



## SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

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

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**Date:** 16 January 2018

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**Subject:** Tree Preservation Order No.408, (33 & 37 Botanical Road, Sheffield, S11 8RP)

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**Author of Report:** Sam Thorn, Urban and Environmental Design Team

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**Summary:** To seek confirmation of Tree Preservation Orders No. 408

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**Reasons for Recommendation**

To protect a tree of visual amenity value to the locality

**Recommendations** Tree Preservation Orders No. 408 should be confirmed.

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**Background Papers:** A) Tree Preservation Orders No. 408 and map attached.  
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment for TPO 408.

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**Category of Report:** OPEN

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REPORT TO PLANNING & HIGHWAYS COMMITTEE  
16<sup>th</sup> JANUARY 2018

TREE PRESERVATION ORDER NO. 408  
33 & 37 BOTANICAL ROAD, SHEFFIELD, S11 8RP

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 408.

2.0 BACKGROUND

2.1 Tree Preservation Order No.408 was made on 21<sup>st</sup> September 2017 to protect two mature lime trees in the front gardens of 33 & 37 Botanical Road. A copy of the order with its accompanying map is attached as Appendix A.

2.2 The properties of 33 & 37 Botanical Road are located within a designated '*Area of Special Character*', a lesser designation than a full *Conservation Area*. A planning Application was submitted for a side extension to 33 which included a large driveway in the front garden which cut into the bank and Root Protection Area of these trees.

2.3 Such significant excavations at the base of these trees would almost certainly have led to the loss of one, possibly both specimens.

2.3 No objections to the order have been received.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The trees are large, mature specimens and of significant amenity value when viewed from Botanical Road and the adjacent roads of Ecclesall Road and Wilson Road. They are considered to contribute positively to the visual amenity of the area.

3.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out by the Landscape Planning Officer and a Community Tree Officer from SCC's 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.408 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.408.

## 8.0 RECOMMENDATION

8.1 Recommend Provisional Tree Preservation Order No.408 be confirmed.

Rob Murfin, Chief Planning Officer

16<sup>th</sup> January 2018

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