



Ribble Valley  
Borough Council

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**RE: WOODLAND AT THE RANN, OFF SACCARY LANE MELLOR**

**TAKE NOTICE** that the property referred to above has been included in the list of assets of community value compiled by Ribble Valley Borough Council the Local Authority for the Mellor area.

On the 10 October 2023 the owner of the property served notice on the Local Authority stating their intention to enter into a relevant disposal.

**Any community interest group wishing to submit a written request to be treated as a potential bidder for the community asset must do so on or before 21 November 2023.**

Requests must be made in writing and should be addressed to Ribble Valley Borough Council, c/o Mair Hill, Head of Legal and Democratic Services, Legal Services Section, Council Offices, Church Walk, Clitheroe BB7 2RA.

Should any request be received, the property will then be subject to the full moratorium period which will cease on the 10 April 2024 and be protected from further moratorium periods for a period of 18 months ending on 10 April 2025.

Signed .....  
..... – Head of Legal and Democratic Services

Date ..... 16/10/23 .....



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## **Notice under Section 91 of the Localism Act 2011 Dated: 16 December 2019**

**INCLUSION ON THE LIST OF ASSETS OF COMMUNITY VALUE OF LAND SITUATED AT  
THE RANN WOODLAND, OFF SACCARY LANE MELLOR ("THE ASSET")**

### **1. BACKGROUND**

On or about the 1st day of November 2019, Ribble Valley Borough Council ("The Council") received a nomination under Section 89 of Localism Act 2011 ("the Act") to list the Asset as an asset of community value. The nomination was made by Mellor Parish Council. A copy of the nomination, including a plan showing the location of the asset is attached at Appendix 1.

The owner/occupier of the asset has been informed by the Council that a nomination has been received. A copy of their response to the nomination is attached at Appendix 2.

Under Section 87 of the Act the Council must maintain a list of land in its area that is of community value.

Section 88 of the Act defines land of community value thus:

1. For the purpose of this chapter but subject to regulations under sub-section (3), a building or other land in a Local Authority's area is land of community value if in the opinion of the Local Authority:
  - (a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community and
  - (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in same way) the social wellbeing or social interest of the local community;
2. For the purpose of this chapter but subject to regulations under sub-section 3, a building or other land in the Local Authority's area that is not land of community value as a result of sub-section (1) is land of community value if in the opinion of the Local Authority:-
  - (a) there is a time in the recent past when an actual use of the building or land that was not an ancillary use furthered the social wellbeing or interests of the community; and
  - (b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further whether or not in the same way as before the social wellbeing or social interests of the local community.

Under Section 89 of the Act the Council can only include an asset on the list of assets of community value in response to a community nomination (as defined).

## 2. DECISION-MAKING PROCESS

The Council resolved at Policy and Finance Committee on the 29<sup>th</sup> day of January 2013 that the determination of applications for nomination of assets be delegated to the Head of Legal and Democratic Services (inter alia).

In accordance with this decision the Council has now fully considered the nomination and having considered the Act and the Assets of Community Value England Regulations 2012 (the Regulations), has decided to enter the property into its lists of assets of community value. This decision has been taken because:

- a. the application meets the criteria in that the assets lies within the administrative boundaries of the Council;
- b. Mellor Parish Council is entitled to make a community nomination in accordance with the provisions of the Act;
- c. the nomination form submitted by Mellor Parish Council includes the matters required under Regulation 6 of the Regulations;
- d. the asset does not fall within the description of land which may not be listed as specified in Schedule 1 of the Regulations;
- e. the nomination form sets out the reasons for nominating the asset, explaining why the asset meets the definition in the Act;
- f. the landowner has been served with a copy of the application and has had an opportunity to comment; those comments have been considered.
- g. in the opinion of the Authority the nominated asset is an asset of community value as its actual current primary use namely use as a Woodland furthers the social wellbeing or social interests of the local community by providing a venue for use for social recreational interests.

## 3. NEXT STEPS

The asset will now be placed on the list of assets of community value which the Council is required to maintain under Section 87 of the Act. In accordance with Section 91 of the Act, the Council will send a copy of this notice to the owner of the land and Mellor Parish Council. The information about how the application has been determined will be published on the Council's website. The asset will remain on the Council's list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provisions of the regulations.

The Localism Act 2011 requires that the Council draws your attention in particular to the following matters:

- a. The consequences for the land and its owner of the land's inclusion in the list.
- b. The right to ask for review.

## 4. THE CONSEQUENCES FOR THE LAND AND ITS OWNER OF THE LAND'S INCLUSION IN THE LIST

Inclusion of assets on the list of community value is a local land charge under the Local Land Charges Act 1975. The Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land that no transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene Section 95(1) of the Localism Act 2011. Under Section 95 of the Act an owner must notify the Council at the address shown below when they wish to enter into a relevant disposal (as defined in Section 96 of the Act) of that asset. Some types of disposal of listed assets are exempt and these are set out in full in Annex A of the Non-Statutory Advice Note issued to local authorities about the community right to bid. Annex A also identifies circumstances where, although there is no requirement in the legislation that the owner has to explain to the Local Authority that the disposal is exempt, it would be helpful for them to do so.

A moratorium period is triggered by notification under Section 95 to allow a community interest group to submit a written request to be treated as a potential bidder for the asset.

Please note the owner of the asset does not have to sell the asset to the community interest group. There is also a "protected period" (18 months from the time that the owner notified the Local Authority of their intention to dispose of the assets) and during this time there can be no further moratoriums on sale and the owner is free to dispose of the property as they see fit.

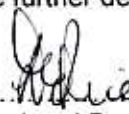
The owner is advised to refer to Part 5, Chapter 3 of the Act and the regulations in full and to seek legal advice if they wish to dispose of the asset. A disposal of listed land which contravenes the Regulations and Act will be ineffective.

5. THE RIGHT TO ASK FOR A REVIEW (SECTION 92)

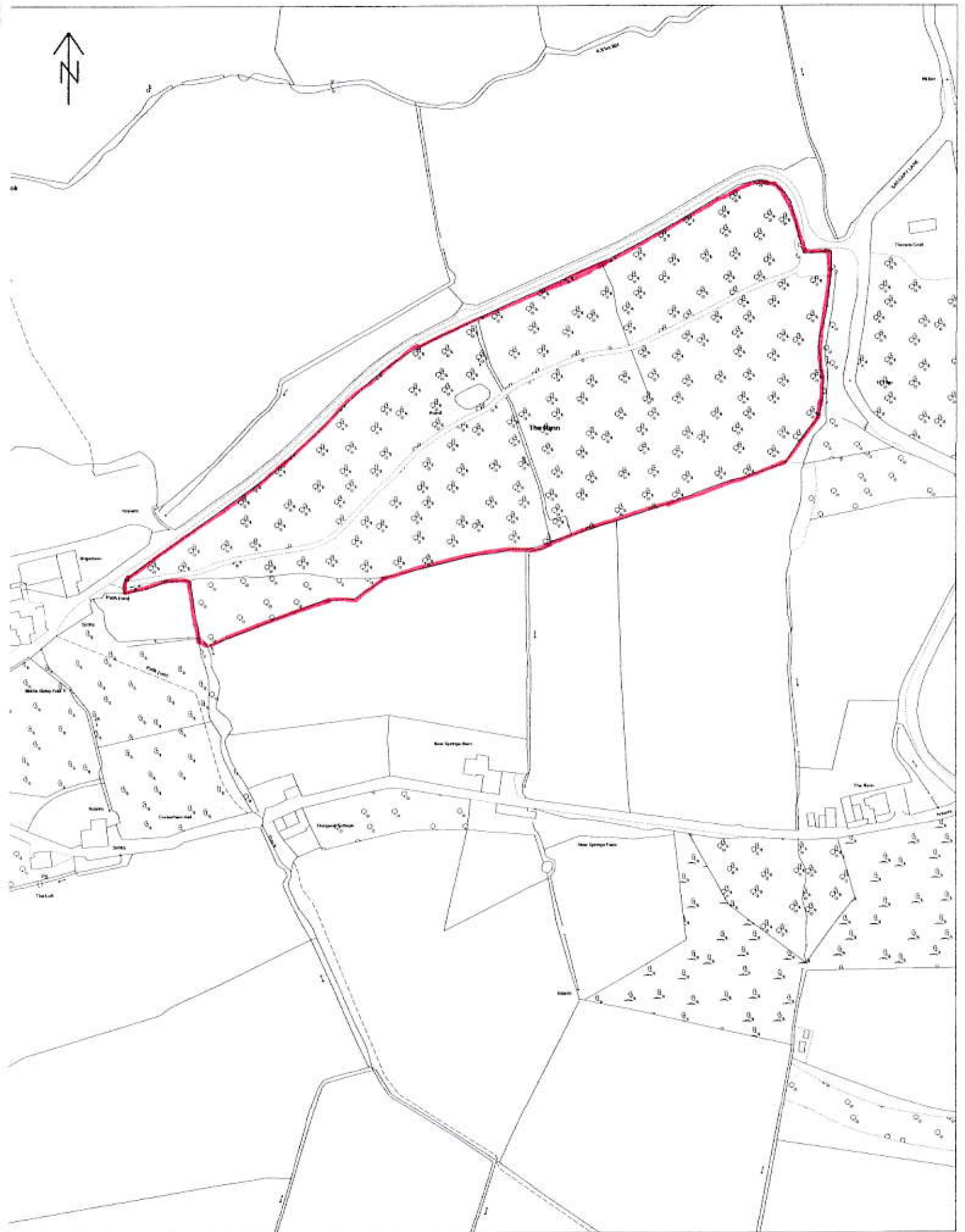
Asset owners have the opportunity to request a review of the decision to enter an asset on the list of assets of community value. The request must be made in writing before the end of the period of eight week beginning with the day on which written notice of inclusion of the land in the list was given by the Council. The internal review process in relation to the listing will be undertaken by the Chief Executive or the Head of Legal and Democratic Services where they have not been involved in the initial decision.

Landowners wishing to request a review of the decision should address their request to the Head of Legal and Democratic within the timescale set out above setting out the grounds for review and whether or not they wish to request an oral hearing.

Private owners may claim compensation for loss and expense incurred through the asset being listed including a claim arising from a period of delay in entering into a binding agreement to sell which is wholly caused by the interim or full moratorium period. Regulation 14 is the regulation that contains details about applications for compensation, which must be made before the end of thirteen weeks after the loss or expense was incurred. Part 5, Chapter 3 of the Act and the Regulations referred to above provide further detailed information.

Signed: ..........  
Head of Legal and Democratic Services

Dated: ...16th December 2019...



## **The Rann Mellor**

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**ASSETS OF COMMUNITY VALUE  
THE COMMUNITY RIGHT TO BID  
NOMINATION FORM**

Before completing this form, please read the material at:

<http://mycommunityrights.org.uk/community-right-to-bid/>

**When completed the form should be sent to the local authority that covers the area in which the asset is located.**

**Section 1: The name of your organisation**

Name of organisation <i>(full name as written in your constitution or rules(if appropriate))</i> : Mellor Parish Council
Address including postcode: c/o Parish Clerk (contact details below)

**Section 2: Contact details**

Name: Mrs Teresa Taylor
Position in the organisation: Parish Clerk
<b>Address including postcode:</b> 6 Chatburn Avenue, Clitheroe BB7 2AU
<b>Daytime telephone No:</b> 01200 422607
<b>Mobile telephone No:</b> n/a
<b>Email address:</b> clerk@mellorparishcouncil.org.uk
<b>How and when best to contact you</b> <i>(by email or phone, and days of the week and / or times your prefer)</i> : email - weekdays

**Section 3: Type of organisation**

Description	Indicate all that apply	Registration number of charity and / or company if applicable
Neighbourhood forum	<input type="checkbox"/>	
Parish council	<input checked="" type="checkbox"/>	
Charity	<input type="checkbox"/>	
Community interest company	<input type="checkbox"/>	
Unincorporated body	<input type="checkbox"/>	
Company limited by guarantee	<input type="checkbox"/>	
Industrial and provident society	<input type="checkbox"/>	

#### Section 4: Number of members registered to vote locally (unincorporated bodies only)

In the case of an unincorporated body, at least 21 members must be registered to vote locally. If they are registered to vote in the area of a neighbouring local authority, please confirm what this area is.

N/A

#### Section 5: Local connection

In addition, your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area in which the nominated asset is located. Please explain what your organisation's local connection is.

Parish Council covering the administrative area in which the nominated asset is located.

#### Section 6: About the land or buildings(s) you are nominating

What it is (e.g. public, local shop, recreation land): Rann Woodland - a native species mixed woodland and recreational space.

Name of the premises (The Volunteer Pub, Jones stores):

The Rann Woodland, Off Saccary Lane, Mellor

Address including postcode (if know):

Grid Ref# 366249 431833 Nearest postal address Saccary Lane, Mellor, BB1 9DL (map attached with this nomination)

#### Section 7: Details of the land

Please include details of the boundaries of the land you are nominating.

The land is that covered in the granted Tree Preservation Order at the Planning and Development Meeting of 1st August 2019 - TREE PRESERVATION ORDER 7/19/3/212. A copy of the map delineating the area is attached with this nomination form.

The following are direct lifts from the Ribble Valley Countryside Officer report and recommendation for the TPO application which, the parish council believes, was an excellent summary of the woodland and it's importance both as a recreational space for the residents of Mellor parish and also as a wildlife habitat.

"The Rann Woodland has been a community woodland for over 15 years and has developed into a juvenile but diverse woodland, with many native trees of specimen form and the potential to mature into a high quality woodland..."

"The woodland is considered to have a visual amenity value to the locality and to the wider tree-scape. As mentioned above the woodland was planted through a grant system to become a Community Woodland and has had permissive public access for 15 years. It has also created a haven for wildlife and has improved the bio-diversity of the site immensely..."

"From initial assessments the whole woodland is considered to be of visual amenity value both now and more importantly for future generations."

We strongly believe it to be worthy of designation as an asset of community value. To the best of our knowledge it is the only area of woodland in our parish offering ready access to all residents, including less able adults and children and families with young children.

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name (s)	Address (es)
Names of all current occupants of the land		Mr Finlay Hodge The Rann Saccary Lane Mellor BB1 9DL  Second party unknown address
Name of current and last known addresses of all those owning freehold of the land	Mr Finlay Hodge  Mr Miah	Mr Finlay Hodge The Rann Saccary Lane Mellor BB1 9DL  Not Known
Names of current or last known addresses of all those having a leasehold interest in the land		

### Section 8: Why you think the building or land has community value?

Note that the following are not able to be assets of community value:-

- A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.
- A caravan site.
- Operational land. This is generally land belonging to the former utilities and other statutory operators.

Does it currently further the social wellbeing or social interests\* of the local community, or has it done so in the recent past and if so how?

\*These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.

The area of woodland covered by this application was planted out as a mixed broadleaf woodland by the then landowner in conjunction with a number of local residents and environmental charities to mark the millennium. The area includes a number of permissive footpaths designed to allow access to all visitors, including less able adults and children and families with young children. There are a number of well used public footpaths leading to, and surrounding, the woodland. The wood itself is regularly used and is to the best of our knowledge the only readily accessible area of woodland within the parish. As well as being a great asset for local residents now, the report produced by RVBC Countryside Officer highlights it's current and future capacity as a wildlife habitat. A tree preservation order now covers the woodland as a recent purchaser of part of the overall footprint has felled many established trees and it is believed that he has stated his intention to develop the land. On 13 March 2019 an email was received from Andrew Bennet, Woodland Officer for the Forestry Commission (FC) requesting a woodland Tree Preservation Order (TPO) be placed on the Rann Woodland, Off Saccary Lane, Mellor due to

Could it in future further the social wellbeing or social interests\* of the local community? If so, how? (This could be different from its current or past use.)

\*These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.

Again paraphrasing the report of the RVBC Countryside Officer, the woodland offers current and future scope as a visual and recreational amenity. A significant contributor to the "tree scape" of this part of the Ribble Valley and a haven for wildlife flora and fauna.

In this environment of increasing awareness to combat climate change the parish council considers that the woodland is a small but important "carbon sink" which would be lost if it were to be developed.



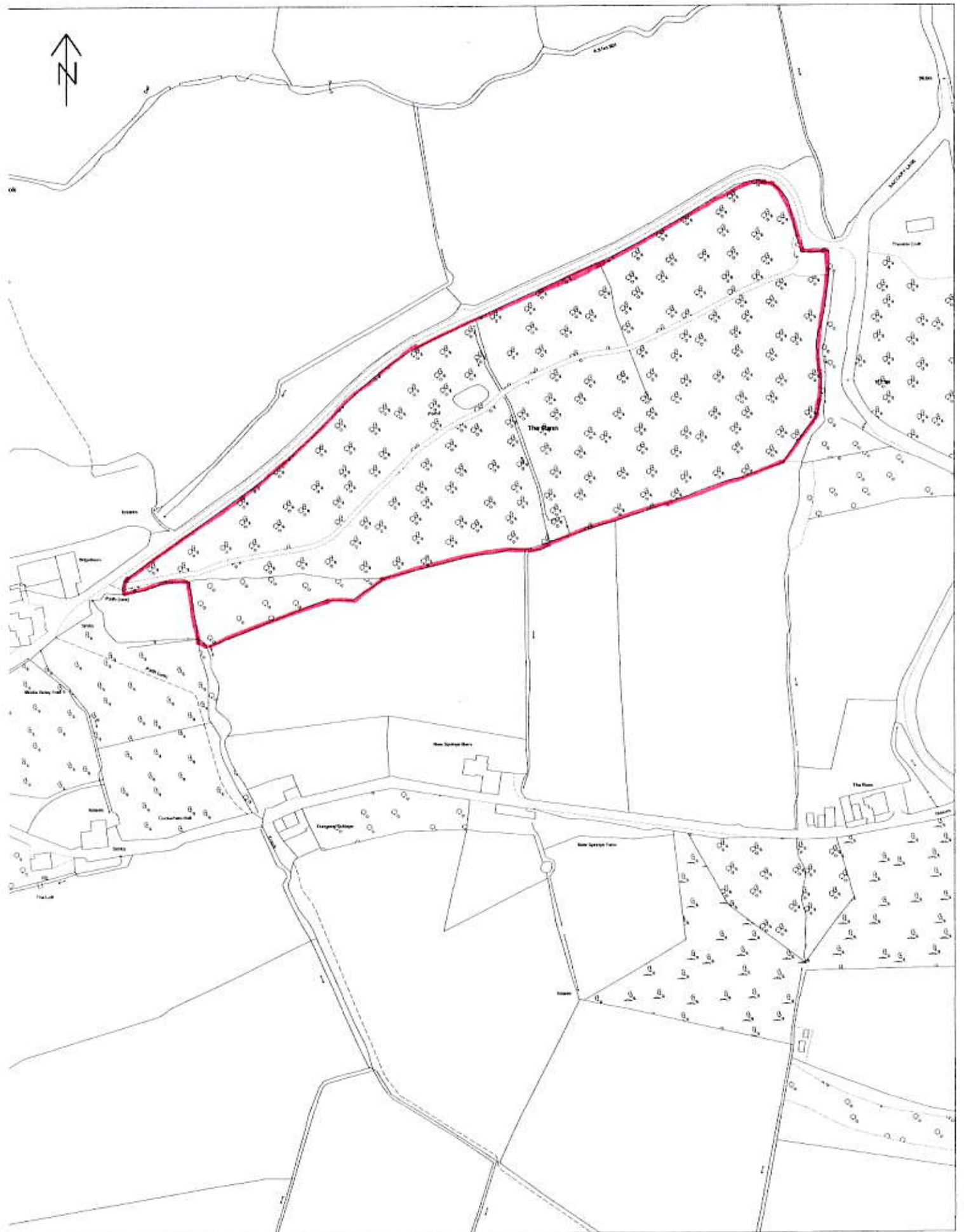
## Section 9: Submitting this nomination

### What to include

- Evidence that the nominator is eligible to make a community nomination (The rules of your organisation / constitution)
- Names & Addresses of 21 Members who are registered to vote in the local community if the organisation is an unincorporated body

### Signature

*By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.*



## The Rann Mellor

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## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 6

meeting date: THURSDAY, 1 AUGUST 2019  
 title: TREE PRESERVATION ORDER 7/19/3/212 RANN WOODLAND  
 submitted by: NICOLA HOPKINS – DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING  
 principal author: ALEX SHUTT – COUNTRYSIDE OFFICER

### 1. PURPOSE

1.1 For Committee to consider objections to the Rann Woodland, Off Saccary Lane, Mellor Tree Preservation Order 2019 and to decide whether the order should be confirmed.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – To protect and enhance the existing environmental quality of our area.
- Corporate Priorities – To comply with the adopted Core Strategy – Environment – Policy DME1: Protecting Trees and Woodlands,
- Other Considerations – None.

### 2. BACKGROUND

2.1 On 13 March 2019 an email was received from Andrew Bennet, Woodland Officer for the Forestry Commission (FC) requesting a woodland Tree Preservation Order (TPO) be placed on the Rann Woodland, Off Saccary Lane, Mellor due to the present owner allowing grant aided trees to be felled (see Appendix A).

2.2 From initial assessments the whole woodland is considered to be of visual amenity value both now and more importantly for future generations. The original landowners of the entire parcel of land, applied for an England Woodland Grant Scheme provided by the East Lancashire Woodland (ELW) and qualified and received a grant to plant and maintain a Community Woodland, including a high quality footpath which would allow permissive public access through the site in 2003/4.

2.3 According to the FC, the grant was funded through ELW who no longer exist, which only required public access through the woodland for 10 years, where as if it was granted through the FC the path would have to be open to the public for 15 years. The woodland is sandwiched between two Public Rights of Way. The woodland was put up for sale in 2017 (see Appendix B).

2.4 A Tree Evaluation Method for a Tree Preservation Order [TEMPO] has been undertaken (see Appendix C) and on the basis of the results and the threat of further clear felling of the woodland, a TPO was issued. (see Appendix D).

2.5 On 29 March 2019 a Tree Preservation Order was served and 2 objections to the Preservation Order have been made by both the land owners (see Appendix E and F). An informal meeting was held with the Council, FC and one of the landowners, (the owner of the area marked W3) where the landowner suggested they would want to build holiday lets on the site and if there could be a variation on the TPO.

### 3 ISSUES

- 3.1 The woodland is considered to have a visual amenity value to the locality and to the wider tree-scape. As mentioned above the woodland was planted through a grant system to become a Community Woodland and has had permissive public access for 15 years. It has also created a haven for wildlife and has improved the bio-diversity of the site immensely, therefore in the interests of amenity it was considered expedient to protect the woodland. Although the areas of woodland marked as W1 and W2 are not immediately at risk they form part of the woodland as a whole.
- 3.2 The woodland contains primarily native Oak, Ash, Hazel, Silver Birch and Hawthorn. The majority of the tree stock is of a high quality, showing good natural form and with long life expectancies. The part of area W3 which has been felled, had some trees of very good form and potential and if managed correctly the trees will regenerate and help form part of the woodland again. The clear felling of the woodland has had a negative impact both for amenity and bio-diversity.
- 3.3 If a planning application was submitted prior to the felling of part of the woodland a Tree Survey and Report BS:5837 2012 and Phase 1 Habitat Survey, would be required due to the presence of trees and potential European Protected Species on the site which are highly likely due to the wildlife pond within W3.
- 3.4 A Tree Preservation Order protects trees from lopping, topping and felling but does not preclude tree work being carried out. In such cases a tree work application would be required, except for emergencies for which there are exemptions, required for tree management work.
- 3.5 Tree work to protected trees that are considered to be dead and/or dangerous can, under exemptions, be carried out to reduce or remove immediate risk; however a five day notice is normally required. If a tree has to be felled or pruned in an emergency, the onus is on the landowner to prove that on the balance of probabilities the tree was dangerous, however dead wood pruning does not require formal consent
- 3.6 Any tree management decisions about any of the trees included in the Preservation Order should be based on a detailed arboricultural/quantified tree risk assessment, carried out by a qualified and public indemnity insured arborist. This ensures that any tree management decisions are based on objective and accurate arboricultural information.
- 3.7 The landowner claims they have done nothing wrong as there were no protections or restrictions on the woodland. Tree felling works were carried out within an area of the woodland where the land owner has advised Council Officers that he has future plans for the use of the land. It would have been preferable for such works to have been fully considered as part of a planning application at the site.

### 4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – Dealing with tree related issues form part of the Countryside Officers' duties.
  - Technical, Environmental and Legal – Decisions made about trees have to balance protection of the environment against quantifiable risks posed by trees.

- Political – None.
- Reputation – The Council's environmental protection measures are being maintained.
- Equality & Diversity – None.

## 5 CONCLUSION

- 5.1 The Rann Woodland has been a community woodland for over 15 years and has developed into a juvenile but diverse woodland, with many native trees of specimen form and the potential to mature into a high quality woodland with the correct management. The landowners are legally allowed to prevent permissive access through the woodland, but due to the public footpaths around the site and the landscape value of the woodland the amenity value will not be affected. Removing permissive access could in fact increase the bio-diversity value of the site.
- 5.2 The landowner of area W3 has expressed informally, an interest to apply for planning permission within W3 and the impact of any development on the trees would be a material planning consideration. This TPO does not preclude a planning application being submitted or determined. In instances where a planning permission includes the removal of protected trees the loss can be mitigated as part of the planning approval.

## 6. RECOMMENDED THAT COMMITTEE

- 6.1 Confirm the Rann Woodland, Off Saccary Lane, Mellor Tree Preservation Order 2019.

ALEX SHUTT  
COUNTRYSIDE OFFICER

NICOLA HOPKINS  
DIRECTOR OF ECONOMIC DEVELOPMENT AND  
PLANNING SERVICES

## BACKGROUND PAPERS

Tree Preservation Orders and trees in conservation areas

For further information please ask for Alex Shutt, extension 4505.


APPENDIX A

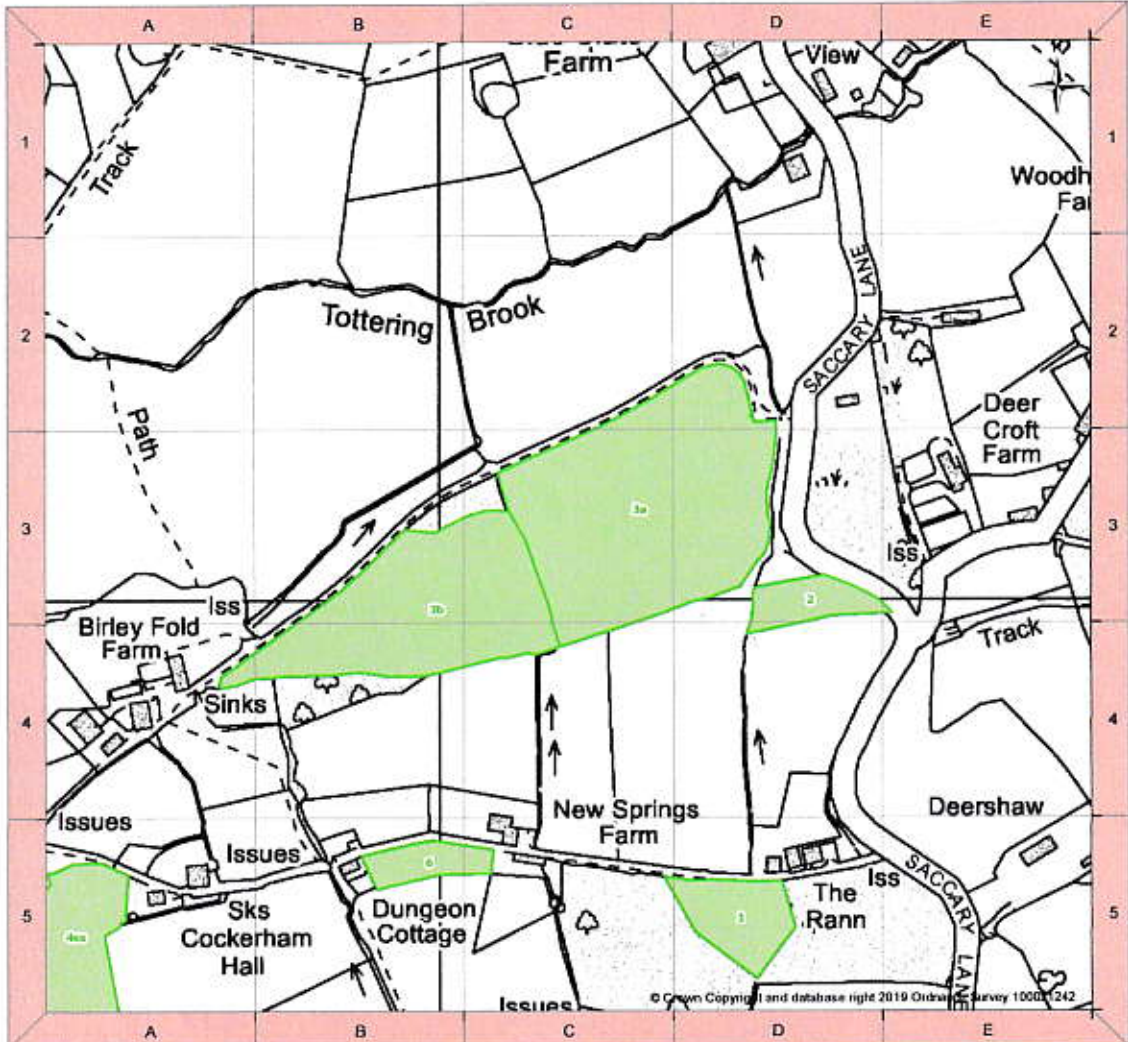
 **Forestry Commission**

Title: Untitled  
 Date: 13 March 2019  
 Author: Andy Bennett  
 Scale @ A3: 1:2,500

Legend

**FWPS Work Area**

 FWPS Work Area



 Forestry Commission woodlands have been certified in accordance with the rules of the Forest Stewardship Council.

 PEFC

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For sale by auction  
The Ribblesdale Centre, Lincoln Way,  
Clitheroe  
BB7 1QD

a's  
AuctionS



## The Rann Wood, Off Saccary Lane, Mellor, BB1 9DL For Sale Offers Over £40,000



Approximately 4.45 acres (1.8ha) of mixed woodland set on a glorious hillside overlooking the Ribble Valley. This is a beautiful piece of the countryside with easy access via a private tarmac track, approx ¼ mile off Saccary Lane. There is vehicular access and parking at the property and a hardcore track running through it from east to west.

The woodland was mostly planted in 2003/2004, and is now flourishing with a mix of young trees including hazel, oak, ash, silver birch and alder. There are some mature trees scattered throughout the wood and some older stands of trees in between the open glades. There is also a pond teeming with wildlife with a bench on which you can sit and contemplate. The woods were largely created with the help of a Woodland Grant Scheme, provided by The Forestry Commission.

A concessionary right of access along the central hardcore track was given and has two years remaining until the agreement terminates. The wood is well fenced in its entirety.

The freehold of the land and woods are offered for sale with all sporting rights, mineral rights and subject to and with the benefit of any existing rights of way, drainage, easements and wayleaves that may exist.

The property is subject to the Woodland Grant Scheme which was available at the time of planting and helped towards the costs of planting and looking after the woodland. Basically there are no real ongoing implications of the grant that we are aware of.

**athertons**  
**property & land**

tel. 01254 828810

[www.athertons-uk.com](http://www.athertons-uk.com)

## tenure

We understand from the owners to be sold with vacant possession

## viewings

Strictly by appointment tel. 01254 828810

## General Remarks and Stipulations

### Local and Service Authorities

Ribble Valley Borough Council, Council Offices, Church Walk, Clitheroe BB7 2RA.  
Tel: 01200 425111  
Lancashire County Council, PO Box 78, County Hall, Fishergate, Preston PR1 8XJ  
Tel: 0800 0530000  
United Utilities (water supply) Tel: 0845 7462200  
United Utilities (electricity supply) Tel: 08001951452

### Viewing

By appointment through the Auctioneers

### Particulars of Sale

The descriptive particulars (but not the Stipulations and Special Conditions of Sale) do not constitute, or constitute any part of any offer of contract and all Statements made herein are made without responsibility on the part of the Auctioneers or the Vendor. Any intending Purchaser should satisfy themselves as to their correctness. The Vendor does not make nor give and neither Athertons Ltd nor any person in their employment has any authority to make or give to the Land and Property.

### Sale Particulars and Plans

The Plan and Quantities are based upon the latest available edition of the Ordnance Survey as revised by the Auctioneers. Such Plans and Quantities and these Particulars are believed to be correct but any error or omission or mis-statements shall not annul the sale nor entitle either party to compensation or in any circumstances give ground for any action at Law.

### Woodland Grant Scheme

Full details available from the auctioneers.

### Tenure and Possession

The land is Freehold and Vacant Possession will be given on completion

### Town Planning and Local Land Charges

So far as the Vendor is aware the present use of the land is in accordance with the Town and Country Planning Acts. No requisition shall be raised in regard to the user or otherwise in relation to the said Acts and the Vendor shall not be required to give any further information in regard to the Town and Country Planning.

Each Lot is sold subject to all Local and Land Charges and any requirements enforceable by any Local or other Public Authority, and subject to all encumbrances and other matters, the existence of which can or ought to be discovered by enquiry of any Local or other public Authority, and the Purchaser shall not be entitled to any compensation, indemnity or right of rescission in respect thereof.

### Rights and Easements

The land is sold and will be conveyed with the benefit of and subject to the burden of all existing rights of way, all rights, all rights for the continuance of any means of supply of water, gas or electricity, all rights for drainage and sewerage any other pipelines through, over or under any part, together with all necessary rights of access for maintenance, renewal and repair of any apparatus or construction in connection with such rights.

### Overhead Electricity and Telephone Lines and Underground Cables

The Purchaser of the each Lot shall take it subject to such wayleaves as effects the same and where applicable wayleave rents shall be apportioned by the Vendor to the various Lots. The Purchaser of the Lots affected by the wayleaves shall be responsible to notify the appropriate of their interest.

### Disputes

Should any dispute arise before or after the date fixed for Completion between the Purchasers or between the Vendor and the purchaser as to the interpretation of the Particulars of any matter whatsoever arising therefrom or thereout that matter in dispute should be referred to the arbitration of John Atherton of Athertons Ltd whose decision shall be final and binding on the parties in dispute.

### Conditions of Sale

The Conditions of Sale WILL NOT be read out at the Auction Sale but a copy thereof will be available for inspection at the offices of the Vendor's solicitors during normal working hours for fourteen days prior to the date of the Auction Sale.



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property & land

tel. 01254 828810

Athertons for themselves and for the vendors or lessors of the property give notice that - All descriptions, plans, dimensions, references to condition, or suitability for use, and necessary permissions for use and occupation and other details are given in good faith and are believed to be correct and any intending purchasers or tenants should not rely on them as statements of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them. No person in the employment of Athertons has any authority to make or give any representations or warranty whatsoever in relation to the property. Photographs are produced for general information and do not imply that any item is included in the sale of the property. These particulars are produced for the sole purpose of enabling prospective purchasers to decide whether they wish to view the property and are set out as a general guide only and do not constitute any part of an offer or contract. Athertons Ltd is a trading name of Athertons Ltd. Registered in England No 4157215. Registered Office - 53 King Street, Whalley, Lancs BB7 9SP.



www.athertons-uk.com





# APPENDIX C TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)

## SURVEY DATA SHEET & DECISION

Date: 28/03/2019	Surveyor: Alex Shutt		
<b>Tree Details</b>			
TPO Ref (if applicable):	The Rann	Tree/Group No: 2, 3a & 3b	Species: Mixed deciduous and evergreen
Owner (if known):	Mr & Mrs Hodge 2 & 3a Ms Lovely 3b	Location: "Elwood" The Rann Wig, Saccary Lane, Mellor	

### Part 1: Amenity Assessment

#### a) Condition & Suitability for TPO

5) Good	<input checked="" type="checkbox"/>	<b>Highly suitable</b>	<input type="checkbox"/>	<b>Score &amp; Notes = 5 – A mixture of Young and mature trees, planted as a community woodland</b>
3) Fair	<input type="checkbox"/>	Suitable	<input type="checkbox"/>	
1) Poor	<input type="checkbox"/>	Unlikely to be suitable	<input type="checkbox"/>	
0) Dead	<input type="checkbox"/>	Unsuitable	<input type="checkbox"/>	
0) Dying/dangerous*	<input type="checkbox"/>	Unsuitable	<input type="checkbox"/>	

\*Relates to existing context and is intended to apply to severe irremediable defects only

#### b) Retention Span (in years) & Suitability for TPO

5) 100+	<input checked="" type="checkbox"/>	<b>Highly suitable</b>	<input type="checkbox"/>	<b>Score &amp; Notes = 5 - As engraved on the sign "New woodland for your enjoyment and future generations"</b>
4) 40-100	<input type="checkbox"/>	Suitable	<input type="checkbox"/>	
2) 20-40	<input type="checkbox"/>	Unlikely to be suitable	<input type="checkbox"/>	
1) 10-20	<input type="checkbox"/>	Unsuitable	<input type="checkbox"/>	
0) <10*	<input type="checkbox"/>	Unsuitable	<input type="checkbox"/>	

\*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

#### c) Relative Public Visibility & Suitability for TPO

5) Very large trees with some visibility, or prominent large trees	<input type="checkbox"/>	Highly suitable	<input type="checkbox"/>	<b>Score &amp; Notes = 3 – From across the valley and footpaths</b>
4) Large trees, or medium trees clearly visible to the public	<input type="checkbox"/>	Suitable	<input type="checkbox"/>	
3) <b>Medium trees, or large trees with limited view only</b>	<input checked="" type="checkbox"/>	Suitable	<input type="checkbox"/>	
2) Young, small, or medium/large trees visible only with difficulty	<input type="checkbox"/>	Barely suitable	<input type="checkbox"/>	
1) Trees not visible to the public, regardless of size	<input type="checkbox"/>	Probably unsuitable	<input type="checkbox"/>	

#### d) Other Factors

5) Principal components of arboricultural features, or veteran trees	<input type="checkbox"/>		<input type="checkbox"/>	<b>Score &amp; Notes = 4 Young Community woodland has been grant aided by the forestry commission.</b>
4) Tree groups, or members of groups important for their cohesion	<input type="checkbox"/>		<input checked="" type="checkbox"/>	
3) Trees with identifiable historic, commemorative or habitat importance	<input type="checkbox"/>		<input type="checkbox"/>	
2) Trees of particularly good form, especially if rare or unusual	<input type="checkbox"/>		<input type="checkbox"/>	
1) Trees with none of the above additional redeeming features	<input type="checkbox"/>		<input type="checkbox"/>	

### Part 2: Expediency Assessment

5) <b>Immediate threat to tree</b>	<input checked="" type="checkbox"/>	<b>Score &amp; Notes = 5 Felling has already taken place in section 3b</b>
3) Foreseeable threat to tree	<input type="checkbox"/>	
2) Perceived threat to tree	<input type="checkbox"/>	
1) Precautionary only	<input type="checkbox"/>	

**Part 3: Decision**

Any 0 TPO	Do not apply	<input type="checkbox"/>	<b>ADD SCORES FOR TOTAL</b>  <b>22</b>	<b>Decision</b>  <b>MERITS TPO</b>
1-6 indefensible	TPO	<input type="checkbox"/>		
7-11 TPO	Does not merit	<input type="checkbox"/>		
12-15 TPO	TPO defensible	<input type="checkbox"/>		
16+ TPO	Definitely merits	<input type="checkbox"/>		

**TREE EVALUATION METHOD FOR PRESERVATION ORDERS  
TEMPO**

**SURVEY DATA SHEET & DECISION GUIDE**

Date: 21/5/19 Surveyor: DAVID HEWITT

**Tree details**  
 TPO Ref (if applicable): MELLOR 2019 Tree/Group No: W1/2/3 Species: BROADLEAVED MIX  
 Owner (if known): Location:

**REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS**

**Part 1: Amenity assessment**

**a) Condition & suitability for TPO**

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous\* Unsuitable

**Score & Notes**

\* Relates to existing context and is intended to apply to severe irremediable defects only

**b) Retention span (in years) & suitability for TPO**

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10\* Unsuitable

**Score & Notes**

\* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

**c) Relative public visibility & suitability for TPO**

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

**Score & Notes**

**d) Other factors**

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

**Score & Notes**

**Part 2: Expediency assessment**

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

**Score & Notes**

**Part 3: Decision guide**

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

**Add Scores for Total**

**19**

**Decision  
MERITS TPO**

Form of Tree Preservation Order

Town and Country Planning Act 1990

The Rann Woodland, Off Saccary Lane, Mellor Tree Preservation Order 2019

The Ribble Valley Borough Council, 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 Rann Woodland, Off Saccary Lane, Mellor Tree Preservation Order 2019.

**Interpretation**

2.— (1) In this Order "the authority" means the Ribble Valley Borough Council  
(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 29 day of March 2019

Signed on behalf of the Ribble Valley Borough Council



Mrs Nicola Hopkins Director of Economic Development and Planning Services  
Authorised by the Council to sign in that behalf

## 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	Trees (of whatever species) within the woodland marked W1 on map	To the West of Saccary Lane
W2	Trees (of whatever species) within the woodland marked W2 on map	To the West of Saccary Lane
W3	Trees (of whatever species) within the woodland marked W3 on map	To the West of Saccary Lane



Ribble Valley  
Borough Council  
[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

**RE: THE RANN WOODLAND, SACCARY LANE, MELLOR**

**TAKE NOTICE** that the property referred to above has been included in the list of assets of community value compiled by Ribble Valley Borough Council the Local Authority for the Mellor area.

On the 12 November 2020 the owner of the property served notice on the Local Authority stating his intention to enter into a relevant disposal.

**Any community interest group wishing to submit a written request to be treated as a potential bidder for the community asset must do so on or before 24 December 2020.**

Requests must be made in writing and should be addressed to Ribble Valley Borough Council, c/o Mair Hill, Head of Legal and Democratic Services, Legal Services Section, Council Offices, Church Walk, Clitheroe BB7 2RA.

Should any request be received, the property will then be subject to the full moratorium period which will cease on the 12 May 2021 and be protected from further moratorium periods for a period of 18 months ending on 12 May 2022.

Signed ..... *Marshal Scott*  
Marshal Scott – Chief Executive

Date ..... *13th November 2020* .





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**RE: THE RANN WOODLAND SACCARY LANE MELLOR**

**TAKE NOTICE** that the property referred to above has been included in the list of assets of community value compiled by Ribble Valley Borough Council the Local Authority for the Mellor area.

On the 12 November 2020 the owner of the property served notice on the Local Authority stating his intention to enter into a relevant disposal.

**On the 26 November 2020 the Mellor Parish Council, requested to be treated as a potential bidder for the property.**

The property will then be subject to the full moratorium period which will cease on the 12 May 2021 and be protected from further moratorium periods for a period of 18 months ending on the 12 May 2022.

Signed ..... *Marshal Scott* .....  
Marshal Scott – Chief Executive

Date ..... *27th November 2020* .....



Ribble Valley  
Borough Council

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**RE: THE RANN WOODLAND, SACCARY LANE, MELLOR**

**TAKE NOTICE** that the property referred to above has been included in the list of assets of community value compiled by Ribble Valley Borough Council the Local Authority for the Mellor area.

On the 19 April 2023 the owner of part of the property served notice on the Local Authority stating his intention to enter into a relevant disposal of the land edged red on the attached plan (Land Registry title no.LAN255733).

**Any community interest group wishing to submit a written request to be treated as a potential bidder for the community asset must do so on or before 31 May 2023.**

Requests must be made in writing and should be addressed to Ribble Valley Borough Council, c/o Mair Hill, Head of Legal and Democratic Services, Legal Services Section, Council Offices, Church Walk, Clitheroe BB7 2RA.

Should any request be received, the property will then be subject to the full moratorium period which will cease on the 19 October 2023 and be protected from further moratorium periods for a period of 18 months ending on 19 October 2024.

Signed ..... *Marshal Scott* .....  
Marshal Scott – Chief Executive

Date ..... *20th April 2023* .....

HM Land Registry  
Official copy of  
title plan

Title number **LAN255733**  
Ordnance Survey map reference **SD6632SW**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Lancashire : Ribble Valley**



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