

Environment Directorate / Development Management

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Mr Darryl Parkin
The Tree Agency
The Tree House
25 King Edwards Grove
Teddington
TW11 9LY
United Kingdom

Letter Printed 17 November 2021

FOR DECISION DATED
17 November 2021

Dear Sir/Madam

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

Application: 21/T0753/TPO
Your ref: 7 Twickenham Road
Our ref: DC/DSM/21/T0753/TPO/TPO
Applicant: Ms Jo Apted
Agent: Mr Darryl Parkin

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 9 September 2021 for permission of the Local Planning Authority to carry out works to (a) tree(s) on land situated at:

Robin House 7 Twickenham Road Teddington TW11 8AF

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 read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus

Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 21/T0753/TPO

APPLICANT NAME

Ms Jo Apted
Robin House, 7, Twickenham Road
Teddington
TW11 8AF

AGENT NAME

Mr Darryl Parkin
The Tree House
25 King Edwards Grove
Teddington
TW11 9LY
United Kingdom

SITE

Robin House 7 Twickenham Road Teddington TW11 8AF

PROPOSAL

Location: Front Garden

1. Holm Oak Notable fungal infection (*Ganoderma adspersum*) fruit body at 300mm above soil level, within forked stem, fungus associated with white rot decays. Historically, cyclically reduced on a 3- or 4-year basis to manage crown volume. Suggested works to help reduce risks of failure:
Reduce crown by 1.5m below previously reduced points
(approx height 16-17 m reduce to approx. 10-11 m)

North-Side of Garden (St Alban's Gardens Drive)

2. Sycamore x 3,
Ash x 2, Elm x 1. Re-pollard at 5m or previous points (approx. height 7m reduce to 4-5 m)

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0114041	Reason for refusal
U0114042	Alternative specification
U0114043	Maximum cut size condition
TP03	BS3998 (2010)

INFORMATIVES

P02	Section 78 - Appeal
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Additional Standard Informatives

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0114041 Reason for refusal

The reason for the proposed specification is that the tree has a fungal infection of the species *Ganoderma adspersum* and that the proposed works will reduce the risk of failure. However, no assessment of the infection and any associated decay or of the risk of failure by a qualified arboriculturalist has been provided to support the application.

The proposed specification will result in large wounds in addition to the removal of the vast majority of the leaf mass.

Therefore the application is refused on the grounds that insufficient justification has been provided for the proposed work which will be detrimental to the health and appearance of a protected tree.

U0114042 Alternative specification

The following is permitted:

T1 Holm Oak: reduce crown by up to 2.5m and not more than the most recent reduction points

Cut back secondary branches to create up to 2m clearance from the building

U0114043 Maximum cut size condition

A maximum cut size of 100mm is permitted.

Reason: to prevent large wounding

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.

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/T0753/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