



Saxilby with Ingleby Parish Council

Non-confidential

Resident Information Letter – Saxilby Heights, Planning Appeal Ref:
APP/N2535/A/14/2223170 (Church Lane, Saxilby, LN1 2PE) – Condition 9

Report to: Planning and Development Committee

Report by: Clerk

Power/duty which decision falls under: Local Government Act 1972, s111 Subsidiary powers

Which council objective(s) it falls under:

- Maintain and improve community facilities and amenities
- Protect and enhance our green spaces and street scene
- Preserve and enhance heritage assets, environmental assets and wildlife
- Improve the well-being of residents
- To foster public participation and engagement
- To recognise the climate and biodiversity emergency and it should be considered as the basis of all decision and policy making

Public Sector Equality Duty

Consider how policies/decisions affect those protected under the Equality Act)

The measure is intended to provide clear and accessible information to all residents and does not disadvantage any protected group. Where appropriate, reasonable adjustments (such as accessible formats or clear design standards) will be made to ensure inclusivity.

Duty to conserve and enhance biodiversity

This supports the council's duty to conserve and enhance biodiversity.

Consideration on carbon reduction:

This supports local carbon reduction by maintaining the hedge.

Consideration of risk management in relation to the proposal¹

It is impossible to list every risk faced by a local council. Risk, in the general sense, means the likelihood of an event happening, and the severity of the negative consequences. The insurance industry regards risk as representing loss or damage. Risk always involves uncertainty. When protecting a local council effectively, it is important to consider if risk is present in the following areas:

Risk Area	Risk Present/ Description?	Likelihood	Impact	Risk Rating	Mitigation & Contingency
Property and legal	Removal of hedge – impacting on biodiversity and street scene	Medium	High	Medium	Provide information to raise awareness

¹Risk areas to consider - strategic/operational, likelihood/impact, add to risk register? Any contingency planning needed?

REPORT

Background

Condition 9 of the planning appeal decision APP/N2535/A/14/2223170 specifies that the existing boundary hedge along the Saxilby Heights site boundary must be retained at a height of no less than 3 metres.

- 9) No development shall take place until details of a scheme for the infilling of gaps in and reinforcement of the existing hedge bounding the site alongside Church Lane and along its western boundary have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details no later than the end of the first planting season following their approval. The existing mature hedgerows within the site shown on the illustrative masterplan J1410 SK07 Rev C shall be maintained under the arrangements to be approved pursuant to Condition 5) above at a height of no less than three metres.

Source: Planning Inspectorate (2015) Appeal Decision: Appeal Ref: APP/N2535/A/14/2223170. Land at Church Lane, Saxilby, Lincoln, Lincolnshire LNI 2PE.

Recently Highways sub-contractors started to cut back the hedge significantly below the permitted height. Residents contacted the council to raise the concern at the time and council officers immediately went to site and intervened. This was successful in preventing further damage and a planning breach.

Fortunately, residents were present locally, who knew of the planning history and contacted the council. Without this local knowledge, significant damage would have occurred. Therefore, consideration is being given to raising further awareness of this important planning condition.

This is in-line with a number of council objectives - protect and enhance our green spaces and street scene; preserve and enhance heritage assets, environmental assets and wildlife; improve the well-being of residents; to foster public participation and engagement; and to recognise the climate and biodiversity emergency.

Proposal

To seek committee approval for actions to protect the hedges along the Saxilby Heights boundary.

- a. This includes sending an information letter to advise on planning Condition 9 (page 19 of the planning appeal decision) requiring retention of the boundary hedge at a minimum height of 3 metres to:
 1. Residents living at Saxilby Heights who border the development site referenced in Planning Appeal APP/N2535/A/14/2223170.
 2. Lincolnshire Highways Authority
- b. Request to install signage on the highways verge to advise of the protected hedge status.

Example Sign:



Through providing information to residents and Highways the aim is to educate more widely help protect the hedge in future years. The council has an interest in promoting compliance and ensuring that environmental and biodiversity considerations are observed. Proactive engagement with residents is expected to:

- Raise awareness of planning obligations.
- Support the maintenance of biodiversity and wildlife corridors.
- Help preserve the character of the local landscape.

RECOMMENDATION(S):

1. The Clerk send an information letter to Lincolnshire County Council Highways and residents of Saxilby Heights who bordering the Church Lane development site, referencing Planning Appeal APP/N2535/A/14/2223170, Condition 9 (page 19), to inform them of the planning condition to retain the boundary hedge at a minimum height of 3 metres, in-line with the council's climate and biodiversity objective.
2. Send a copy of the correspondence to district and county councillors and WLDC Enforcement Team for information
3. Seek consent from Lincolnshire County Council Highways authority to install small information signs on the grass verge to protect hedges and officers to arrange installation.