

Legal Services Department
Legal and Governance
Sheffield City Council
Town Hall
Pinstone Street
Sheffield S1 2HH

3rd June 2016

Your reference: LS/RC/76447

To Whom It May Concern,

Tree Preservation Order 411 (33 Holyrood Avenue, Sheffield, S10 4ND)

Further to your letter of 6th May 2016, I am writing to object to the Tree Preservation Order which has been placed on the 3 lime trees in my garden.

In an e-mail received from Andrew Conwill (Planning Officer) dated 6th May, and a letter received from Richard Cannon (Professional Officer) of the same date, it states that the order has been served because:

"the trees included in the order are visually prominent when viewed from Holyrood Avenue, Sandringham Place and the entrance to the adjacent open space and contribute to the visual amenity value of the locality"

According to Planning Practice Guidance on the Government website:

'Amenity' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.

*Orders should be used to protect selected trees and woodlands if their removal would have a **significant negative impact** on the local environment and its **enjoyment by the public**.*

Whilst I agree that the trees are visually prominent, I do not agree that were the trees to be removed, it would have significant negative impact on the local environment and its enjoyment by the public. This development is home to over 200 trees, many of which are on the public open spaces adjacent to Redmires Road and Lodge Moor Road and as well as being more prominent, they also play a much more significant role in the visual amenity of the locality.

Another key point in my objection to this order, is that the 3 trees in question are already protected by a planning condition. Out of respect for this, I realise that it is not possible for any work to be undertaken on the trees without first obtaining consent.

In March of this year, I enquired to the Planning Department if it would be possible to remove 2 of the 3 trees due to their close proximity to my house and that fact that the wall of my front porch had developed a crack near to the base, which I thought one of the trees might be responsible for.

Subsequently, this crack has been inspected by a Building Surveyor from Sheffield City Council's Structural and Public Safety Team and no compelling evidence to suggest the damage has been caused by the trees could be found.

On that basis, I am happy to leave the trees in situ and believe that the protection afforded to them by the planning condition, is sufficient to protect them moving forward.

The aforementioned communications of 6th May, state that the other reason for the order is:

'Two of the three trees are believed to be under possible threat of removal'

As per my comments above, this is no longer the case and I would also object to the language used in that I have not 'threatened' to do anything, I merely made polite request through the appropriate channels.

To this effect, the fact that they are already protected by a planning condition, and that were they to be removed at any point (which I am no longer seeking to do), it would not have a significant negative impact on the local environment and its enjoyment by the public, I believe should provide sufficient grounds to revoke this order.

I hope you will look on my objection favourably and should you wish to discuss the matter in any further detail, I can be contacted on 07973 711428.

I look forward to hearing from you.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Neil Pix', with a circular flourish at the end.

Neil Pix