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Planning Services, Pathfinder House, St Mary's Street, Huntingdon, Cambs, PE29 3TN

Huntingdonshire DISTRICT COUNCIL

Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) and/or Notification of Proposed Works to Trees in a Conservation Area

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Tree Location

Please provide the address of the site where the tree(s) stands (full address if possible)

Number

Suffix

Property Name

The Manse

Address Line 1

Main Street

Address Line 2

Address Line 3

Cambridgeshire

Town/city

Bythorn

Postcode

PE28 0QR

Description of site location must be completed if postcode is not known:

Easting (x)

505755

Northing (y)

275928

If the location is unclear or there is not a full postal address, describe as clearly as possible where it is

(for example, 'Land to rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road')

Applicant Details

Name/Company

Title

Mr

First name

Richard

Surname

Radcliffe

Company Name

Address

Address line 1

The Manse Main Street

Address line 2

Address line 3

Town/City

Bythorn

County

Cambridgeshire

Country

Postcode

PE28 0QR

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

Mr

First name

Johnathan

Surname

harpham

Company Name

Ethical Arboriculture

Address

Address line 1

134 Wingfield

Address line 2

Orton Goldhay

Address line 3

Town/City

Peterborough

County

Cambridgeshire

Country

United Kingdom

Postcode

PE2 5TJ

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

What Are You Applying For?

Based on the type of work proposed and the location and protected status of the trees involved, there are various details and supporting information that will need to be supplied in order for the Local Planning Authority to determine the application.

Are you seeking consent for works to tree(s) subject to a Tree Preservation Order?

- [x] Yes
- [ ] No

Do you know the Tree Preservation Order reference number(s)?

- [x] Yes
- [ ] No

Please enter the title or number for each relevant Tree Preservation Order

TPO 25/012

Please indicate whether the reasons for carrying out the proposed works include any of the following.

If so, your application MUST be accompanied by the necessary evidence to support your proposals (see guidance notes for further details).

Condition of the tree(s) - e.g. it is diseased or you have fears that it might break or fall

- [ ] Yes
- [x] No

Alleged damage to property - e.g. subsidence or damage to drains or drives.

- [ ] Yes
- [x] No

Are you wishing to carry out works to tree(s) in a conservation area?

- [ ] Yes
- [x] No

Documents and plans (for any tree)

A sketch plan clearly showing the position of trees listed in the question 'Identification of Tree(s) and Description of Works' MUST be provided when applying for works to trees covered by a Tree Preservation Order.

A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes).

It would also be helpful if you provided details of any advice given on site by an LPA officer.

Are you providing additional information in support of your application (e.g. an additional schedule of work for the question 'Identification of Tree(s) and Description of Works')?

- [x] Yes
- [ ] No

If Yes, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application

LPA provided TEMPO assessment.
Blank TEMPO assessment taken from FLAC website to highlight the passage left off
Refusal letter for previous application showing the LPA's admission that the tree forms a nuisance by limiting vehicular access to the rear of my clients garden.

Identification of Tree(s) and Description of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out

Removal of T1 Sycamore protected under the recently created TPO 25/012 as the tree forms a nuisance as defined by the House of Lords in Hunter vs Canary Wharf
This tree has been previously reduced under the application 18/01194/TRCA and has had other unrecorded/unavailable works carried out, as described in HDC's tempo assessment as a large limb removal, to reduce the level of encroachment on the Manse. These works are a demonstration that the tree was deemed as outgrowing its context and HDC has not raised an objection to these works before.

HDC's provided TEMPO assessment leaves out the existing or future nuisance section included within the TEMPO assessment, Part 1 B, Retention Span in Years & Suitability for TPO, which clearly states "Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality, which would suggest that nuisance has not been considered in the creation of this TPO.
HDC's refusal illustrates that access is being restricted to the rear garden by vehicles, whereby it states that longer hoses could be used to empty the septic tank if access can't be made, and, as such, the tree forms a statutory nuisance by encroaching over the boundary as identified in the House of Lords in Hunter vs Canary Wharf.
To Quote "The encroachment of a branch of a tree into the airspace above neighbouring land is a "nuisance" not simply because it may drop leaves and other debris onto the neighbours path and shade their plants, but because the mere fact of its existence may impede their enjoyment of land".

By leaving out the section where nuisance would be considered, and thus resulting in a 0 score in this section, which results in a score of ten, and gives a does not Merit TPO score in the decision guide.

In addition, in section D, other factors, the -1 score, trees with poor form or which are generally unsuitable for their location is left off the TEMPO assessment. As the tree would be defined as forming a nuisance, thus being unsuitable for its location, a -1 score should have been provided. If this had occurred as the guidance states, the expediency assessment would not have been utilised as there were insufficient points to proceed.

A score of 9 results in a Does Not Merit TPO score

Copies of both a blank original TEMPO assessment and the Annotated copy provided by HDC are included.

You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work.

Where trees are protected by a Tree Preservation Order, please number them as shown in the First Schedule to the Tree Preservation Order where this is available. You should use the same numbering on your sketch plan (see below for sketch plan requirements).

Please provide the following information:

- Tree species
- The number used on the sketch plan; and
- A description of the proposed works.

Where trees are protected by a Tree Preservation Order you must also provide:

- Reasons for the work; and where trees are being felled

- Proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

e.g. Oak (T3) – Whole crown reduction to 12m above ground level, to provide sufficient clearance to property.

Sketch plan requirements

Your plan needs to show the precise location of the tree(s) in relation to nearby property/roads/boundaries. It should, therefore:

- indicate the main features of the site where the tree(s) stand and its surroundings; in particular, you should:
  - mark and name surrounding roads
  - sketch in buildings, including adjoining properties
  - add house numbers or names
- mark the position of the tree(s) to which you want to carry out work and identify them by the number shown in the Tree Preservation Order where possible; if you use a different number, please make sure that this can be matched with your description of the tree(s)
- if there are many trees on the site, make clear which tree(s) are included in this application by:
  - marking all trees on the plan, but only numbering those to which you want to carry out work
  - showing the approximate distance between the application tree(s) and buildings
  - adding other relevant features on the site (e.g. greenhouse, paths)

If it is impossible to identify the tree(s) accurately on the plan (e.g. because they are part of a woodland or group of trees), please identify their approximate location on the plan and provide details of how the tree(s) are marked on site (e.g. high visibility tape, tree tags, paint, etc); trees must not be marked by scarring or cutting into the bark.

Tree Ownership

Is the applicant the owner of the tree(s)?

◯ Yes
⊘ No

If No, please provide the address of the owner (if known and if different from the tree location)

Name/Company

Title

First name

Surname

Company Name

***** REDACTED ******

Address

Number

Suffix

Property Name

Address line 1

Village Hall

Address line 2

Address line 3

Town/City

Bythorn

Postcode

PE28 0QR

Contact Details

Primary number

Secondary number

Fax number

Email address

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

◯ Yes
⊘ No

Declaration

I/We hereby apply for Tree works: Trees in conservation areas/subject to TPOs as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

johnathan harpham

Date

27/10/2026