

SLOUGH BOROUGH COUNCIL

REPORT TO: Planning Committee **DATE:** 31st October 2018

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WARD(S): Central

PART 1 **FOR DECISION**

TREE PRESERVATION ORDER NO 03 OF 2018 IN RESPECT OF ST. PAULS CHURCH, STOKE ROAD, SLOUGH, SL2 5AS

1.0 **Purpose of Report**

- 1.1 To seek confirmation of Tree Preservation Order No. 03 of 2018 served on 14th August 2018.

2.0 **Recommendation(s)/Proposed Action**

The Committee is requested to resolve that Tree Preservation Order No 3 of 2018 should be confirmed.

3.0 **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

3.1 **Slough Joint Wellbeing Strategy Priorities**

Protecting a tree with amenity value will have an impact upon the following SJWS priorities:

- *Regeneration and Environment*
- *Housing*

3.2 **Five Year Plan Outcomes**

Protecting the tree will not directly relate to any of the outcomes in the Five Year Plan.

4.0 **Other Implications**

(a) Financial

The proposed work can be carried out within existing budgets and so there are no financial implications of the proposed action.

(b) Risk Management

It is considered that the risks can be managed as follows:

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the Tree Protection Order is confirmed.	Important tree which contributes to the local amenity will be lost as part of the redevelopment of the site.	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications as a result of this report.

(d) Equalities Impact Assessment

There are no equality impact issues.

5 Supporting Information

- 5.1 On 14th August 2018 a Tree Preservation Order (No.03 of 2018) was served on the following:

St Pauls Church, Stoke Road, SL2 5AS

1 St. Pauls Avenue, SL2 5EX

1-25 Keswick Court, Stoke Road, SL2 5AN

111–121 (Odds Only) Stoke Road, SL2 5BH

With documents described as:

- (1) letter;**
- (2) Formal Notice**
- (3) Tree Preservation Order 03 of 2018; and**

(4) Guidance

The reason given for making this Order was because 'it is considered that the removal of the trees will be noticeable and detrimental to the amenity of the area; it is considered expedient to protect the trees with a tree preservation order in order to protect local amenity.'

A site visit was carried out by our Tree Maintenance Officer, Julian Turpin and on his assessment a Tree Preservation Order was issued and served.

5.2 The Tree Preservation Order includes T1 - Yew (*Taxus baccata*) & G1 - 4no. Yew (*Taxus baccata*)

5.3 Objections were received from residents from 1 no. address.

5.4 The objector has had the points they raised responded to individually and a summary of the points raised is as below:-

- **The trees are not significant specimens and do not contribute to visual amenity.**

The trees are situated south of the church between the church and neighbouring residential development. The tree at the west end and adjacent to the entrance is very prominent in the street scene. Others within the site are also visible from the street. Individually and collectively they provide an element of screening between the church and the residential properties. The trees have an important role in the local landscape both within the context of the church and its grounds, the street scene and quality of the local landscape, which is an area otherwise largely devoid of trees and landscape elements as a result of the density of established and new development.

- **They detract from the beauty of the church.**

Trees are a normal feature of church and churchyards and churches typically are set within churchyard settings. Yew trees in particular have traditional associations with churches and churchyards.

- **An alternative landscape scheme could be of greater benefit.**

Notwithstanding the fact that a landscape proposal will accompany the development, the council has a duty to consider and protect trees within the context of new development. The trees made the subject of the Order are mature trees and consequently have significantly greater presence in the landscape than would be achievable through new planting, which would take many years to establish.

The stature of the trees provides an element of landscape quality that would not be delivered with a new landscape scheme, and their stature makes them more resilient in the context of the site where there are pressures on the land for car parking and other uses. A juvenile planting scheme would be more susceptible to these pressures and be potentially difficult to get established.

- **The Tree Preservation Order prevents the trees being maintained.**
A tree preservation order does not affect the ability to carry out appropriate maintenance. The order provides a number of exemptions whereby essential works may be carried out without consent. It provides for an application to be made for consent for other works not able to be carried out within the exemption provisions, which would not be unreasonably withheld.
- **The trees should be considered in the context of the agreed development and proposed landscape proposals.**
The trees have been considered within the context of the development proposals and have been protected by this order in response to the threat to the trees arising from development and the need to protect them from harm arising from the development and/or construction work.

5.5 It is considered the opinion of Julian Turpin the Tree Management Officer Slough Planning Department, that it is the responsibility of the Local Planning Authority to consider all requests for new Tree Preservation Orders with reference to the relevant guidelines. Please see below outcome of tree evaluation:

5.5.1 Condition & suitability for TPO - is good (Highly Suitable)

5.5.2 Retention span (in years) & suitability for TPO - 40-100 Years (Very suitable)

5.5.3 Relative public visibility & suitability for TPO - Large trees, or medium trees clearly visible to the public (Suitable)

6 **Conclusion**

In light of the above it is being recommended that Tree Preservation Order No. 3 of 2018 be Confirmed.

7 **Background Papers**

None.