

Place Division / Development Management

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Adam Arnold - 21594-W
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45 Swanwick Close
Roehampton
London
SW15 4ES
United Kingdom

Letter Printed 1 October 2024

FOR DECISION DATED
1 October 2024

Dear Sir/Madam

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

Application: 24/T0691/TPO
Your ref: BETH VANDEREEMS - 72 STANLEY ...
Our ref: DC/JAL/24/T0691/TPO/TPO
Applicant: Beth Vandereems
Agent: Adam Arnold - 21594-W

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 19 August 2024 for permission of the Local Planning Authority to carry out works to (a) tree(s) on land situated at:

72 Stanley Road East Sheen London SW14 7DZ

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 24/T0691/TPO

APPLICANT NAME

Beth Vandereems
72 Stanley Road
East Sheen
London
Richmond Upon Thames
SW14 7DZ

AGENT NAME

Adam Arnold - 21594-W
45 Swanwick Close
Roehampton
London
SW15 4ES
United Kingdom

SITE

72 Stanley Road East Sheen London SW14 7DZ

PROPOSAL

T2 Oak 12m high - Fell

Reasons: Although not yet fully grown, has already reached a considerable size. Its continued growth poses significant concerns due to its location and the impact on the property. I wish to outline the key reasons why removal is not only advisable but necessary:

1. Proximity to the Houses and buildings

The tree is situated dangerously close to the house. As it continues to grow, the root system will expand further, potentially leading to structural damage to the foundations of the property. Additionally, the proximity increases the risk of falling branches, which could cause significant harm to the property or its occupants, especially during adverse weather conditions.

2. Previous Pruning and Maintenance

The trees continued expansion has proven difficult to control. The regular pruning required to keep the tree at bay is not only unsustainable but also diminishes the tree's aesthetic and structural integrity.

3. Impact on the Property

The tree casts substantial shadow over the property, significantly reducing natural light within the home. This not only affects the living conditions but could also contribute to dampness and other issues commonly associated with limited sunlight exposure. The tree's overhanging branches also extend over the roof, posing a continuous risk of damage to the roofing structure.

4. Future Growth Potential

Given that the tree is not yet fully grown, it is expected to continue expanding both in height and breadth. This will exacerbate all the aforementioned concerns, further endangering the property and its occupants. The tree's removal now, while it is still manageable, is a prudent measure to prevent future complications that may arise from its unchecked growth.

5. Alternative Mitigation Measures

While pruning and other maintenance...

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0189785	Reason for refusal
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INFORMATIVES

P02	Section 78 - Appeal
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Additional Standard Informatives
Protected Species and Habitat

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0189785 Reason for refusal

This application has been refused because the proposed works were not supported by sufficient justification to justify the removal of this protected tree. The works would have a detrimental influence on local tree scape and and it is considered expedient in the interest of amenity to continue to safeguard this protected tree.

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.

Protected Species and Habitat

The decision of the council in this notice does not obviate the need to comply with legislation and regulations pertaining to the protection of the environment, habitat, and wildlife. It is the responsibility of the landowner and those in undertaking works on their behalf, to ensure that works do not either intentionally or recklessly disturb flora, fauna and habitats afforded protection.

Legislation related to these matters includes but is not limited to:

- The Wildlife and Countryside Act 1981
- Countryside and Rights of Way Act 2000
- Protection of Badgers Act 1992
- The Conservation of Habitats and Species Regulations 2017

Anyone proposing to carry out work on a tree which may be used as a roost site for bats or by other protected species should first consult Natural England Reading Office, 5th floor, Northgate House, 21-23 Valpy Street, Reading, Berkshire, RG1 1AF. Tel: 0300 060 3900 <http://www.naturalengland.org.uk>

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
24/T0691/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