



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 25/10/18

Subject: Tree Preservation Order No. 419A (Land at Platts Lane, Oughtibridge, Sheffield, OS Grid Reference SK 31329356)

Author of Report: Nathan McWhinnie, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Order No. 419A

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order No. 419A should be confirmed unmodified.

Background Papers: A) Tree Preservation Order No. 419A and map attached.

Category of Report: OPEN

TREE PRESERVATION ORDER NO. 419A
LAND AT PLATTS LANE, OUGHTIBRIDGE, SHEFFIELD S35 0HP

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 419A.

2.0 BACKGROUND

2.1 Tree Preservation Order No.419A was made on 14th June 2018 to protect two wooded areas east and north/north-west of the Internet Refractory Products factory site. A copy of the order with its accompanying map is attached as Appendix A.

2.2 A member of the public alerted the planning department to a significant amount of felling taking place at the factory site. Having attended and assessed the site, the aforementioned wooded areas were found to provide a visual, noise and pollution screen between the factory and public footpaths, public open spaces and residential properties. It was therefore considered expedient to make a Tree Preservation Order to protect the wooded areas in the interests of amenity.

2.3 Parts of the wooded areas are considered to be ancient woodland, making their retention particularly important.

2.4 No objections to the order have been received.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The trees are well-established specimens, providing significant visual amenity and maturity to the site. Their value is in preserving the rural character of the area by screening the factory site from public view.

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.419A will benefit the visual amenity of the local environment and retain the benefits of pollution filtration the trees provide.

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.419A.

8.0 RECOMMENDATION

- 8.1 Recommend Tree Preservation Order No.419A be confirmed.

Rob Murfin, Chief Planning Officer

25th October 2018

Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order No 419A (2018)

Land at Platts Lane, Oughtibridge, Sheffield S35 0HP

The Sheffield City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order No 419A (2018) – Land at Platts Lane, Oughtibridge, Sheffield S35 0HP

Interpretation

2. (1) In this Order “the authority” means the Sheffield City Council.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(aa) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(bb) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 14th June 2018

EXECUTED AS A DEED)
By Sheffield City Council)
whose common seal was)
hereunto affixed in the presence of)


Duty Authorised Signatory



SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
A1	Trees of whatever species contained therein	OS Grid Ref: SK 3132 9356

Groups of trees

(encircled in green on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W1	Trees of whatever species contained therein	OS Grid Ref: SK 3132 9356

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Trees specified individually.
 (Encircled in black on the plan)
 No on map
 Description
 NONE

Trees specified by reference to an area
 (Within a dotted black line on the plan)
 No on map
 Description
 A1 Trees of whatever species contained therein

Trees specified by reference to an group
 (Within a broken line on the plan)
 No on map
 Description
 NONE

Trees specified by reference to a woodland
 (Within a continuous line on the plan)
 No on map
 Description
 W1 Trees of whatever species contained therein

O.S. REFERENCE No.: SK 3132 9356

SHEFFIELD CITY COUNCIL	
URBAN AND ENVIRONMENTAL DESIGN TEAM	
PROJECT	TREE PRESERVATION ORDER
NO.	No. 808/419
SITE Site of Inheret Refractory Products Ltd PLATTS LANE, OUGHTIBRIDGE	
SCALE	1:1250
PAPER SIZE	A3
DATE	14 Nov 2018
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DRAWN BY	

