

Dated : 13th November 2023

THE BOROUGH COUNCIL OF PENDLE
TOWN AND COUNTRY PLANNING (TREE
PRESERVATION)(ENGLAND) REGULATIONS 2012

THE BOROUGH COUNCIL OF PENDLE TREE PRESERVATION ORDER
NO. 2 2023 8 LINDEN CLOSE NELSON

HOWARD P CULSHAW
HEAD OF LEGAL & DEMOCRATIC SERVICES
TOWN HALL
MARKET STREET
NELSON
LANCASHIRE BB9 7LG

Form of Tree Preservation Order

Town and Country Planning Act 1990

The Borough Council of Pendle Tree Preservation Order No. 2 2023 8 Linden Close Nelson

The Borough Council of Pendle, 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 The Borough Council of Pendle Tree Preservation Order No. 2 2023 8 Linden Close Nelson.

Interpretation

2.— (1) In this Order “the authority” means the Borough Council of Pendle.
(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 13th day of November 2023

The Common Seal of the Borough Council of Pendle

was affixed to this Order in the presence of—


.....
Emma Barker – Legal Services Manager



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Tree Preservation Order NO. 2 2023

8 Linden Close Nelson

FIRST SCHEDULE

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
T1	Oak	SD 84839 38374

Trees specified by reference to an Area
(within a dotted black line on the map)

Reference on map	Description	Situation
None		

Trees specified by reference to a Group
(within a broken black line on the map)

Reference on map	Description	Situation
None		

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
None		

8 Linden Close Nelson – Site Plan

