



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 9th August 2022

Subject: Tree Preservation Order No. 449
60 Sandygate Park, Sheffield, S10 5TZ

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

Summary: To seek confirmation of Tree Preservation Order No. 449

Reasons for Recommendation

To protect a tree of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 449 should be confirmed unmodified.

Background Papers:

A) Tree Preservation Order No.449 and map attached.
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

REPORT TO PLANNING & HIGHWAYS COMMITTEE

9th August 2022

60 Sandygate Park, Sheffield, S10 5TZ

TREE PRESERVATION ORDER NO. 449

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.449

2.0 BACKGROUND

2.1 Tree Preservation Order No.449 ('the Order') was made on 18th March 2022 to protect T1 *Metasequoia glyptostroboides* at 60 Sandygate Park, Sheffield, S10 5TZ. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 T1 (as described in the Order) is a semi-mature *Metasequoia glyptostroboides*, or dawn redwood, positioned in the centre of the rear garden at 60 Sandygate Park. The tree is fully visible from number 60, partly visible from directly neighbouring houses, and partially visible from the public road, being viewable from the gap at the side of the detached house and above the roof line of the property.

2.3 In August 2021, a request to make a TPO in respect of the tree was received from the family of the lady who owns number 60. They stated that the tree had been planted by their grandfather several decades ago, had great sentimental value, was of a rare species, and that they were concerned that when the house passed into new ownership following the death of their grandmother, that the tree may be removed.

2.4 In response to this and following from the appointment of a permanent Planning Community Tree Officer in November 2022, Vanessa Lyons inspected the tree in January of 2022 with a view to determining the tree's suitability for protection.

2.5 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by Vanessa Lyons on 12th January 2022, who scored the tree with 14 points. The assessment produced a clear recommendation for protection. A summary of the TEMPO can be found in Appendix B.

2.6 Objections.

No objections have been received.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The tree is a semi-mature dawn redwood, which is the focal point of the large rear garden of number 60. It was planted during the 1980s by the owner of

number 60, who had an interest in rare plants and trees. The tree is in good condition and form. Though it is only partially visible from a public vantage point, the fast growth rate of the species, and tall stature at maturity, mean that the tree will become more visible over time as it continues to grow above the roof line of the property, from above which it is already visible from street level.

- 3.2 The tree is estimated as being 40 years of age, with a life expectancy exceeding 100 years, and the open aspect of the garden means that the tree should be able to grow unhindered to maturity, meaning the tree represents excellent future potential as an amenity. Furthermore, the tree is of a species which, until it was discovered growing in China in 1941, was previously only known from fossil records of the Mesozoic era, dating from over 150 million years ago. Since its discovery, the tree has been disseminated worldwide, though it is classified as endangered in its native ranges, and remains a tree of comparative rarity elsewhere, particularly within the area of Sheffield in which this tree resides.
- 3.3 With regard to expediency, there is no imminent threat to the tree, and the associated TEMPO assessment recognizes the expediency as precautionary only. Government guidance in respect of making TPOs ('Tree Preservation Orders and trees in conservation areas', published 6th March 2014) states at paragraph 010 that local authorities "*may consider other sources of risks to trees with significant amenity value*" and that "*changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution*".
- 3.4 It is understood that the current owner of the tree is very elderly, and when the house is sold following her death, that there would be no protection for the tree to prevent its removal by new owners, as the address is not within a conservation area. The excellent form, future size and longevity of the species, and comparative rarity of the tree means that the tree has scored highly enough on TEMPO to warrant protection and on this occasion it is considered expedient that a TPO be made to protect the tree.

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.449 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. No objections have been received.

8.0 RECOMMENDATION

- 8.1 Recommend Provisional Tree Preservation Order No.449 be confirmed.

Michael Johnson, Head of Planning

28th July 2022