



## SHEFFIELD CITY COUNCIL

### Planning & Highways Committee Report

---

**Report of:** Head of Planning

---

**Date:** June 20<sup>th</sup> 2023

---

**Subject:** 16 Collegiate Crescent, Sheffield, S10 2BA

---

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

---

**Summary:** To seek confirmation of Tree Preservation Order No. 467

---

**Reasons for Recommendation**

To protect trees of visual amenity value to the locality

**Recommendation**

Tree Preservation Order No.467 should be confirmed unmodified.

---

**Background Papers:**

- A) Tree Preservation Order No.467 and map attached.
- B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.
- C) Images of the trees
- D) Appraisal of the Broomhall Conservation Area

---

**Category of Report:** OPEN

---

## CITY GROWTH SERVICE

### REPORT TO PLANNING & HIGHWAYS COMMITTEE

Tree Preservation Order No. 467

16 Collegiate Crescent, Sheffield, S10 2BA

### TREE PRESERVATION ORDER NO. 467

#### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.467

#### 2.0 BACKGROUND

2.1 Tree Preservation Order No.467 ('the Order') was made on the 10<sup>th</sup> of January 2023 to protect three lime trees which stand within the curtilage of 16 Collegiate Crescent. Standing within the Broomhall Conservation Area, the trees are 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 29<sup>th</sup> of November 2022 the Council received a section 211 (reference 22/04300/TCA) giving notice of the removal of a beech tree and the pruning, by 7m in height, of three lime trees, all of which line the boundary of the property with the highway.

2.3 The property was granted planning permission on 13<sup>th</sup> of April 2022 for a change of use from a dwelling house to a residential institution (reference 21/04709/FUL). The section 211 notice referred to the fact that delivery vans accessing the grounds as part of the renovation process were hindered by the presence of the beech tree. The section 211 therefore stated the intention to remove the beech to enable easier access to the grounds, and to facilitate the "inevitable" widening of the drive. The notice stated that the limes, which are approximately 21m tall, should be pruned to reduce their height by 7m, and their crown spread by "a proportionate amount."

2.4 The trees were subsequently inspected by Vanessa Lyons, Community Tree Officer on the 4<sup>th</sup> of January 2023. The inspection revealed a mature beech and three limes of upright form, typical of trees which have historically had their canopies removed. This pruning happened many years previously, as the regrown branches of the new canopy are now of large diameter.

2.5 The beech was found to be of low vitality, with a small, suppressed canopy, containing cavities and areas of dead wood. The expected retention span of the tree was assessed as being low.

Subsequently this tree was not considered a suitable candidate for protection with a Tree Preservation Order and there was therefore no objection to its removal, though it should be noted that the matter of widening the driveway is a separate consideration, and that consent to remove the tree was based purely on the trees' poor prospects and subsequent lack of suitability for protection under an Order.

- 2.6 The three lime trees were assessed as being mature specimens of reasonable condition and large stature. As noted in the section 211 notice, they have previously had their canopies removed, and the proposed level of pruning would see the removal of a large proportion of the re-grown canopy, reducing the trees by approximately a third of their height. The section 211 notice stated that a lime tree opposite number 16 had been pruned in this way, and the subsequent regrowth removed on a cyclical basis, with the suggestion being that the three lime trees be managed in a similar way.
- 2.7 While lime trees are routinely pruned in this manner, the process, termed "pollarding" is intended to be initiated when the tree is young, creating multi-stemmed, small-diameter growth which is removed on a cyclical basis. Although the trees were once pruned in this manner, they have been allowed to re-grow a large canopy commensurate with that of a mature tree. Removing the canopy at this stage would result in the creation of large diameter pruning wounds exceeding the 100 mm maximum diameter recommended within BS 3998 (the British Standard for Tree Work published by BSI). While the tree would likely not die because of this, the pruning would be damaging to the health of the trees by removing excessive amounts of foliage and creating wounds with the potential to serve as entry points for pathogens and decay.
- 2.8 Additionally, there appears to be no arboricultural need for such pruning as the trees do not conflict with adjacent structures nor are they in a condition which would warrant the pruning for safety reasons. Finally, the trees are of commensurate size with other large garden trees on the northern side of the Collegiate Crescent, where they form part of an informal avenue which is visually pleasing in uniformity, and a striking part of the street scene. It was assessed that reduction of the height of the trees would diminish the aesthetic appeal of both the avenue and of the individual trees. While it was noted that trees on the northern side of Collegiate Crescent had been pruned in this manner, this does not provide justification for doing the same in respect of the three limes considering that several of those trees are now in poor condition and have diminished in amenity value as a result. Images of the trees can be found at Appendix C.
- 2.9 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was conducted on the 4<sup>th</sup> of January 2023 and the lime trees were scored with 17 points respectively, 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 trees subject to an Order. A copy of the TEMPO assessment can be found at Appendix B.

## 2.10 Objections.

One objection was duly made by an arboricultural consultant working on behalf of the landowner, but later withdrawn at the landowner's request.

## 3.0 VISUAL AMENITY ASSESSMENT

**Visibility:** Three mature lime trees of large stature which sit in a prominent position relative to the highway, and which form part of an informal avenue of garden trees that are an aesthetically pleasing element of the local street scene.

**Condition:** The trees are in reasonable condition with some cavities, caused by branch loss, visible within the canopy, and some pieces of deadwood within the canopy, which is typical for the species.

**Retention span:** The trees have an estimated retention span of 20-40 years, meaning they will offer good amenity to the local area for many years to come.

**Contribution to the conservation area:** Within the appraisal of the Broomhall conservation area (see Appendix D) the trees within the gardens of Collegiate Crescent area are specifically referenced, the appraisal stating that the vista on the Crescent is enhanced by the trees, which soften the austere appearance of the local building stone. Trees are stated as being a vital part of the conservation area, giving the locale a distinctive sylvan character. Therefore, the preservation of large stature garden trees is seen as desirable.

**Other factors:** The trees were granted additional points as being part of a group of trees important for their cohesion. This reflects the fact that the uniformity of the group in terms of size and stature adds to their presence and amenity value.

**Expediency:** Immediate. The tree was subject to a section 211 notice which stated the intention to prune the trees in a manner that was determined to be of detriment to their amenity value.

## 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.467 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 was received in respect of the Order, however it was subsequently withdrawn and is consequently not required to be considered.

## 8.0 RECOMMENDATION

8.1 Recommend Provisional Tree Preservation Order No.466 be confirmed.

Michael Johnson, Head of Planning,

June 20<sup>th</sup> 2023

Appendix A. Tree Preservation Order No. and map

**Tree Preservation Order**  
**Town and Country Planning Act 1990**  
**The Tree Preservation Order No 467 (2023)**  
**16 Collegiate Crescent, Sheffield, S10 2BA**

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 467 (2023) – 16 Collegiate Crescent, Sheffield, S10 2BA.

**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 *10<sup>TH</sup> JANUARY 2023*

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	Common lime ( <i>Tilia x europaea</i> )	SK 34139 86707
T2	Common lime ( <i>Tilia x europaea</i> )	
T3	Common lime ( <i>Tilia x europaea</i> )	

**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>

**Groups of trees**




(within a solid red line on the map)

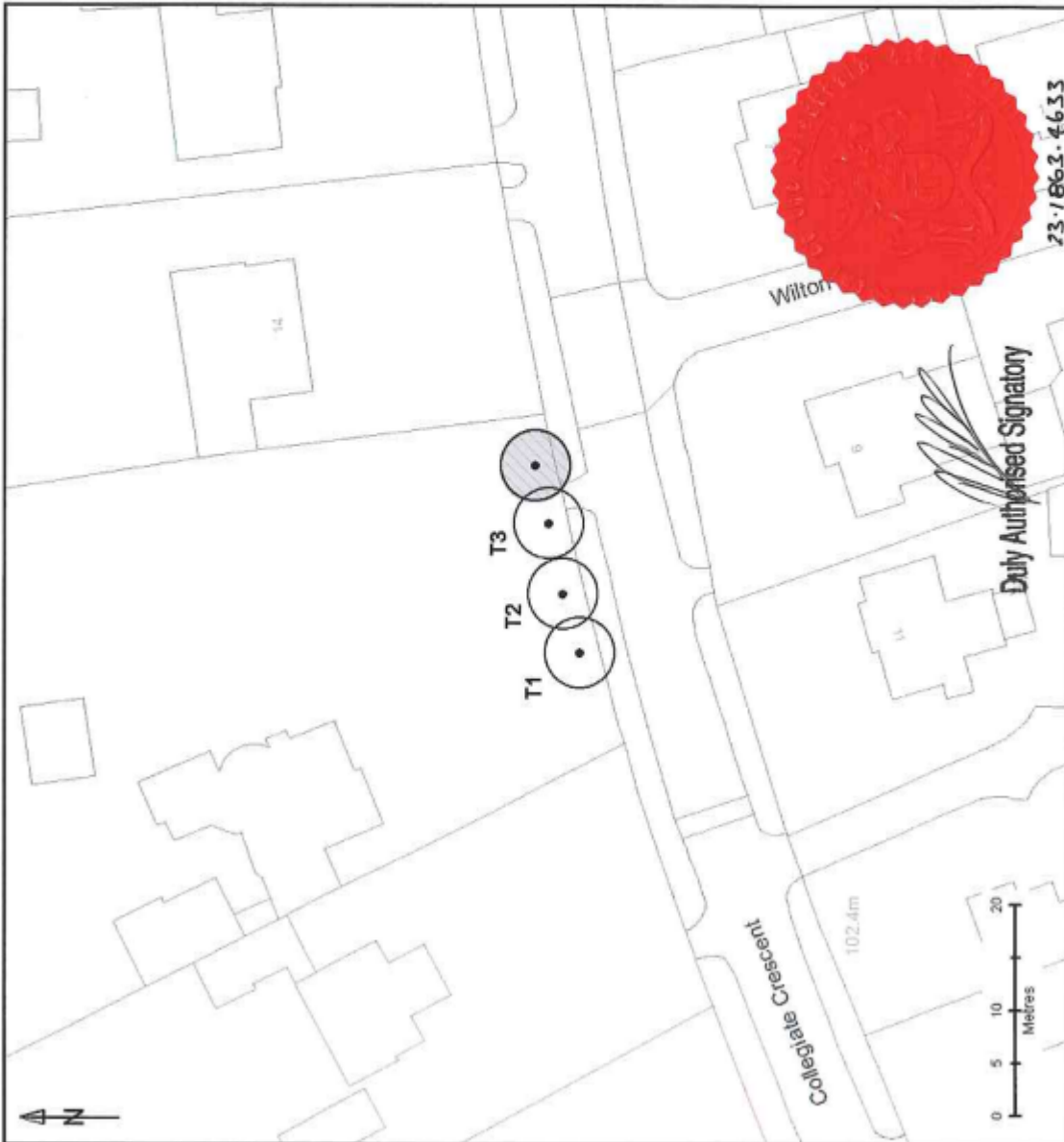
<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>

**Woodlands**

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>

<p>Sheffield City Council Parks &amp; Countryside Service</p> 	<p><b>TREE PRESERVATION ORDER</b> No. 467</p>
<p>Drawing No. A4/808/467</p>	<p>Site address 16 Collegiate Crescent, Sheffield, S10 2BA</p>
<p>Scale: 1:500 @ A4</p>	<p>Drawn by MB      Date: 19/12/2022</p>
<p>  Trees specified individually (circled in black on the plan)   Trees which are not included in the TPO    T1 Common lime (<i>Tilia x europaea</i>)  T2 Common lime (<i>Tilia x europaea</i>)  T3 Common lime (<i>Tilia x europaea</i>) </p>	<p> Trees specified by reference to an area – None  Trees specified by reference to a group – None  Trees specified by reference to a woodland – None </p>
<p>SK 34139 86707</p>	<p>Measurements shown approximately</p>



Crown copyright and database rights 2022 OS100018816



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

SURVEY DATA SHEET & DECISION GUIDE

Date: 04.01.23	Surveyor: Vanessa Lyons
----------------	----------------------------

<b>Tree details</b>	
TPO Ref 467	Tree/Group T1,2,3      Species: Tilia x europaea
Owner (if known):	Location: <b>16 Collegiate Crescent, Sheffield, S10 2BA</b>

**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 align="center"><b>3</b></p> <p><b>Previously pollarded, now with upright re-grown canopy. Some cavities caused by branch loss -unable to investigate due to height. Some dead wood, some pieces sizeable, though this is not uncommon in lime trees.</b></p>
---

**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 align="center"><b>2</b></p> <p><b>Retaining wall adjacent to largest lime tree is distorted, but intact at the location of the other two limes. No evidence at present that distortion cannot be remedied with tree in situ.</b></p>
---

**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 align="center"><b>4 Directly adjacent to highway in elevated position</b></p>
--

- 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*

- 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**

**4. Three trees of a height that is commensurate with several other garden trees on the northern side of the road. All together they create an avenue effect, significant in the street scene.**

**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**

**5 Section 211 notice to fell 1x beech (does not meet criteria for TPO) and prune 3xlime by 7m in height.**

**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



Photograph of the three lime trees, marked with a red dot, looking east along Collegiate Crescent.





A closer view of two of the three lime trees. The beech to the right has subsequently been removed.