



SHEFFIELD CITY COUNCIL

Planning & Highways Committee Report

Report of: Head of Planning

Date: 14th March 2023

Subject: Tree Preservation Order No. 462 - Mount Pleasant Community Centre, Sharrow Lane, Sheffield, S11 8AE

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

Summary: To seek confirmation of Tree Preservation Order No. 462

Reasons for Recommendation

To protect trees of visual amenity value to the locality

Recommendation

Tree Preservation Order No. 462 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

14th March 2023

Mount Pleasant Community Centre, Sharrow Lane, Sheffield, S11 8AE

TREE PRESERVATION ORDER NO. 462

1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.462

2.0 BACKGROUND

2.1 Tree Preservation Order No.462 ('the Order') was made 27th October 2022 to protect two lime trees within the grounds of Mount Pleasant Community Centre, Sheffield. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 T1 and T2 (as described in the Order) are positioned adjacent to the boundary of the land and Sharrow Lane. Images of the trees can be seen at Appendix C.

2.3 On 25th August 2022, a Landscape Officer within the Council requested that trees on the site be assessed for their suitability for protection under a Tree Preservation Order, following from receipt of a full planning application, reference 22/03048/FUL concerning refurbishment and conversion of the main house. A tree survey supplied with the application classified the two trees as being Category B (a BS 5837 classification indicating trees of moderate quality). The Landscape Officer stated that the trees were indicated as being retained, but that plans showed the opening of a blocked-up entrance within the root protection area of one of the trees. Without any form of protection such as that afforded by being within a conservation area or protected by TPO, there was concern that the trees could be vulnerable to damage or removal during the construction phase. When granting planning permission, the LPA is under a duty to ensure where appropriate that conditions for the preservation of trees are imposed, and to make TPO's where it appears to be necessary to give effect to such conditions. Therefore, it was deemed expedient to assess the suitability of all of the trees on site for protection under a Tree Preservation Order.

2.4 In response to this request, Vanessa Lyons inspected the trees on the site on the 28th of September 2022 and conducted a Tree Evaluation Method for Preservation Orders (TEMPO) assessment. The trees on site which were evaluated as being suitable for protection were the two lime trees. They were scored with 14 and 15 points respectively, which provided a 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.

There are no duly made objections.

3.0 VISUAL AMENITY ASSESSMENT

Visibility: Two mature lime trees which stand directly adjacent to the boundary of the land with Sharrow Lane, a main road which bisects Sharrow and which receives a high amount of foot and vehicular traffic. In an elevated position and of large stature, the trees are particularly prominent, and given their size and location their public visibility is considered as being very high.

Condition: Good. Due to surrounding vegetation, it was not possible to conduct a full inspection of the bases of each tree. However, at the time of inspection, the trees were in leaf and displaying good overall vigour. The trees have been heavily pruned in the past but have re-grown open upright canopies. No major outward defects were seen.

Longevity: The trees have an estimated 20–40-year retention span. This is a conservative estimate. The trees have the capacity to provide good amenity to the local area for many years to come.

Expediency: T1, perceived threat and T2 Foreseeable. The elevated level of risk for T2 reflects that while both are vulnerable to the possibility of damage or removal during the construction phase, construction work in the form of the re-opening of a blocked-up entrance is indicated as being planned within the rooting area of T2.

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.462 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. One objection has been received in respect of the Order and is addressed at section 2.6.
- 8.0 RECOMMENDATION
- 8.1 Recommend Provisional Tree Preservation Order No.462 be confirmed.

Michael Johnson, Head of Planning,

14th March 2023

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

Tree Preservation Order
Town and Country Planning Act 1990
The Tree Preservation Order No 462 (2022)
Mount Pleasant Community Centre, Sharrow Lane, Sheffield S11 8AE

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 462 (2022) – Mount Pleasant Community Centre, Sharrow Lane, Sheffield S11 8AE

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

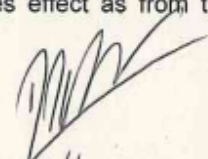
3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions 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 27TH OCTOBER 2022

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


David Sellars
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 and T2	Common lime (Tilia x europaea)	SK 34908 85734

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. 462**

Drawing No.
A4/808/462

Site address
**Mount Pleasant Community Centre,
Sharrow Lane,
S11 8AE**

Scale:
1:1000 @ A4

Drawn by MB Date: 04/10/2022



Trees specified individually
(circled in black on the plan)



Trees which are
not included in the TPO

T1 and T2 Common lime (*Tilia x europaea*)

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 34908 85734

Measurements shown approximately



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Appendix B.
 Tree Evaluation Method for Preservation Orders (TEMPO) assessment
 Appendix C. Images of the trees

SURVEY DATA SHEET & DECISION GUIDE

Date: 28.09.22	Surveyor: Vanessa Lyons
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Tree details TPO Ref 462 Owner (if known):	Tree/Group T1 (T8 on tree survey) Species: Common lime (<i>Tilia x europaea</i>) Location: Mount Pleasant Community Centre, Sharrow Lane.
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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 : 4 Twin stems joining at ground level. Small amount of dead and some broken/ lost branches commensurate with a tree this age. Has previously been pruned
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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. Tree may have potential to be retained beyond this.

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 |
|--|-----------------|

Score & Notes 5
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- 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

d) Other factors

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

Score & Notes

1

- 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

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

Score & Notes

2.Site subject to planning application ref 22/03048/FUL. Tree shown as being retained. As not in a CA tree has no formal protection and may be vulnerable during construction phase.

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

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:

14

Decision:

TPO defensible

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 28.09.22	Surveyor: Vanessa Lyons
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Tree details	
TPO Ref	Tree/Group T2 (T10 on tree survey)
	Species: Common lime (<i>Tilia x europaea</i>)
Owner (if known):	Location: Mount Pleasant Community Hall

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

e) 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*

<p>Score & Notes :</p> <p>4. No full inspection of base possible due to vegetation. Small amount of dead. Has previously been pruned.</p>

f) 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*

<p>Score & Notes</p> <p>2 Conservative estimate. Within 1m of retaining wall but tree has gained mature size with no displacement evident within the wall.</p>
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g) 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 |

<p>Score & Notes</p> <p style="text-align: center;">5</p>

- 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

h) Other factors

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

Score & Notes

1

- 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

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

Score & Notes

3.Site subject to planning application ref 22/03048/FUL. Tree shown as being retained but entrance in wall in RPA to be reinstated. As not in a CA tree has no formal protection and may be vulnerable during construction

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

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 the Trees



The trees shown looking east along Sharrow Lane



Trees shown looking west along Sharrow Lane, image taken from Google Streetview



T1 (left) and T2 (right) taken from within the grounds of Mount Pleasant.



T1 taken from Sharrow Lane.