

Wellingborough Walks Action Group Limited



PROPOSED REMOVAL OF FOUR STREET TREES ON HARROWDEN RD, LINKED TO A SUBSIDENCE CLAIM RE - 65 ROCHE WAY

Date: 1st March 2026

Dear Richard Woodhouse,

Regarding the proposed felling of Street Trees on Harrowden Rd, Wellingborough

We write in respect of the proposed felling of four street trees on Harrowden Rd, Wellingborough.

Introduction

In summary, WWAG's position is that the consultation process followed by NNC has been flawed since the start. While some errors have been addressed (after our solicitor intervened) others have not. A key concern has been the failure of NNC to disclose all relevant information and, importantly, sufficient information to justify the proposed felling.

As our expert evidence concludes, there is a distinct lack of evidence to suggest a causal connection between the four trees and the subsidence. If a causal connection does exist, there is no evidence that felling would in fact not do more harm due to the risk of heave. There is also a distinct failure to consider less draconian mitigation measures, given the value of these trees, such as root barriers or underpinning.

Attached (in the email) with this submission is the following supporting evidence:

- [Appendix 1](#) – Report of Structural Engineer, Rob Adaway of RASS of 26 Feb 2026
- [Appendix 2](#) – Attachments / extracts to Rob Adaway's report above
- [Appendix 3](#) - Report of Arboriculturalist and respected Botanist, Professor Jeffery Duckett, (B.A. PhD Cantab. FLS FZS) of 27 February 2026
- [Appendix 4](#)- List of all the information disclosed by NNC to WWAG and a brief summary of their main points
- [Appendix 5](#) - Arboricultural Consultancy Report for Aviva produced by Innovation Group Property Ltd (from Jan 2024, and updated in May 2024), and also contains the Level Monitoring Report produced by SubsNetUK (11th Nov 2024).
- [Appendix 6](#) – Roche Way / Harrowden Rd Trees – Environmental Information Request (EIR) results_17 Dec 2025 – Redacted

- [Appendix 7](#) – NNC’s update Tree Management Policy – agreed 20th January 2025
- [Appendix 8](#) - A document showing photos from 1964 and 1965 respectively, illustrating the presence of the threatened trees before the subject property was built
- [Appendix 9](#) - A CAVAT Assessment showing the likely amenity value of the 4 trees and the loss to the Council and the Community if they are to be felled
- [Appendix 10](#) – To see all the actual information WWAG has received, go to our website <https://saveourtrees.co.uk/blog/>
- [Appendix 11](#) - Copy of the letter from Goodenough Ring Solicitors to NNC of 19th December 2025 regarding the consultation process
- [Appendix 12](#) - A weather analysis summary for the region (from Cambridge Weather station) showing patterns of rainfall from 2023 – 2026

(A) Issues with Consultation Process

It has taken the Council many attempts to run this Street Tree Consultation process appropriately. The first attempt began with the issuing of a ‘Felling Notice’ on 7th November 2025 without any consultation (“1st attempt”). After our intervention, the Council promised consultation, and on 12th December 2025 opened a consultation (“2nd attempt”). Following a letter from our solicitor (Appendix 11), following which the Council agreed to re-consult.

This 3rd attempt began on 2nd February 2026 and, although better organised, still does not appear compliant with the Council’s own ‘Duty to Consult’ process, and the Governments’ guidelines, particularly regarding:

- (i) sharing all relevant information to help residents properly take part in this consultation process, and
- (ii) ensuring that both digital and non-digital options for responding are available.

(B) Issues with the Sparsity of Required Information Shared

(i) Problems of not sharing material information

Through the ‘Duty to Consult’ process the Council is required to provide an appropriate level of information to enable effective consultation and consideration by members of the public. At present only a document referred to as ‘Highways Disclosure’ has been made available to the public through this consultation. This links to the Arboricultural Consultancy Report for Aviva produced by Innovation Group Property Ltd (from Jan 2024, and updated in May 2024), and contains the Level Monitoring Report by SubsNetUK (11th Nov 2024) (Appendix 5)

A number of other items were shared by NNC via EIR requests but none of these were shared with for the general public, and all are relevant to this matter. To aid the understanding of this situation by local residents WWAG decided to share information not disclosed by NNC to the public via our website, at: <https://saveourtrees.co.uk/blog/> on the 8th February 2026.

This provides a great deal more information, including an important email conversation on 6th January 2025 between NNC's Landscape Officer and a colleague from KierSP, where both seem bemused by the claim that these trees are the main subsidence causal factor in this case, particularly given the much closer proximity to the affected area by the cypress hedge (H1) which has a high water risk factor, where-as beech trees are '*low water demand species*' and therefore low risk (Appendix 6, page 26).

Another email on 23rd May 2025, where the NNC Senior Tree and Landscape Officer, provides a detailed critic of the shortcomings of the Arboricultural report for Aviva, and recommends that NNC should "undertake its own due diligence and request a structural engineers report, which was also the recommendation from our colleagues in BC (Building Control)." (Appendix 6, pg 4).

In another email the Delivery Manager for Kier Transportation goes on to say on 30th May 2025, "I am proposing that we suspend these proposed works pending further investigatory work". (Appendix 6 – page 2). Indeed, after reading the range of emails shared WWAG colleagues are left questioning how on earth the Council ever arrived at the decision to fell these trees in the first place, which led to the issuing the 'Felling Notice' on 7th November 2025).

All if this information is relevant and should have been shared directly by the Council as part of this process, and it should not have required WWAG to make these items available to the public.

Moreover, other reports and relevant information, such as a whole swathe of items mentioned in the Arboricultural report produced for Aviva, (Appendix 5, page 6) were not made available and should have been shared, particularly as the assessor reporting to Aviva refers to "having had the benefit of the following technical investigations". WWAG's experts and the public have not had the benefit of sight of these reports and therefore been unable to review this data.

The items not shared include:

- (a) Soil Analysis
- (b) Drainage report
- (c) Foundation detail
- (d) Root analysis
- (e) Borehole log
- (f) Monitoring data
- (g) Photos and DNA evidence of the roots found under the extension (via trail pit analysis)
- (h) Subsidence / cracking photos of the property extension, and other part of the building

These items, if shared, could have helped the Structural Engineer and Arboriculturalist we engaged to better assess the nature and range of movement affecting the property, and thus (along with other data) the likely primary cause of any cracking / subsidence. This lack of sharing of available information seems unreasonable given NNC actually require any resident claiming compensation in all subsidence claims (Appendix 7 - page 21) to provide the following information before their claim will even be considered:

- *A structural report with a formal description of the damage*
- *Twelve months crack monitoring to show evidence of cyclical movement relating to the seasonal growth of vegetation*
- *Positive Tree Root Identification*
- *An Arboricultural report*
- *Soil analysis / Geo-technical survey*

From the above list, only an Arboricultural report for Aviva has been shared, and this seems to provide limited information and, we are advised, is of poor quality (Appendix 5).

Given the requirements for the information mentioned to be provided, and that any relevant evidence shared with the Council is material to the decision ultimately being made by the Council, this information (redacted as appropriate) should have been shared with the public.

The lack of all this information limits the ability of both residents and appropriately qualified specialists to adequately comment on or assess the likely cause of the subsidence affecting the neighbouring property, evaluate if the 4 trees in question are indeed the main causal factor in this case, and (if they are) the reasonableness of felling them as an appropriate mitigation measure, given many other problems that can arise on clay soils (such as soil heave) where large trees such as these are removed.

(ii) Providing Digital and Non-digital options to submit a response

Council colleagues have worked hard over the preceding months to improve their processes regarding this Street Tree Consultation, notwithstanding the points above. However, on the point of ensuring consultation information and responses should be shared, accessed and submitted in an 'non-digital format', it has taken a number of prompts from ourselves to ensure residents could:

- (a) view items and submit their contributions in person, and
- (b) to agree a place in Wellingborough where this could happen.

Thank you for arranging that Swanspool House would be this site, however, it is unclear whether residents were aware and able to access this arrangement in time, given agreement was only made last week (19th February 2026) through a phone call with you.

(C) Whether the felling of four healthy trees on Harrowden Rd is justified

We have studied all the information provided by Council colleagues since 7th November 2025, when we first became aware of the Council's intention to fell these trees. We have also commissioned two specialists (a Structural Engineer and an Arboriculturalist) to provide their expert analysis to the following questions:

- (1) Is there is a case that the trees may be affecting the property, and if so is this the main causal factor in the reported subsidence, and

- (2) if the trees are the main causal factor, what alternatives they would recommend to best resolve the problem, including outlining any engineering solutions to help best resolve the problem in the long term

Main findings from the expert Structural Engineer

The Structural Engineer's (SE) report (Appendix 1 and 2), emphasizes the following:

- (1) There was a significant lack of pertinent information disclosed, including the information that the original assessors referred to and seemingly relied upon, and points out that *"we have not had the benefit of seeing these reports for this discussion"* (Appendix 1, pg 3).
- (2) He does not believe the 4 trees are the main causal elements in this subsidence case but rather a combination of other factors are more likely, including:
 - the below average foundations of 50cm under the porch which *"were less than the requirement at the time (1971)"*. He points out this should have been at least 60cm at the time, and the expected depth for foundations after 1976 is now 1mtr below tree roots. He also highlights that *"the depth of house foundations have not been established, nor has it been reported if any subsidence damage has occurred to the house"*. (Appendix 1, page 4)
 - He believes that the high water demand of the 'cypress' hedge (H1, see diagram Appendix 5, page 10) carries a much greater risk when close to properties than the 'low risk' beech trees and the 'medium risk' maple trees. This is also mentioned by the NNC Landscape Officer in their email of 6th January 2025 (Appendix 6, page 26) and by NHBC in their guidance, as a high risk factor.
 - the 'Level Monitoring Data' in the Arboricultural Assessment for Aviva', (Appendix 5, page 2-5) clearly shows significant movement occurring under all the property particularly on both extremes of the property, the movement furthest away from the subject trees is under the garage and the closest is under the porch. This demonstrates that the main causal factor is not the subject trees on the adjoining NNC land but rather the *"seasonal movement in the clay sub-soils than by the impact of the subject trees some distance away"*.(Appendix 1, page 4)
 - He also points out that given the presence of the large mains sewerage drain between the subject trees and the property (see photos in Appendix 2, pages 10 &11) it is much more likely that the roots of the subject trees will be migrating towards water emanating from this structure, than seeking moisture under the porch or the building to any significant degree. The lack of a drainage report to better understand what is happening under and near the property, drainage wise, is also impeding clarity. (Appendix 1, page7)
 - He challenges Aviva's assessor's statement that the subject trees are younger than the property itself, and refers to evidence located by WWAG colleagues

showing the presence of the subject trees (in a mature form) on site in June 1964, before Roche Way was built (Appendix 8).

- He further points out that it is likely that tree roots from the subject trees will have been near or under the house when the property was built, and given this, it is not surprising that samples of the roots from the subject trees were found when trial pits / boreholes were dug by the assessor for Aviva. But with no photographic evidence showing their presence, or the sizes of the roots identified, and no DNA sample data shared it's hard to be clear on this. (Appendix 1, page 5)
- He also notes that the increased presence of paving and concrete hardstanding to the front, side and rear of the property, including close by the porch area, has the effect of not allowing rainwater to penetrate the top soils and clay sub-soil in these areas, particularly close by the damaged porch area where a large caravan is sited. This lack of rain penetration will allow the sub-soil to remain prematurely dry and shrink thus giving a similar action to seasonal moisture changes. This could also be a contributing to the drying out of the soil and cracking on site

(3) Conclusions and Recommendations

- The Structural Engineer states it has not been demonstrated that the subject trees are the main causal factor and as such they should not be felled
- He feels removing the 4 subject trees is not warranted and if it happens this could cause soil heave, creating more problems for the property and the household, both in relation to the porch area, the adjacent house wall, and possibly the rest of the property. It would also not solve the issues under the garage as the trees will not be affecting this area.
- He recommends further site investigation to establish what is actually happening and the most appropriate mitigations that may follow, including:
 - further trial pits / boreholes to establish foundation depths around the property, particularly under the main building and the garage
 - further monitoring of movement at the property for at least 12 months
- from the data he believes seasonal moisture variations to the clay sub-soils below and the shallow foundations are the main factors in the subsidence in this case
- the most effective solution to address the subsidence to the property, he states, would be to underpin the foundations under the porch

He asserts that even if the trees were implicated in the subsidence, there are less drastic mitigation measures that could be considered, including lopping the trees to reduce their size or installing a 'silt trench' or root barrier.

Main Findings from the expert Arboriculturalist (Arb)

The Arboriculturalist expert's report at Appendix 3 concluded:

- (1) The borehole data clearly demonstrates a shrinkable clay substratum liable to cause damage to properties
- (2) That *"there are numerous errors and omissions in these reports that seriously call into question that the trees are the primary cause of damage to 65 Roche Way"*, including:
 - a. the assertion that the subject trees are younger than the property. He notes that WWAG's research has found photos of the trees in a mature state in 1964, **before** any properties nearby were built (Appendix 8). The Arboricultural assessor's report for Aviva is misleading in this regard.
 - b. when the property was built in 1967 the *"builders should have taken in to account the presence of mature trees when calculating foundation depth"*, and when the extension structure was being planned in 1971, where trees roots would have been visible at the time.
 - c. As also noted by the SE, the Arboriculturalist notes no information about the depth of foundations for the main part of the house is provided, and *"foundations should be at least 1m below the lowest root. Roots would certainly have been encountered during excavation of the foundations"*.
 - d. That it is *"most surprising that conifer roots were not detected (during the borehole analysis) as a very substantial cypress hedge (H1) is less than 4m from the closest borehole"*.
 - e. In terms of building damage, he states that *"beech trees are classified as low risk.....maples are medium risk"*, but *"cypress is high risk and this hedge is well within the damage distances"*, whereas the lower risks beech and maple trees are at the very outer edge of the 'damage distances'.
 - f. That the *"soil desiccation data has serious limitations, and that soil moisture readings need to be taken over a much longer period than 9 months"*. He recommends that a control borehole away from the trees should be dug to assess whether desiccation is naturally occurring on a seasonal basis, or is more to do with water abstraction from vegetation close by.
 - g. That there is *"no correspondence between the subsidence pattern and the location of the 4 subject trees"*.
 - h. That the cypress hedge, as an evergreen, *"takes up water all year round"*, unlike the seasonal summer uptake by the subject trees, and, is likely to *"lower the water content of the soil next to the property thus making it (the property) more susceptible to subsidence"*.
 - i. That none of the reports mention the 'amenity value' of the 4 subject trees, and how they look very attractive in the locality, which *"if removed would leave a very unattractive fence"* as the main 'view' for the community.

- j. That no CAVAT value assessment has been done. This is a common assessment adopted by local council's to estimate the true amenity value of such important trees. Reference is made to WWAG's CAVAT assessment, created using the LTOA (London Tree Officer Associations) tool which shows a CAVAT value for the 4 subject trees of almost £320,000 (Appendix 9). This is "*substantially more than any underpinning costs*".

(3) Conclusions

- The Arboricultural expert notes that "there is woefully insufficient evidence to justify felling the 4 mature trees", and the trees should not be removed on the basis of the evidence provided
- that the subsidence is more likely to have been caused by seasonal changes in a shrinkable clay substratum, than by roots from the subject trees drawing excessive moisture from close to the property.
- And recommends, that to be certain about the main cause of the subsidence, much more information is required, including foundation depths, a better understanding of the drainage on site and nearby, and more and longer term monitoring and the creation of a 'control' borehole

(4) Recommendations

The Arboriculturalist recommends that in light of the deficiencies outlined above, the trees should not be felled. Instead there should be:

- Further monitoring;
- More boreholes around the foundations to be dug including a control one; and
- The removal of the cypress hedge, replacing it with a more attractive ornamental shrub like those already present.

Other points and Conclusions:

It is clear from the two expert reports enclosed and summarised above and from WWAG's own investigations that:

- (a) there is insufficient evidence available for the Council to conclude that the 4 healthy trees proposed for felling has been proven to be the main or even any causal factor in the subsidence affecting this property;
- (b) the main cause of subsidence damage appears to be related to seasonal changes in the clay sub-soil, exacerbated by increasingly long dry summers and wetter winters, in combination with other factors, such as the shallow foundations (of the porch), and the likely impact of the cypress hedge (H1).
- (c) At the very least, further information and investigation is required to establish a more accurate picture of the cause and appropriate measures that could be taken to address this, in order to best support the homeowners to get appropriate resolution.

- (d) the data and evidence shared by the claimant's Insurance company (AVIVA) is very limited, it omits a lot of relevant information and contains obvious errors. Further, it does not prove that the subject trees are the main cause of the subsidence or that felling the trees will result in a lasting and effective solution for the homeowners. Further, no consideration is given at all as to where felling the trees could make the problem worse as a result of heave.
- (e) There has been no proper consideration of alternatives to felling, most importantly whether a root barrier could be installed or the property underpinned, as both experts encourage. A range of 'engineering solutions' could also be explored in detail by the Council, not just in this case, but for others too.
- (f) The subject trees are in the region of 100 years old and were present and mature before the house was built. Given the property's location and clay soil, deeper foundations should have been dug to support the property.
- (g) According to the insurer's report,(which is backed by the advice of our experts), the property sits on clay soil and has shallow foundations. Despite this, there appears to be no consideration of whether felling the trees will provide a lasting and effective solution to the subsidence, rather the approach seems to be 'let's fell the trees and see what happens', clearly an inappropriate and unsatisfactory approach for the householder, the community, and the Council.
- (h) The loss to the community of these 4 subject trees would be considerable if they were felled, of amenity, appearance and protection, and with an estimated CAVAT value of just under £320,000, this shows that even the most expensive mitigation option (potentially underpinning) would be way less than this cost and this loss.
- (i) NNC has failed to carry out the necessary due diligence to ascertain whether the proposed solution is appropriate. The email correspondence (Appendix 6) demonstrates that while some officers raised concerns about the proposals and the need for an independent assessment, it appears from the information disclosed, that key concerns were not addressed and no independent report was obtained. The onus should not be on the public to obtain expert reports on the Council's behalf, particularly given the value of these trees, as outlined above.
- (j) Were it not for members of the public in Wellingborough and the actions of WWAG, these 4 beautiful trees would have already been felled, and the householder potentially left with a much bigger problem, the Council would have a needless bill, and the community living with the loss of these trees, a precedent that could open the floodgates to more subsidence insurance claims would have been set that threatens many more Wellingborough street trees in future. An entirely unsatisfactory situation for us all

Our Requests

Given the above, and all the information and evidence shared, we request that:

- (1) NNC recognise that these trees existed prior to the property being built, consequently, the onus was on the housebuilder and insurers to ensure the foundations were adequate

- (2) That the 4 subject trees in this case are unlikely to be the source of damage to this property, and even if they were, there are other alternatives to felling that can and should be deployed in this case
- (3) If the insurers continue to insist on felling and refuse to underpin the property, before agreeing to any felling, NNC ought to require thorough measurements of the foundations, monitoring (for a minimum of 12 months) of all movement and a full drainage survey so that the causes of the subsidence are understood and solutions are lasting and effective
- (4) That NNC either adopt the WWAG CAVAT valuation or undertake their own and take this valuation into consideration when deciding what the appropriate course of action is
- (5) NNC adjust their approach in assessing subsidence claims against it, and carry out proper due diligence assessments of each claim where applicants or their insurance companies are demanding healthy, mature trees be felled, including carrying out CAVAT valuations
- (6) NNC continue to work to improve their 'Street Tree Consultation' processes, and collaborate with the local community and organisations like ours, to ensure appropriate information is shared during these process, in a timely and accessible fashion and, residents understand exactly how to take part and have their say

Without these improvements we feel trees may continue to be felled needlessly and the subsidence issues facing this and other properties may not be effectively resolved for householders, the Council and the community at large, but also, of course for the beautiful trees of our community and all the flora and fauna that call them home.

Thank you

Best wishes

Marion

Marion Turner-Hawes
Director

Lucy Hennessy
Director

On behalf of Wellingborough Walks Action Group (WWAG) Ltd

Appendices inc:

Appendices Index

- Appendix 1 – Report of Structural Engineer, Rob Adaway of RASS of 26th Feb 2026
- Appendix 2 – Attachments / extracts to Rob Adaway's report above
- Appendix 3 - Report of Arboriculturalist and Botanist, Professor Jeffery Duckett, (B.A. PhD Cantab. FLS FZS) of 27 February 2026
- Appendix 4- List of all the information disclosed by NNC to WWAG and a brief summary of their main points
- Appendix 5 - Arboricultural Consultancy Report for Aviva produced by Innovation Group Property Ltd (from Jan 2024, and updated in May 2024), also contains the Level Monitoring Report produced by SubsNetUK (11th Nov 2024).
- Appendix 6 – Roche Way / Harrowden Rd Trees – Environmental Information Request results_17 Dec 2025 – (Redacted)
- Appendix 7 – NNC's updated Tree Management Policy – agreed 20th January 2025
- Appendix 8 - A document showing photos from 1964 and 1965 respectively, illustrating the presence of the threatened trees before the subject property was built
- Appendix 9 - A CAVAT Assessment showing the likely amenity value of the 4 trees and the loss to the Council and the Community if they are to be felled
- Appendix 10 – To see all the actual information WWAG has received, go to our website <https://saveourtrees.co.uk/blog/>
- Appendix 11 - Copy of the letter from Goodenough Ring Solicitors to NNC of 19th December 2025 regarding the consultation process
- Appendix 12 - Weather analysis summary for the region (from Cambridge Weather station) showing patterns of rainfall from 2023 – 2026

End