

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

SPLIT DECISION TREE WORK PERMISSION

APPLICATION NO: 3/2023/0504

DECISION DATE: 10 August 2023

DATE RECEIVED: 19/06/2023

TREE PRESERVATION ORDER: 38 – 1976 Longridge Road, Chipping

APPLICANT:

Mr David France
8 Brooklands
Chipping
Preston
PR3 2QU

AGENT:

DETAILS OF TREE WORK: Further felling of horse chestnut after approved work in 3/2019/0780, fell second horse chestnut to approx. 1.25m.

AT: 8 Brooklands Chipping PR3 2QU

Ribble Valley Borough Council in pursuance of its powers hereby give notice that **CONSENT HAS BEEN REFUSED** for the carrying out of the following tree work:

- Fell second Horse Chestnut to approx. 1.25m

Reason: The tree has amenity value and is showing signs of good vigour and good reactive growth to historic defects. If the tree is felled there will be a potential of altered exposure to the remaining group and it will have negative impact on the local treescape. Identifying the Rhizomorphs on site and under dead wood is not a sign that the tree and roots have been colonised and due to the importance of this protected tree, the Council require a full survey to be carried out on T2 so the Council can make an informed decision. It is advised a PICUS (P) or Resistograph (R) test be utilised as this will show the amount of decay present (P) or sound structural wood (R) present, which will evidence the decision.

Ribble Valley Borough Council in pursuance of its powers hereby give notice that **CONSENT HAS BEEN GRANTED** for the carrying out of the following tree work:

- Further felling of horse chestnut after approved work in 3/2019/0780,

Subject to the following condition(s):

1. All tree work hereby granted consent shall be in accordance with BS3998 for tree work.

Reason: To safeguard the health and appearance of the tree being retained.

2. All works granted consent must be completed within 2 years of the date of consent.

Reason: Required in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. 2 x replacement Birch & Alder trees shall be planted in the immediate vicinity within 12 months of the completion of felling works undertaken by permission of this consent as conditioned in 3/2019/0780.

Reason: In order to preserve the visual amenity of the trees that at present exist on the site

4. Removal of the habitat pole which has the potential to house protected species or within the nesting bird season [March - August inclusive] shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of protected species & birds

Nicola Hopkins

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Notes

Right of Appeal

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If it is a householder appeal it can be made online at: <https://www.gov.uk/appeal-householder-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.