

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
As amended by the Town and Country Planning (Trees)(Amendment)(England)
Regulations 2012

Town and Country Planning Act 1990
15 Lammack Road Blackburn, Tree Preservation Order 2022

The Blackburn with Darwen Borough Council, in exercise of the powers conferred on them by Sections 198, 201 and 203 of the Town and Country Planning Act 1990 hereby make the following Order –

Citation

1. This Order may be cited as the: 15 Lammack Road Blackburn Tree Preservation Order (TPO) 2022

Interpretation

2. In this Order “the authority” means the Blackburn with Darwen Borough Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town & Country Planning Act 1990.

Application of Section 201

3. The authority hereby direct that Section 201 (provisional tree preservation orders) shall to this Order and, accordingly, this Order shall take effect provisionally on the 26th January 2022.

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of Section 198 (power to make tree preservation orders) or subsection (1) of Section 200 (tree preservation order: Forestry Commissioners), and subject to Article 5, 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 destructions of,

Any tree specified in Schedule 1 to this Order or compromised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

5 – (1) Nothing in Article 4 shall prevent -

(a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary –

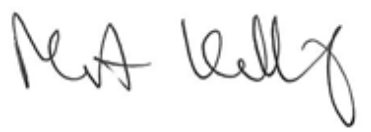
Under paragraph (3) as it applied to the assessment of compensation where a felling licence is refused under Section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a

reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article -

“development value” means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and “owner”) has the meaning given to it by Section 34 of the Forestry Act 1967.

Dated: 26th January 2022.

A handwritten signature in black ink, appearing to read 'Mr A Kelly', is written over a horizontal line. The signature is cursive and somewhat stylized.

Signed
Strategic Director of Place
Authorised Officer