

Council Offices
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Environment Act 1995

Hedgerow Retention Notice

Reference: H13-0163-15 **Received:** 23rd February 2015

Type: HEDGEROW REMOVAL

Name: L D Symington Farms
C/O Fuller Consultancy Ltd
Blackborough Manor Farm
Setch Road
Blackborough End
Kings Lynn
PE32 1SL

Agent: Fuller Consultancy Ltd
Blackborough Manor Farm
Setch Road
Blackborough End
Kings Lynn
PE32 1SL

Description: Removal of a hedgerow as indicated on the aerial photograph provided with the application, and as attached to the decision notice. The hedgerow is situated on the south side of a small grass field, the western end of which abuts the Little South Holland Drain adjacent to Daws Gate, Moulton Chapel.

The reasons to remove the hedgerow are stated by the applicant: to incorporate the two fields and improve the northern hedge.

Location : Field adjacent to Daws Gate Moulton Chapel
Spalding Lincolnshire

South Holland District Council hereby give notice under Regulation 5 of the Hedgerow Regulations 1997 that removal of the specified hedgerow is PROHIBITED, for the reasons set out below.

This Notice is not time-limited, and therefore the prohibition on removal of the hedgerow stands until such time as:

- (a) the Notice is withdrawn, or;
- (b) the Notice is quashed as a result of an appeal, or;
- (c) a fresh removal notice is submitted, in response to which the Local Planning Authority do not issue a retention notice.

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The Local Planning Authority has taken into account the reasons for the hedgerow removal as set out by the applicant but consider that the circumstances do not justify the removal of the hedgerow. This Notice has been issued as the Local Planning Authority consider the hedgerow to be important, as defined in the Hedgerow Regulations 1997. The criteria outlined in Schedule 1, Part II, which apply to this hedgerow as follows:

Paragraph 6(1) The hedgerow:

(a) contains species listed or categorised as mentioned in sub-paragraph (3).

Paragraph 6(3) The species referred to in sub-paragraph (1) are those:

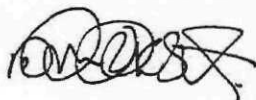
(a) listed in Part I (protection at all times) of Schedule 1 (birds which are protected by special penalties) ... to the Wildlife and Countryside Act 1981 (as amended).

BIRDS WHICH ARE PROTECTED BY SPECIAL PENALTIES IN PART I OF SCHEDULE 1 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED), WHICH WERE RECORDED IN THE HEDGEROW SUBJECT TO THIS DECISION DURING A SITE VISIT ON THE 18TH MARCH 2015:

FIELDFARES (*Turdus pilaris*).

There is therefore no alternative other than to consider the hedgerow to be important as defined by the regulations.

This decision does not affect the proposed improvement of the northern hedgerow.



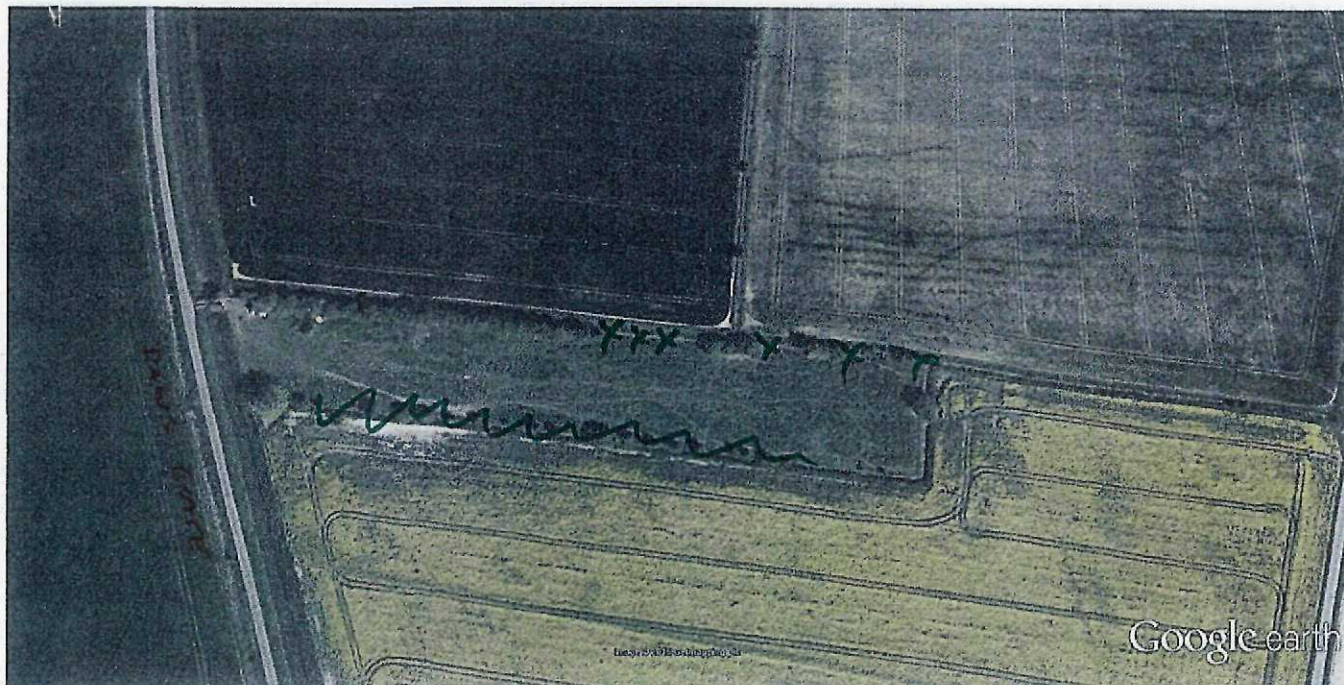
Paul Jackson
Planning Manager

1st April 2015

H13-0163-15

H13-0163-15.

(attached to decision notice)



Google earth

feet 700
meters 200



 - hedgerow to be removed.

 - northern hedgerow to be improved.