



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 23rd August 2018

Subject: Tree Preservation Order No. 420
Site of Former Bannerdale Centre, Carter Knowle Road

Author of Report: Jack Foxall, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Order
Nr. 420

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order Nr. 420 should be confirmed

Background Papers: A) Tree Preservation Order Nr. 420 and map attached

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE

4th SEPTEMBER 2018

TREE PRESERVATION ORDER NR.420

Site of Former Bannerdale Centre, Carter Knowle Road, Sheffield

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order Nr. 420.

2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 420 was made on 8th June 2018, on trees at the site of the former Bannerdale Centre, off Carter Knowle Road. A copy of the order with its accompanying map is attached as Appendix A.

2.2 Planning permission had been granted for housing development at this site (reference 13/04206/RG3), subject to conditions. One of those conditions states that, unless otherwise indicated on the approved plans for the development, no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

2.3 This condition was intended to secure the retention and protection of the majority of the better quality trees around the site boundary.

2.4 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to serving the Order, and trees were inspected by an Arboriculturist from the Parks and Countryside Trees and Woodlands service for general condition and suitability for protection. These trees were found to be in good order and of significant amenity value to the local area.

2.5 The site had previously been owned and managed by the Council, ensuring that trees were adequately protected and managed. The Council considered it expedient to make Tree Preservation Order Nr. 420 so as to ensure these trees would benefit from the protection offered by a TPO after the site had been sold by the Council.

3.0 OBJECTIONS

3.1 No Objections to the Order have been received.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

5.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no property implications.

- 5.2 Protection of the trees detailed in Tree Preservation Order Nr. 420 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 has a duty to ensure that, where appropriate, adequate provision is made for the preservation or planting of trees when granting planning permission for any development. This may be achieved by the imposition of conditions.
- 7.2 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. In addition, where it appears to the local authority to be necessary in connection with granting planning permission, it shall be its duty to make a TPO to either give effect to those conditions or otherwise (sections 197 and 198, Town and Country Planning Act 1990).
- 7.3 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.
- 7.4 A 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.
- 7.5 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.420.
- 8.0 RECOMMENDATION
- 8.1 Recommend Tree Preservation Order Nr. 420 be confirmed.

Rob Murfin
Chief Planning Officer

23rd August 2018

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