



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No:	17/15475/HEDGE	Case Officer:	Kittie Powell
Site Notice Posted:	-	Consultation Date:	31st Oct 2017
Date Valid:	30th Oct 2017	8 Week Target:	11th Dec 2017
Decision Type:	Delegated Decision		
Proposal:	Replace existing access gate to enable future refurbishment works. It is proposed that a 4m section of hedgerow is to be removed and temporarily replaced by a 12ft gate and hanging posts. The hedgerow is to be removed in winter 2017, outside of bird nesting season and under an Ecological Clarke of Works; and following completion of the tower works, is to be replanted. it is expected that the hedgerows will be replanted winter 2018.		
Address:	Agricultural Field Surrounding Tower 4YUI95 Accessed Via Unnamed Lane, Approximately 2km East Of Miners Row., Llanelly Hill,		

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
NP Heritage Officer Archaeology	20th Nov 2017	<p>Agricultural field surrounding tower 4YUI95 accessed via unnamed lane, approximately 2km East of Miners Row</p> <p>To permit access to tower 4YUI95, it is essential that the existing gate is replaced, as the current entrance is too narrow for the plant and machinery required to undertake the refurbishment works. To achieve this access to the towers from the access field, a 4m section of hedgerow is to be removed and temporarily replaced by a 12ft gate and hanging posts. The hedgerow is to be removed in winter 2017, outside of bird nesting season and under an Ecological Clarke of Works; and following completion of the tower works, is to be replanted. It is expected that the hedgerows will be replanted winter 2018.</p> <p>HEDGEROW REMOVAL APPLICATION ASSESSMENT: Hedgerow Removal Application Assessment Response: PARA.I. The hedgerows mark the boundary, or part of the boundary, of at least one historic parish or township; and for this purpose 'historic' means existing before 1850. (Hedgerow Regulations 1997, Part II, I)</p>

No

PARA.2. The hedgerows incorporates an archaeological feature, which is included in the schedule of monuments, or is recorded at the relevant date in a Sites and Monuments Record. (Hedgerow Regulations 1997, Part II, II)

No

PARA.3. The hedgerows are situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and is associated with any monument or feature on that site. (Hedgerow Regulations 1997, Part II, III)

No

PARA.4. The hedgerows mark the boundary of a pre-1600 AD estate or manor recorded at the relevant date in a Sites and Monuments Record or in a document held at that date at a Record Office; or is visibly related to any building or other feature of such an estate or manor. (Hedgerow Regulations 1997, Part II, IV)

No No record of such held by BBNPA or regional WATERHER.

PARA.5. The hedgerows are recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure Acts; or is part of, or visibly related to, any building or other feature associated with such a system, and that system is substantially complete; or is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act, for the purposes of development control within the authority's area, as a key landscape characteristic. (Hedgerow Regulations 1997, Part II, V)

The Hedgerow Regulations 1997: A guide to the law and good practise, published by the department of the Environment (Amendment of 2002), states that 'The phrase 'pre-dating the Inclosure Acts' should be taken to mean before 1845 (pg. 27).

No

Other considerations

Comments:

The 4m section of hedgerow proposed for removal does not conform to the criteria outlined in part II of Schedule I of the Hedgerow Regulations 1997. It therefore would not be classified as 'important' under Section 4.

Llanelly Community Council 14th Nov 2017

Comments

Thank you for consulting Llanelly Community Council regarding the above planning application. This consultation response is provided by Llanelly Community Council as a Consultee, the observations made are based on the information provided to the Community

Council by the Local Planning Authority and information published on the Planning Authority website for consultation purposes.

Therefore Llanelly Community Council, wish to offer no objection with the proposed Order 2012 submitted.

Can you please acknowledge receipt of this correspondence

NP Planning
Ecologist

17th Nov 2017

I've arranged to do my site visit on Monday afternoon. I don't need you to come with me although you're very welcome if you want to. My comments are due on Monday, so I am likely to be a bit late getting them to you.

OFFICER'S REPORT

Archaeology

The BBNPA archaeologist was consulted on the application. The boundary is not classified important as defined by historical Criteria under Part II of the Hedgerow Regulations.

Ecology

The hedgerow contains 6 different woody species in a 30 metre section of hedgerow and has at least 3 qualifying features; it is therefore important under Criterion 7 (1) (b) as defined in Part II of the Hedgerow Regulations 1997.

It is acknowledged that most of the hedgerow is to be retained. In addition, all of the hedgerow to be removed will be re-instated with native-species planting following the completion of the works.

Community Council

No response was received from Llanelly Community Council.

Reasons for Removal

The applicant wishes to remove the section of hedgerow in order to enable access to a pylon for the refurbishment of the Overhead lines that provide a primary transmission line; the line is of strategic importance to the National Grid network for England and Wales and the refurbishment is required to ensure the security of the energy network. Although the presumption is in favour of protecting and retaining important hedgerows, the reasons for removal are considered to be in the wider public interest, namely ensuring the security of the National Grid network and national energy supply. The applicant only proposes to remove four metres of hedgerow. The applicant has also stated that they will replant the hedgerow following the completion of the works; although this cannot be secured through the Hedgerow Regulations, the BBNPA can be confident that the contractors will undertake this work as stated.

Conclusion

The hedgerow does satisfy one of the ecological criteria but does not satisfy any historic criteria under the Hedgerow Regulations 1997; it is therefore considered to be an important hedgerow. However, the reason for hedgerow removal, namely ensuring the security of the National Grid network and national energy supply, is considered to be sufficient to justify the removal of four metres of hedgerow. A Hedgerow Removal Notice for these sections of hedgerow is therefore issued for the hedgerow.

RECOMMENDATION: Permit

Conditions and/or Reasons:

I The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reasons:

I Required to be imposed by the Hedgerows Regulations 1997.

Informative Notes:

Signed (Case Officer):
Kittie Powell



Date: 07.12.2017

Checked (Principal Planner):



Date: 07.12.2017

**Signed (National Park
Authorised Officer):**



Date: 12th December
2017
