

Decision Notice

Date of Decision: 21 December 2018

Royal Borough of Kingston upon Thames
Guildhall 2
Kingston upon Thames
KT1 1EU

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Address: Pinecrest Coombe Hill Road, Kingston Upon Thames, KT2 7DU

Proposal: G.1 Pine Trees x 4 - Fell.

I refer to your application received 29/10/2018. Under the provisions of Part VIII of the Act, the Council hereby **REFUSES PERMISSION** for the proposed tree works.

Reason:

The tree(s) is/are healthy and well shaped and make(s) a valuable contribution to the character and visual amenity of the area. The proposals are considered excessive and are contrary to the aims of Policy CS1-CS4 & DM10 of the Royal Borough of Kingston upon Thames Core Strategy LDP 2012.

Consent for Lesser Works:

G.1 Pine Trees x 4 – Reduce any branches encroaching on house to provide 2m clearance and remove any deadwood or hanging branches.

Conditions:

1. The works shall not exceed the amounts as described in the consent given for lesser works. Reason: In order to maintain the health and appearance of the trees.
2. The works shall be completed by a qualified Arboriculturalist / Tree Surgeon.

In the instance that your application includes any works to Oak trees, you must notify the Forestry Commission prior to commencing. Notification should be made to the following e-mail address or telephone number and should include address and contact details:

E-mail: andrew.hoppit@forestry.gsi.gov.uk
Direct Line: 07884 234725

This will allow the Forestry Commission to ascertain the potential for infection by Oak Processionary Moth based upon up to date survey information and provide guidance accordingly.

Informatives:

1. The works should be completed in accordance with BS:3998 2010 and be carried out by a qualified Arboriculturalist / Tree Surgeon.
2. You are advised that by law your notification remains valid for two years from the date of this letter. If the above works have not been completed within this time period, you must re-notify this Council should you wish to undertake the works.
3. This letter is in respect of the Tree Preservation Order legislation only and it does not imply that consent would be forthcoming from the owner of the tree or any such other persons from whom consent would be required.
4. It is an offence to intentionally damage, destroy or obstruct a place which a bat uses for shelter or protection (Schedule 5 wildlife and Countryside Act 1981). It is an offence to intentionally disturb a bird while it is building a nest or is in, on or near a nest containing eggs or young (Schedule 1 Wildlife and Countryside Act 1981). The Countryside and Rights of Way Act 2000 creates an additional offence of recklessly disturbing or damaging bat roosts and / or recklessly disturbing bird nests. For further information on bats contact the Bat Conservation Trust on 0845 1300 228 and for birds contact the Royal Society for the Protection of Birds on 01767 693690.

If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposal or to grant permission subject to conditions, they may, by notice served within 28 days of the date of this notice, appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 (As Amended). The Secretary of State has discretion to allow a longer period in particular cases but will only do so if there is good reason for the delay. The Secretary of State is not, however, required to entertain such an appeal if it appears to them that permission for the proposal could not have been granted by the local planning authority, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the provisions of Section 70 of the Act and of the Development Order and to any directions given under the Order.

Forms are available from the The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>

The planning Inspectorate has introduced an online appeals service which you can use to make your appeals online. You can find the service through the Appeals section of the Planning Portal: <https://www.gov.uk/appeal-planning-decision>.

The Inspectorate will publish details of your appeal on the internet within the Appeals section of the Planning Portal.

This may include a copy of the original planning application form and relevant supporting documents supplied to the Local Authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.