

Environment Directorate / Development Management

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Mr John Benson
1st Call Trees Ltd.
Hazelbank Nursery
Tilford Street
Tilford
Farnham
GU10 2AA
United Kingdom

Letter Printed 31 March 2021

FOR DECISION DATED
31 March 2021

Dear Sir/Madam

**The Town and Country Planning (Trees) Regulations 1999
Decision Notice**

Application: 21/T0142/TPO
Your ref: Broomfield House School
Our ref: DC/RGA/21/T0142/TPO/TPO
Applicant: Mrs Smith
Agent: Mr John Benson

WHEREAS in accordance with the provisions of the Town and Country Planning Act 1990 and the Orders made thereunder you have made an application(s) received on 11 February 2021 for permission of the Local Planning Authority to carry out works to (a) tree(s) on land situated at:

Broomfield House School 10 Broomfield Road Kew Richmond

As described in the attached schedule

NOW THEREFORE WE THE MAYOR AND THE BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority, HEREBY GIVE YOU NOTICE pursuant to the said Act and Orders made thereunder that permission to carry out tree work(s) on the said land in accordance with the said application is hereby **REFUSED** subject to the reasons and informatives summarised and listed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to be 'R. Armitage'.

Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 21/T0142/TPO

APPLICANT NAME

Mrs Smith
Broomfield House School
10 Broomfield Road
Kew
TW9 3HS

AGENT NAME

Mr John Benson
Hazelbank Nursery
Tilford Street
Tilford
Farnham
GU10 2AA
United Kingdom

SITE

Broomfield House School 10 Broomfield Road Kew Richmond

PROPOSAL

Tree 3: Tree of Heaven - Crown reduce by approximately 6 metres to previous reduction levels. Leaving a finished height of approximately 12 metres and a radius of 4 metres. Crown lift to 6 metres.

Works are to contain tree in its situation, reduce debris over the building and footpaths and reduce the risk of failures from the old pollard points.

Tree 7: Catalpa - Crown reduce by 1.5-2 metres to secondary growth points. Leaving a finished height of approximately 3 metres and a radius of 2 metres.

Works are to reduce stress on the damaged stem.

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0098038	
TP03	BS3998 (2010)
U0098039	

INFORMATIVES

P02	Section 78 - Appeal
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Additional Standard Informatives

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0098038

This proposal is REFUSED for the following reasons:

T3 (Tree of heaven): The proposed specification is excessive and could not only have a substantial impact on the public amenity value of the tree, but would also create excessively large pruning wounds which could reduce the overall health and vigour of the tree, making it less resilient to pests and diseases and the impacts of climate change.

TP03 BS3998 (2010)

The proposed work is to be carried out to British Standard 3998 (2010) Tree Work Recommendations, by a reputable tree surgeon to the satisfaction of the Tree Preservation Officer who should be informed of the date of commencement of work.

U0098039

Permission is however GRANTED for the following:

T3 (Tree of heaven) - Crown reduction of not more than 3.50m in all dimensions from existing crown extents

Tree 7 (Indian bean tree) - Crown reduce by 1.5-2 metres to secondary growth points. Leaving a finished height of approximately 3 metres

DETAILED INFORMATIVES

P02 Section 78 - Appeal

The applicant's attention is drawn to Section 78 of the Town and Country Planning Act 1990, by which an appeal may be made to the Secretary of State within 28 days of notification of this decision.

Additional Standard Informatives

1. If you alter the proposals in any way a further application(s) will be required. Accordingly you should contact the Tree Preservation Officer of Environment |Planning and Review Department, Civic centre, 44 York Street, Twickenham TW1 3BZ.
2. You are advised that if you are not the owner(s) of the tree(s) the subject of the approval(s) that the permission of the tree owner(s) will be required prior to the commencement of work(s). Accordingly if you are not the owner(s) you should discuss the application(s) with them forthwith.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
21/T0142/TPO

TPO Applications

Making an Appeal – Summary Guidance

Whether to appeal

If the Local Planning Authority (LPA) turn down your application, you should look carefully at the reasons why they turned it down before you make an appeal. You should speak to the LPA to see if you can sort out the problem - perhaps by changing your proposal. An appeal should only ever be a last resort.

Type of appeal:

Planning Application

Appeal time:

Within 28 days of the date of the council's decision letter.

Who can appeal?

The applicant or their agent may lodge an appeal.

The right of appeal:

You can appeal against the council's decision:

- If you applied to the Local Planning Authority and they:
 - Refused permission;
 - Gave permission but with conditions you think are inappropriate;
 - Haven't approved the details of a scheme which they or the Secretary of State have already given outline planning permission for or;
 - Have approved the details of a scheme but with conditions you think are inappropriate or unreasonable.

- If the LPA rejected a proposal arising from a condition or limitation on a planning permission.
- If the LPA don't decide your application within the time allowed. Normally the time allowed is eight weeks from when they accept your application.
- If the LPA told you they needed more information before they could decide your outline planning application, but you do not want to supply this.

You will make your appeal to the Department for Communities and Local Government of which the Planning Inspectorate is a part. Most are decided by specialist officers in the Planning Inspectorate. Only the person or business applying for consent to display an advertisement may appeal. If the council issues a discontinuance notice, only those on whom the notice is served may appeal.

The appeal process:

Appeals must be made

- Online at www.planninginspectorate.gov.uk, or
- Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

It will be expected that all appeal documentation will be submitted electronically.

The process is fully documented on the website of the Planning Inspectorate www.planninginspectorate.gov.uk, however in summary there are three main types of appeal:

Written procedure:

Written evidence is considered from the applicant/agent/business and the council. The council will send copies of any letters of objection or support they received when considering your application. Within six weeks of the Inspectorate receiving your appeal forms the council will send a copy of their statement to the Inspectorate. You must make any comment on these within three weeks.

Hearing procedure:

Hearings allow you and the council to exchange views and discuss your appeal. Before the hearing the council will send a copy of their statement to you and the Inspectorate. You can comment on their statement in writing otherwise the Inspectorate will treat the reasons given in your appeal form as the basis of your case for discussion.

Hearings are usually held in council offices. The Inspector leads the discussion and invites the people involved to put their points across. The Inspector will visit the site unaccompanied before the hearing and will make a further accompanied visit as part of the hearing.

Inquiry procedure:

Inquiries are normally for large-scale applications. A public inquiry is a formal procedure in which both parties have legal representation.

Making your views known on someone else's appeal:

The LPA will notify anyone who took part in the consultations when you first applied for permission that you are appealing. For appeals decided by hearing or inquiry the LPA will tell interested people when and where this will be and let them know that they can attend. The Inspectorate will also take account of the views of certain groups who have a right to comment, for example, owners of a site, local amenity groups and so on.

Costs:

Normally you and the council will pay for your own expenses in an appeal. You can only claim costs when you can show that the council have behaved in an unreasonable way causing unnecessary expense.

Who to contact?

The Planning Inspectorate

Website www.planninginspectorate.gov.uk

Email enquiries@pins.gsi.gov.uk

Telephone 0303 444 5000

Write to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

London Borough of Richmond upon Thames

Website www.richmond.gov.uk/planning

Email planningappeals@richmond.gov.uk

Telephone 020 8891 1411 for advice

Write to The Appeals Officer, Development Control, Civic Centre, 44 York Street, Twickenham TW1 3BZ