

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning and New Communities Committee

2 April 2014

**AUTHOR/S:** Head of New Communities

---

### **HAUXTON MILL HAUXTON CAMBRIDGESHIRE**

**Report on Tree Preservation Order to be confirmed**

**C/11/17/47/01 11/13/SC**

**Recommendation: to Confirm as Modified**

**Deadline for confirmation of provisional Tree Preservation Order: 2 May 2014**

**To be presented to the Committee by Jane Green**

#### **Site**

1. The trees the subject of TPO 11/13/SC are located in the grounds of Hauxton Mill and the Old Mill House Buildings, both Grade II listed buildings located to the north of the Riddy Brook.
2. The site has a commanding location east of the A10 and is part of a larger area formerly known as the former Bayer Cropscience Limited at Hauxton.
3. The submission seeks to confirm, as modified, the Tree Preservation Order served on 2<sup>nd</sup> December 2013 after having received objections from Bridgemere UK Plc (the freehold owners of Hauxton Mill).
4. The proposed TPO boundary revisions follow site surveys and re-appraisals carried out on the 17 February 2014 and 14<sup>th</sup> March 2014.

#### **History**

5. Outline Planning Consent was granted by the Council to Harrow Estates on the 12<sup>th</sup> February 2010 (S/2308/06/0) for the redevelopment of 8.7 HA of previously developed land for a mix of uses.
6. A s106 Agreement of the same date included provisions which would ensure there would be a commitment to both an Ecology Management Plan (EMP) and a River Corridors Ecology Management Plan (RCEMP).
7. Clauses 18 & 19 of the s106 Agreement set out that the EMP and RCEMP needed to include a range of measures. Only the EMP has been subsequently developed into plans and further documentation by the Reserved Matters submission approved on 24<sup>th</sup> December 2012. This was approved so as to aid the applicant in the taking forward of the site's remediation and flood protection.
8. Clause 19.1.3 of the s106 Agreement (that being for the yet to be submitted RCEMP) clearly states that "*the owner shall not carry out any vegetation*

*clearance to the River Corridors prior to the approval by the Council of the RCEMP without the written consent of the Council”*

9. Consent was granted by the Council to Redrow Homes South Midlands on 24<sup>th</sup> December 2012 (S/1152/12/) for Phase 1 Reserved Matters with ecological protection only provided by the content of the approved EMP.
10. It has long been expected (since December 2011 until the current period) that the RCEMP would be submitted so as to produce a more detailed and accurate management plan for the site. However, as many parameters (such as the treatment of the Riddy Brook corridor) have not yet been fixed the production of the RCEMP could not be commenced.
11. In September 2013 Savills commenced a marketing exercise following an instruction by the owners Harrow Estate's Plc. Appendix 1 provides details of the sale particulars.
12. Council Officers became aware of random episodes of clearance occurring on site in September and October 2013, photographs appear at appendix 2. This was over and above previous tree clearance to enable the erection of a site security fence in 2008 to aid the site's remediation which had been accepted.
13. The Council served provisional TPO 11/13/SC on 2<sup>nd</sup> December 2013 which comprises four areas of trees and is shown at appendix 3.
14. On 23<sup>rd</sup> December 2013 the Council received an objection to the TPO from Bridgemere UK Plc which is shown at appendix 4.
15. On 11<sup>th</sup> March 2014 a meeting was held with representatives of Harrow Estates Plc at the Council offices during which Harrow Estates made suggestions as to which trees should and should not be included in the TPO. The outcome of which was a re-appraisal of the TPO to address some of the concerns raised about the inclusion of some of the individual trees and groups of trees. As a result, some changes were made in line with the suggestions of Harrow Estates..
16. The further revised TPO map and schedule (as presented for confirmation) was sent to Harrow Estates consultants, RSK Environmental, for consultation and a second objection letter from Bridgemere UK Plc was received by email on 20<sup>th</sup> March 2014 and is shown at appendix 5.

#### **Reasons to serve a TPO and choice of TPO designation**

17. Government advice to authorities continues to be that risks to trees with amenity value can include changes in property ownership. The prospect of Savills marketing the area within the red boundary of the September 2013 Sale Particulars and the possibility of five new owners being one outcome was itself a valid reason to serve a provisional TPO.
18. Moreover, The Council had been witnessing pockets of site clearance in the autumn of 2013 which had not been referred for any agreement.

19. An Area Order was served in December 2013 but in keeping with Government guidance on the use of Area Orders it is best practice to have re surveyed and modified the Areas into Groups and single Specimen designations before the Order is confirmed. This has now been done and is included in appendix 7.

### **Consultation by South Cambridgeshire District Council as Local Planning Authority**

20. Hauxton Parish Council has written to confirm its support for the TPO in a letter dated 13<sup>th</sup> March 2014 at appendix 6

### **Representations by Members of the Public**

21. None have been received from local residents.

### **Material Considerations**

22. The technical reports by Harrow Estates consultants, RSK Environmental, submitted in support of the requirements of the s106 set out amongst other matters Management Notes in the EMP over a potential 10 year period.
23. The EMP report sets out objectives to improve management of the existing tree cover. These objectives need not be seen as being in conflict with confirming the Order. The Order will not prevent future works to the trees and groups, but it will act to control them. The stated provisions will become the rolling management programme of the TPO.

### **Recommendation**

24. That the revised TPO as shown in appendix 7 be confirmed
- The trees need to contribute in an holistic way to the current sense of enclosure around the Old Mill at Hauxton
  - The TPO will not as stated conflict with the provisions of the EMP
  - The stated provisions will become the rolling management programme of the TPO.

**Contact Officer:**     **Jane Green** – Head of New Communities

### APPENDICES

1. Savills Sales Particulars
2. Photographs – examples of felled trees at Hauxton Mill
3. Provisional TPO plan – as served 2<sup>nd</sup> December 2013
4. Initial objection / comments letter from Bridgemere UK Plc
5. Second objection / comments letter from Bridgemere UK Plc
6. Letter of support for TPO – Hauxton Parish Council
7. Modified TPO plan proposed for CONFIRMATION