



## SHEFFIELD CITY COUNCIL

### Planning & Highways Committee Report

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

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**Date:** 29<sup>th</sup> September 2015

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**Subject:** Tree Preservation Order Nr. 402  
110 Ivy Park Road, Sheffield, S10 3LD

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**Author of Report:** Ian Stanyon, Urban and Environmental Design

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**Summary:** To seek confirmation of Tree Preservation Order Nr. 402

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#### Reasons for Recommendations

To protect a tree of visual amenity to the locality.

**Recommendations** Tree Preservation Order No.402 should be confirmed.

**Background Papers:** A) Tree Preservation Order No. 402 and drawing attached

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**Category of Report:** OPEN

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## REGENERATION & DEVELOPMENT SERVICES

### REPORT TO PLANNING AND HIGHWAYS COMMITTEE

29<sup>th</sup> SEPTEMBER 2015

#### TREE PRESERVATION ORDER NR. 402

110 IVY PARK ROAD, SHEFFIELD, S10 3LD

#### 1.0 PURPOSE OF REPORT

1.1 To seek confirmation of Tree Preservation Order Nr.402.

#### 2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 402 was served on 23rd April 2015 to protect a mature pine in the front garden of 110 Ivy Park Road, Sheffield. A copy of the Order with its accompanying map is attached as Appendix A.

2.2 The property 110 Ivy Park Road, Sheffield is located within the Ranmoor conservation area. A notification of proposed works to trees in a conservation area (Tree notice 15/02185/TCA) was received on 15<sup>th</sup> February 2015 to remove a mature pine tree located in the front garden fronting Ivy Park Road and Carsick Hill Road.

2.3 Reasons given were that the tree roots were lifting the driveway.

2.4 Root damage to the adjacent driveway referred to in the notice is considered insufficient reason to remove the tree. It is noted however, that The City Council as Local Planning Authority has no objection to the root being pruned to enable the relaying of the drive way.

2.5 The recommendation from the landscape officer was to refuse the application on the grounds that loss of the tree would affect visual amenity in the conservation area and therefore it is recommended that the TPO be confirmed.

2.6 No objections to the order have been received.

#### 3.0 VISUAL AMENITY ASESSMENT

3.1 The Pine tree is a prominent landscape feature that occupies a corner position in the front garden of the property at the junction of Ivy Park Road and Carsick Hill Road. It is highly visible from the surrounding public area and is considered to be of high visual amenity value to the locality and Ranmoor Conservation Area.

#### 4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

#### 5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no property implications.

5.2 Protection of trees detailed in Tree Preservation Order No. 402 will benefit the visual amenity of the local environment

#### 6.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications

## 7.0 LEGAL IMPLICATIONS

7.1 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).

7.2 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.

7.3 A 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.

7.4 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.402.

## 8.0 RECOMMENDATIONS

8.1 Recommend Tree Preservation Order Nr.402 be confirmed.

Maria Duffy  
Interim Head of Planning

29<sup>th</sup> September 2015

**Tree Preservation Order**  
**Town and Country Planning Act 1990**  
**The Tree Preservation Order No 402 (2015)**  
**110 Ivy Park Road, Sheffield, S10 3LD**

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

**Citation**

1. This Order may be cited as Tree Preservation Order No 402 (2015) – 110 Ivy Park Road, Sheffield, S10 3LD.

**Interpretation**

2. (1) In this Order “the authority” means the Sheffield City 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.

**Effect**

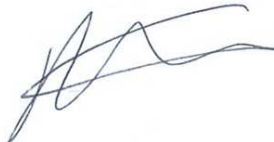
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—  
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or  
(bb) cause or permit the cutting down, topping, lopping, uprooting, 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 23<sup>rd</sup> day of April, 2015

EXECUTED AS A DEED )  
By Sheffield City Council )  
whose common seal was )  
hereunto affixed in the presence of )



Duly Authorised Signatory 15/387/1285

### SCHEDULE

#### Specification of trees

##### Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Pinus Species (Pine)	OS Grid Ref: SK 4311 3866

##### Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

##### Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
	None	

##### Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

**NOTES / REVISIONS:**

**Notes:**

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a. Copyright Sheffield City Council, All rights reserved  
 b. All other rights reserved  
 c. Copyright, Designs and Patents Act 1988 have been generally asserted

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**TREE SCHEDULE**

○ TREE SPECIFIED INDIVIDUALLY  
 (Encircled in black on the map)

T1 PINUS SPECIES (PINE)

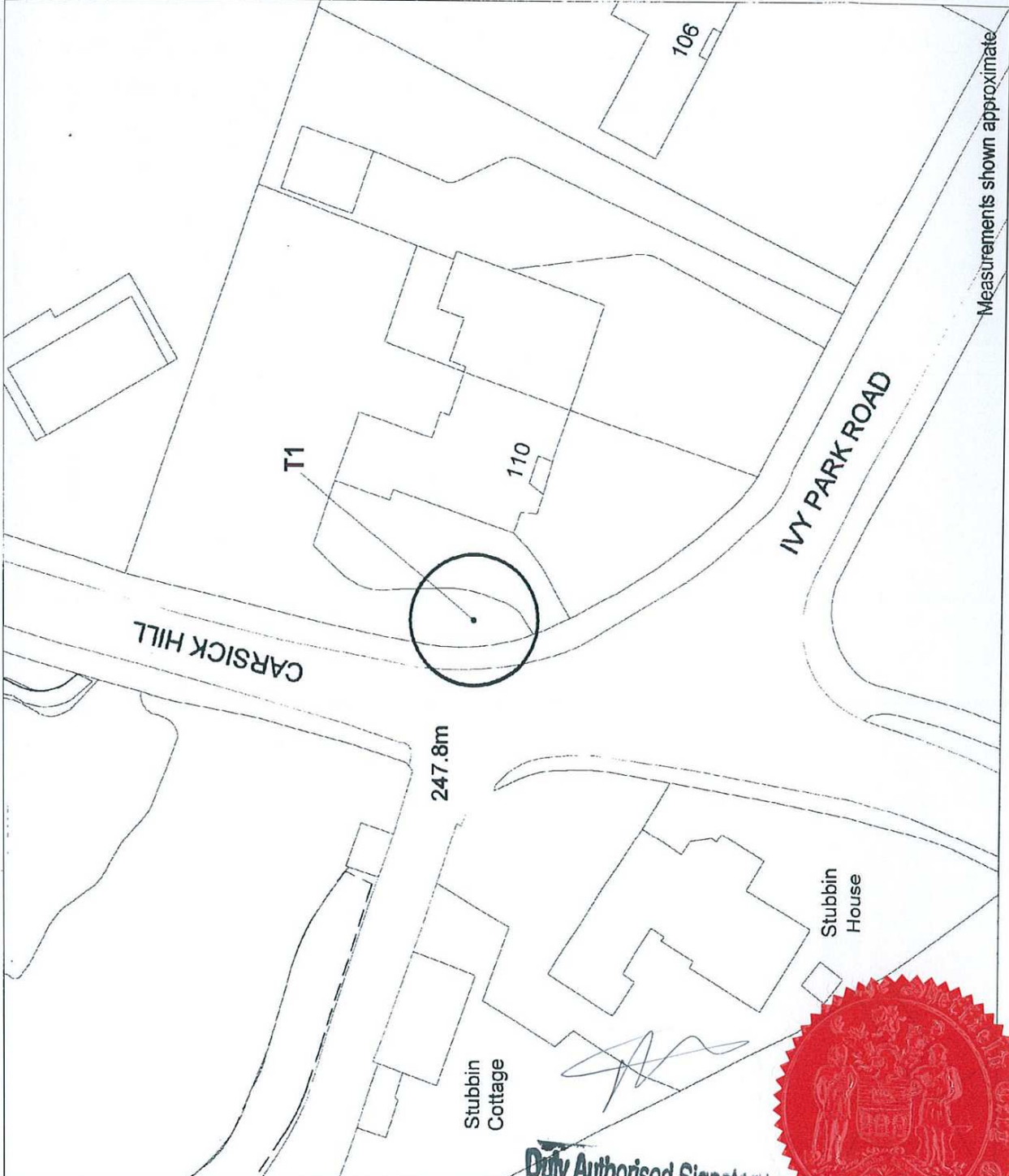
TREES SPECIFIED BY REFERENCE TO A GROUP - None

TREES SPECIFIED BY REFERENCE TO AN AREA - None

TREES SPECIFIED BY REFERENCE TO WOODLAND - None

OS Grid Reference SK 4311 3866

<b>SHEFFIELD CITY COUNCIL</b>	
PLACE	
REGENERATION & DEVELOPMENT SERVICES	
SCHEME:	
<b>TREE PRESERVATION ORDER</b>	
No. 402	
TITLE:	110 IVY PARK ROAD
	S10 3LD
SCALE:	1:500 @ A4
Drawn By:	Checked By:
RI	Date: 22/1/2015
Drawing No:	
A4/JED/808/402	



Duly Authorised Signatory  
 15/387/1285

