



## SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

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**Report of:** Director of Regeneration & Development Services

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**Date:** 16 June 2015

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**Subject:** Tree Preservation Order No. 398,  
442 Glossop Road, Sheffield, S10 2PX

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**Author of Report:** Andrew Conwill, Urban and Environmental Design  
Team

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**Summary:** To report objection received relating to Tree Preservation Order No. 398 at 442 Glossop Road, Sheffield, S10 2PX. Following consideration of the objection now reported it is recommended Tree Preservation Order No. 398 should not be confirmed and be revoked as soon as practicable.

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### Reasons for Recommendation

The structural inspection report submitted with the objection has found that Lime Tree T1 subject to Tree Preservation Order No. 398 has no useful long term future and the tree requires to be removed to re-build the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road.

**Recommendations** Tree Preservation Order No. 398 should not be confirmed and be revoked as soon as practicable.

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**Background Papers:** A) Tree Preservation Order No. 398 with plan attached.  
B) Objection received 12<sup>th</sup> February 2015 with structural inspection report received 11<sup>th</sup> March 2015 attached.

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**Category of Report:** OPEN

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## REGENERATION & DEVELOPMENT SERVICES

### REPORT TO PLANNING & HIGHWAYS COMMITTEE

16 June 2015

#### TREE PRESERVATION ORDER NO. 398

442 GLOSSOP ROAD, SHEFFIELD, S10 2PX

#### 1.0 PURPOSE

1.1 To report an objection to Tree Preservation Order No. 398.

#### 2.0 BACKGROUND

2.1 442 Glossop Road is located within the Broomhill Conservation Area and on the 18<sup>th</sup> September 2014 a notice (Tree Notice 14/03478/TCA) was received to remove two lime trees located to the front of the above property.

2.2 The reason given in the tree notice for their removal was that the trees are damaging the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road. No written technical evidence with respect to structural damage to the wall was provided with the tree notice or when requested from the applicant.

2.3 Your officers had no objection to the removal of one of the lime trees because of its close proximity to 442 Glossop Road and because it is obscured by the other lime tree when viewed from Glossop Road. A decision notice agreeing to its removal was sent to the applicant's agent on 22 January 2014.

2.4 The other lime tree is growing approximately 6.50 metres from the property and Provisional Tree Preservation Order No.398 was served on 22 January 2015 to protect the tree, referred to as T1 in the order, because of its visual amenity value.

#### 3.0 OBJECTION TO TREE PRESERVATION ORDER

3.1 An objection to the tree preservation order has been received from Mr P Hattam who is the owner of neighbouring property 1 Beech Hill Road. Submitted with the objection letter is a structural inspection report prepared by Dr M Seaton, Chartered Structural Engineer, PhD BEng(Hons) CEng MiStructE, which refers to the side boundary retaining wall between 442 Glossop Road and 1 Beech Hill Road. The full text of the structural inspection report is attached as Appendix B.

3.2 The conclusions and recommendations of the report include the following:  
*"That the two lime trees threaten the long-term stability of the wall and that the trees should be removed to enable the wall to be rebuilt."*

#### 4.0 OFFICER RESPONSE TO OBJECTION

4.1 Dr M Seaton's structural inspection report has been considered by Sheffield City Council's Building Control Team who are in general agreement with the report and note that the wall is in a state of disrepair, is structurally unstable and if not repaired will continue to deteriorate. Also the wall cannot reasonably be rebuilt without damaging tree roots nor would it be possible to safely re-build the wall without removing support to the tree and thereby creating a risk of the tree failing during the works.

#### 5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications.

#### 6.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

6.1 The submitted structural inspection report has found that lime tree T1 has no useful long term future and its removal to prevent nuisance and to enable repairs to property is considered reasonable.

#### 7.0 FINANCIAL IMPLICATIONS

7.1 There are no financial implications.

#### 8.0 LEGAL IMPLICATIONS

8.1 A local authority may choose to not confirm a Tree Preservation Order it has made. If an order is not confirmed, it will expire and cease to have legal effect 6 months after it was originally made.

8.2 Where it is known that an order should not be confirmed, a local authority may revoke an order which it has made in advance of its expiry. Revoking an order will cease its effect immediately and there will no longer be an order protecting the trees which the order concerns. The relevant interested parties will be notified of this, including any objectors to the order.

#### 9.0 RECOMMENDATIONS

9.1 After due consideration of the objection now reported it is recommended that Tree Preservation Order No.398 should not be confirmed and be revoked as soon as practicable.

Maria Duffy  
Interim Head of Planning

16 June 2015

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