| *Arboricultural Consultation Response* | |
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| **Application No:**<br>24/02275/FUL | **Location:**<br>Land At Junction of Harrison Way And Meadow Lane, St Ives |
| **Case Officer:** LP | **Proposals:** Development of Use Class C2 Residential Accommodation with Care comprising of apartments for people aged 65 and over, communal facilities, associated landscaping, car parking, services and access from Meadow Lane |

**Observations:** **UPDATED COMMENTS IN BLUE**

**No updated Arb information has been provided by the applicant. As such the situation remains much the same. The AIA makes no mention of the removed trees or the mass of regenerating woodland that is now present.**

**Th Forestry Commission have agreed that a 'Thinning Licence' was issued but that the clear felling of the area was unlawful. Prosecution was not taken and a replanting order was not implemented due to the amount of regeneration that has occurred (see below).**



A copy of the email correspondence with the Forestry Commission has been provided to the case holder. They advocate the application of a TPO to the regenerating area, in order to allow this to redevelop some of the lost habitat. A replanting has only not been served on the area due to amount of natural regeneration making this difficult and without benefit.

24th October 2025

My reference: AIF 017/24/23-24

Dear [redacted]

**Formal Warning: Alleged Illegal Felling on Land on the north side of Meadow Lane, St Ives. Land registry title number: CB201956**

I am informed that during the months of February and March 2024 you felled, or authorised the felling of, trees on the above property. This work was undertaken without a licence to fell trees.

**Felling Licences**

Section 9 of the Forestry Act 1967 (the Act) creates the general presumption that a felling licence granted by the Forestry Commission is required to lawfully fell any tree in England. Obtaining a licence to fell trees is therefore required prior to felling any trees, unless an exemption to the need for a licence applies.

The remainder of section 9, along with the Forestry (Exceptions from Restriction of Felling) Regulations 1979 set out what those exemptions are. A guide to these exemptions is provided in the Forestry Commission booklet 'Tree Felling – Getting Permission', available on GOV.UK at: https://www.gov.uk/government/publications/tree-felling-getting-permission

**Enforcement Action**

Having considered all the circumstances, the Forestry Commission believes that a breach of the felling licence regime has occurred in this instance. Despite this, in view of the Regulators Code and having considered the specific factors involved in this case, it has been decided that no further action should be taken against you by the Forestry Commission on this occasion. However, I am writing to warn you of the consequences of any tree felling that is considered a breach of the Act.

Protecting and expanding England's forests and woodlands, and increasing their value to society and the environment.

www.gov.uk/forestrycommission

A recent site visit shows that this regenerative growth has now reached 3-4m in height and has developed with great density.




05 December 2025 2:57 pm


05 December 2025 2:56 pm


05 December 2025 2:59 pm



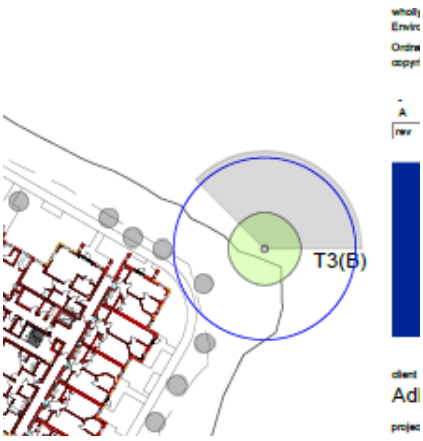




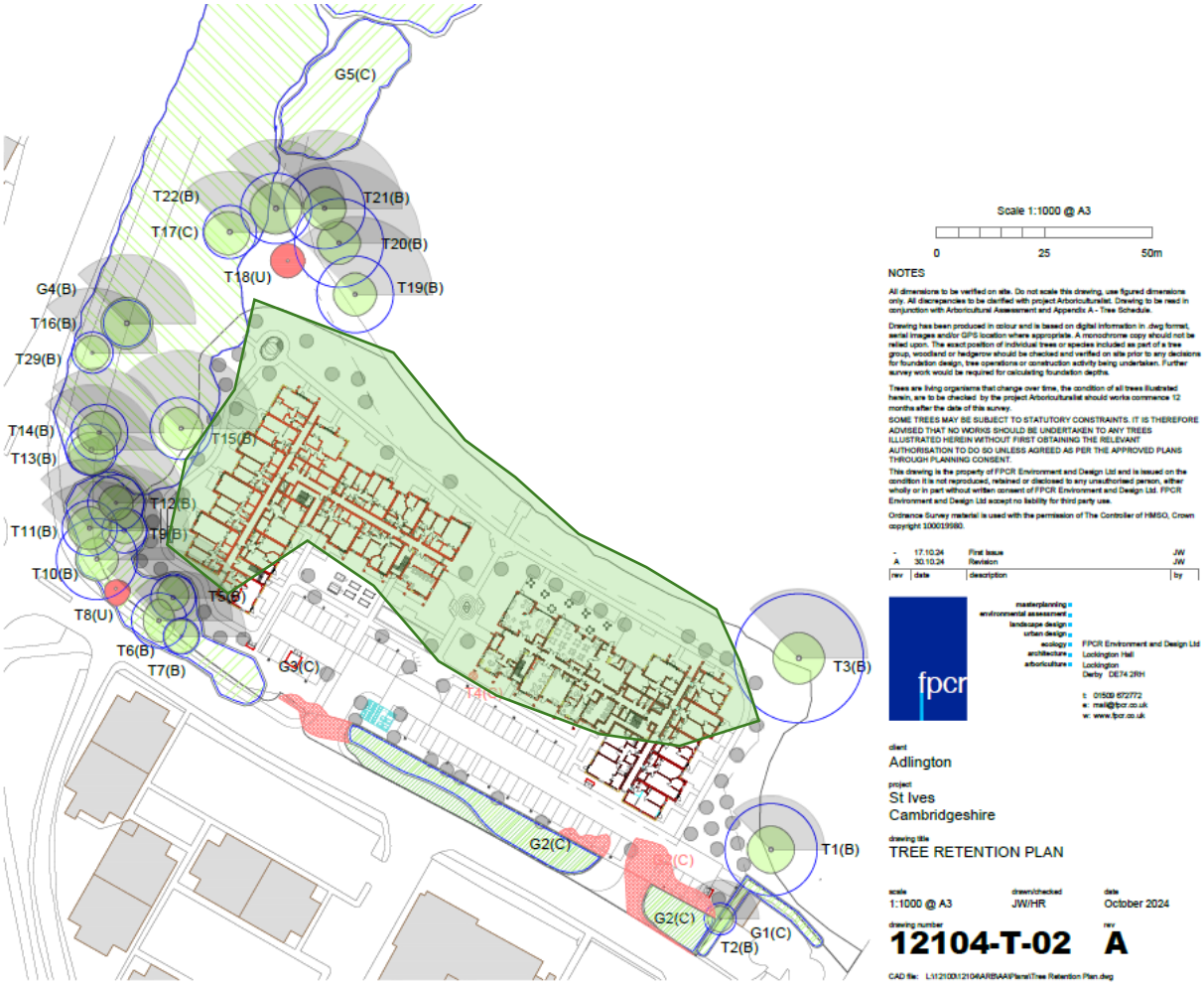



When the area of regenerating woodland is taken into account, much of the Northern building is located within its' footprint and the entire lake side has been cleared of vegetation.

T3 is the most important single tree on the site and is should be classified as a 'Veteran' under NPPF and BNG guidance. It would therefore be entitled to a larger RPA, and the main entrance road going through this area would acceptable. It is also likely that the construction of the corner building would encroach into this RPA, and the residents may feel threatened by the tree. This is likely to lead to inappropriate management of the tree and pressure for removal in the future.




It would also not be an appropriate location for any new planting.




The design scheme provided shows that the most westerly buildings are likely to be heavily shaded for much of the day, and particularly during the winter months. Again, this is likely to lead to pressure for pruning or removal.

The green shaded area above shows the approximate area of regeneration that would otherwise have been subject to a replanting order. This clearly shows that the development would involve the removal of a significant landscape feature that will have benefits for many decades to come.

**Recommendation: Refuse – based on removal of existing vegetation, poor co-existence with retained trees and encroachment into Veteran tree RPA.**

| **Signed: NS** | **Date: 30/12/2025** |
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The information contained within the Arboricultural Impact Assessment and Tree Survey, proposes a limited amount of work will take place in proximity to the retained trees.

It is suggested that these will be fenced off as per British Standards BS5837:2012 with protective fencing installed prior to the commencement of work, and located to protect the RPA Root Protection Area) of each tree. This is mostly achieved by completing the majority of works in the central and southern end of the site, leaving a band of trees around the eastern and northern perimeter. The location of the fencing, and encroachments into the sensitive rooting zones is minimised to an acceptable level in this way.

However, this information is based upon the Arboricultural Survey submitted to us in December 2024, that makes no mention of the above ground site clearance that had already been completed. It is also noted that there is now also significant regeneration across much of the site.

It is absolutely clear from aerial imagery and submitted photographic evidence, that a significant area of woodland was present until this work was completed. Even with much of the visible vegetation removed, a vigorous seed bank and existing root structure has resulted in the rapid redevelopment of vegetative cover. I would expect the regenerative growth to provide important habitat and ecological services for many decades to come.




It is noted that the site would not have required permission from the LPA in order to complete clearance work, but a Felling Licence from the Forestry Commission would have been necessary to complete the work legally. It does not appear that any such licence was granted and the removal would therefore be illegal.

I would suggest that the current regeneration is left in order to partially compensate for the degradation and loss on site. Some replanting may also be appropriate. It is not known how many individual trees were removed, or whether they were veteran trees like the other large Willow, but their amenity and presence cannot be in doubt.







**Policy Guidance from Huntingdonshire District Council –**

**Guidance Note 3 – Guidance for Trees and Development**

**2.2 Incorporating trees into the development**

Adequate consideration should be given to trees that are present on or adjacent to a site. The Council can require existing trees to be protected and retained, through the use of a planning condition, even when they are not the subject of a Tree Preservation Order. Development layouts should be designed to ensure that retained trees are able to grow and mature in the space provided. This will avoid future problems arising due to the trees' proximity to buildings, which would necessitate heavy and ongoing pruning that would be detrimental to their landscape value. Retained trees that are poorly positioned in relation to

buildings can cause structural problems, distress or financial loss to occupants. Even if not affecting trees directly, development layouts will not be acceptable if they would result in undue pressure for future felling or unsightly heavy pruning.

**2.6 Identifying trees suitable for retention (BS 5837:2012 Tree Categorisation)**

Table 1 within BS 5837:2012 explains how trees should be categorised. Section 4.3 of the Standard describes how the cascade chart should be used. Category A and B trees should be retained. Category C trees should be considered for retention where they would not impose a significant restraint on development

**2.8 Root Protection Area (RPA)**

This is the area identified around a tree where no development is allowed. This area is vital to avoid damage to the roots or rooting environment of retained trees. Section 5.2 of BS 5837: 2012 should be referred to for detailed guidance on the calculation of this area.

**3.4 Tree Protection Plan**

Production of an accurate Land and Tree Survey and Tree Constraints Plan will enable the production of a Tree Protection Plan (TPP) for trees on or adjacent to the proposed development site.

The physical protection of trees during the construction process is the best way to ensure successful retention. This will impact on the available space for construction work and, consequently, on the siting of buildings. A Tree Protection Plan should be developed at an early stage.

**3.5 Arboricultural Method Statement**

On sites where trees are likely to be particularly vulnerable to damage the submission and approval of a detailed method statement for works near trees may be required. This is a particularly common requirement on congested development sites where working/storage space is very limited.

A method statement is likely to be required when one or more of the following aspects are a consideration at the time a planning application is submitted:

Site construction access.

Demolition of existing structures.

Removal or replacement of existing surfacing.

Groundworks directly adjacent to trees designated for retention.

Positioning site huts and temporary toilets for use during the demolition/ construction phase (including their drainage requirements).

Space requirements for storing materials, spoil and fuel and the mixing of cement/ concrete.

Construction of underground services runs, bike sheds, bin storage areas.

Specification and installation of temporary and permanent access paths/driveways near trees.

Landscape operations (e.g. soil preparation within the RPA).

Space requirements for piling rigs, foundation excavations and construction works.

All changes in ground level, including the location of retaining walls, steps etc.

HDC will be guided by the recommendations contained within BS 5837 2012: Trees in relation to design, demolition and construction - Recommendations. This document provides essential advice. However, the Council will consider new methods or processes where these can be shown to improve the likelihood of tree retention on the site.

**Appendix 1: The Legal Framework**

Section 197 of the Town & Country Planning Act 1990 (“the Act”) places a duty on any Local Planning Authority:

(a) To ensure whenever it is appropriate that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees;

and

(b) To make such Orders (Tree Preservation Orders, “TPO’s”) under Section 198 as appear to the Authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.

In addition to the Act Huntingdonshire District Council is also guided by current national Planning Practice Guidance for Tree Preservation Orders and trees in conservation areas.

**Appendix 2: Planning Policy and Guidance**

The preservation of existing trees is a material consideration in the planning process, whether they are subject to existing statutory protection or not. Whilst trees may affect the development potential of some sites, in many cases they can be successfully integrated into new development schemes, adding to the overall value of a development.

The Huntingdonshire Tree Strategy highlights the importance of having an SPD for Trees and Development. This is documented as action plan point 2.4: Guidance Note 3: Guidance for Trees and Development to be adopted within the LDF as SPD (Supplementary Planning Document) which is “To produce a Supplementary Planning Document to ensure the protection of trees to be retained on development sites and to require high standards of replacement tree planting and landscaping.”

The Huntingdonshire Core Strategy (Huntingdonshire District Council, adopted 2009) documents contain a number of key policies and recommendations relating to trees which are a material consideration when determining planning applications. Council policy in respect of trees and development sites is set out in the ’saved’ policies contained in Huntingdonshire Local Plan; some of the most relevant policies are summarised below:

En5 Conservation Areas character

En6 Design standards in Conservation Areas

En9 Open spaces, trees and street scenes in Conservation Areas

En18 Protection of countryside features

En19 Tree Preservation Orders

En20 Landscaping schemes for new development

En22 Nature and wildlife conservation

**Policy TM5.**

The Council will protect veteran and ancient trees owned or managed in our ownership by:

1. Managing the natural ageing and degeneration of these trees in a sensitive manner, following current best practice guidelines.
2. Carefully manage the area around these trees to create the most favourable conditions for their retention.
3. Where appropriate, undertake tree works to “veteranize” mature trees to create niche habitats.
4. Record ancient and veteran trees owned and managed by the Council with the Ancient Tree Forum.

**Policy PRT4.** The Council will seek to protect and enhance the special character of our conservation areas through our arboricultural functions. We will do this by:

1. Promoting excellent arboricultural management of trees in conservation areas.
2. Encouraging the use of the national notification forms from all potential applicants.
3. Only validating notifications for assessment where the proposals are clearly described.
4. Objecting to notifications for tree works in conservation areas which will have a

negative impact on trees with a high level of visual amenity value through the making of a Tree Preservation Order.

5. Investigating any reported breaches to the TPO legislation in accordance with our enforcement procedures.

6. Encouraging replanting where felling is proposed.

7. Attaching conditions to planning applications to conserve, enhance or replace trees within conservation areas where appropriate.

**Policy TDM1.** The Council will utilise its planning powers to retain and protect good quality trees where development is proposed. We will do this by:

1. Considering planning applications where trees could be affected, assessing them against current national and local planning policies.

2. Engaging with developers and applicants to promote appropriate tree retention and protection at all stages of a development.

3. Ensuring that planning applications which are likely to have arboricultural implications are supported by appropriate supporting information and those which do not contain such information are not validated. Conditions will be attached to a planning permission to retain and protect trees within a development where appropriate.

4. Seek additional new trees within landscaping proposals for major scale developments.

5. Where necessary, using the planning enforcement options available to the Council to protect trees in the face of unapproved forms of development.

**LP 31 - Trees, Woodland, Hedges and Hedgerows**

A proposal will be required to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated. Where investigations show that such adverse impacts are possible a statement will be required that:

a) assesses all trees, woodland, hedges and hedgerows that would be affected by the proposal, describing and assessing their value;

b) sets out how the details of the proposal have been decided upon in terms of their impact on the value of trees, woodland, hedges and hedgerows and how adverse impacts will be avoided as far as possible, or if unavoidable how they will be minimised as far as possible.

A proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development. In such cases the proposal will be expected to make reference to and follow the guidance contained in the Council's A Tree Strategy for Huntingdonshire (2015) or successor documents.

Loss, threat or damage to any tree, woodland, hedge or hedgerow of visual, heritage or nature conservation value will only be acceptable where:

c) it is addressed firstly by seeking to avoid the impact, then to minimise the impact and finally where appropriate to include mitigation measures; or

d) there are sound arboricultural reasons to support the proposal.

Where impacts remain the need for, and benefits of, the development in that location must clearly outweigh the loss, threat or damage.

Where loss, threat or damage cannot be fully addressed through minimisation and/ or mitigation measures the proposal may be supported if alternative measures such as reinstatement of features, additional

landscaping, habitat creation or tree planting will compensate for the harm and can be implemented and established before development starts.

A proposal for major scale development will be required to include additional new trees to form part of landscaping for the proposal, the form of which will be determined by negotiation.

**Comments**

Recommend refusal until outcome of other stakeholders has been completed. The forestry commission may require replanting as part of the illegal felling operations completed on site.

Recommend application of a Tree Preservation Order to the trees on site in order to prevent more pre-emptive felling, to ensure the retention of the perimeter trees, and to prevent any further construction/machinery associated damage.

**Recommendation: Refuse**

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| **Signed: NS** | **Date: 24/03/2025** |