



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 08/04/19

Subject: Tree Preservation Order No. 431 (47 Collegiate Crescent, Sheffield, S10 2BR. OS Grid Reference SK 34034 86184)

Author of Report: Leonie Kapadia, Urban and Environmental Design Team

Summary: To seek confirmation of Tree Preservation Orders No. 431.

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 431 should be confirmed unmodified.

Background Papers:

A) Tree Preservation Order No. and map attached.
B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.

Category of Report: OPEN

TREE PRESERVATION ORDER NO. 431
47 COLLEGIATE CRESCENT, SHEFFIELD, S10 2BR

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 431

2.0 BACKGROUND

2.1 Tree Preservation Order No.431 was made on 17th January 2019 to protect a mature hornbeam in the front garden of the property. A copy of the order with its accompanying map is attached as Appendix A.

2.2 The tree at the site was under threat because of a section 211 notice received from the householder. The householder wished to remove all trees on the property citing damage to the drive-way, side wall and front wall. Following a visit from myself and a Building Surveyor from the Building Control Team, we established that several of the trees were, indeed, causing damage. These were subsequently felled with no objection from ourselves.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out in respect of the hornbeam. The tree was found to be in good order with no safety issues and has high visibility in the conservation area. It was therefore considered expedient to make a Tree Preservation Order to protect the tree in the interests of amenity.

2.5 The objections from the owner, and our responses are as follows:

- i. Work started to the tree has caused the tree to be “heavy on one side and leaning towards the road”.
Response: This is not a safety issue. It can be remedied with minor pruning and will also regrow.
- ii. The tree is causing damage to boundary wall.
Response: SCC building surveyor found “very minimal deflection of the wall” and this is not considered to be a safety issue. There is room between the tree and the wall for the tree to grow in the immediate future.
- iii. The tree is causing damage to garden dividing wall.
Response: No evidence has been supplied to substantiate this.
- iv. The tree is potentially affecting house foundations.
Response: No evidence has been supplied to substantiate this.

A second objection to the order has been received from a G. P. Fee stating they are the owner of 45 Collegiate Crescent, next-door. It reiterates the objections concerning the boundary wall and house foundations, which have been addressed above, but also includes:

- i. The tree is causing damage to the driveway.
SCC Response: No evidence has been supplied to substantiate this.
- ii. The tree has significantly diminished the amount of light that enters my living area.
SCC Response: As described above at paragraph 2.1, several other trees at this site were felled and officers do not consider the amount of shading leftover to be considerable.

3.0 VISUAL AMENITY ASSESSMENT

3.1 The tree is clearly visible from Ecclesall Road and from the Sheffield Hallam University Collegiate Campus as it is at the first residential dwelling on Collegiate Crescent. The tree is tall and prominent, particularly in winter and is of a similar age and stature to other hornbeams located close by on neighbouring Broomgrove Road. Following the removal of all the other mature trees on this site, this tree is now even more visually prominent from the neighbouring streets. The tree is a well-established specimen, providing significant visual amenity and maturity to the site. Its value is in preserving the treescape of the area.

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.431 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. Two such representations have been received and are attached as appendices.
- 8.0 RECOMMENDATION
- 8.1 Recommend Tree Preservation Order No.431 be confirmed.

Chief Planning Officer

8th April 2019

Encl. See Photos



View from Ecclesall Road showing tree (from Google streetview).



View of tree from Collegiate Crescent towards Ecclesall Road



View showing pruning works to tree.



View showing pruning works to the tree (2)