**Application Number: 24/02238/TREE**

**TOWN & COUNTRY PLANNING ACT, 1990**
**TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012**

**NOTICE OF SPLIT DECISION ON APPLICATION FOR WORK TO PROTECTED TREES**

Mr John Talbot
Cambridge Trees Ltd
39 London Street
Godmanchester
Huntingdon
PE29 2HX

Proposal: T1 Ash - Sectional fell close to ground level and remove from site. Tree has a large pocket of decay at the base and in one of the main roots
T2 Oak - Reduce 2m laterally away from back garden of no. 58 to reduce shade cast and debris falling into garden. Tree is decayed at base.

Site address: The Elms Thicket Road Houghton

Applicant: Flaxfields Ltd

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **GRANT CONSENT** to carry out the following work:

T2 Oak - Reduce 2m laterally away from back garden of no. 58 to reduce shade cast and debris falling into garden. Tree is decayed at base.

and **REFUSE CONSENT** to carry out the following work:

T1 Ash - Sectional fell close to ground level and remove from site. Tree has a large pocket of decay at the base and in one of the main roots

In accordance with your application valid as of 29th November 2024 and the plans, drawings and documents which form part of the application.

This decision is subject to the following condition/s and reason/s:

C. Kerr

Clara Kerr
Chief Planning Officer



Date 24th April 2025

Huntingdonshire DISTRICT COUNCIL

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

01480 388424
www.huntingdonshire.gov.uk

1. Condition
   All works shall be carried out so as to conform to British Standard 3998: 2010 Tree work - Recommendations.

   Reason: In the interest of the future well-being of the tree(s) on which work is being carried out in accordance with Policy LP31 of the Huntingdonshire Local Plan to 2036

2. Condition
   Time limit: The works authorised by this consent shall be completed before the expiration of 2 years from the date of this permission.

   Reason: To define the time period in which the approved works are permitted to be undertaken.

3. Condition
   Scope: The works, as detailed in the application, qualified by these conditions and authorised by this consent:
   (a) may not be carried out more than once, unless authorised by a further grant of consent;
   (b) shall be completed in their entirety.

   Reason: To define the scope in which the authorised works are permitted to be undertaken.

4. Note to applicant: The landowner should be advised that there should be further investigation into the fungal pathogen at the base of T2, as this could potentially be serious.

5. Reason
   Reason for Refusal: There is insufficient arboricultural justification to support the felling of T1. No supporting evidence has been submitted in relation to the perceived danger posed by the tree, with the apparent assumption being that, as there is a cavity, the tree is dangerous. The presence of a cavity does not automatically prove that a tree should be felled. There has been no assessment of remaining wood/wall thickness to trunk ratio and no further investigation has been provided using specialist equipment such as PiCUS or Resistograph.

**NOTES**

1. **Right of Appeal:** If you disagree with our decision you can appeal to the Secretary of State responsible for planning. If you want to appeal you must do so to: The Environment Team, The Planning Inspectorate, Room 4/04, Kite Wing, Temple Quay House, 2 The Square,

C. Kerr

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Temple Quay, Bristol, BS1 6PN (email: environment.appeals@pins.gsi.gov.uk) within 28 days from the date you receive this decision.

2. **Compensation**: If you suffer any loss or damage as a result of this decision, you may be entitled to recover from the Council compensation. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the secretary of State, within 12 months of the date of his decision). Claims should be made in writing to the Head of Planning Services at the address shown below.

3. **Limitation:** This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.

4. **Trees and Wildlife**: Trees are hosts to nesting birds, many of which are protected by law. Investigations should be carried out for signs of bats (all of which are protected by law) and nesting birds and advice sought from appropriate agencies such as Natural England, the Bat Conservation Trust (BCT) or the Royal Society for the Protection of Birds (RSPB) following any positive sightings. Tree works should be planned carefully to avoid disturbing nesting birds and roosting bats. The disturbance of protected species is an offence and could result in prosecution, a criminal record and a substantial fine.

C. Kerr

Clara Kerr
Chief Planning Officer



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