

Our Ref: 21/0048/TTCA
Your Ref: Rule 1 George Street Willingh...

20 January 2021



Shane Watson
Oakes and Watson
17 west end haddenham
Haddenham
ely
cb63td
United Kingdom

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

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Dear Sir/Madam

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Notification of Works to Trees in a Conservation Area

Proposal: (T1) Yew to reduce in width by 2 meters, reduce top crown by 1 meter and crown thin by 25%.
(T2) Mulberry to crown thin by 25%.
(T3) Cotoneaster to formative prune on garden side by 1 meter and cut overhang back to the wall on opposite side.

Site address: 1 George Street Willingham CB24 5LJ

Your client: Rule

Please find enclosed the Local Planning Authority's response to your client's notification to carry out works to trees protected by a Conservation Area.

We value your feedback

We value your feedback and would like to know your views about the planning process you experienced, including the service you received from us. Your views are important to us and they will help us improve the experience we can offer you. The link below takes you to a survey which will take a couple of minutes to complete.

<https://forms.scambs.gov.uk/PLANNINGFEEDBACKFORM/launch>

Yours faithfully

SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire District Council
Town & Country Planning Act 1990
Town And Country Planning (Tree
Preservation)(England) Regulation 2012



Notice of Works to Trees in a Conservation Area

Reference 21/0048/TTCA
Date of Decision 20 January 2021

Shane Watson
Oakes and Watson
17 west end haddenham
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United Kingdom

The Council has considered the written Notice of Intention to carry out work to trees in a Conservation Area and decided not to object to the following works:

- (T1) Yew to reduce in width by 2 meters, reduce top crown by 1 meter and crown thin by 25%.
- (T2) Mulberry to crown thin by 25%.
- (T3) Cotoneaster to formative prune on garden side by 1 meter and cut overhang back to the wall on opposite side.

at

1 George Street Willingham CB24 5LJ

In accordance with your application received on 15 January 2021 and the plans, drawings and documents which form part of the application.

Informatives

- 1 If the work is not completed within two years of the date of your Notice, a further Notice is needed unless otherwise specifically stated by this consent specifying that works may be undertaken on multiple occasions within a specified timeframe.

Authorisation

Authorised by:



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Date the decision was made: 20 January 2021

General Notes

- **Safety & Quality:** Tree surgery is a skilled and potentially dangerous task. You are strongly advised to seek the services of a competent tree surgeon that holds the appropriate equipment, insurance, training and valid qualifications. Find an Arboricultural Association Approved Contractor at www.trees.org.uk.

- **Birds:** All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

Intentionally kill, injure or take any wild bird

Intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built

Intentionally take or destroy the egg of any wild bird

Intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed – in respect of a single bird, nest or egg – is a fine of up to £5000, six months imprisonment or both.

The applicant is therefore reminded that it is an offence to remove or undertake work on any hedge, tree or building where a nest is in use or being built (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from an appropriate professional.

- **Bats:** Bats can live or roost in trees. It is an offence for any person to:

Intentionally kill, injure or take any bats

Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under The Habitats Regulations 2017 it is an offence to damage or destroy a breeding site or resting place of any bat. This is an absolute offence – in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence to disturb bats in any way unless a licence has been obtained from Natural England. If a bat is discovered while work is being undertaken all work must stop and advice sought from an appropriately qualified professional. Advice is also available from the Bat Conservation Trust Helpline (0845 1300 228).

- **Overhanging trees:** Common-law rights allow for pruning works to overhanging trees from neighbouring property, provided that they are pruned back no further than the relevant property boundary. If the tree has statutory protection (Tree Preservation Orders or stands in a Conservation Area) approval is required from the Local Planning Authority first. Arisings should be offered back to the owner or carefully placed on the owners land in an appropriate place; if the owner does not want the arisings back then they should be disposed of responsibly. If the works consented above includes pruning that extends

beyond the applicant's boundary or requires access to another's property to be carried out, then consent from the relevant owner needs to be obtained before commencement.

- **Tree Management:** Tree owners are advised to check their trees as part of their general care for the house and garden. Trees are living things and as such can suffer from either health or structural issues with increasing age, extreme weather or changing site conditions. If any unusual or new features are detected on or around the tree, tree owners are advised to seek the advice of a qualified tree surgeon, which can assess the tree and submit applications for tree works as necessary. Further information for tree owners can be found in the National Tree Safety Group's publication 'Common sense risk management of trees: Guidance on trees and public safety in the UK for owners, managers and advisers' which is freely available on the internet. The Arboricultural Association or the Institute of Chartered Foresters has a searchable directory of approved tree surgeons and consultants, who have attained a high industry standard and are regularly monitored.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>