



## SHEFFIELD CITY COUNCIL

### Planning & Highways Committee Report

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**Report of:** Head of Planning

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**Date:** 23<sup>rd</sup> May 2023

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**Subject:** Tree Preservation Order No. 465  
9 Clumber Road, Sheffield, S10 3LE

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

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**Summary:** To seek confirmation of Tree Preservation Order No. 465

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**Reasons for Recommendation**

To protect a tree of visual amenity value to the locality

**Recommendation**

Tree Preservation Order No. 465 should be confirmed unmodified.

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**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
- D) Ranmoor Conservation Area Statement of Interest

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**Category of Report:** OPEN

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## CITY GROWTH SERVICE

### REPORT TO PLANNING & HIGHWAYS COMMITTEE

Tree Preservation Order No. 465

9 Clumber Road, Sheffield, S10 3LE

#### TREE PRESERVATION ORDER NO. 465

##### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.465

##### 2.0 BACKGROUND

2.1 Tree Preservation Order No.465 ('the Order') was made on the 8th December 2022 to protect an oak tree which stands within the curtilage of 9 Clumber Road. Situated within the Ranmoor Conservation Area, the tree is protected to a limited extent by Section 211 of the Town and Country Planning Act 1990. A copy of the Order, with its accompanying map, is attached as Appendix A.

2.2 On the 15th November 2022 the Council received a section 211 notice (reference 22/04128/TCA) giving notice of removal of the tree, stating concern that the tree would damage the adjacent wall, and reporting issues of shade and potential limb failure over neighbouring land.

2.3 The tree was subsequently inspected by Vanessa Lyons, Community Tree Officer on the 15<sup>th</sup> of November with a view to assessing the condition of the tree, and its amenity value, and to determine whether it would be expedient in the interest of amenity to make the tree subject to an Order.

2.4 The inspection revealed an early mature oak, in good health and with no major, outward defects. It has previously been pruned, presumably to address issues of overhang to the neighbouring garden, but the tree has responded well to the pruning, with good wound wood evident at the pruning sites. There is no evidence that the tree poses a risk of branch failure to the neighbouring garden, and while the tree is close to the newly constructed boundary wall, it is not touching it, and there is no evidence of any damage to the wall. The tree is in noticeably better condition than other adjacent trees on this stretch of road and is prominent on the street scene. Images of the tree can be found at Appendix C.

2.1 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was conducted on the 15<sup>th</sup> of November 2022. The tree was scored with 17 points which indicated that a TPO was defensible. Having regard to this score, it was therefore deemed expedient in the interests of amenity to make the tree subject to an Order. A copy of the TEMPO assessment can be found at Appendix B.

## 2.2 Objections.

No duly made objections to the TPO have been received.

## 3.0 VISUAL AMENITY ASSESSMENT

**Visibility:** An early mature oak of medium canopy size which sits in a prominent position relative to the highway, and which is an important element of the local street scene.

**Condition:** The tree was assessed as being in good condition with no notable outward defects. The tree has previously been pruned to address overhanging branches to the neighbouring property but has an open, pleasing canopy and is of good vitality. The tree is in notably better condition than other, adjacent trees, which are street trees, meaning that if retained it will offer an important source of amenity to the local area pending removal of the other trees.

**Retention span:** An early mature tree of a species noted for longevity, the tree has a likely retention span of a minimum of 40 years, potentially much longer. Conflict with the wall necessitating tree removal would impact upon the tree's suitability for retention, but this has been considered. Although the tree is close to the wall (30cm away) there is sufficient space for the tree to continue to grow without conflict with the wall for several years to come. In addition, the wall has recently been rebuilt, meaning it is possible that roots have been severed or bridged which would further minimise the chance of root pressure on the wall.

**Contribution to the Conservation Area:** The tree is located within the Ranmoor Conservation Area. A statement of interest regarding the area can be found at Appendix D. This states that private gardens make an important contribution to the character of the area. Although this primarily refers to the examples of large, formal gardens that can be found within the area, the noted lack of open public space within Ranmoor means that privately owned trees contribute greatly to local amenity.

**Other factors:** The tree gained no additional points for other factors.

**Expediency:** Immediate. The tree was subject to a section 211 notice stating removal of the tree.

## 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.465 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.

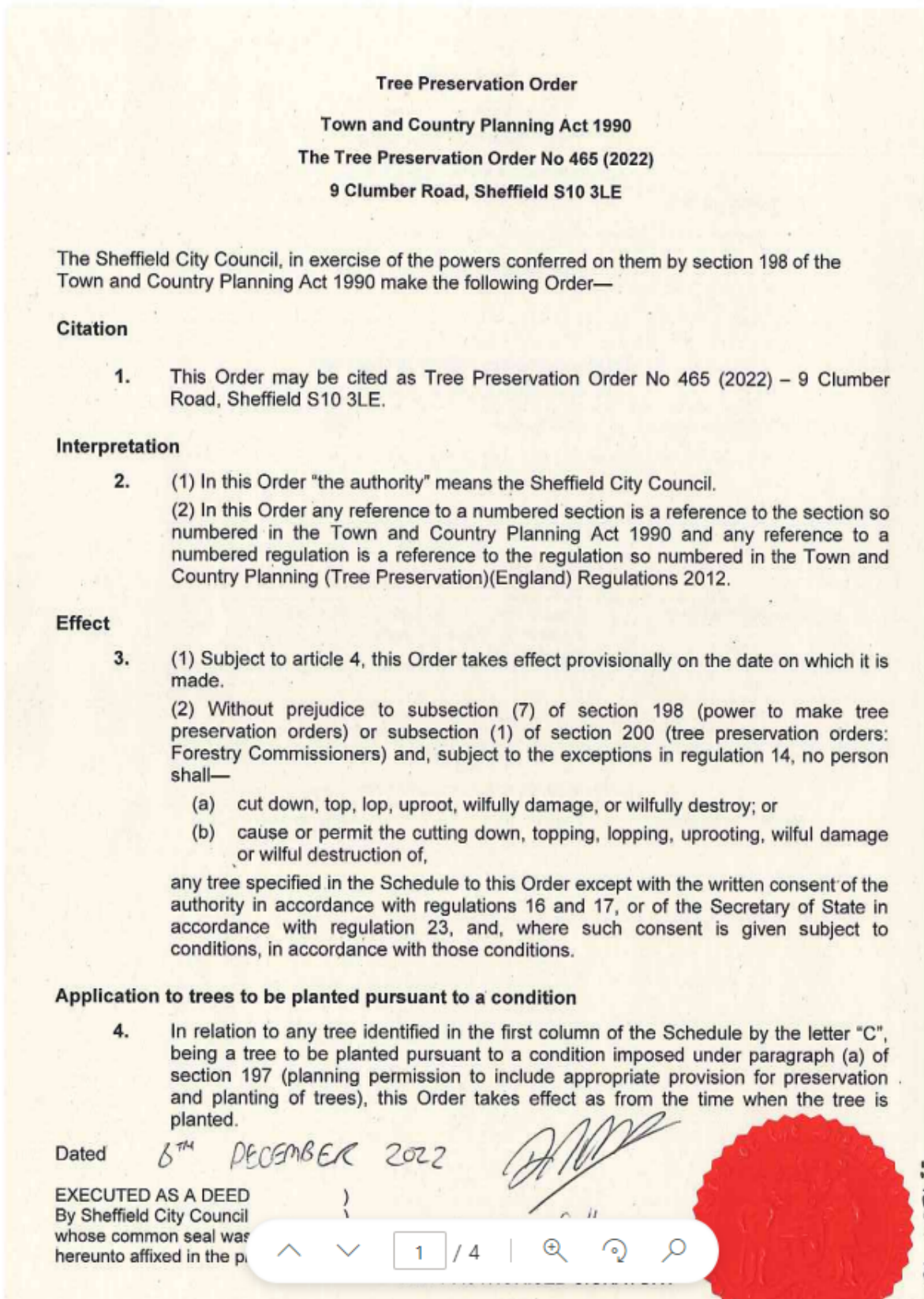
## 8.0 RECOMMENDATION

8.1 Recommend Provisional Tree Preservation Order No.465 be confirmed.

Michael Johnson, Head of Planning,

23<sup>rd</sup> May 2023

Appendix A. Tree Preservation Order No. and map



**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	Oak ( <i>Quercus</i> sp.)	SK 31315 86394

**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. 465

Drawing No.  
A4/808/465

Site address  
9 Clumber Road,  
Sheffield,  
S10 3LE

Scale:  
1:500 @ A4

Drawn by MB Date: 06/12/2022

 Trees specified individually  
(circled in black on the plan)

T1 Oak (*Quercus sp.*)

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 31315 86394

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:	Surveyor: Vanessa Lyons
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<b>Tree details</b>		
TPO Ref 465	Tree/Group T1	Species: Oak
Owner (if known):	Location: 9 Clumber Road, Sheffield, S10 3LE	

**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*

<p><b>Score &amp; Notes :</b></p> <p><b>3. In good condition with no notable defects. Has been pruned away from neighbouring property and to address overhang to road- good wound wood at site of pruning cuts.</b></p>
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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*

<p><b>Score &amp; Notes</b></p> <p><b>4. Tree is early mature and of a species noted for longevity. The stem is close to the wall (30cm) however tree is likely to put on diameter girth slowly, and as the wall has recently been rebuilt it is possible that roots have been severed/ bridged minimising chance of root pressure on wall.</b></p>
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**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        |

<p><b>Score &amp; Notes</b></p> <p><b>4. The tree is prominent on the street scene</b></p>
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- 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**

**5**

- 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:**

**17**

**Decision:**

Definitely merits TPO

Appendix C. Images of the tree



Image of the tree taken from within the garden.



Image of tree taken from Google Streetview looking east along Clumber Road.

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