



Planning Committee Date	17 th January 2024
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	N/A
Site	Hall Close (adjacent to 57 Station Road Foxton CB22 6SA)
Ward / Parish	Foxton
Proposal	Permission to serve a provisional Tree Preservation Order at the request of Foxton Parish Council.
Applicant	N/A
Presenting Officer	Planning Trees Officer (in their absence, Assistant to the Tree Officer)
Reason Reported to Committee	Non-emergency TPOs must be bought to committee for permission to serve provisional and confirmed Orders
Member Site Visit Date	N/A
Key Issues	Is it expedient in the interests of amenity to make provision for the preservation of the trees or woodlands in their area?
Recommendation	APPROVE the issuing of a non-emergency provisional TPO

1.0 Executive Summary

- 1.1 The proposal is to serve a provisional Tree Preservation Order (TPO) for the protection of one (1) mature Oak (*Quercus* spp) standing outside of private property (located on a grass verge along Hall Close, Foxton).
- 1.2 Local planning authorities can issue a TPO where it appears to them “expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area”. TPO’s can be initiated either by the local authority or by request of another party. The Oak tree have been reviewed at the request of another party.
- 1.3 In accordance with the Council’s Constitution, the request to serve a non-emergency provisional TPO comes before Planning Committee.

2.0 Site Description and Context

None relevant	x	Tree Preservation Order	x
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3#	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	
Check Forward Planning Constraints in Uniform. Put X in box if relevant. Delete constraints that aren’t relevant			

*X indicates relevance

- 2.1 The Oak tree is located on the left side verge seen when entering Hall Close from Station Road, this section of the road has residential properties either side. Hall Road is a none through road consisting of eight (8) properties that have direct visibility of the tree.
- 2.2 Foxton is a small, historic, rural village lying seven miles south-west of Cambridge, tree cover across the parish of Foxton is formed by historic estate and agricultural land, roadside verges, private property, also open spaces such as Foxton Dovecot and Meadow, including the village recreation area and churchyard all of which contribute to a well tree’d village, promoted through the passionate of the Parish Council reflected in Foxton Neighbourhood Plan 2020-2031.
- 2.3 There is one trees of interest. T1 Oak (*Quercus*) tree. The tree is late mature, exhibiting typical characteristics for its age and to be in reasonable

health and vitality. Photographs and individual assessments can be found on accompanying TPO Evaluation Report.

3.0 The Proposal

- 3.1 The proposal is to serve a provisional TPO on those with an interest in the land and invite those parties an opportunity to submit objections, comments or representations. The responses will be considered and aid the decision to amend, confirm or not confirm the Order.
- 3.2 Should the decision be taken to confirm the Order, it will return to the Planning Committee to request that the Order be confirmed (or not confirmed).

4.0 Relevant Site History

- 4.1 There is no relevant site history, this is a request to serve a provisional TPO as requested by Foxton Parish Council for the perseveration of one Oak tree.

5.0 Relevant Legislation

5.1 National

- 5.2 The relevant legislation is:
- Town and Country Planning Act 1990 Part VIII
 - Town and Country Planning (Tree Preservation) (England) Regulations 2012
 - Planning Act 2008 Section 192
 - Localism Act 2011 Part 6

6.0 Consultations

- 6.1 The formal consultation stage occurs when the provisional Order is served.

7.0 Assessment

- 7.1 The key consideration is, is it 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.
- 7.2 Amenity is not defined in law and therefore it is left for local authorities to exercise their judgement. The trees must have reasonable health, visibility and individual, collective or wider impact. Other factors may be considered, such as importance to nature conservation or response to climate change, but only if the trees achieve the basic qualifying factors.
- 7.3 The Oak tree contributes positively to the local streetscene, prominent within Hall Close and visible from the B road 'Station Rd', the tree is hard to

miss when walking to and from Foxton train station north of Station Rd due to the trees size and position within Hall Close.

- 7.4 Travelling northwards on Station Road, the trees canopy is prominent within the landscape and can be seen for a reasonable distance, estimated 120m, due to the single-story bungalows that line the section of Station Rd.
- 7.5 It is believed the Oak tree is recorded on an 1886 OS map as an individual field tree, this is evidenced within the TPO Evaluation Report, concluding that it has historical and cultural value to Foxton. Given the trees species and age classification, it is viewed that the tree also has ecology and landscape importance providing habitat to native species and contributes to the character of the immediate landscape providing seasonal interest.
- 7.6 Photographs and individual assessments can be found on accompanying TPO Evaluation Report – Appendix 1.

8.0 Recommendation

- 8.1 Approve** the issuing of a non emergency provisional TPO.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Hall Close Foxton Oak tree provisional TPO evaluation report 02/11/23