



## SHEFFIELD CITY COUNCIL

### Planning & Highways Committee Report

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**Report of:** The Director City Growth Service

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**Date:** 24 October 2017

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**Subject:** Tree Preservation Order No. 414,  
22 Brincliffe Edge Road, Sheffield, S11 9BW

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**Author of Report:** Andrew Conwill, Urban and Environmental Design Team

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**Summary:** To seek confirmation of Tree Preservation Order No. 414

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**Reasons for Recommendation**

To protect a tree of visual amenity value to the locality

**Recommendations** Tree Preservation Order No. 414 should be confirmed.

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**Background Papers:** A) Tree Preservation Order No. 414 and map attached.  
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

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**Category of Report:** OPEN

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## CITY GROWTH SERVICE

### REPORT TO PLANNING & HIGHWAYS COMMITTEE 24<sup>th</sup> OCTOBER 2017

#### TREE PRESERVATION ORDER NO. 414 22 BRINCLIFFE EDGE ROAD, SHEFFIELD, S11 9BW

#### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 414.

#### 2.0 BACKGROUND

2.1 Tree Preservation Order No.414 was made on 27<sup>th</sup> June 2017 to protect a large mature oak tree in the front garden of 22 Brincliffe Edge Road. A copy of the order with its accompanying map is attached as Appendix A.

2.2 22 Brincliffe Edge Road is located within the Nether Edge Conservation Area and on the 19<sup>th</sup> May 2017 notice (Tree Notice 17/02243/TCA) was received to remove the oak tree.

2.3 The reason given in the notice for removal is that the tree is causing damage to the frontage boundary wall.

2.4 An inspection of the section of wall referred to in the notice has been carried out by Sheffield City Council's, Structural and Public Safety Team. When inspected the section of wall referred to was found to be in a reasonable condition considering its age (circa 19<sup>th</sup> century), and apparent lack of any significant maintenance since it was built. Some minor deflection/bulging was noted which is likely to be due to the tree, although this is not considered significant or dangerous. During inspection it was noted that the wall would benefit from some general maintenance/repair, i.e. the raking out of loose mortar and re-pointing, and the replacement of a small area of stone work to the back of the wall where stones have fallen out.

2.5 A condition inspection of the tree has been carried out by Sheffield City Council's, Trees and Woodlands Team. The tree was found to be in normal health when inspected and no obvious health and safety reasons requiring major intervention were found when inspected which would negate the tree's contribution to the amenity of the locality.

2.6 No objections to the order have been received.

#### 3.0 VISUAL AMENITY ASSESSMENT

3.1 The tree is large and of significant amenity value when viewed from Brincliffe Edge Road and is considered to contribute to the visual amenity value of the Nether Edge Conservation Area, locality and built form of 22 and 24 Brincliffe Edge Road because of its stature and prominent frontage location.

3.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by the Landscape Planning Officer and Community Tree Officer, Trees and Woodlands Team and is attached as Appendix B. The assessment produced a clear recommendation for protection.

#### 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 tree detailed in Tree Preservation Order No.414 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 such representations have been received in respect of Tree Preservation Order No.414.

#### 8.0 RECOMMENDATION

8.1 Recommend Provisional Tree Preservation Order No.414 be confirmed.

Rob Murfin, Chief Planning Officer

24<sup>th</sup> October 2017

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