

Notice: UN-CONFIRMED ORDER



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

To:
Mr Brian Moran,
Stonehouse Nook Farm,
Hollowhead Lane,
Whilpshire,
Blackburn,
BB1 4AF.

IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION)
(ENGLAND) REGULATIONS 2012

Tree preservation order: 68/70 Whalley Road, Whilpshire, Tree Preservation Order 2016
Ribble Valley Borough Council.

THIS IS A FORMAL NOTICE to let you know that on the 5th of January 2017 Ribble Valley Borough Council decided not to confirm the above tree preservation order served on you on the 21st of September 2016

The orders effect stopped on the 5th of January 2017.

The order was not confirmed because the land on which the trees are located was incorrectly addressed on the tree schedule included in a copy of the order served on you the 21st of September 2016. Whilst it is clear elsewhere in the order where the trees are located and that the error is not considered prejudicial to any of the parties concerned it was considered expedient in the circumstances not to confirm the order.

A copy of the signed un-confirmed preservation order is enclosed however if you would like any more information or have any questions about this notice, please contact the Countryside Officer, Planning Section, Ribble Valley Borough Council, Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA, tel: 01200 414 505.

Dated:

Signed:

Countryside Officer
Ribble Valley Borough Council
Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

Form of Tree Preservation Order

Town and Country Planning Act 1990

The 68/70 Whalley Road, Whilpshire, Tree Preservation Order 2016

The Ribble Valley Borough 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 68/70 Whalley Road, Whilpshire, Tree Preservation Order 2016.

Interpretation

2.— (1) In this Order “the authority” means the Ribble Valley Borough 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 this 21st day of September 2016

Signed on behalf of the Ribble Valley Borough Council



John Heap
Director of Commercial services

Authorised by the Council to sign in that behalf]

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Ribble Valley Borough Council on the 11th
day of January 2017

Signed on behalf of the Ribble Valley Borough Council



Authorised by the Council to sign in that behalf

COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

Objections and representations

6. (1) *Subject to paragraph (2), objections and representations:*

- (a) *shall be made in writing; and*
 - (i) *delivered to the authority not later than the date specified by them under regulation 5(2)(c); or*
 - (ii) *sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;*
- (b) *shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and*
- (c) *in the case of an objection, shall state the reasons for the objection.*

(2) *The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.*

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]	[ash]	[Land at 69/78 Whalley Rd, Whipshire, RVBC]
[T2]	[Sycamore]	[As Above]
[T3]	[Oak]	[As Above]
[T4]	[Lime]	[As Above]
[T5]	[Sycamore]	[As Above]
[T6]	[Sycamore]	[As Above]
[T7]	[Sycamore]	[As Above]
[T8]	[Lime]	[As Above]
[T9]	[Beech]	[As Above]
[T10]	[Sycamore]	[As Above]
[T11]	[Goat Willow]	[As Above]
[T12]	[Horse Chestnut]	[As Above]
[T13]	[Cedar]	[As Above]

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[N/A]	[N/A]	[N/A]

Groups of trees

(within a broken black 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>
[N/A]	[N/A]	[N/A]

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[N/A]	[N/A]	[N/A]
[N/A]	[N/A]	[N/A]



RIBBLE VALLEY BOROUGH COUNCIL TREE PRESERVATION ORDER NO./NOS. 7/19/3/202
TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREES) REGULATIONS 1999

LOCATION: 68/70 WHALLEY NEW RD, WILPSHIRE

PARISH: WILPSHIRE

OS SHEET: SD6832NE