

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** PLANNING COMMITTEE      **DATE:** 18<sup>th</sup> March 2020

**CONTACT OFFICER:** Jonathan Mills, Arboricultural / Landscape Consultant  
(For all Enquiries) (01753) 875004

**WARD(S):** Langley St. Mary's

**PART 1**

**FOR DECISION**

**TREE PRESERVATION ORDER NO 5 OF 2019 IN RESPECT OF  
(Langley Business Centre, Station Road, Slough SL3 9DS)**

**1.0 Purpose of Report**

1.1 To seek confirmation of Tree Preservation Order No. 5 of 2019 served on (12<sup>th</sup> November 2019).

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

The Committee is requested to resolve that Tree Preservation Order No 5 of 2019 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(s) 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.	Langley business Centre is being considered for regeneration. There are a number of important landscape trees within the development zone that should be preserved	Agree the recommendations.

(c) Human Rights Act and Other Legal Implications (*compulsory section to be included in **all** reports*)

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

(d) Equalities Impact Assessment

There are no equality impact issues.

5.0 **Supporting Information**

5.1 On (19<sup>th</sup> November 2019) Tree Preservation Order (No. 5 of 2019) was served on the following:

- 1 Mead Avenue, Slough SL3 8HS
- 3 Mead Avenue, Slough SL3 8HS
- 5 Mead Avenue, Slough SL3 8HS
- 7 Mead Avenue, Slough SL3 8HS
- 9 Mead Avenue, Slough SL3 8HS
- 11 Mead Avenue, Slough SL3 8HS
- 13 Mead Avenue, Slough SL3 8HS
- 15 Mead Avenue, Slough SL3 8HS
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11, 17, 19, 21, 23, 29, 33, 35, 41, 43, 45, 47, 53,57, 59 and 61 Mead Avenue, Langley, Slough, SL3 8HS (SLOUGH BOROUGH COUNCIL)  
2 Meadfield Avenue, Slough SL3 8HP  
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65 Meadfield Road, Slough SL3 8HR  
CLARE HOUSE LANGLEY BUSINESS CENTRE, STATION ROAD, LANGLEY, SLOUGH SL3 8DS

UNIT 6A LANGLEY BUSINESS CENTRE, STATION ROAD, LANGLEY, SLOUGH SL3 8DS

Unit 6b Langley Business Park

Unit 6c Langley Business Centre, 11-49 Station Road, Langley

Unit 5a Langley Business Park

Units 5J and 5K Langley Business Centre, 11 - 49 Station Road, Langley.

Unit 5c Langley Business Park  
Unit 5d Langley Business Park  
Rawplug House Langley Business Park  
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Unit 5e Langley Business Park  
Unit 3 Langley Business Park  
Unit 3a Langley Business Park  
The Bungalow Langley Business Park  
Unit 1 Langley Business Park  
Unit 7 Langley Business Park

With documents described as:

- (1) letter;**
- (2) Formal Notice**
- (3) Tree Preservation Order 5 of 2019; and**

#### **(4) Guidance**

The reason given for making this Order was “ To provide justification of the creation of a area TPO to prevent uncontrolled removal of trees and tree roots that may be under threat due to pending redevelopment of the site.”

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

The Tree Preservation Order includes A1 which protects all the trees growing on the site.

Objections were received from residents from 2 no. addresses all of which were in Meadfield Avenue

Both objectors raised the same concern and were responded to individually, a summary of the points raised is as below:-

• **The trees growing within the site are causing damage to the properties-** The Council responded in the same way to each objector: Your concern about the TPO relates to trees growing within the Business Centre causing damage to your property. Regardless of the making of a TPO this is a civil matter between the tree owner (Langley Business Centre) and yourselves. The existence of the TPO means that an application for any tree works would have to be made giving reasons for the work. Any application regarding the abatement of nuisance at your property will be considered carefully and considerately.

#### **6.0 Conclusion**

In light of the above it is being recommended that Tree Preservation Order No. 5 of 2019 be Confirmed.

It is likely that during the design and planning process trees that are problematic to adjoining landowners can be design out and replaced with more suitable trees while retaining the high value trees within the site.

The planning authority is required to consider trees when assessing a planning application, and can protect trees of amenity if threatened, to prevent removal prior to determination of the application. However it is not always the case that every tree is retained on a development site. A TPO tree can be removed during the implementation of a consented planning permission, as the loss of the tree will have been considered during the applications assessment and either mitigated or considered to be of less importance than the benefits of the development. According the TPO will not necessarily prevent planning consent.

#### **7.0 Background Papers**

None other than those referred to in the report.

**Slough Borough Council**  
**Tree Preservation Order 5 of 2019**  
**In respect of Langley Business Centre, Station Road, Slough SL3 9DS**

Town and Country Planning Act 1990

Town and Country Planning (Tree Preservation) (England) Regulations 2012

**Slough Borough Council, in exercise of the powers conferred on it by section 198 of the Town and Country Planning Act 1990 makes the following Order--**

**CITATION**

- 1 This Order may be cited as the Slough Borough Council Tree Preservation Order 5 of 2019.

**INTERPRETATION**

- 2 (1) In this Order "the Authority" means Slough Borough Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- (3) In this Order "Plan" means the map annexed hereto.

**EFFECT**

- 3 (1) Subject to article 4 below as may be appropriate, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall--
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the Authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**APPLICATION TO TREES TO BE PLANTED PURSUANT TO A CONDITION**

4 In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated: this 12<sup>th</sup> day of November 2019

THE COMMON SEAL of SLOUGH  
BOROUGH COUNCIL was hereunto  
affixed in the presence of:



Sushil Thobhani (Authorised Officer)  
Service Lead (Governance)



**[CONFIRMATION OF ORDER]**

THIS ORDER WAS CONFIRMED WITHOUT MODIFICATION BY SLOUGH  
BOROUGH COUNCIL ON.....

OR

THIS ORDER WAS CONFIRMED BY SLOUGH BOROUGH COUNCIL SUBJECT  
TO MODIFICATIONS INDICATED BY

..... ON .....

SIGNED ON BEHALF OF SLOUGH BOROUGH COUNCIL

.....  
Sushil Thobhani (Authorised Officer)  
Service Lead (Governance)

**[DECISION NOT TO CONFIRM ORDER]**

A DECISION WAS MADE NOT TO CONFIRM THIS ORDER WAS TAKEN BY  
SLOUGH BOROUGH COUNCIL ON .....

SIGNED ON BEHALF OF SLOUGH BOROUGH COUNCIL

.....

Sushil Thobhani (Authorised Officer)  
Service Lead (Governance)

**[VARIATION OF ORDER]**

This Order was varied by Slough Borough Council on the [    ] day of [                                    ]  
by a variation order under reference number [                                    ] (a copy of which is  
attached

Signed on behalf of the Slough Borough Council

.....

Dated:  
Sushil Thobhani (Authorised Officer)  
Service Lead (Governance)

**[REVOCAION OF ORDER]**

This Order was revoked by the Slough Borough Council on the [    ] day of [                                    ]  
].

Signed on behalf of the Slough Borough Council

.....

Dated:  
Sushil Thobhani (Authorised Officer)



**SCHEDULE SPECIFICATION OF TREES**

Article 3

<i>Reference on Plan</i>	<i>Description</i>	<i>Situation</i>
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Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on Plan</i>	<i>Description</i>	<i>Situation</i>
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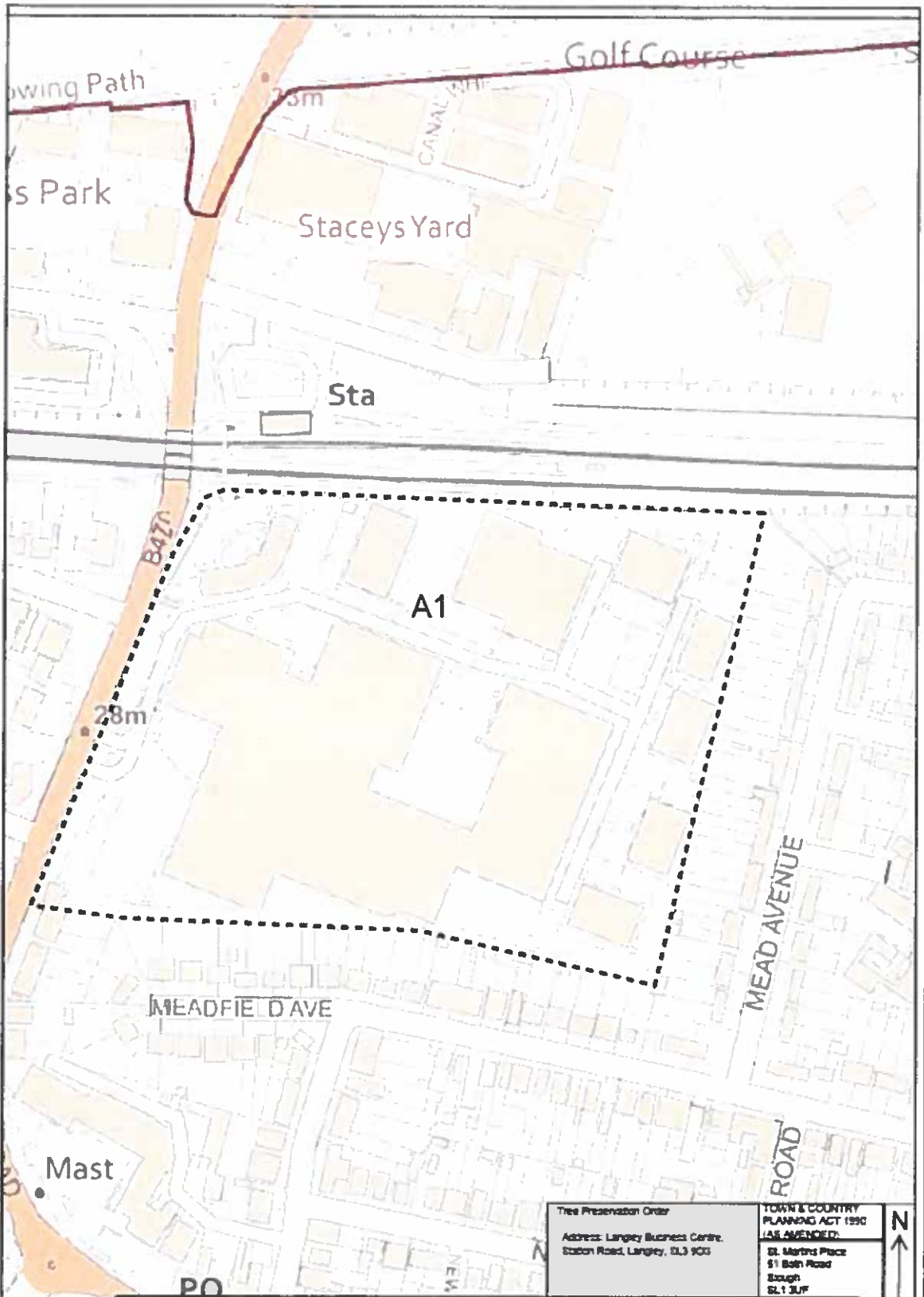
Group of Trees (within a broken black line on the map)

<i>Reference on Plan</i>	<i>Description</i>	<i>Situation</i>
<b>A1</b>	<b>A wide variety of tree species which include but not limited to beech, tulip tree, alder, London plane, sugar maple, cypress trees</b>	<b>See Plan</b>

Woodlands (within a continuous black line on the map)

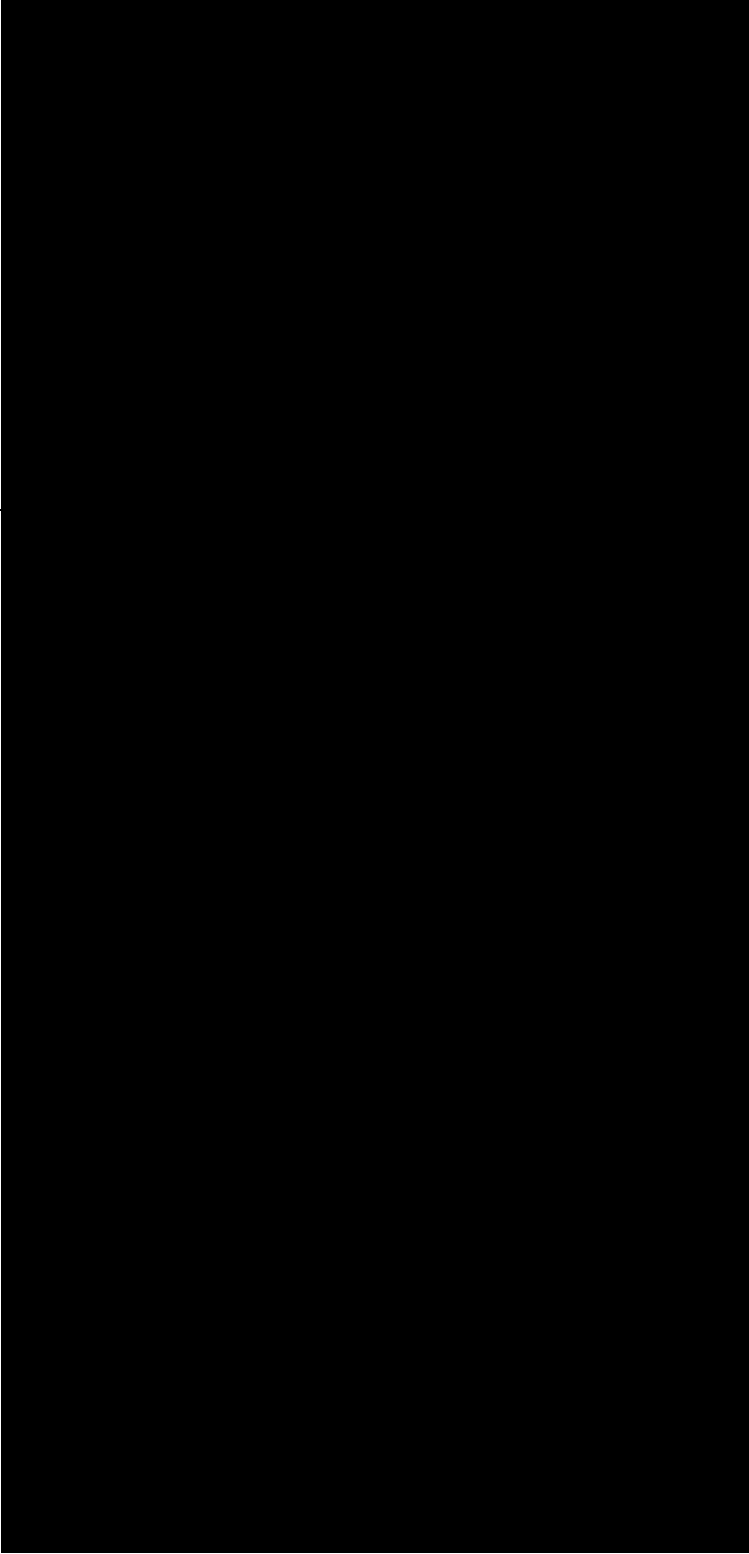
<i>Reference on Plan</i>	<i>Description</i>	<i>Situation</i>
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**PLAN**



## Certificate of Service

I, Lorna Brown, of Slough Borough Council, Observatory House, 25 Windsor Road, Slough, Berkshire SL1 2EL **HEREBY CERTIFY** that I served on the 29<sup>th</sup> Day of November 2019.

Address	Parties to Serve
1 Mead Avenue, Slough SL3 8HS	
3 Mead Avenue, Slough SL3 8HS	
5 Mead Avenue, Slough SL3 8HS	
7 Mead Avenue, Slough SL3 8HS	
9 Mead Avenue, Slough SL3 8HS	
11 Mead Avenue, Slough SL3 8HS	
13 Mead Avenue, Slough SL3 8HS	

## Certificate of Service

15 Mead Avenue, Slough SL3 8HS		
17 Mead Avenue, Slough SL3 8HS		
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31 Mead Avenue, Slough SL3 8HS		

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51 Mead Avenue, Slough SL3 8HS



## Certificate of Service

53 Mead Avenue, Slough SL3 8HS	
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## Certificate of Service

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## Certificate of Service

12 Meadfield Avenue,  
Slough SL3 8HP

14 Meadfield Avenue,  
Slough SL3 8HP

16 Meadfield Avenue,  
Slough SL3 8HP

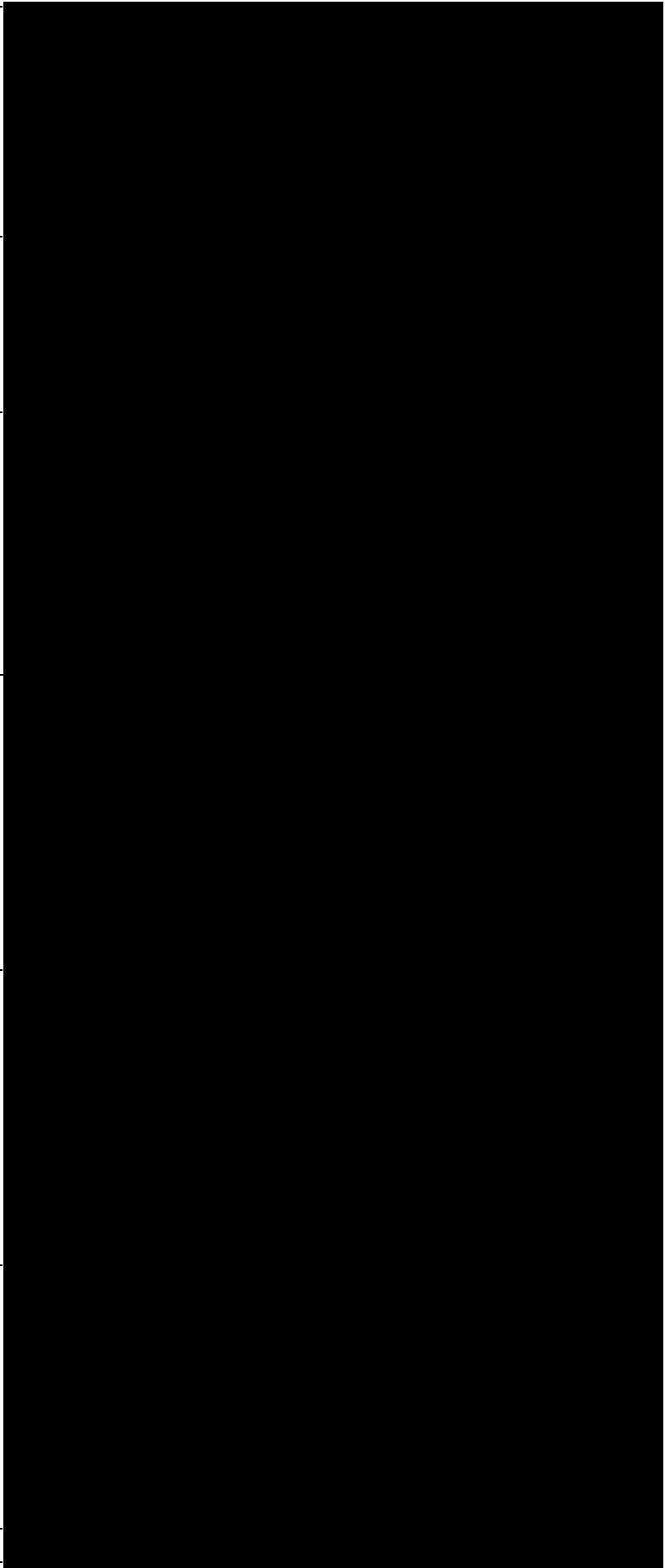
18 Meadfield Avenue,  
Slough SL3 8HP

20 Meadfield Avenue,

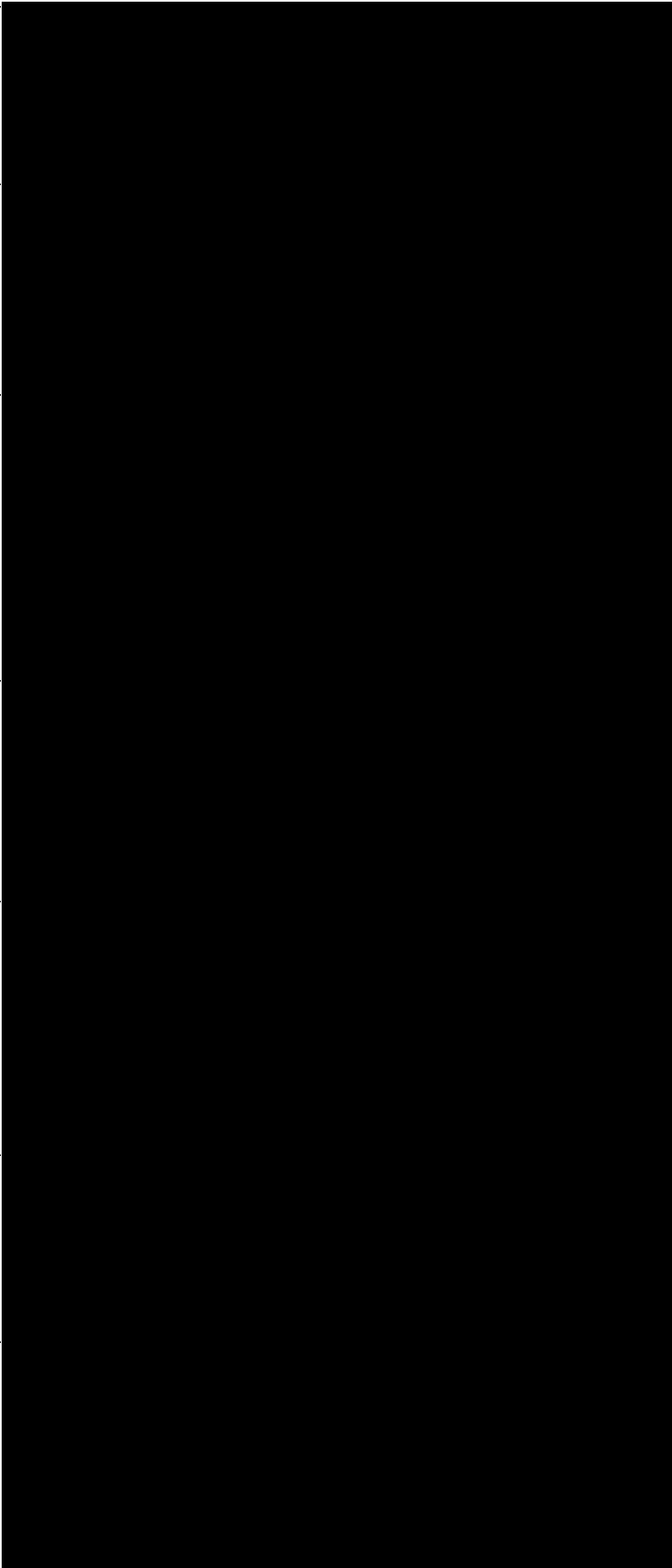


## Certificate of Service

Slough SL3 8HP
22 Meadfield Avenue, Slough SL3 8HP
24 Meadfield Avenue, Slough SL3 8HP
26 Meadfield Avenue, Slough SL3 8HP
28 Meadfield Avenue, Slough SL3 8HP
27 Meadfield Road, Slough SL3 8HR
29 Meadfield Road, Slough

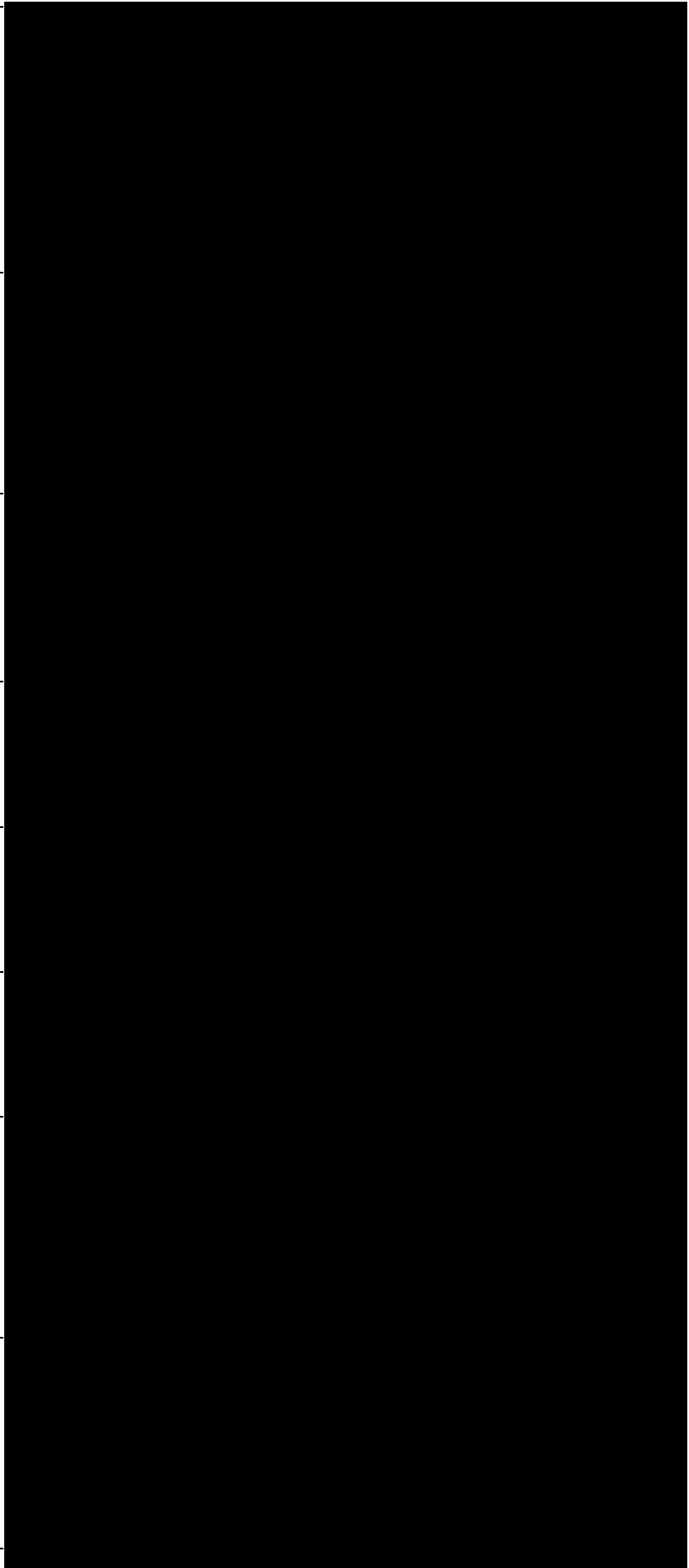


## Certificate of Service

SL3 8HR	
31 Meadfield Road, Slough SL3 8HR	
33 Meadfield Road, Slough SL3 8HR	
35 Meadfield Road, Slough SL3 8HR	
37 Meadfield Road, Slough SL3 8HR	
39 Meadfield Road, Slough SL3 8HR	
41 Meadfield Road, Slough SL3 8HR	

## Certificate of Service

43 Meadfield Road, Slough SL3 8HR
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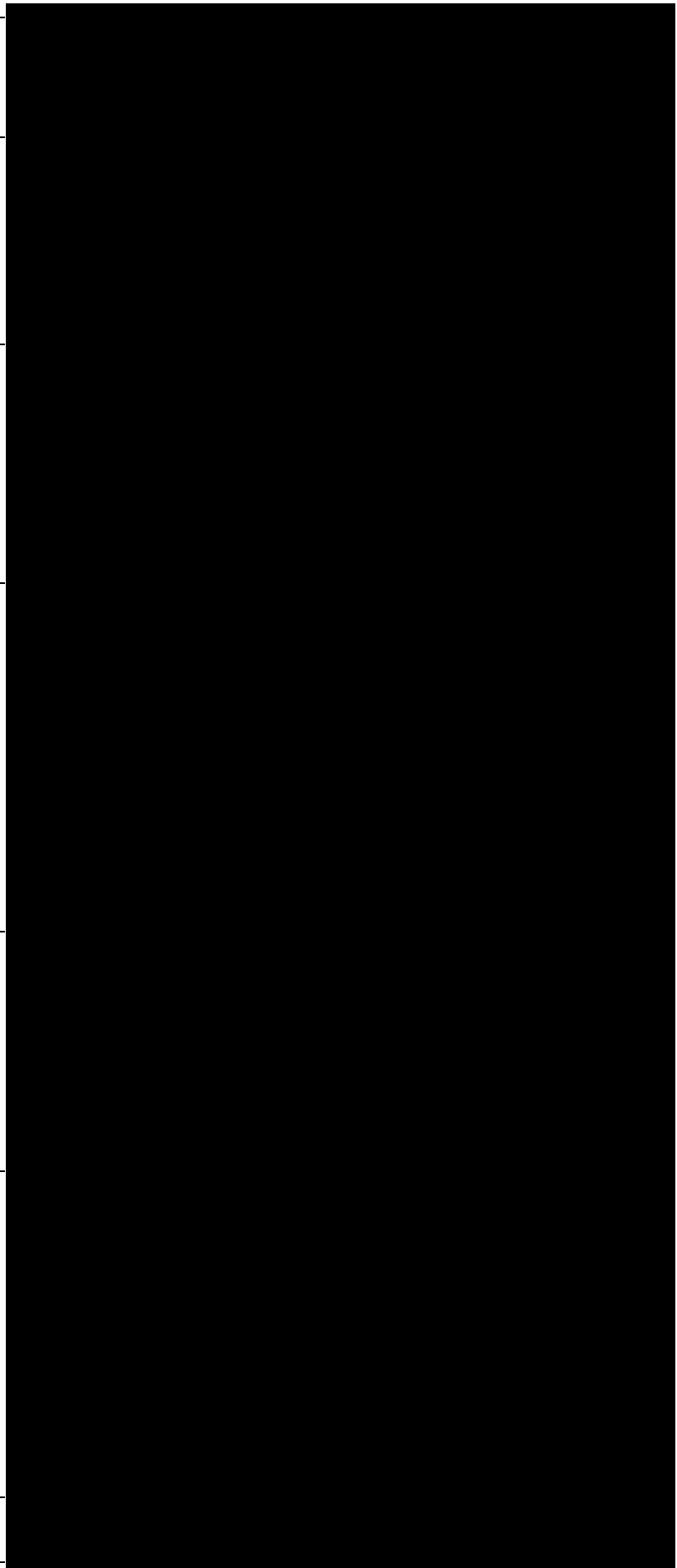


## Certificate of Service

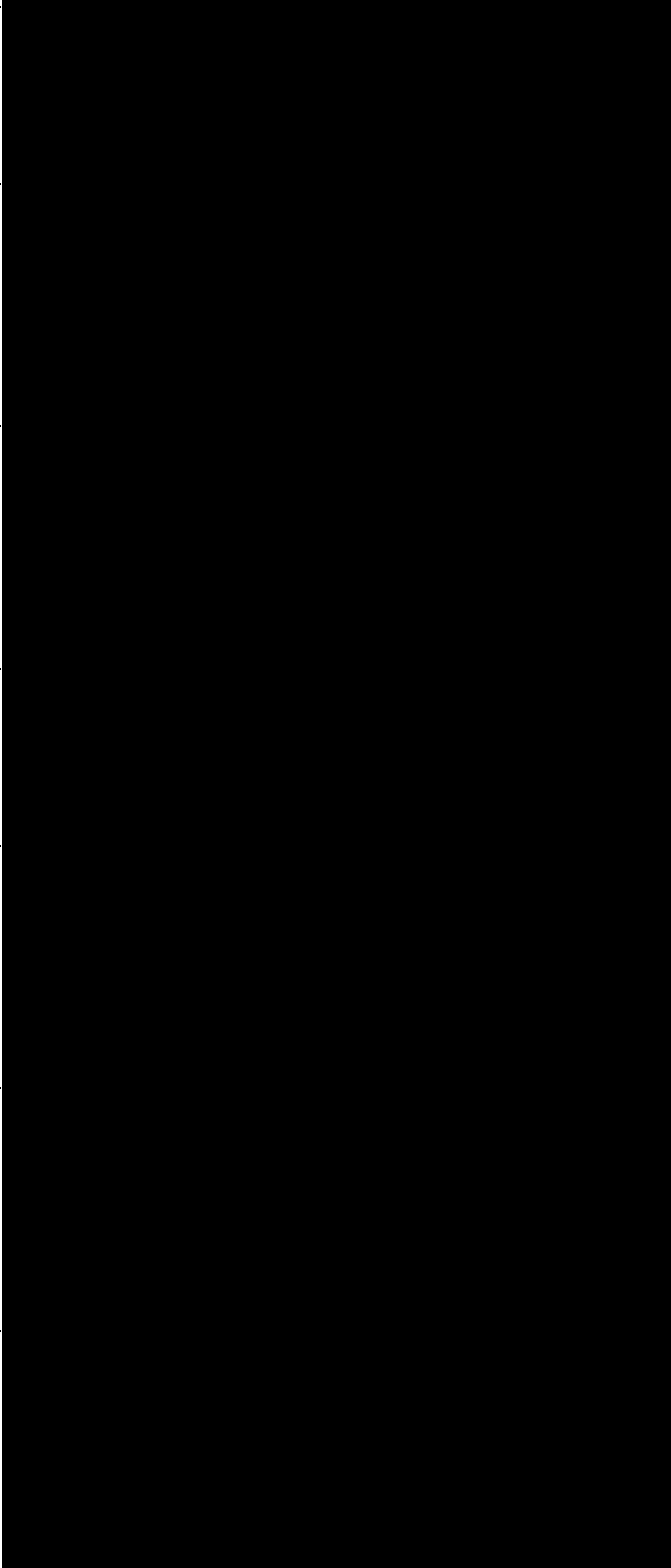
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<a href="#"><u>CLARE HOUSE LANGLEY BUSINESS CENTRE, STATION ROAD, LANGLEY, SLOUGH SL3 8DS</u></a>
UNIT 6A LANGLEY BUSINESS CENTRE, STATION ROAD, LANGLEY, SLOUGH SL3 8DS
Unit 6b Langley Business Park

## Certificate of Service

<a href="#">Unit 6c Langley Business Centre, 11-49 Station Road, Langley</a>
Unit 5a Langley Business Park
Units 5J and 5K Langley Business Centre, 11 - 49 Station Road, Langley.
Unit 5c Langley Business Park
Unit 5d Langley Business Park
Rawplug House Langley



## Certificate of Service

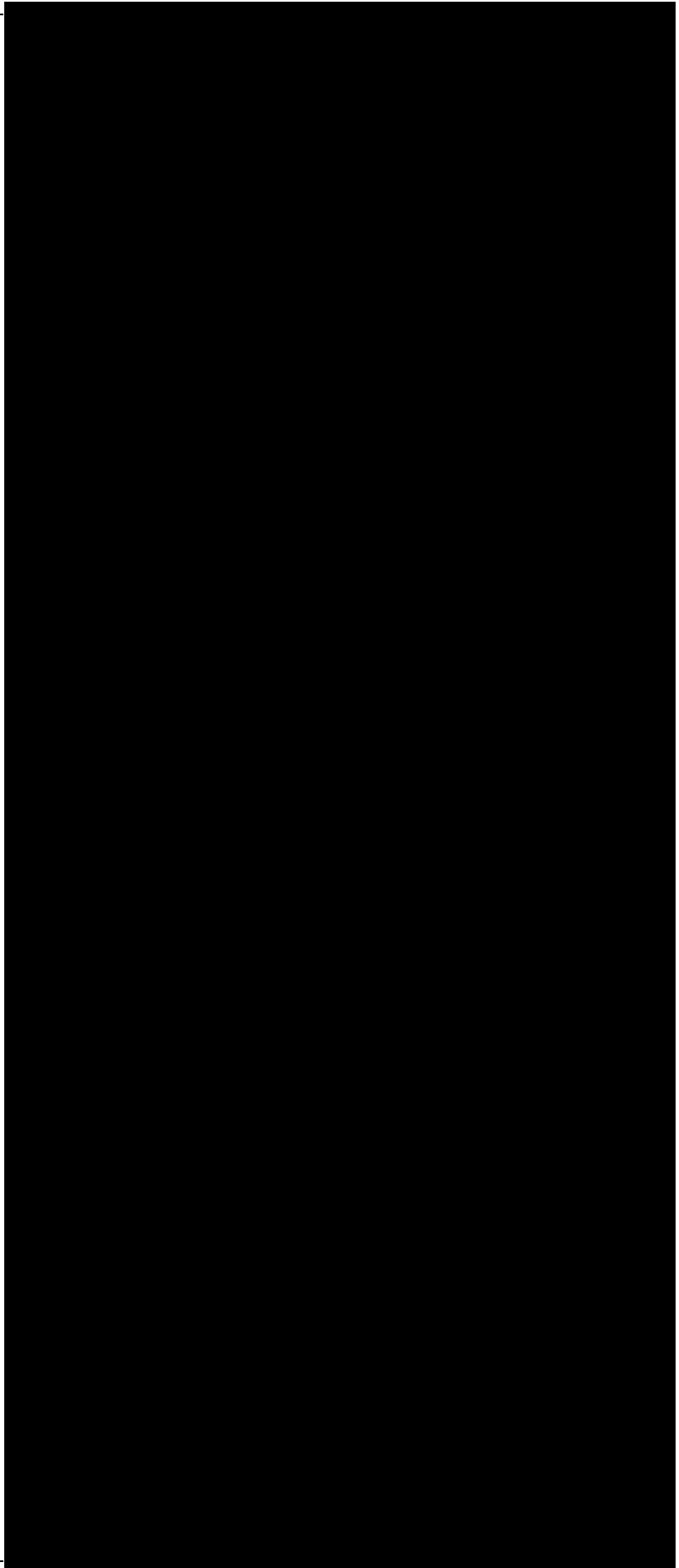
Business Park	
Unit 2 Langley Business Park	
Unit 5e Langley Business Park	
Unit 3 Langley Business Park	
Unit 3a Langley Business Park	
The Bungalow Langley Business Park	
Unit 1 Langley Business Park	

## Certificate of Service

Unit 7 Langley Business Park	
Langley Business Centre, 11 To 49 Station Road, Langley (SL3 8DR)  (SUBJECT SITE)	

**Certificate of Service**

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## Certificate of Service

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With documents described as:

- (1) Letter**
- (2) Tree Preservation Order No.5 of 2019**
- (3) Notice**

In the manner described at 'B'

Above namely:-

- A. By sending it to him/her by pre-paid recorded delivery post addressed above being his/her last known place of abode.
- B. By delivering it to him/her personally at the address given above.**
- C. By leaving it for him/her at the address given above being the last known place of abode.
- D. By sending it to him/her by pre-paid recorded delivery post addressed as above being the registered office of his/her company.
- E. Other - by sending it to him/her by first class post addressed as above being the last known place of abode.

Dated: 29<sup>th</sup> November 2019

Signature: 

Time: 4:30pm

Position: Business Support Manager