

11 August 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

21/0794/TTHR – Cottenham (Land At the junction of Smithy Fen and Twentypence Road)

Proposal:	Removal of one section of hedgerow, 7m long, to facilitate the pipelaying of a new sewer.
Applicant:	Anglian Water Services LTD
Key material considerations:	Do the hedgerows qualify as important hedgerows. Is the removal justified.
Date of Member site visit:	n/a
Notice expires:	25 August 2021
Application brought to Committee because:	All Hedgerow Regulations matters must come to committee
Presenting officer:	Miriam Hill (Trees Officer)

Executive Summary

1. This hedgerow removal notice seeks to remove one 7m section of hedgerow to facilitate the laying of a new sewer.
2. The Hedgerow Regulations 1997 seek to retain hedgerows considered to be important. These are most often found in the countryside by virtue of the qualifying factors. The primary qualifying factors relate to age, length and surrounding land use. The secondary criteria relate to ecology and history.
3. Landowners, lessors and some statutory undertakers can give notice to the Council that they wish to remove a hedgerow (in part or entirely). The Council has 42 days from receipt to consider if the hedgerow in question can be considered

important and if there has been sufficient justification to undertake the proposed works. If the hedgerow is important and insufficient justification has been provided the Council must issue a hedgerow retention notice within the 42 days. If the hedgerow is not considered important or there is sufficient justification, it can return a 'no objections' to the proposal. This is not an application and therefore it is not approved or refused, and no conditions can be attached to an outcome.

4. In support of the removal notice is an excerpt from a map labelled as 1989 which indicates the hedgerows are at least 30 years only (a primary qualifying factor for important hedgerow status).
5. In addition, it was ascertained that "a typical reinstatement of the hedgerow as we normally provide" will be undertaken once the sewer is installed.
6. Officers recommend that the Planning Committee do not issue a Hedgerow Retention Notice and provide a 'no objection' outcome.

Relevant history

7. There are no hedgerows with an existing retention notice in this locality.
8. The notice hedgerows are not subject to any development management constraints.
9. A hedgerow removal notice was recent submitted, 21/0662/TTTHR. This gave notice to remove five 7m long sections. One of the gaps was in the hedgerow, which is the subject of this notice, but 13m further north.

Consultation

10. The parish council submitted a consultation response. They note that:
 - it will significantly alter the fenland landscape in a prominent location,
 - there is no mention of any form of replacement planting, and
 - no need for removal in the first place.
11. The character of the fenland is not a material consideration to the hedgerow removal notice.
12. The applicant is not required to provide details about replacement planting on the notice. Replanting was queried with the agent with notice 21/0662/TTTHR and it was ascertained that "a typical reinstatement of the hedgerow as we normally provide" will be undertaken once the sewer is installed. No conditions can be attached to a notice outcome.
13. Question four of the Planning Portal form supplied with the notice, notes the reason for removal as 'to facilitate the pipelaying of a new sewer'.

Other representations

14. None received.

The site and its surroundings

15. The hedgerow in question stands at the junction of Smithy Fen and Twenty pence Road in Cottenham. This locality is rural with grazing land with scattered dwellings and businesses.

16. The temporary gap created will be most prominent from Twentypence Road travelling south. Due to the layout of the road, the gap will not be prominent travelling north.

Assessment of important hedgerow designation

17. The gap is proposed to be created on the eastern boundary of the field, directly adjacent to the junction. It is a well maintained, rural hedgerow and has the primary qualifying factors related to age, length and surrounding land use.

18. The hedgerow does not qualify for important hedgerow criteria 1-4, parish boundary, archaeology or evidence of manorial history.

19. The hedgerow appears to be part of a field system pre-dating the Inclosure Acts (taken as 1845). This is important hedgerow criteria 5.

20. There are no reported and recorded rare species of plant or animal (criteria 6) in this locality. The hedgerows have insufficient woody species diversity (criteria 7 and 8).

21. The hedgerow has a defensible status as important hedgerow under the Hedgerow Regulations.

Assessment of justification and reasoning

22. The reason given for removing the section of hedgerow is to install new sewer pipework to service the dwellings in this neighbourhood. Much of the line is to be installed using directional drilling but a pit must be excavated at the end of the line or at junctions and redirections to enable the operatives to receive or initiate drilling.

23. Utility companies have limitations on where they can locate their routes. This route appears to be the optimal location for this work. The applicant was asked to

withdraw the one gap in the same hedgerow which was identified on notice 21/0662/TTHR, but this did not occur.

24. The Regulations are clear that hedgerows, or sections of, should only be permitted to be removed in exceptional cases. Associated guidance does give examples of unacceptable reasoning and instillation of essential utilities is not listed.

25. On balance the justification for removal of the section of hedgerow appears to be reasonable.

Conclusion

26. The hedgerow in question can be considered as 'important hedgerow' and should be preserved. The justification for the removal of one 7m long section is reasonable.

Recommendation

27. Officers recommend that the Planning Committee do not issue a Hedgerow Retention Notice and provide a 'no objection' outcome.

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Presentation Pack: 2021 08 11 - Hedgerow Removal Notice 21 794 TTHR

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