



## SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

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

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**Date:** 16th July 2019

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**Subject:** Tree Preservation Order No. 433  
9 Ranmoor Crescent, Sheffield, S10 3GU

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**Author of Report:** Catherine Nuttgens, Urban and Environmental Design Team

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**Summary:** To report objections and to seek confirmation of Tree Preservation Order Nr. 433

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### Reasons for Recommendation

To protect trees of visual amenity value to the locality

**Recommendation** Tree Preservation Order Nr. 433 should be confirmed

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**Background Papers:** A) Tree Preservation Order Nr. 433 and map attached  
B) TEMPO assessment attached  
C) Objection received 25<sup>th</sup> March 2019

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**Category of Report:** OPEN

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## REGENERATION & DEVELOPMENT SERVICES

### REPORT TO PLANNING & HIGHWAYS COMMITTEE 12<sup>th</sup> MARCH 2019

#### TREE PRESERVATION ORDER NR.433 9 RANMOOR CRESCENT, S10 3GU

##### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order Nr. 433.

##### 2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 433 ('the Order') was made on 26<sup>th</sup> February 2019 to protect the tree in the front garden of 9 Ranmoor Crescent, S10 3GU. A copy of the Order with its accompanying map is attached as Appendix A.

2.2 The tree was considered to be under threat because an application for it to be felled was received.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order, and trees were inspected by the Tree Officer for general condition and suitability for protection. A copy of the TEMPO assessment is attached as Appendix B. The tree which is subject to the Order was found to be in good order, of significant amenity value to the local area and consequently suitable for protection according to the TEMPO criteria. Officers therefore considered it expedient in the interests of amenity to make the Order.

##### 3.0 OBJECTIONS

3.1 An objection to the Order was received from AWA consultants on 28<sup>th</sup> March 2019. A copy of the objection letter is attached as Appendix C.

3.2 The conclusions of the objection and the Council's response are summarised in the following paragraphs:

##### 3.3 Objection

AWA raised significant concerns as to the structural stability of the tree due to limited anchorage of structural roots to the south of the tree.

##### Response

*There is no evidence to support this conclusion, and there is no evidence of roots present cracking the tarmac path below the tree.  
The fact the tree is growing in a stepped environment does not render it insecure as the tree will have adapted to this situation.*

##### 3.4 Objection

The loss of two stones from the informal wall is evidence of the tree's instability.

Response

*This informal wall is unlikely to have any influence on the trees' stability either positively or negatively. The very dry summer last year has caused the excessive shrinkage of many soils, which would easily explain the loss of the stones in the wall. The growth of the tree's roots may also be a contributing factor to the loss of the stones, but this has little to do with the trees stability*

3.5 Objection

Silver Fir is a forestry tree so therefore is susceptible to windthrow.

Response

*Silver fir is sometimes used for forestry, as are many other types of tree, coniferous and deciduous. Trees in a forestry situation grow very close together and compete for light with each other, and as a result grow tall and thin. When they are exposed by the loss of neighbouring trees they are susceptible to windthrow. This tree has not grown in a forestry situation and has lots of space to grow so there is no reason to assume that the tree will be unstable.*

3.6 Objection

A catastrophic failure is foreseeable and safety overrides any visual amenity value it may have.

Response

*The tree is in a healthy condition with good vigour and vitality with no evidence of decay on the stem or the roots. There is no evidence that would indicate a high likelihood of catastrophic failure at the present time. There is a high target area below which encompasses the road, pavement, wall and path to house. However, a high target area does not constitute a reason to have the tree removed. The tree is in an elevated position on Ranmoor Crescent and is clearly visible from the road and the surrounding 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 property implications.

5.2 Protection of the tree detailed in Tree Preservation Order Nr. 433 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. 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).
- 7.2 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 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.
- 7.4 A local authority may only confirm an order after considering any representations made in respect of that order. The representations received in respect of Tree Preservation Order No.433 are detailed in this report, alongside an officer response to the points raised.

## 8.0 RECOMMENDATION

- 8.1 Following consideration of the objection reported it is recommend Tree Preservation Order Nr. 433 at 9 Ranmoor Crescent, Sheffield S10 3GU be confirmed.

Colin Walker  
Chief Planning Officer

13/05/2019