



**NOTICE OF DECISION IN RESPECT OF A SECTION 211 NOTICE  
PROPOSING WORK TO A TREE OR TREES IN A CONSERVATION AREA**

Applicant Name and Address

Agent Name and Address

Mr Stephen Coultas  
Hawthorne Farm  
Manor Road  
Stretton  
Rutland  
LE15 7QZ

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Date of Validation  
2 November 2018

Application Number:  
2018/1076/CAT

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**PROPOSAL:** Removal of branch from 1 no. Silver Birch tree.  
**LOCATION:** Ashton House 1 Hawthorn Close Stretton Rutland LE15 7QG

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**Rutland County Council** District Council has decided not to exercise its powers to make a provisional Tree Preservation Order in this instance.

**INFORMATIVES:**

Under Section 211(3)(b)(iii) of the Town and Country Planning Act 1990 the works specified in the notice received by the Local Planning Authority on 16 October 2018 must be undertaken within two years from the date of the notice. If the works are not undertaken by the date specified above, and you still wish to undertake the works described in this notice, a new notice must be served upon the Local Planning Authority.

Rutland County Council encourages replacement tree planting for any tree felled within a Conservation Area, under the terms of this notification. The owner may wish to consider alternative planting locations or species.

Nesting birds and bats, their roosts and their access to these roosts, are protected under the Wildlife and Countryside Act 1981. Therefore, should birds or bats be present in the trees affected by this application, any felling/surgery should be deferred until late summer/autumn.

This consent does not give you the permission to remove a tree which is not on your land.

The tree is situated on the neighbouring property, and the removal of the branch to its union would leave a large wound close to the base. Permission would be needed from the land owner to undertake work to any part of the tree that is not overhanging the boundary. Therefore notwithstanding this decision, only the top of the branch where it is overhanging the boundary could be pruned under your common law right (this should be back to appropriate growth points, in accordance with good arboricultural practice).

Decision Date: 14 December 2018