
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	21 April 2009	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	NICKY TOON (EXT 5926)	DOC:
SUBJECT:	HEDGEROW REMOVAL NOTICE	REF: 9/2009/0103
WARD AFFECTED:	TICKNALL	TERMS OF REFERENCE: DC01

1.0 Recommendations

1.1 That Committee notes the outcome of the hedgerow removal notice.

2.0 Purpose of Report

2.1 To inform the Committee of the receipt and outcome of a hedgerow removal notice as the applicant is a Member of the Council - Councillor Stanton.

3.0 Detail

3.1 A hedgerow removal notice was received which proposed the removal of a 10m length of roadside hedgerow along Ingleby Road in order to improve visibility for vehicles exiting from an access track to the south. The track provides access to Stanton Woods part of which the applicant intends to use as a site for up to five touring caravans as approved by The Caravan Club and which is permitted development under Part 5 of the Town and Country Planning (General Permitted Development) Order 1995.

3.2 Under the Hedgerow Regulations 1997 a hedgerow is considered important if it has been in existence for 30 years or more and if it satisfies at least one criteria from a list relating to significant archaeological, historical, wildlife or landscape value for which new planting is no substitute.

3.3 A tithe map of Ticknall, circa 1843, from the County Council Records Office shows Ingleby Lane and would suggest that a roadside hedge was present at that time.

3.4 Derbyshire Wildlife Trust has advised that the hedgerow does not meet the Wildlife & Landscape criteria of the Hedgerow Regulations 1997 and do not therefore consider the hedge to be an "important hedgerow".

3.5 The Highway Authority has commented that the removal of the hedge will improve visibility.

3.6 The applicant has planted a replacement hedge set further back from the existing hedgerow.

3.7 Whilst historical maps suggest that the hedgerow has been in existence in excess of 30 years it does not satisfy any of the additional criteria and is therefore not an important hedgerow as defined by the regulations.

4.0 Conclusions

4.1 The hedgerow is not an important one when assessed under the Hedgerow Regulations 1997 therefore the Council cannot object to its removal.

6.0 Financial Implications

6.1 None.

7.0 Corporate Implications

7.1 None

8.0 Community Implications

8.1 A replacement hedgerow has been provided.

9.0 Background Implications

9.1 Application for hedgerow removal notice - 9/2009/0103