



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 21st June 2019

Subject: Tree Preservation Order No. 432

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

Summary: To report objections and to seek confirmation of Tree Preservation Order Nr. 432

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order Nr. 432 should be confirmed

Background Papers: A) Tree Preservation Order Nr. 432 and map attached
B) TEMPO assessments attached

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE
21/06/19

TREE PRESERVATION ORDER NR.432

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order Nr. 432.

2.0 BACKGROUND

2.1 Tree Preservation Order Nr. 432 ('the Order') was made on 18th April 2019, to protect the trees in the front garden of Middlewood Grange, Middlewood Road North, Sheffield, S35 0HF. A copy of the Order with its accompanying map is attached as Appendix A.

2.2 The trees at this site which are included in the Order are considered to be under threat because of an application to fell them.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to serving the Order, and the trees included in the Order 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 trees were 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.

2.4 No objections have been received in respect of the Order.

3.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are no equal opportunities implications.

4.0 ENVIRONMENTAL AND PROPERTY IMPLICATIONS

5.1 There are no property implications.

5.2 Protection of the trees detailed in Tree Preservation Order Nr. 432 will benefit the visual amenity of the local environment.

5.0 FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

6.0 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. No such representations have been received in respect of Tree Preservation Order Nr. 432.
- 7.0 RECOMMENDATION
- 8.1 Following consideration of the objection reported it is recommend Tree Preservation Order Nr. 432 at Middlewood Grange, Middlewood Road North, Sheffield, S35 0HF be confirmed.

Colin Walker
Chief Planning Officer

25/06/19

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