



## SHEFFIELD CITY COUNCIL

### Planning & Highways Committee Report

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**Report of:** Director of City Growth Service

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**Date:** 15<sup>th</sup> August 2023

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**Subject:** Tree Preservation Order No. 469

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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. 469

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#### Reasons for Recommendation

To protect a tree of visual amenity value to the locality

#### Recommendation

Tree Preservation Order No. 469 should be confirmed unmodified.

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#### Background Papers:

- A) Tree Preservation Order No.469 and map attached.
  - B) Tree Evaluation Method for Preservation Orders (TEMPO) assessment attached.
  - C) Images of the tree
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**Category of Report:** OPEN

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## CITY GROWTH SERVICE

### REPORT TO PLANNING & HIGHWAYS COMMITTEE

Tree Preservation Order No. 469  
45 Dore Road, Sheffield, S17 3NA

#### TREE PRESERVATION ORDER NO. 469

##### 1.0 PURPOSE

1.1 To seek confirmation of Tree Preservation Order No.469

##### 2.0 BACKGROUND

- 2.1 Tree Preservation Order No.465 ('the Order') was made on the 16<sup>th</sup> of February 2023 to protect two beech trees which stand within the curtilage of 45 Dore Road. A copy of the Order, with its accompanying map, is attached as Appendix A.
- 2.2 On the 10<sup>th</sup> of January 2023 the Council received a request to protect trees which stand in the rear gardens of properties on Cavendish Avenue and Dore Road. The gardens of these properties stand back-to-back, with trees situated at the rear boundaries of both gardens creating an informal green screen between the properties. The request was submitted by residents of Cavendish Avenue in response to the granting, at appeal, of consent for the erection of three dwellings in the rear garden of 45 Dore Road (22/03587/FUL). Residents were concerned that trees which had been indicated as being retained within the rear garden of 45 Dore Road would be removed to facilitate the development. They therefore requested that trees in both the garden of 45 Dore Road, and their own gardens, be protected to ensure the continued existence of the informal screen, and to prevent removal of trees which served as vital habitat for wildlife.
- 2.3 The trees were subsequently inspected by Vanessa Lyons, Community Tree Officer on the 1<sup>st</sup> of February 2023 with a view to assessing their amenity value, and to determine whether it would be expedient in the interest of amenity to make the trees subject to an Order.
- 2.4 Of the trees inspected within the gardens of properties on Cavendish Avenue, several were good specimens, with regards form and condition. However, these trees were not very publicly visible, and were considered to be under good arboricultural management. It was therefore not deemed expedient to make the trees subject to an Order.
- 2.5 Of the trees in the rear garden of 45 Dore Road, none were of sufficient quality, with regards their condition, form, visibility, and potential retention span, to warrant making them subject to an Order. Of these, several trees had

been damaged during the construction phase, with spoil and construction materials piles in their rooting area, and trenches dug which had severed roots. However, two beech trees within the front garden, situated adjacent to the highway were found to be of good quality. These trees were previously accompanied by a third beech, which stood in line with the other two trees. This third beech tree was removed at the end of 2022, presumably to facilitate development. Although the developer stated that the two remaining beech trees were not earmarked for removal, the trees are not within a conservation area, and so not subject to any form of protection. Due to the removal and mistreatment of other trees on the site, and due to the amenity that the trees were assessed as providing, it was deemed expedient to make the trees subject to an Order, to ensure they were protected during on-going construction work in their vicinity.

2.1 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was conducted on the 1<sup>st</sup> of February 2023. The trees were scored with 13 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 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: Two mature beech of reasonably large stature, standing directly adjacent to the highway at Dore Road. The trees are prominent in this section of the street scene. See images of the trees at Appendix C.

Condition: The trees are in reasonable condition, with no major outward defects noted at the time of inspection.

Retention span: The trees are mature specimens, growing in a grassed area of garden, bordered by hardstanding and behind a small retaining wall adjacent to the highway. The trees are not in conflict with the small retaining wall. In assessing the age, condition and location of the trees, it is thought that they each have a potential retention span of approximately 20 years.

Contribution to the landscape: The trees are part of an informal green screen of mature trees which line the front boundaries of gardens on Dore Road with the highway. The trees are in keeping with the leafy nature of the area.

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

Expediency: Foreseeable. Other trees on site have been removed or damaged during ongoing construction work, indicating that there is a foreseeable risk of similar happening to the trees in question.

#### 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.469 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.469 be confirmed.

Michael Johnson, Head of Planning,

15<sup>th</sup> August 2023



Appendix A. Tree Preservation Order No. and map