



Richard Cannon,  
Legal Services Officer,  
Sheffield City Council,  
Town Hall,  
Sheffield, S1 2HH.

January 31<sup>st</sup> 2023.

Dear Sir,

**Objection to Tree Preservation Order No. 468 (2023),**  
**15 Ranmoor Park Road, Sheffield, S10 3GX.**

Please accept this letter as an objection to the above Tree Preservation Order (TPO), which was served on January 19<sup>th</sup> 2023. This was in response to a Section 211 Notice served (by Edmund Winder Watts Limited) via the Planning Portal on November 29<sup>th</sup> 2022.

The Order protects a single Lime tree, in the centre of a group of adjoining gardens. The tree belongs to the residents of Ranfall, which is a large house, converted to apartments about 25 years ago, having formerly been used as nurses accommodation by the Health Service. In addition to the conversion, other houses were built in the grounds of the building, although I'm not entirely sure when. It's likely that some, accessed from Ranmoor Crescent to the west, predate the conversion of Ranfall.

The reason given for serving the TPO is that it *"offers amenity to the local area, being of a significant size, partially visible from a number of surrounding roads and residences, and a good example of its species."* It goes on to state that the species *"is long-lived and situated in a garden with ample space to grow, and has potential to offer amenity to the area for many years to come."* Finally *"the tree contributes to the character of the Ranmoor Conservation Area."*

The Rules regarding the serving of a TPO can be seen here:

<https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

Although this URL is titled "guidance" it is not merely guidance, it can be looked upon as the Secretary-of-State's opinion on what the Law means. In Planning terms the Guidance has the same "weight" as the National Planning Policy Framework. The Law is contained in the Town and Country Planning Act (section 198) and doesn't define tree, or give any guidance on what sort of tree should be protected. Hence the need for the Guidance.

The Guidance does tell us what a local planning authority (LPA) has to do before it deprives a tree owner of the right to treat his or her tree as he or she sees fit, and contains (at paragraph 7) the useful advice that *"Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public."*

The Guidance, in paragraphs 8 & 9, tells us what might add to a tree's suitability for protection, and usefully makes the unequivocal statement that *"Public visibility alone will not be sufficient to warrant an Order."*



My reasons for regarding this TPO as unnecessary are as follows:

The tree as noted in the Tree Officer's report is partially visible from surrounding roads. I think it is fair to point out that it is only really visible from a short length of Ranmoor Crescent, and then only over other buildings. I think a more reasonable statement would be "one side of the top of the tree can be glimpsed while driving up (northwards) Ranmoor Crescent." Mostly the tree is hidden from view by other trees and houses.



Photograph 1.

Photograph 1 is a view of the tree taken from the south west, on Ranmoor Crescent. I think this shows the tree to be a very minor component of the local landscape.

NB. All these photos have been digitally brightened. The weather was dull at the time of my visit.

Photograph 2 is a view of the tree from the west, a little further up the road from the last photo-taking position.



Photograph 2.



Photograph 3.

Photograph 3 is view of the tree taken looking south from Ranmoor Crescent. This was the only view I could find from the north, despite Ranmoor Crescent's rather meandering route through the neighbourhood.

Photograph 4 is a view of the tree as seen from the Lawn in front of Ranfall. I have to say, the lawn was something of a black-hole, being shaded by several other trees, which could also be said to be outgrowing their positions.



Photograph 4.

Although it can be seen from other residences, it's likely that many of those other residences' inhabitants are not particularly enamoured of the tree and also consider it as a minor component of the landscape.

I have been told that the tree is only a few metres from a sewer that traverses the front garden, and also that the dry-stone wall that divides this site from the neighbouring houses to the west, is only a metre from the tree and has had to be rebuilt.

I accept that the tree is a reasonable example of the species, although I wouldn't call it "good." As can be seen in photo 4 its crown is not completely symmetrical due to growing in competition with other trees. I suspect that most dendrophiles who might have the tree drawn to their attention, would recognise it as a Lime, but not regard it as a particularly representative example of the species. It's not an outstanding example of the species and nor is it so unusual that it stands out. I would also point out that that the species is generally regarded as undesirable. Alan Mitchell (author of *Trees of Britain and Northern Europe* by Alan Mitchell. Collins Pocket Guide, second edition. 1988. (reprinted 2001.)) states "*it is the*

*common Lime for streets and long avenues and is the worst tree known for either purpose. It does achieve a great height and lives long but its roots are invasive, it sprouts around its base, it is infested by greenfly, is often badly mis-shapen and has no autumn colours. In places it carries huge bunches of mistletoe among its own sprouty burrs.”*

It is hard to measure its height accurately but it is approximately 25 metres tall and barely a dozen metres from the closest part of the building. It’s a similar distance from the nearest property on Ranmoor Crescent and not very far from the houses to the west of Ranfall. It’s also directly south of the Ranfall west wing and must cast considerable shade on the terrace between the building and the tree.

The Tree Officer’s observation that the tree has ample of space to grow is really a matter of opinion; self-evidently the Ranfall residents think the tree has already outgrown its position, and permission has already been granted for it to be pruned and made smaller. Also, as mentioned above, the front lawn at Ranfall is severely shaded by this tree and others.

I should note here that pruning the tree to make it smaller is made extremely difficult by the TPO. By definition an LPA when granting permission (under the TPO) for pruning work must comply with what is regarded as best practice, which is *British Standard 3998 (2010) Tree Work - Recommendations*. Under the strictures of BS3998, the Tree Officer has specified acceptable pruning work that amounts to no more than a 12% reduction in the tree’s height and spread. Work like this is very difficult to accomplish and is therefore expensive. It also requires repeating frequently, which means even more expense. (Winder Watts have already made an application to prune the tree and the pruning specification quoted here is from the permission letter. SCC ref 23/00101/TPO)

The Government Guidance (at paragraph 8) requires LPAs to develop “structured systems of amenity valuation” to help explain to tree owners why their trees justify protection. I note that no such amenity valuation has been proffered in this case. The Guidance lists things that might add to a tree’s amenity value, historic association for example. This means a tree planted to commemorate some event or other, or perhaps by some significant person; I don’t think this is the case here. (I’ve found no information about the Ranfall. It’s not a listed building and doesn’t appear to have any association with notable local figures. Also I found no mention of Ranfall in the Conservation Area Appraisal.)

Overall, while none of the reasons given for serving the TPO are actually wrong, I consider the attributes listed do not amount to meaning the tree’s removal would have a significant negative impact. It therefore does not have sufficient amenity value to justify protection with a Tree Preservation Order.

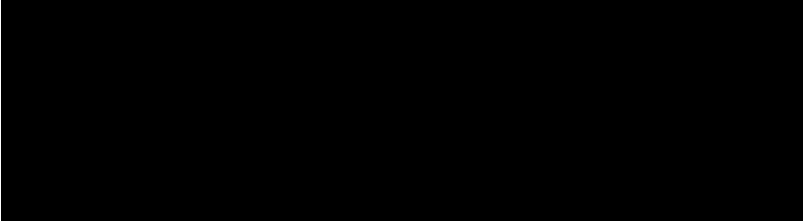
### **Conclusions.**

1. Although this tree is large there is no public position from which it can be fully seen. At best it is only glimpsed from a small number of public locations.
2. Common Lime is, as its name suggests, not rare and lacks attractive characteristics. It has no particular value to wildlife that elevates its biodiversity value.
3. There is no obvious sign that the tree is a remnant of a planned landscape or has any historical association that might elevate its amenity value.

4. The reasons given for its protection amount to no more than it being partially visible and it being alive, which is insufficient justification for protection.
5. This tree does not justify any sort of veneration or statutory protection, and its management or removal should be the decision of the owners.

I trust you will reconsider this Order.

Yours faithfully,



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