

Opportunities that exist to protect the hedges in the village.

There are many are ancient hedges from the Enclosure Act. This is in the review NDP, Design Code, and as part of the council's bio-diversity focus. Is any protection that can be offered, like there are TPOs (tree protection orders) for example?

“There are different laws and rules regarding hedges, but which apply to which hedge depends on the hedge location and use. For hedgerows within a town or village it would generally only be planning permission conditions that could apply to property hedges where a planning application has been made. Unfortunately, there is nothing that I can impose on a hedge to protect it in a similar way to trees and TPOs.

The Hedgerows Regulations 1997 apply to all countryside hedgerows, hedges around or within village greens, common land, paddocks and nature reserves, **providing** the hedge is **not** also a boundary with someone's garden to one side of it. Any hedgerows that this legislation apply to are automatically protected and require an application for their removal. Such an application has strict assessment criteria regarding historical context, and flora and fauna biodiversity value to determine if the hedgerow is important and should be retained. If the hedgerow is found to not meet the criteria then the Council would have no option but to allow the hedgerow to be removed. There are also certain exemptions from needing to apply to remove a hedgerow. I have attached a leaflet which provides additional information.

Hedgerows which mark the boundary of a dwelling are not covered by the hedgerows regulations, even if land on the other side is a field. This is because the hedgerows regulations assume hedgerows forming a boundary around or through development sites will be adequately considered as part of the planning process, with reference and consideration to relevant Neighbourhood Plans, local and national policies, consultee responses, design codes, etc.... so it is important that any hedgerows considered to be important for their historical connections or which are key features to a streets character are identified within neighbourhood plans. Planning conditions in a decision notice can then be imposed on hedges where necessary, such as requiring the retention of hedgerows thought to be important to the character, amenity, historical context, and/or biodiversity value of the area, or specifying minimum or maximum heights, providing the condition relates to the approved development and there is a need for it.

There are also various hedgerow requirements imposed by DEFRA for agricultural land, but what those requirements would depend on the scheme or agreement that the land is managed under, and are highly unlikely to apply to land within the developed area of a town or village.”

WLDC, Tree and Landscape Officer (Planning Department)

Enc. Hedgerows Leaflet.