

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

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

THE ROSSENDALE BOROUGH COUNCIL
TREE PRESERVATION ORDER NO. 6 OF 2020 (HORNCLIFFE QUARRY
WOODLANDS, ROSSENDALE, LANCASHIRE, BB4 6JS)

THIS IS A FORMAL NOTICE to let you know that the Council made the above Tree Preservation Order today. A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping, lopping, uprooting, wilfully damaging or wilfully destroying any of the trees specified in the Order without the consent of the Council.

The Council has made the Order because it considers that it is expedient in the interests of amenity that the trees specified in the Order should be preserved. The trees make a valuable contribution to the visual amenities of the area, being prominently situated and clearly visible to the public from the main road. The woodland comprises a mix of young and early mature Oak, Birch, Sycamore, Norway Maple, Pine, Willow and Alder with an understorey of intermittent Rhododendron. The topography in the north west corner is initially quite flat but then slopes steeply up to the quarry access track. The woodland appears to be well used recreationally with evidence of walking and cycle tracks. The removal or inappropriate pruning of the trees would have a significant impact on the environment and its enjoyment by the public.

The Order shall take effect provisionally today and shall continue in force until (a) the expiration of six months beginning with the date on which it was made, (b) the date on which it is confirmed, or (c) the date on which the authority decide not to confirm the Order, whichever occurs first.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups/areas of trees or woodlands covered by the Order. If you would like to make any objections or other comments, please make sure we received them in writing by 14 October 2020. Your comments must comply with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to Clare Birtwistle, Legal Services Manager (Monitoring Officer) at the address below quoting reference Z14/002266. All valid objections or representation are carefully considered before a decision on whether to confirm the Order is made.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact [REDACTED] on [REDACTED]. A copy of the Order may be inspected, free of charge, at the One Stop Shop, The Business Centre, Futures Park, Bacup, Lancashire between 9:00am and 4:30pm Monday to Friday.

Dated the 11th day of September 2020

[REDACTED]
Clare Birtwistle
Legal Services Manager (Monitoring Officer)

Rossendale Borough Council
The Business Centre
Futures Park
Bacup
OL13 0BB

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Regulation 6

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;

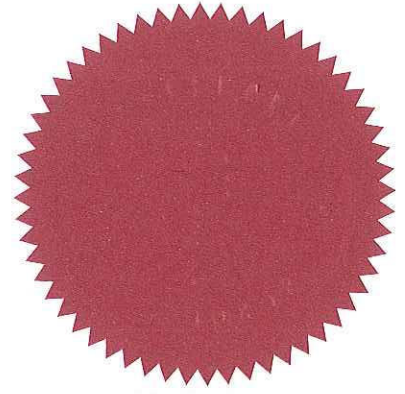
(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(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.

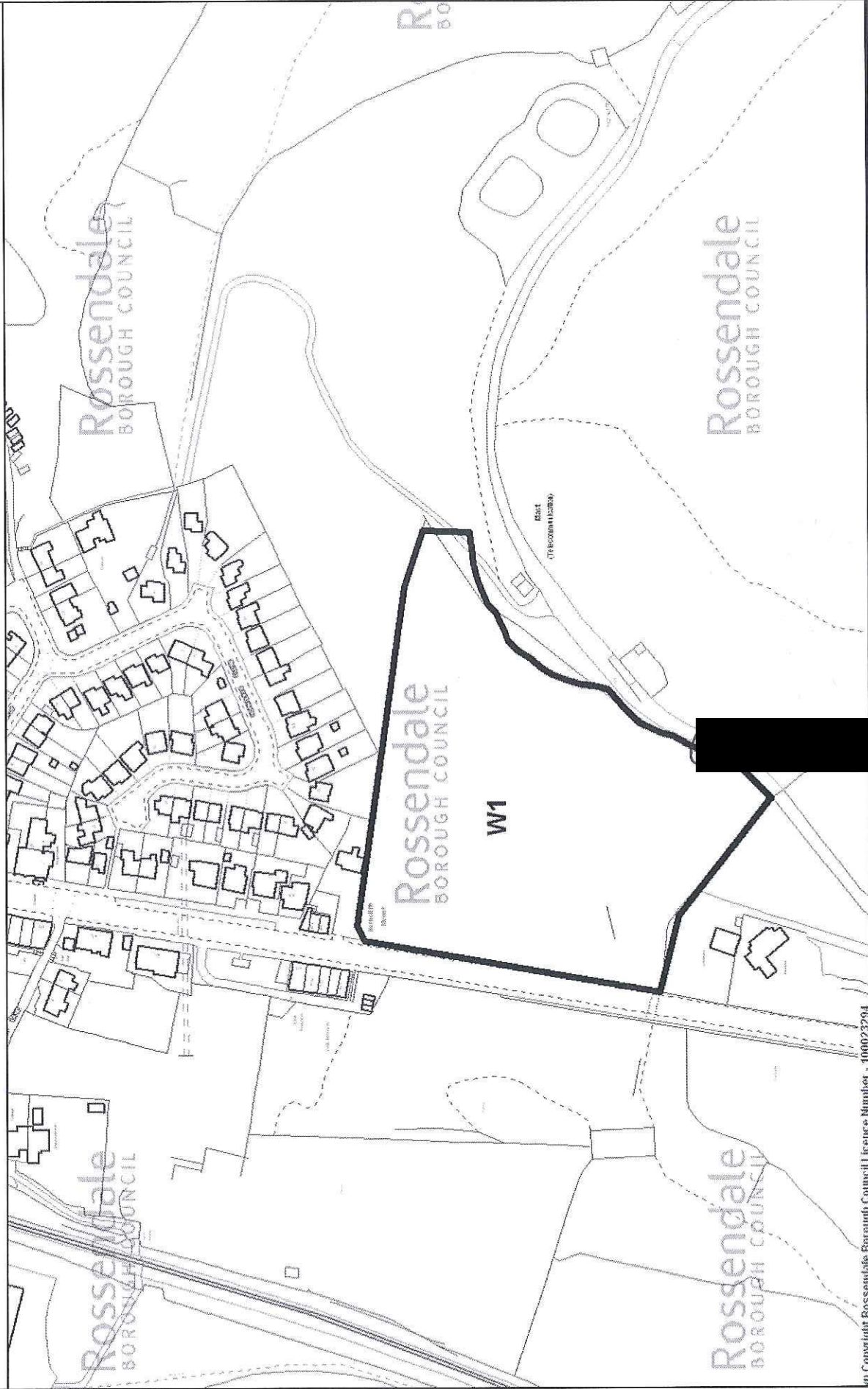
Dated this 11th day of September 2020

The Common Seal of ROSSENDALE)
BOROUGH COUNCIL was affixed)
to this Order in the presence of:-)



Authorised by the Council to sign in that behalf

Woodland TPO Plan



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Date 8/9/2020

Scale 1/2365

Centre = 380377 E 421441 N

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

NONE

Trees specified by reference to an area

(within a dotted black line on the map)

NONE

Groups of trees

(within a broken black line on the map)

NONE

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W1	A mix including but not limited to Oak, Birch, Sycamore, Norway Maple, Pine, Willow and Alder	On land between the quarry access track, Bury Road and rear gardens of houses on Horncliffe Close.

Part 7 contains miscellaneous provisions. Regulation 25 provides that the prescribed time for the purposes of sections 206(1)(b) (replacement trees) and 213(1)(b) (enforcement of controls as respects trees in conservation areas) is whenever the cutting down or uprooting of a tree is authorised only by virtue of regulations 14(1)(a)(i) or 14(1)(c) (dead or dangerous trees).

Regulation 26 revokes the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008 and the Town and Country Planning (Trees) (Amendment No.2) (England) Regulations 2008, subject to transitional, transitory and saving provisions in respect of certain classes of order. This regulation also saves regulation 17 of the Town and Country Planning (Trees) Regulations 1999 (amendment to the Town and Country Planning General Regulations 1992).

Under section 193 of the Planning Act 2008 (c. 29), all tree preservation orders made prior to the date on which these Regulations come into force take effect with the omission of all of their provisions other than any that identify the order or identify the trees, groups of trees or woodlands to which the order applies.

A full impact assessment of the effect that this instrument will have on the costs of business, charities and the voluntary sector has been prepared in relation to these Regulations. The assessment has been placed in the Library of each House of Parliament and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk. The assessment may also be accessed at www.communities.gsi.gov.uk.