



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 18 January 2018

Subject: Tree Preservation Order No. 416A,
396 Myers Grove Lane, Sheffield, S6 5LA

Author of Report: Duncan Bradbury, Urban & Environmental Design Team

Summary: To seek confirmation of Tree Preservation Order No. 416A

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendations Tree Preservation Order No. 416A should be confirmed.

Background Papers: A) Tree Preservation Order No. 416A and map attached.
B) Letters from the property owner attached.
C) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

CITY GROWTH SERVICE

REPORT TO PLANNING & HIGHWAYS COMMITTEE 27th FEBRUARY 2018

TREE PRESERVATION ORDER NO. 416A 396 MYERS GROVE LANE, SHEFFIELD, S6 5LA

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 416A.

2.0 BACKGROUND

2.1 Tree Preservation Order No.416A was made on 7th December 2017 to protect 10 large Sycamore trees in the front garden of 396 Myers Grove Lane. A copy of the order with its accompanying map is attached as Appendix A.

2.2 On the 19th June 2017 a Pre App Planning Application (17/03069/PREAPP) was received to erect a dwelling in the garden of 396 Myers Grove Lane.

2.3 The reason given in the notice for the trees being under threat of removal is the development of the site for a second dwelling. There was also an enquiry by a Tree Surgeon to check the trees for protection on behalf of the property owner.

2.4 A condition inspection of the trees has been carried out by Sheffield City Council's, Trees and Woodlands Team. The trees were found to be in normal health when inspected and no obvious health and safety reasons requiring major intervention were found when inspected which would negate the tree's contribution to the amenity of the locality.

3.0 OBJECTIONS TO TREE PRESERVATION ORDER NO.416A

3.1 Although no official objections to the order have been received we have received correspondence from the owner of the property questioning the necessity of the order. For transparency a copy of the letters are attached as Appendix B.

4.0 VISUAL AMENITY ASSESSMENT

4.1 The trees are large and of significant amenity value when viewed from Myers Grove Lane / Ashurst Road and are considered to contribute to the visual amenity value of the locality and built form of 396 Myers Grove Lane because of their stature and prominent frontage location.

- 4.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by the Community Tree Officer, Trees and Woodlands Team and is attached as Appendix C. The assessment produced a clear recommendation for protection.
- 4.3 The Council made the TPO on the basis of the trees contribution or value to the amenity of the locality. In choosing whether to confirm a TPO, the Council must assess this material consideration against other relevant factors presented such as a need to clear leaves, moss, gutters and driveways. These are considered to be normal acceptable maintenance issues with regard to trees growing within the built environment. Whilst these concerns are noted the contribution which the trees make to the visual amenity value of the locality is sufficient for the Council to consider it expedient to safeguard the long term future of the trees by making a TPO.
- 5.0 EQUAL OPPORTUNITIES IMPLICATIONS
- 5.1 There are no equal opportunities implications.
- 6.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS
- 6.1 There are no environmental and property implications based on the information provided.
- 6.2 Protection of the tree detailed in Tree Preservation Order No.416A will benefit the visual amenity of the local environment.
- 7.0 FINANCIAL IMPLICATIONS
- 7.1 There are no financial implications.
- 8.0 LEGAL IMPLICATIONS
- 8.1 A local authority may make a Tree Preservation Order (TPO) where it appears that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area (section 198, Town and Country Planning Act 1990).
- 8.2 A TPO may prohibit the cutting, topping, lopping or uprooting of the trees which are the subject of the order. It may also prohibit the wilful damage or destruction of those trees. Any person who contravenes a TPO shall be guilty of an offence and liable to receive a fine of up to £20,000.

8.3 The local authority may choose to confirm a TPO it has made. If an order is confirmed, it will continue to have legal effect until such point as it is revoked. If an order is not confirmed, it will expire and cease to have effect 6 months after it was originally made.

8.4 A local authority may only confirm an order after considering any representations made in respect of that order. No such representations have been received in respect of Tree Preservation Order No.416A.

9.0 RECOMMENDATION

9.1 Recommend Provisional Tree Preservation Order No.416A be confirmed.

Rob Murfin, Chief Planning Officer

18th January 2018