



Appeal Decision

Site visit made on 13 July 2026

by David Bailey BSc(Hons) MArborA, CertArb(RFS)

an Inspector appointed by the Secretary of State

Decision date: 29 July 2026

Appeal Ref: APP/TPO/T2350/11062

Land to rear of 43 The Hazels, Wilpshire, Blackburn, Lancashire BB1 9HZ

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake work to trees protected by a Tree Preservation Order (TPO).
 - The appeal is made by Mr David Forrest against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2025/0858, dated 18 October 2025, was refused by notice dated 16 December 2025.
 - The work proposed is the reduction of trees in group G2 due to excessive shading and contribution to roof damage.
 - The relevant TPO is the Blackburn Rural District Council (Wilpshire No 2) Tree Preservation Order, 1973, which was confirmed on 24 March 1973.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The trees are situated outside of the appellant's property on the verge between Vicarage Lane and No 43.

Main issues

3. The main issues in this case are: the effect on the character and appearance of the area should Group G2 be reduced; and whether the reasons put forward for the work justify that course of action.

Reasons

4. Considering the first main issue, Group G2 is a line of one lime, one alder and two oaks; all the trees of G2 are mature, being of the height of the larger trees within the area. The trees are best viewed on Vicarage Lane, an access road and bridleway, as well as the footpath that crosses it. The entirety of the trees can be seen from here with their crowns visible over and between houses from many locations within The Hazels. Taking all of this into account, the trees add to the semi-rural character of The Hazels and add maturity to the character and appearance of the area.

5. The proposed work is described as the reduction of Group G2, but no specifications have been quantified within the application or appeal. Reduction to these trees could be major, significantly harming the amenity they provide and possibly their health and longevity. On the other hand, the work could be minor and not significantly affect the trees. Therefore, any justification for the work will need to be compelling, and it is to this, the second main issue, that I now turn.
6. I appreciate that the trees are large and situated close to No 43, with some of the trees within the group having branches which are close to overhanging the house. From this, I would not be surprised that the roof of No 43 would become covered with aphid honeydew (aphid faeces), which can cause harm to paving slabs and roofing slabs. At the time of my site visit, it was clear that the roof had recently been cleaned.
7. While the trees are tall, their position to the east of the property will only shade it in the mornings. The large garden of No 43 will allow positions within it to be found throughout the day where direct sunlight can be found. I do not consider the trees of G2 to shade the property significantly.
8. I sympathise with the appellant that they wish to prune the trees back from the house. However, because no specification for the amount of pruning has been supplied, I am unable to make a judgement on what has been applied for and must revert to the dismissal of the appeal.
9. Finally, I appreciate that the appellant has not felt that the Council have provided accurate information on the trees or visited the site. No evidence to support or refute this has been supplied, and in any case, such matters are not for me to decide and should be taken up with the Council.
10. With any application to carry out work to protected trees, a balancing exercise needs to be undertaken. The need for the work applied for must be weighed against the resultant harm to the amenity of the area. The specification of work to trees within G2 has not been detailed, and given the wide variety of outcomes that could occur from unspecified permission, dismissal of the appeal is inevitable.
11. For the reasons set out above, I conclude that the appeal should be dismissed.

David Bailey

INSPECTOR