

Report to Area Plans Sub-Committee East

Date of meeting: 22 October 2008.



**Epping Forest
District Council**

Subject: Hedgerow Replacement Notice - Land south of 62 Hoe Lane, Abridge.

Officer contact for further information: Chris Neilan (01992 – 564117).

Democratic Services Officer: Gary Woodhall (01992 – 564470).

Recommendations/Decisions Required:

That consent be given for issue of Hedgerow Replacement Notice or Notices, as required, to ensure replacement of the illegally removed hedgerows.

Report:

Background

1. A prosecution is being brought against the owner of the land south of 62 Hoe Lane, Abridge in the parish of Lambourne for the unauthorised removal of several hedgerows in January 2008 or before. There is also ongoing enforcement action in respect of several other issues, including use of the land to store waste materials, additional entrance, and an unauthorized access and road.

2. Works were stopped before final removal of the hedgerow was complete, and a hedgerow removal notice was received in early February, and a second shortly after. While these purported to deal with more hedgerow than that present a view was taken that retrospective consent was not possible, and that the notices were applicable only to the remnant. The agent was asked for more time to allow the number of species in and associated with the heavily lopped and damaged hedgerow remnant to be assessed in the spring, to assist the judgement of whether the hedge was "important" as defined in the regulations, but refused to give it. Consent was not given within the statutory period; the notice therefore was granted by default, and the remnant also removed.

3. The agent for the applicant had indicated a willingness to replant voluntarily, however, this has been only partially done and where planting has been undertaken it has not succeeded.

Issues and Considerations

4. The main issue for the Committee is whether it is in the interest of public amenity to replace the hedgerows. If so it would appear that service of a notice under the Hedgerow Regulations is the only way to ensure that this occurs.

5. The several hedgerows previously present, from evidence on aerial photographs and from inspection immediately following removal, appeared to have been healthy and vigorous mixed native hedges appropriate to the area and contributing to local character and wildlife. While new hedgerows will not fully compensate, they would restore the visual character in the medium term