and my visit the ivy (*Hedera helix*) had been removed from the trunk of the tree. This allowed a clearer view of

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the trunk and branch structure than was available to the inspector from Messrs Barrow Holding.

There were no visible signs to suggest that the trunk or roots have been colonised by wood decaying organisms.

Overall, therefore, this tree appeared a specimen suitable for retention, and there is nothing to suggest that its life expectancy is threatened. I consider that another 50 – 100 years growth may be anticipated.

#### **Previous Management of the Site.**

From the age of the Victorian property (built, I understand from Mr Buxton, about 1820) and the size of the tree close to it, I suspect that both are about the same age. This means that the tree has grown up, or *in extremis* developed with rooting severely restricted in the area occupied by the basement, its access 'path' and the steps (the top step is only 1.1m from the nearest point of the buttress roots). However, more recently the building has been extended into the northeast corner of the rear garden by construction of a lightweight structure of glass walls and a flat roof supporting a balcony (Plate 4).

The garden between the tree and the building and immediately around the tree has been developed into a paved patio retaining a narrow raised bed around the base of the trunk (Plate 4). This includes a slight level change of about 150mm above the lawn.

There were no indications of there being any services buried in the ground within the rear garden.

Although the root spread of a mature tree cannot be accurately predicted I suspect that the majority of the roots growing from this London plane will extend into the open area of the rear garden.

#### **Growth of the Tree.**

Visual examination of the hard landscaping around the tree revealed cracks in the low retaining collar and the paving. This was consistent with direct action of tree roots. Such damage may be expected to develop as the roots' diameters increase. During my visit I did not find any signs to suggest that indirect damage was occurring.

During my visit I extracted four cores from the trunk of the tree – two were taken from about 1.0m, and two from just above the root buttresses at about 0.5m – to enable me to assess the mean annual radial increment of the trunk over recent years.

42

From the cores it was evident that there were no signs of either advanced or incipient decay in the trunk to a depth in excess of 150mm at each of the test points.

Measurement of the annual growth shown on the cores and then plotting them as histograms (figures 1 – 4) reveals the trend of growth. At 0.8m – 1.0m (figures 1 and 2) there has been a steady decline in growth over the last 15 years. This is expected since production of a sustained annual ring width would indicate an increasing gross production of photosynthates – clearly an unsustainable economy in a fully mature tree. However, growth has been most erratic on the south side of the trunk which I would expect to be the region of greatest potential for root activity. Furthermore there was a sudden reduction in growth in 1997 and that appears to have persisted to date.

Growth near to ground level has been much more variable. On the north side of the trunk (figure 3) radial growth was a minimum in 1997 but that must be tempered by the fact that year was 'sandwiched' between substantial growth in 1995/6 and 1998, but falling again in 1999 and 2000. In contrast radial growth on the south west of the trunk (at 0.5m) has been generally consistent (figure 4).

In the absence of crown dieback and evidence of fungal infection in the trunk, roots or branches, it appears reasonable to assume that trunk diameter growth may be expected to continue but the widths of the annual rings will undoubtedly reduce from the present. However, adopting the mean increment over recent years should allow a margin against violent fluctuations of growth of the type illustrated in figure 3. The average radial increments over recent years and future projections of maximum trunk diameters are shown in Table 1.

**Table 1. Growth data.**

| Height of measurement (m). | Trunk diameter (mm) in 2000 | Average annual radial increment (mm) | Projected maximum trunk diameter (mm) in 2050 | Projected maximum trunk diameter (mm) in 2100 |
|----------------------------|-----------------------------|--------------------------------------|---|---|
| 1.0                        | 1435                        | 5.5                                  | 1985  | 2535  |
| 0.5                        | 1780                        | 4.25                                 | 2200  | 2620  |

As suggested above these projections are likely to be over estimates, but there is no information about the long term radial growth of mature London planes that can be adopted as a basis for scaling down the predictions. However, it is possible that the proposed development may depress the annual diameter growth at least in the short term, but as the

42

growth recently has been generally fairly robust I do not consider that any reduction will put the life of the tree in jeopardy.

#### **The Barrow Holding Report Dated "May 2000".**

This report appears generally comprehensive but it does contain a number of generalised, sweeping and over simplified statements which could create false impressions. For example "*No works, which would have been detrimental to the tree's root system, have been carried out within the garden*", and "*the tree and building have grown and aged together without adverse effect upon either*" (both on page 3). These statements appear to ignore the previous extension and the creation of raised beds and paving close to the base of the trunk both of which are likely to have adversely affected the root system several years ago. However, the tree should have redressed the balance between root and shoot in the intervening years.

Perhaps the most significant misrepresentation occurs in the first paragraph of the "Discussion" when it says "*the extension would be a single story [sic] with a balcony area above, extending some 2m beyond the existing end wall*". That would place the outermost part of the extension about 4m from the base of the trunk, whereas the proposal is to build about 1.7m from the trunk at the nearest point.

Comment on the foundation design (paragraph 2 of the "Discussion") is vague and misleading. If the root system is to be retained undamaged the beams must be founded above ground level since any lifting of the paving and widespread or general excavation will inevitably damage the surface roots. Furthermore the guidance given in the "Conclusion and Recommendations" (page 4) that "*the subsoil beneath this layer [the patio surface] is also excavated by hand ...*" seeks to protect only the major roots which cannot be desirable in a situation such as exists at 29 Pembroke Road. Lifting the paving so close to the base of the trunk is likely to reveal the positions of major roots, but if exploration is needed to find the least damaging positions for the piles then localised clearance only should be undertaken.

In the penultimate paragraph of the Barrow & Holding report the ivy, which has now been removed from the tree, is identified as the cause of the damage to the patio surface. I have not encountered such a situation prevailing on other sites with which I have been involved, and I think that it is much more likely that the major roots of the London plane are causing the direct damage. However, the actual cause does not matter in the area that is to be covered with suspended decking, but where new paving is to be constructed care should be taken to keep tree roots intact so that unnecessary damage to the tree is avoided.

Overall the report appears a reasonable account of the circumstances, but if the above points were overlooked then the true potential impact of the development on the tree would not be appreciated.



44

### **Movement of the Lower Trunk.**

Prediction of the movement of the lower trunk of a healthy mature specimen tree is virtually impossible without prolonged study of the individual tree using very sophisticated instrumentation. This is because the modulus of elasticity varies between tree species, longitudinally and radially within a tree and probably there is an influence of ring width. Furthermore the exposure of the tree will vary, particularly in the case of the Pembroke Road tree located as it is so close to the building. However, it is likely, in a tree of such proportions (trunk diameter in excess of 1400mm), that even under severe wind conditions any movement will be minimal.

It is only when the rootplate starts to fail that significant movement capable of causing damage to the proposed structure, is likely to occur.

Crown movement is transmitted through the trunk to the roots system where it can influence root diameter growth close to the base of the trunk. The apparent lack of significant direct damage to the existing paving suggests that in recent years the forces transmitted to the major roots have been insufficient to influence root diameter growth - the buttresses and major roots are currently capable of absorbing the physical energy transmitted through the trunk. In other words the tree is in an equilibrium with growth in the crown being outwards rather than upwards, but slow, and the trunk/root complex is capable of coping with forces normally encountered. Severance of major roots could have a significant impact on this equilibrium. Conversely encouraging development of additional roots could strengthen the anchorage, but that may also increase stem diameter growth!

As the proposed extension should not necessitate significant changes to the root system and its environment, and as there is to be no change to the exposure of the crown I cannot see any material changes occurring in the movement of the lower trunk.

### **The Proposed Development.**

The proposed development will extend the existing single storey building over the root plate to within about 1.7m of the centre of the tree. Under many circumstances building so close to a mature tree would be unacceptable because it would be considerably closer than is recommended in British Standard *BS 5837:1991 Guide for trees in relation to construction*. However, in this instance the building will cover an area of the root system that is currently paved. Further, the proposal does not involve strip trench fill foundations and so there should be no mass severance of roots. In fact the proposed short piles and beams suspended above the ground should inflict only minimal mechanical damage on the roots.

Overall, therefore, I suggest that the extension itself is likely to have no greater impact on the tree's roots than would be the case if the existing direct damage to the paving was corrected by regrading the sub-base and relaying the paving.

44 45

Removal of the paving and construction of an open decking system over exposed earth covered with, for example, pea gravel should provide better conditions for the roots than exist at present. Furthermore loose tipping of soil over the area of roots under the decking and even against the lower trunk could result in some adventitious root development which should aid the sustained growth of this tree. However, the plans do not give details of how the decking is to be supported. If the concept of short piles or pads and beams founded at or above ground level is the intention I cannot see any grounds for objection. The use of any other method of support should be reviewed before it is accepted.

As far as I can see from the plans there is no indication of the way that the extension is to be serviced. I presume all the mains services will be connected from the existing building avoiding the need for excavations. However, before the development is approved there is need for a clear indication of the way in which surface water is to be taken from the extension and to where the water will be channelled.

Without having a plan of the site as at present the full scope of the site changes is not clear. However, from measurements I took on site and scaling from the layout plan, it appears that the raised bed along the eastern boundary of the site will be reduced in width. This will necessitate either reducing the width of the root balls of the existing cypress trees, or removal of the trees. If the former is the case then the heights of the existing trees should be reduced to compensate for the loss of roots; while removal of the trees should be followed by establishment of new trees to reinstate the screen.

As the trunk of this tree is likely to continue increasing in diameter it may be appropriate to require that there is a gap left between the decking and the tree. This could reflect the maximum anticipated radial growth that may occur during the design life of the timber used in the decking. In that way there should be neither a need to modify the decking nor a risk of damage to the tree as a result of abrasion on the decking.

**Protection of the Tree During Development.**

If this tree is to survive this development protection of the root system will be essential. I recommend that a protective fence is constructed at the very edge of the proposed development, that is not more than 4.75m from the rear wall of the original building. The protective fence should then be carried to meet the eastern boundary wall a similar distance from the rear wall of the original house. To the west the fence should be tied into the ornamental wall on the west of the steps to the cellar. This should confine all construction activities to the footprint of the extension and its immediate surrounds.

Only when the construction works have been completed should the fence be removed and the hard landscape works, including construction of the decking, undertaken.

### **Recommendations.**

- The London plane tree in the rear garden of 29, Pembroke Road appeared healthy and free from significant defects.
- Development of the root system has been influenced by the nearness of the tree to the building and the associated structures.
- Placing hard surfacing over part of the root system is likely to have affected the development and disposition of roots.
- The proposed using a short pile and above ground beam foundation system should not significantly affect the health or stability of the tree.
- Before development commences the building works should be restricted by construction of a protective fence.
- The paving should be removed from the footprint of the structure.
- The area of ground to be covered by the structure, including the decking, should be covered with either pea gravel or loose tipped topsoil.
- A gap should be designed into the decking to allow for growth of the tree's trunk.

### **Conclusion.**

I consider that with care it should be possible to undertake the proposed development without threatening the health or stability of the tree. Furthermore it should be possible, by careful design of the details, to minimise future conflict between the tree and the structure.

Derek Patch, BSc., MSc., NDArb(RFS), MICFor., FARborA.  
November 2000.

### **Notes:**

1. As the tree which is the subject of this report is the subject of a Tree Preservation Order made under the Town and Country Act then the work described should not be undertaken without the Local Planning Authority's permission.
2. If the tree stands in a Conservation Area designated under the Town and Country Planning Act the Local Planning Authority should be given 6 weeks notice of any intended works.

47

46



**Plate 1.** 29 Pembroke Road, Kensington viewed from the road.

48



**Plate 2.** The lower trunk of the Plane tree with the block of flats just visible in the background.

~~48~~ 49



**Plate 3.** General view of the tree and house

~~49~~ 50



**Plate 4.** The tree, paved area, existing extension and steps down to the cellar.

|          | Radial increment (mm) |        |      |          |
|----------|-----------------------|--------|------|----------|
|          | 0.4m N                | 0.8m N | 1m S | 0.5m SSW |
| 1980     | 8                     |        |      | 6        |
| 1981     | 6.8                   |        |      | 4        |
| 1982     | 6.4                   |        |      | 5.5      |
| 1983     | 6                     |        |      | 6.5      |
| 1984     | 6                     |        |      | 4.7      |
| 1985     | 5.5                   |        |      | 3        |
| 1986     | 5.6                   | 9.8    |      | 4.5      |
| 1987     | 3.3                   | 9.4    | 12.5 | 5        |
| 1988     | 5.2                   | 8.9    | 13.3 | 4        |
| 1989     | 6                     | 9.2    | 8    | 6.8      |
| 1990     | 4.8                   | 8      | 8.5  | 10       |
| 1991     | 2                     | 6.3    | 6.5  | 7        |
| 1992     | 3.2                   | 6.5    | 7.2  | 5.7      |
| 1993     | 3.6                   | 6.4    | 7    | 6.7      |
| 1994     | 1.8                   | 6.3    | 7.1  | 5.8      |
| 1995     | 7                     | 5.2    | 8.5  | 6        |
| 1996     | 5.8                   | 6.3    | 7.8  | 4.9      |
| 1997     | 0.5                   | 5.5    | 4    | 6.3      |
| 1998     | 6                     | 3.7    | 4.2  | 4.2      |
| 1999     | 1.5                   | 3.3    | 3.1  | 3.8      |
| 2000     | 0.9                   | 3.4    | 1.5  | 2.5      |
| Averages | 4.57                  | 6.55   | 7.09 | 5.38     |

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**29, Pembroke Road, London –**  
 Growth rates London Plane (*Platanus x hispanica*)



29 Pembroke Road, London - London Plane 0.8m N

52

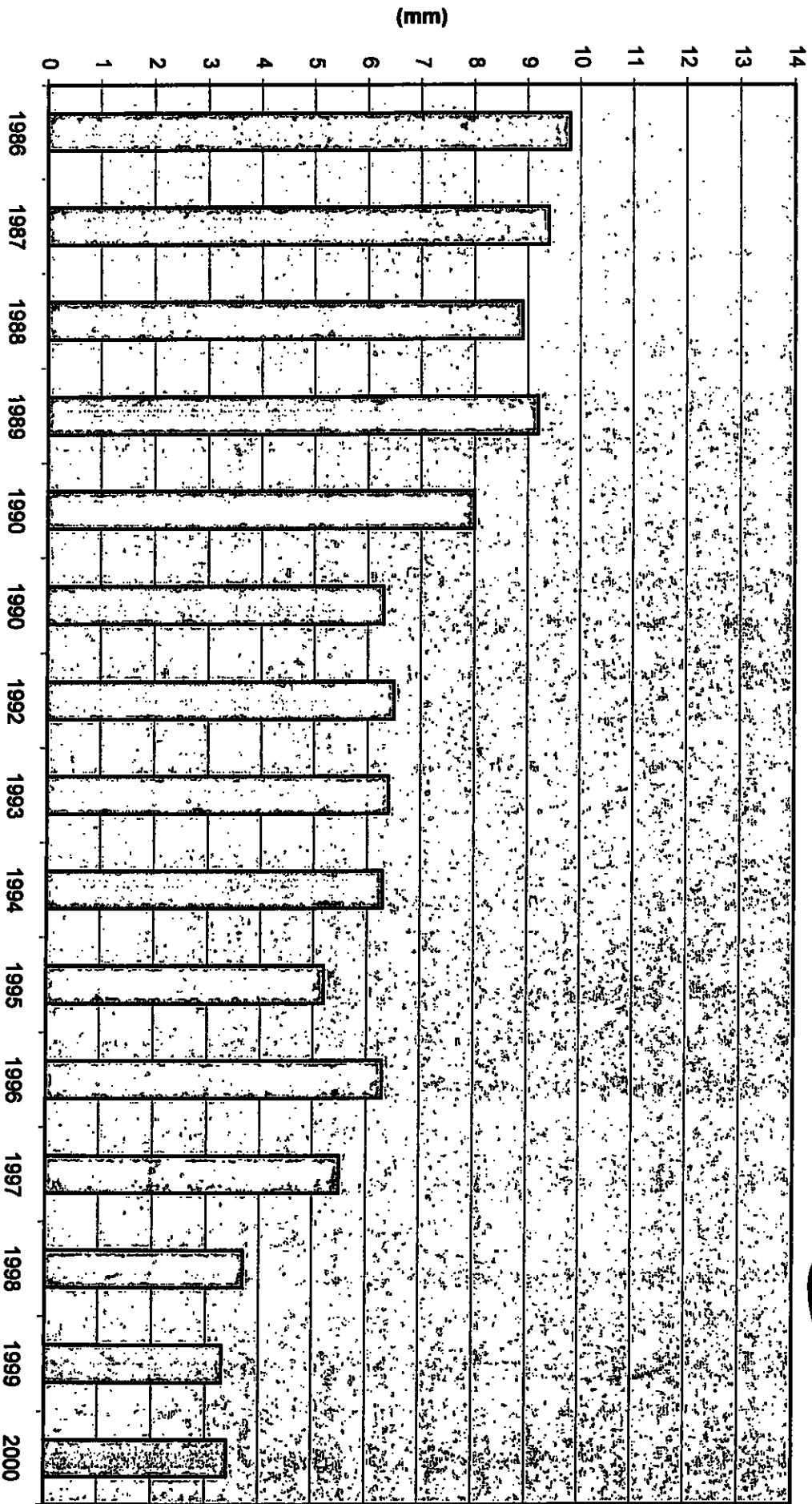


Figure 1.

29 Pembroke Road, London - London Plane 1m S

53

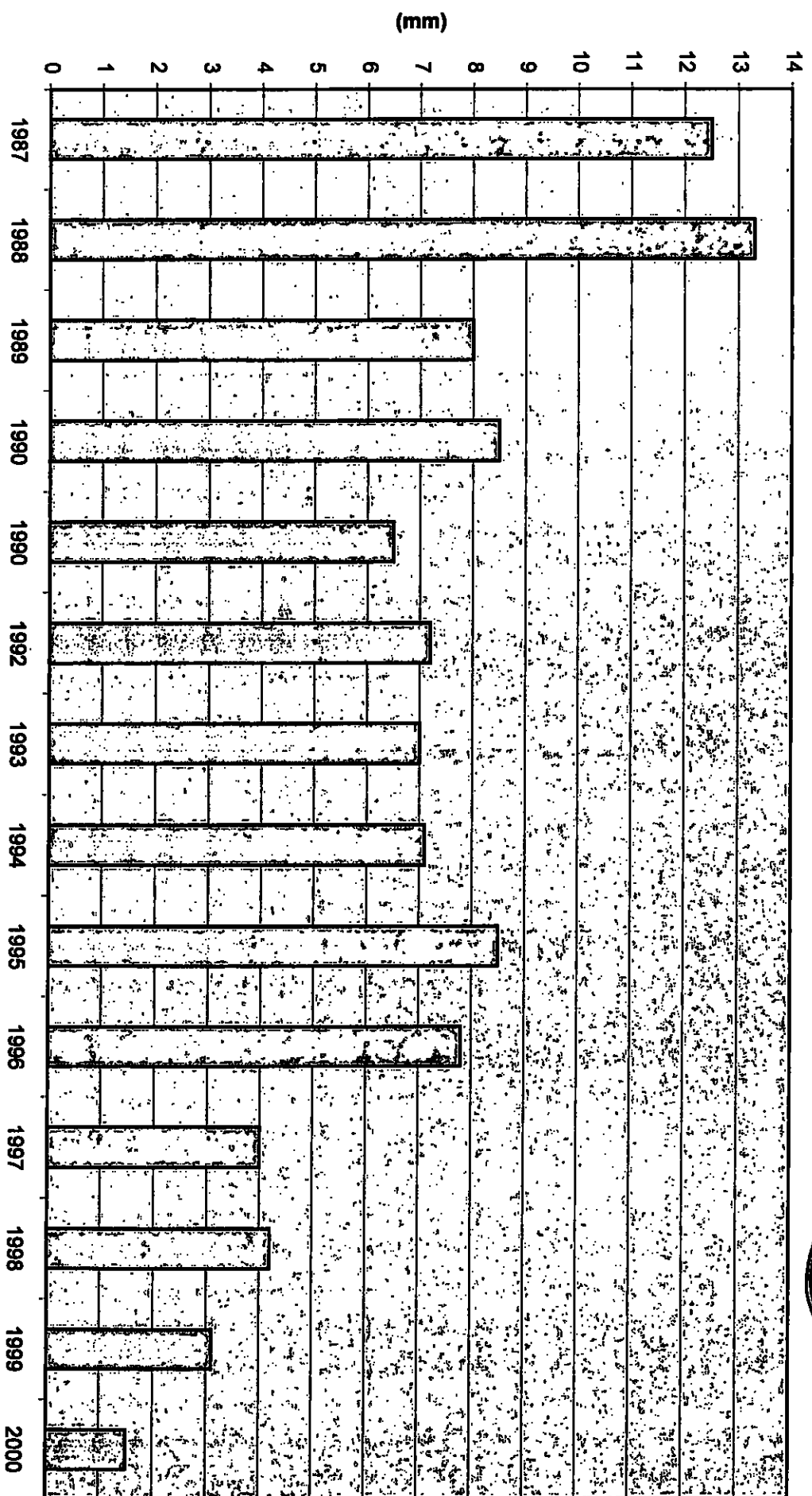


Figure 2.

29 Pembroke Road, London - London Plane 0.4m N

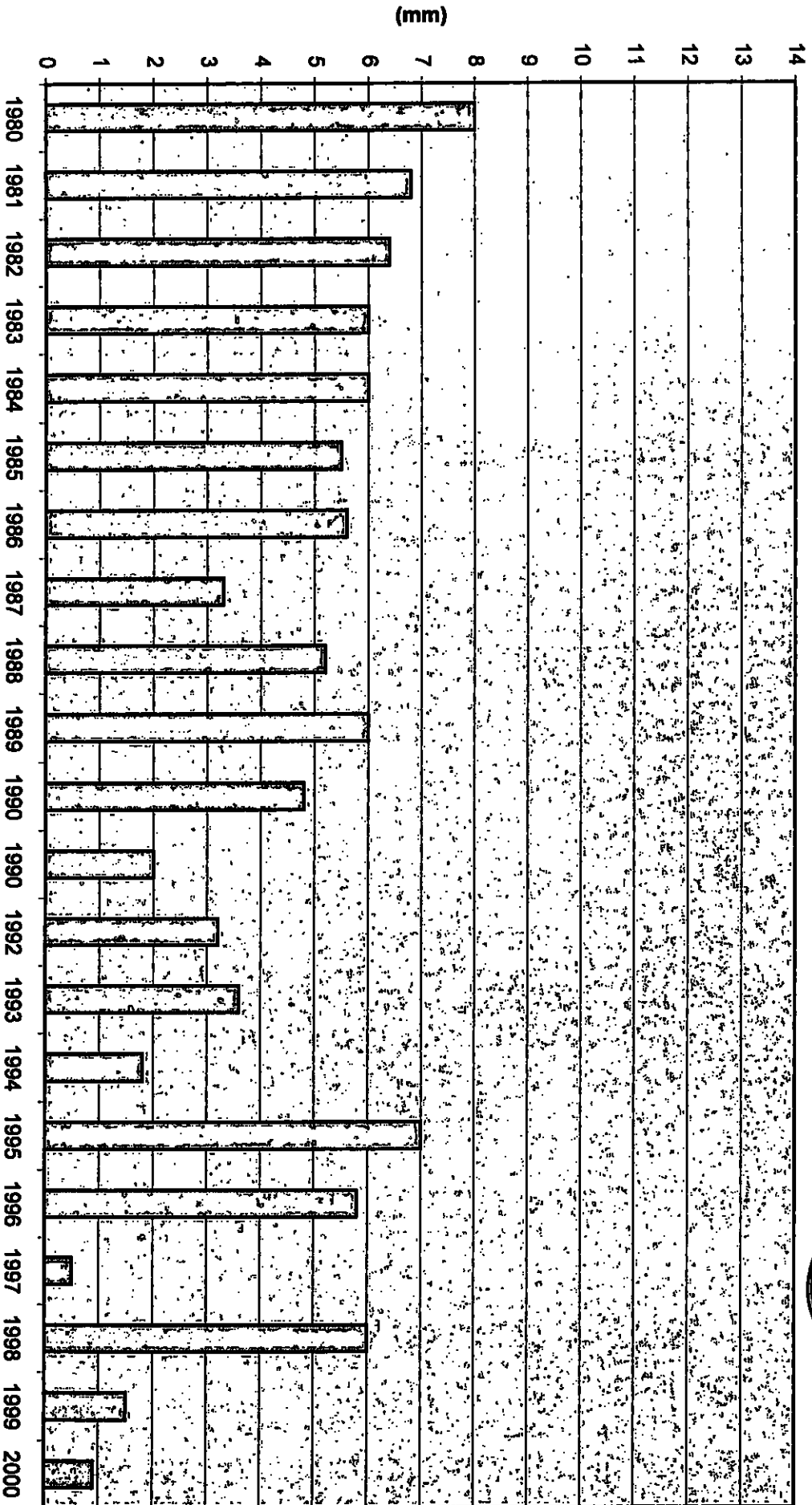


Figure 3.

29 Pembroke Road, London - London Plane 0.5m SSW

~~SS~~  
SS

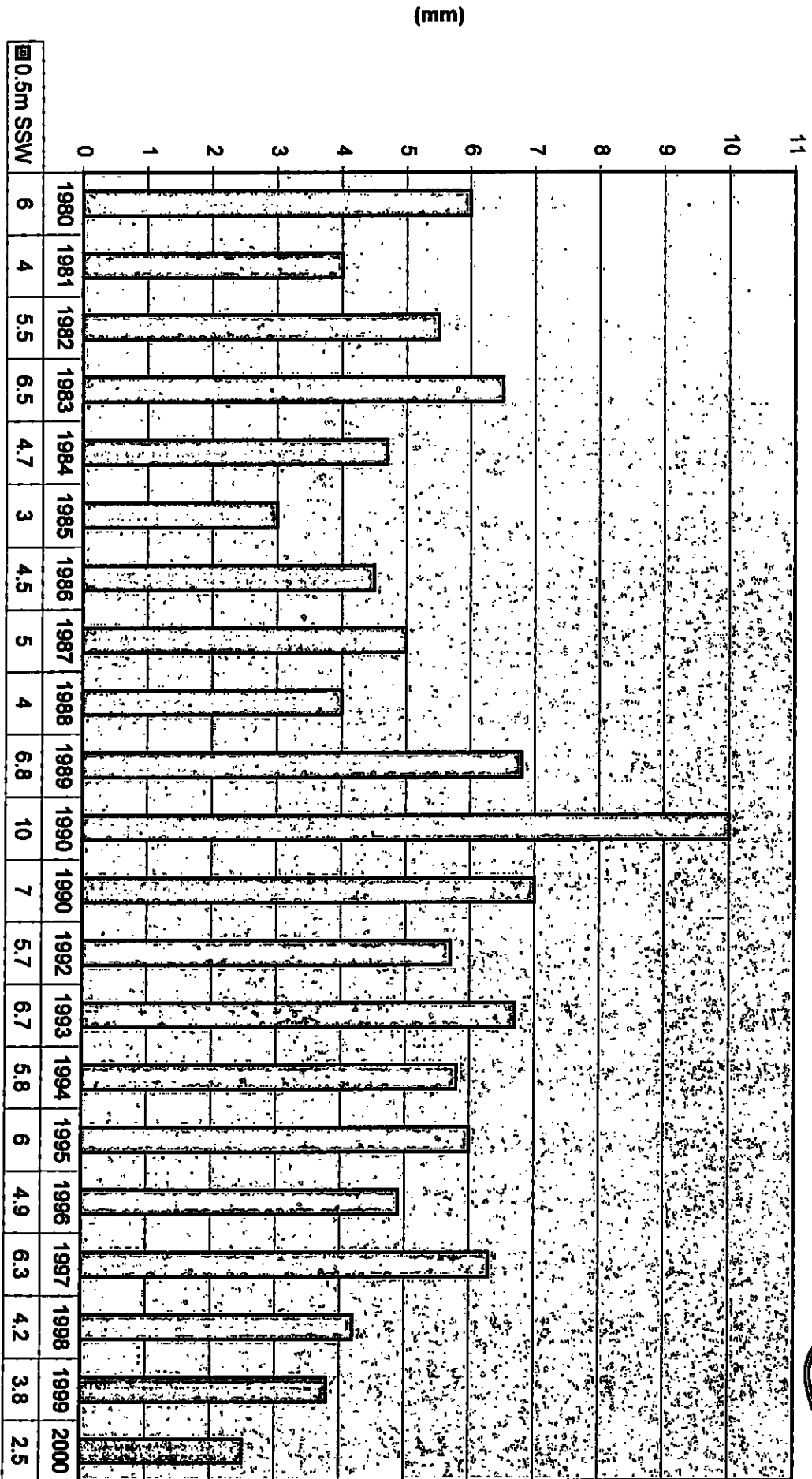


Figure 4.

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