



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 10th December 2021

Subject: Tree Preservation Order No. 445
4 Stepping Lane, Sheffield, S35 8RA

Author of Report: Vanessa Lyons, Community Tree Officer (Planning).

Summary: To seek confirmation of Tree Preservation Order No. 445

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 445 should be confirmed unmodified.

Background Papers:

- A) Tree Preservation Order No. and map attached.
 - B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.
 - C) Objection letters attached.
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Category of Report: OPEN

CITY GROWTH SERVICE

REPORT TO PLANNING & HIGHWAYS COMMITTEE

21st December 2021

4 Stepping Lane, Sheffield, S35 8RA

TREE PRESERVATION ORDER NO. 445

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 445.

2.0 BACKGROUND

- 2.1 Tree Preservation Order No.445 ('the Order') was made on 29TH July 2021 to protect 2 trees (both early mature beech) located within the curtilage of 4 Stepping Lane. A copy of the Order, with its accompanying map, is attached as Appendix A.
- 2.2 T1 and T2 (as described in the Order) are positioned close to the rear boundary wall which runs adjacent to Middle Lane. They are deemed as having high amenity value due to their prominent position within the street scene.
- 2.3 The trees are located within the Grenoside Conservation Area, so they are already protected to a limited extent by Section 211 of the Town and Country Planning Act 1990. This requires that notice is served upon the Council before works to a tree can be carried out, giving the Council the opportunity to make a Tree Preservation Order where that is considered expedient. As such a section 211 notice was received on 7th June 2021 to fell both beech trees. A Tree Preservation Order was therefore deemed expedient to protect the tree in the long term.
- 2.4 A condition inspection was carried out on 22nd July 2021 by Dave Farmer, Tree Officer for SCC. The two beech trees were found to be in reasonable health when inspected, with no major outward defects. They have previously been pruned, and the pruning wounds have occluded well. Both trees are growing close to the rear boundary wall of the property, overhanging the rear garden area and Middle Lane. They are visually prominent due to their proximity to the roadside and being the tallest trees in the surrounding vicinity and appear to have good longer-term prospects. A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by Peter Simpson, Tree Officer for SCC, who scored them at 14 points. The assessment produced a clear recommendation for protection. A summary of the TEMPO can be found in Appendix B.
- 2.5 One objection has been raised to the TPO, by the applicants. A redacted copy of the objection letter is included (Appendix C). They

consider that the damage to the wall is sufficient to warrant the removal of the trees, stating that the wall is pushed forward by 10 inches in one area. They also dispute the amenity value of the trees, stating that there are other trees of a greater or equal size on neighbouring roads. While there are some signs of movement in the boundary wall close to both trees, it was the opinion of the investigating officer, Dave Farmer, that this appears to be relatively minor in nature and is likely to have occurred slowly over many years. This opinion was based on observations made during a site visit to the trees following the receipt of a section 211 notice in June 2021. With regards their amenity value, there are no other trees of this stature on Middle Lane itself and their loss would greatly detract from the overall street scene. Having attended the site to look at the trees on 19/11/21, officers concur with Dave Farmer's prior assessment. The trees are in reasonable condition with a relatively long useful life expectancy ahead of them and can be expected to continue to bring many benefits to the local area for years to come. It is therefore considered expedient that the trees should continue to benefit from the protection of the Order such that it is recommended that it be confirmed.

3.0 VISUAL AMENITY ASSESSMENT

- 3.1 The trees are visually prominent due to their proximity to the roadside and being the tallest trees in the surrounding vicinity. They are in good overall condition and with a reasonable future life expectancy.
- 3.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by Peter Simpson, Tree Officer for SCC, who scored them at 14 points. The assessment produced a clear recommendation for protection. A summary of the TEMPO can be found in Appendix B.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

- 5.1 There are no environmental and property implications based on the information provided.
- 5.2 Protection of the trees detailed in Tree Preservation Order No.445 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 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.
- 7.4 A local authority may only confirm an Order after considering any representations made in respect of that order. One objection has been received in respect of the Order. A response to that objection is provided at paragraph 2.5.

8.0 RECOMMENDATION

- 8.1 Recommend Provisional Tree Preservation Order No.445 be confirmed.

Michael Johnson, Head of Planning,

10th Dec 2021