



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: Director of City Growth Service

Date: 2nd June 2020

Subject: Tree Preservation Order No. 437
45 St Andrew's Road, Sheffield, S11 9AL

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

Summary: To seek confirmation of Tree Preservation Order No. 437

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation Tree Preservation Order No. 437 should be confirmed

Background Papers: A) Tree Preservation Order No. 437 and map attached
B) TEMPO assessment attached
C) Photograph of tree.

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING & HIGHWAYS COMMITTEE

31st MARCH 2020

TREE PRESERVATION ORDER No.437

45 ST ANDREW'S ROAD, SHEFFIELD, S11 9AL

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No. 437.

2.0 BACKGROUND

2.1 Tree Preservation Order No. 437 ('the Order') was made on 30th January 2020 to protect the tree in the front garden of 45 St Andrew's Road, Sheffield, S11 9AL. 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. The removal of the tree was proposed by the homeowner's insurance company as a remedy for subsidence damage within the property. However sufficient evidence of the tree being implicated has not been supplied.

2.3 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out prior to making the Order, and the tree was 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 No objections 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 tree detailed in Tree Preservation Order No. 437 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.437 are detailed in this report, alongside an officer response to the points raised.

8.0 RECOMMENDATION

- 8.1 It is recommended that Tree Preservation Order No. 437 at 45 St Andrew's Road, Sheffield, S11 9AL be confirmed.

Colin Walker
Chief Planning Officer

10/03/2020

This page is intentionally left blank