



SPLIT DECISION FOR WORKS TO TREES PROTECTED BY A PRESERVATION ORDER

Applicant Name and Address

Mrs Farmer
3, Chapel Lane
Barrowden
Oakham
Rutland
LE15 8EB

Agent Name and Address

Mark Ashman
Hill-fort Tree Care
Landfield Farmhouse
Burrough Road
Little Dalby
LE14 2UG

Date of Validation
21 April 2021

Application Number:
2021/0407/PTA

PROPOSAL: (T1) 1 no. Cedar - Fell and replace with tree of moderate growth habit. (T2) 1 no. Domestic apple tree - prune back 2 metres from the distal end (shoots back to framework of scaffold limbs - material to be removed is to be no greater than 25mm diameter). (T3) 1 no. Laburnum anagyroides - Prune back 2 metres from the distal end (pollard heads - material to be removed is to be no greater than 30mm diameter).

LOCATION: 3 Chapel Lane Barrowden Rutland LE15 8EB

I refer to the Section 211 Notice described above.

DECISION A: Consent has been refused for the works to trees protected by a Tree Preservation Order specifically referred to below, for the following reason(s):

- 1 The submitted information supplied with the application does not justify felling the 1 No. Cedar Tree due to an increased risk of damage to property. The trees by virtue of their size, form, and location make a significant contribution to the character and appearance of the area. The felling of the tree would result in a detrimental impact to public amenity.

INFORMATIVES:

If you disagree with our decision, you can appeal to The Planning Inspectorate. If you want to appeal, you must do so in writing to The Environment Team, 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: 0303 444 5584 within 28 days from the date you received this decision.

COMPENSATION

If you suffer any loss or damage as a result of this refusal, you may be entitled to recover from the Council compensation. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the Secretary of State, within 12 months from the date of his decision).

Claims should be made in writing to Director of Places (Environment, Planning & Transport), Rutland County Council, Catmose, Oakham, Rutland LE15 6HP.

DECISION B: Consent has been granted for the works referred to below to trees protected by a Tree Preservation Order, subject to the following condition:

- 1 The approved works must be carried out within 2 years from the date of this decision.
Reason: To ensure that the works are appropriate to the condition of the tree(s) at the time they are undertaken.
- 2 The approved works shall only be carried out in accordance with British Standards Recommendations for Tree work - BS 3998:2010.
Reason: To ensure that the works are carried out in a way that safeguards the health and amenity of each tree.
- 3 Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should the evidence of bats of any species be detected before or during the proposed works to the tree, all works shall cease immediately and the applicant/agent shall contact the Local Authority to secure the implementation of a programme of mitigation for protected species. Should nesting birds be present in the tree, felling/surgery should be deferred until late summer/autumn.
Reason: To ensure that any species present which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved

Decision Date: 17 June 2021



Proper Officer of the Council