



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Head of Planning

Date: 6th December 2022

Subject: Tree Preservation Order No. 456

Author of Report: Vanessa Lyons, Community Tree Officer (Planning).

Summary: To seek confirmation of Tree Preservation Order No. 456

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 456 should be confirmed unmodified.

Background Papers:

- A) Tree Preservation Order No. and map attached.
- B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.
- C) Images of the tree

Category of Report: OPEN

Head of Planning

REPORT TO PLANNING & HIGHWAYS COMMITTEE

6th December 2022

Cartmell Hill, Woodseats, S8 0RG

TREE PRESERVATION ORDER NO. 456

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.456

2.0 BACKGROUND

2.1 Tree Preservation Order No.456 ('the Order') was made on 4th August 2022 to protect a sycamore tree located at the side of the public footpath at Cartmell Hill, Woodseats. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 T1 (as described in the Order) is positioned to the right of the public footpath at Cartmell Hill and on the rear boundary of 60 Todwick Road, Woodseats. The tree is therefore very visible and forms a prominent part of the street scene. Images of the trees can be seen at Appendix C.

2.3 On the 17th of May 2022 the Council received an email from a Councillor, requesting that the tree be protected with an Order. This request originated from a member of the public, who stated that trees directly adjacent to the sycamore had recently been removed, or inexpertly pruned, prompting concerns that the same may occur to the tree in question. The member of the public stated that the tree was an important landmark for the community, host to various nesting birds, and likely old, possibly being a remnant of a farm that stood on the site prior to its re-development in the 1930s.

2.4 In response to this request, Vanessa Lyons inspected the tree on 23rd June 2022 and conducted a Tree Evaluation Method for Preservation Orders (TEMPO) assessment. The tree was scored with 15 points which provided a clear recommendation for protection. It was therefore deemed expedient in the interest of amenity to make an order. A summary of the TEMPO can be found in Appendix B.

2.5 Objections.

No objections have been received.

3.0 VISUAL AMENITY ASSESSMENT

Visibility: A mature sycamore with a wide, spreading canopy of pleasing form. Situated in an elevated position at the foot of a public footpath that connects Cartmell Hill with Todwick Road, the tree is overlooked by various residential properties and is publicly prominent.

Condition: The tree is in good condition. At the time of inspection, the tree was in full leaf and displaying good vigour with relation to leaf colour, density of foliage and extension growth. The only notable defect at the time of inspection was some slight dieback to the central leader, cause unknown.

Longevity: The tree has an estimated 20–40-year retention span, meaning it will provide good amenity to the local area for many years to come.

Additional factors: Given the size of the tree's stem, it is very likely that the tree is old. The tree has been attributed to being a remnant of an old farm that stood on the site, however no verifiable historic evidence of this could be found, and therefore despite the trees assumed age, it did not score additional points on the TEMPO assessment for historical association.

Expediency: There is a perceived threat to the tree. The Council's officers have verified that numerous adjacent trees, situated on the border of a flat complex and properties on Todwick Road were removed or pruned inexpertly. It was the carrying out of those works which prompted third parties to become concerned that the same may befall T1, and a request that the Council make a TPO based on the tree's size and age was subsequently received. In the circumstances and in recognition of the potential that the same works may be carried out to T1, it was deemed expedient in the interests of amenity to make an order.

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.456 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. No objections have been received in respect of the Order.
- 8.0 RECOMMENDATION
- 8.1 Recommend Provisional Tree Preservation Order No.456 be confirmed.

Michael Johnson, Head of Planning,

25th November 2022

Appendix A. Tree Preservation Order No. and map attached.

Tree Preservation Order

Town and Country Planning Act 1990
The Tree Preservation Order No 456 (2022)
Cartmell Hill, Woodseats, Sheffield S8 0RJ

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 456 (2022) – Cartmell Hill, Woodseats, Sheffield S8 0RJ.

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—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) 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 4th AUGUST 2022

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


David Sellers.
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>
T1	Sycamore (<i>Acer pseudoplatanus</i>)	SK 34396 83588

Trees specified by reference to an area

(within a dotted red line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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Groups of trees

(within a solid red line on the map)

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

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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TREE PRESERVATION ORDER
No. 456

Drawing No.
A4/808/456

Site address
Cartmell Hill,
Woodseats,
Sheffield
S8 0RJ

Scale:
1:500 @ A4

Drawn by MB Date: 23/06/2022

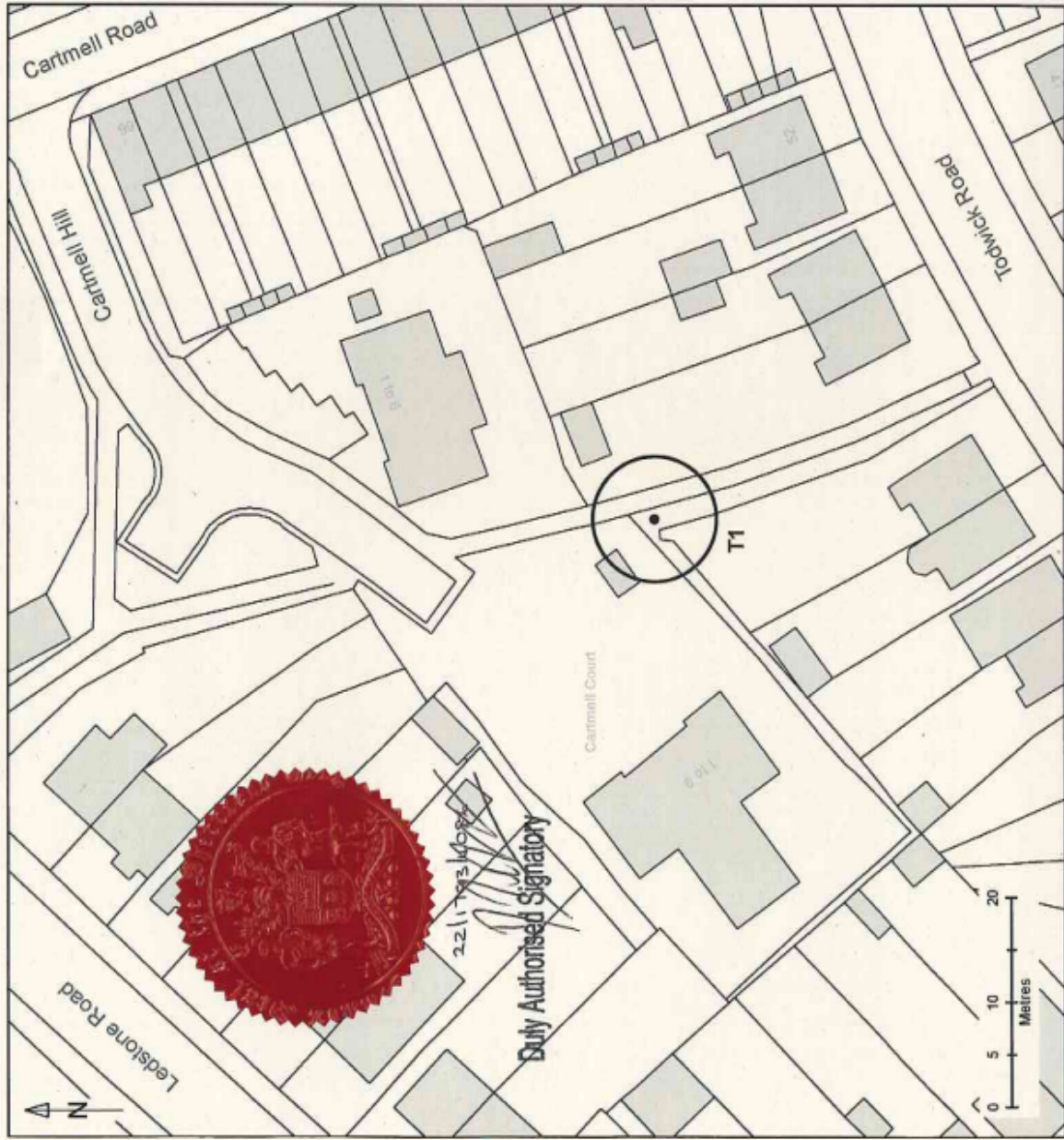
● Trees specified individually
(circled in black on the plan)

T1 Sycamore (*Acer pseudoplatanus*)
(Tree directly to the right of the
public footpath and on the
rear boundary of 60 Todwick Road.)

Trees specified by reference to an area - None
Trees specified by reference to a group - None
Trees specified by reference to a woodland - None

SK 34396 83588

Measurements shown approximately



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Appendix B.

Tree Evaluation Method for Preservation Orders (TEMPO) assessment TREE
EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 23.06.22	Surveyor: Vanessa Lyons
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Tree details TPO Ref 456 Owner (if known):	Tree/Group T1 Species: Sycamore Location: Cartmell Hill, Woodseats.
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REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

** Relates to existing context and is intended to apply to severe irremediable defects only*

Score & Notes :

5. Mature tree, large DBH (unable to measure due to location next to fence. Tree in good health apart from some die back to central leader. Cause unknown. Of pleasing, open grown form.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

**Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality*

Score & Notes

2. Conservative estimate.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes

5. Tree prominent, sitting at front of access to public path. Large status conferred due to canopy spread and DBH

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes

1.

Could argue for 3 here based on age of tree and habitat/ historic association- however no direct evidence at present of historical links

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes

2 Perceived threat. Nearby trees felled/ inexpertly pruned by owners, probably for reasons of shade. Concern from residents that this may befall this tree and request to TPO due to age and size of tree.

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:

15

Decision:

TPO defensible

Appendix C. Images of trees.



Image of tree shown facing south. The footpath joins Cartmell Hill with Todwick Road



Image showing inexperienced pruning of the sycamore to the right of the tree.



Image showing the tree from the bottom of the Cartmell Hill estate, overlooked by two flat complexes.