



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 9th May 2022

Subject: Tree Preservation Order No. 448
6 Hardwick Crescent, S11 8WB

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

Summary: To seek confirmation of Tree Preservation Order No. 448

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 448 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

24.05.22

6 Hardwick Crescent, S11 8WB

TREE PRESERVATION ORDER NO. 448

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.448

2.0 BACKGROUND

- 2.1 Tree Preservation Order No.448('the Order') was made on 6th January 2022 to protect T1 Sycamore, T2 Lime, T3 Sycamore, T4 Sycamore and T5 Sycamore on land adjacent to 6 Hardwick Crescent, S11 8WB. A copy of the Order, with its accompanying map, is attached as Appendix A.
- 2.2 T1 to T5 (as described in the Order) are positioned to the south of the site and form a linear group fronting the corner of Hardwick Crescent and Psalter Lane. As such the trees are very visible and form a prominent part of the Psalter Lane Street scene. The trees are located within the Nether Edge Conservation Area, so they are already protected to a limited extent by Section 211 of the Town and Country Planning Act 1990.
- 2.3 In August 2021 a planning application was submitted to demolish the garage and outbuildings adjacent to no 6 and erect a dwelling house with associated landscaping and parking. While the proposal did not call for removal of the trees, Planning Officers raised concerns as to how the development would be realised in such close proximity to the trees. The site was visited in November 2021 by Planning Officer Sam Thorne and Tree Officer Nathan McWhinnie. They observed that despite the presence of buildings and hard-standing on the site, the majority of the trees' roots will be within the area proposed for development, as the adjacent highway will have prevented root growth on that side of the tree. As part of the footprint of the proposed building, and the entirety of the proposed hard standing area of the proposed development will fall within the root protection area of the trees, root damage is therefore very likely. Even taking into account no dig methods, as is proposed for the construction of the new hardstanding, the laying of porous material and a cellular system in this area will require ground levelling, whether this be tamping or excavation, which will occur within an area containing a multitude of roots. The proximity of the proposed dwelling to the trees will also create consistent conflict with regards branch encroachment, excessive shade, seasonal debris and the fall of sticky sap from aphids which favour lime and sycamore trees and which adhere

readily to windows, surfaces and car paint work. These issues will make the proposed development unpleasant to live in and will likely result in pressure for the trees to be pruned and or removed.

- 2.4 In response to this, on 08.12.21, an inspection of the trees was carried out by Vanessa Lyons, Tree Officer for SCC. The intention was to assess whether the trees were worthy of protection under a TPO, thus ensuring that they be fully considered during the planning application process.
- 2.5 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by Vanessa Lyons, who scored the trees with 14 points respectively. The assessment produced a clear recommendation for protection. A summary of the TEMPO can be found in Appendix B.
- 2.6 Objections.

One objection was received via email on the 11TH January 2022. The objection was regarding the blocking of light, from the trees, to a neighbouring property. The objector requested that the TPO be amended to permit pruning to a height that would allow more light to access the property in question.

This objection was responded to by the Council's legal team on the 12th January stating that application to prune TPO trees should be pursued via the application process. Admin for Environmental Planning then followed with a reply on the 13th January with guidance on how to submit an application. No application has since been received.

3.0 VISUAL AMENITY ASSESSMENT

The trees are considered as having high public visibility, forming a linear group of large, mature trees which are entirely visible from Psalter Lane, a busy road along which many people travel daily. The trees appear in reasonable condition, with slender upright canopies typical of trees which are grown in close proximity to each other. The trees are ivy clad which precluded a full inspection of their condition, however no outward defects were visible at the time of inspection. The trees are suitable for their setting, forming a natural screen along a busy road and adding to the leafy character of the Nether Edge conservation area. As such it is considered that the trees bring a degree of amenity to the local area and their preservation should be sought.

- 3.1 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by Vanessa Lyons Tree Officer for SCC. 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.448 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.448 be confirmed.

Michael Johnson, Head of Planning,

9th May 2022