Our Ref: 24/80447/COND
Your Ref: Mr Graeme Thackray, 80 Needin...

24 February 2025

Mr Tom Moran
TPM Architectural Services
22 Station Road
Bluntisham
Huntingdon
PE28 3LL

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
Developmentcontrol@huntingdonshire.gov.uk
01480 388424

www.huntingdonshire.gov.uk

Dear Mr Moran

HUNTINGDONSHIRE DISTRICT COUNCIL
Application for Discharge of planning condition(s)

Proposal: Discharge of Condition 5 (Tree Protection) and 6 (Arboricultural Method Statement) of 24/01347/HHFUL.

Site address: 80 Needingworth Road St Ives PE27 5JT

Your client: Mr Graeme Thackray

Please find enclosed our formal decision notice relating to above application for approval of details relating to the above planning condition.

Yours sincerely

Clara Kerr
Chief Planning Officer

Pathfinder House, St Mary's Street
Huntingdon. PE29 3TN
Developmentcontrol@huntingdonshire.gov.uk

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Dear Mr Moran

Town And Country Planning (Development Management Procedure) (England) Order 2015 (Amended).

Proposal: Discharge of Condition 5 (Tree Protection) and 6 (Arboricultural Method Statement) of 24/01347/HHFUL.

Site address: 80 Needingworth Road St Ives PE27 5JT

Applicant: Mr Graeme Thackray

I refer to your application above received on 24 December 2024 and the plans, drawings and documents which form part of the application as described below.

The following conditions are Acceptable but the Conditions are not Discharged

Condition 5 - Tree Protection
Condition 5 wording:

"No development, demolition, clearance or preparatory operations (including excavations and archaeology), hereafter referred to as "the works", shall commence on site in connection with the development hereby approved, until a Tree Protection Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved Tree Protection Plan shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works, be retained intact for the duration of the construction works and only be removed or altered with the prior written approval of the Local Planning Authority.

Any trees, shrubs or hedges covered by the agreed protection measures, which die or become severely damaged either from natural causes or as a result of the construction works; during the construction works or within five years from the completion of the construction works, shall be replaced with trees, shrubs or hedge plants of similar size and species, unless otherwise agreed in writing with the Local Planning Authority. Replacement

planting to be undertaken by the end of the next available planting season (Planting season is 1st November to 31st March).

Reason: This is a pre-commencement condition to ensure that initial site operations do not harm any trees, shrubs and hedges to be retained on and adjacent to the site (and if necessary their replacement) in the interests of visual amenity, and to enhance the character and appearance of the site in accordance with Policy LP12 of the Huntingdonshire Local Plan to 2036."

Documents/plans submitted:

Tree Protection Plan 01 prepared by Ethical Arboriculture Limited and provided to the Local Planning Authority (LPA) on the 24th of December 2024.

Consultee comments:

HDC's Arboricultural Officer has reviewed the submitted details and whilst he observes that there is some concerns regarding the accuracy of their categorisation and measurements he is satisfied that the proposed protection would be sufficient to protect the trees.

Conclusion:

Whilst given the details provided alongside the favourable comments from specialists (as above), Officers would generally be happy to discharge Condition 5, in this case, photographs obtained of the site during a visit for application reference 24/02223/HHFUL show that works have already been undertaken and the outbuilding already in place. It is unclear if the measures suggested were implemented during the course of the works. As such, these works were undertaken in breach of the condition. Therefore, whilst the details are acceptable the condition cannot be discharged in full. The applicant should be aware that works in breach of a condition could leave them exposed to enforcement action. Attention is also drawn to the final part of the condition which renders the applicant responsible for the replacement of any planting (covered by the approved protection) which dies or becomes severely damaged within the next five years.

Overall, the details provided in respect of Condition 5 of 24/01347/HHFUL are acceptable but for the reasons given above the condition is not discharged.

Condition 6 - Arboricultural Method Statement
Condition 6 wording:

"No development, demolition, clearance or preparatory operations (including excavations and archaeology) shall commence on site in connection with the development hereby approved until an Arboricultural Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved Statement.

Reason: This is a pre-commencement condition to ensure suitable protection of the trees on and adjacent to the site for the whole duration of the construction works pursuant to this permission and in the interests of visual amenity, and to enhance the character and appearance of the site. This condition is pre-commencement to ensure that site operations do not harm any trees, shrubs and hedges to be retained."

Documents/plans submitted:

Arboricultural Method Statement prepared by Ethical Arboriculture, dated 13th of December 2024 and provided to the Local Planning Authority (LPA) on the 24th of December 2024.

Consultee comments:

HDC's Arboricultural Officer has reviewed the submitted details and whilst he observes that there is some encroachment into the root protection area of T1 damage to the soil is prevented by ground protection matting and attention has been given to the prevention of spillages and mixing of products which could contaminate the ground. As such, he is satisfied that the condition can be discharged.

Conclusion:

Whilst given the details provided alongside the favourable comments from specialists (as above), Officers would generally be happy to discharge Condition 6, in this case, photographs obtained of the site during a visit for application reference 24/02223/HHFUL show that works have already been undertaken and the outbuilding already in place. As such, these works were undertaken in breach of the condition. It is unclear if the measures suggested were implemented during the course of the works. Therefore, whilst the details are acceptable, the condition cannot be discharged in full. The applicant should be aware that works in breach of a condition could leave them exposed to enforcement action.

Overall, the details provided in respect of Condition 6 of 24/01347/HHFUL are acceptable but for the reasons given above the condition is not discharged.

Where conditions have been discharged by the Local Planning Authority or where the condition details are acceptable but cannot be discharged, the works must be implemented in full accordance with the approved details and the development shall be retained as such thereafter.

Yours sincerely

C. Kerr

Clara Kerr
Chief Planning Officer
Date: 24 February 2025