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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/0739/FUL	ITEM 3	
Proposal:	Replace existing hedge and fence.		
Address:	Cherry Tree Farm, Knossington Road, Braunston In Rutland, Rutland, LE15 8QX		
Applicant:	Mr R King	Parish	Braunston
Agent:		Ward	Braunston and Martinsthorpe
Reason for presenting to Committee:	Member request		
Date of Committee:	17 November 2020		

EXECUTIVE SUMMARY

A substantial hedge has been removed in open countryside. It has been established that it was not important in Hedgerow Regulations terms. Whilst it contravenes a condition on a previous permission. The hedge has been removed and the only remedy is to replace it. This application proposes to do that and provided it complies with the recommended condition, the result will be as good as can be expected.

RECOMMENDATION

APPROVAL, subject to the following conditions:

- The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, 1/250 Block Plan July 2020 - A3.
Reason - For the avoidance of doubt and in the interests of proper planning.
- The hedge and tree planting shown on the approved block plan shall be carried out during the first planting and seeding season (October 2020 – March 2021 inclusive) following the date of this permission. The hedge shall be managed and allowed to grow to the height of the fence and shall be maintained at least at that height in perpetuity. Any trees or shrubs which, within a period of 5 years of being planted, die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.
REASON: To ensure that the landscaping is carried out at the appropriate time and is properly maintained in the interests of visual amenity in this rural area.

Site & Surroundings

- The site was previously known as Meadowsweet Farm and is located on the south side of Knossington Road, approximately 750 metres from its junction with The Wisp and approximately 1000 metres from the edge of Braunston village.

Proposal

- The application is for the retention of a timber fence along the roadside boundary and planting of a native species hedge and trees in front.

Relevant Planning History

Application	Description	Decision
2017/0906/FUL	Proposed porch to front and rear. Single storey rear extension and front two storey extension. Erection of garage/office building. Erection of agricultural building.	Approved
2018/1029/DIS	Discharge materials and landscaping conditions from 2017/0906	Approved

Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 12 - Achieving well-designed places

Site Allocations and Policies DPD (2014)

SP15 - Design and Amenity

Core Strategy DPD (2011)

CS04 - The Location of Development

CS19 - Promoting Good Design

Consultations

3. Braunston parish Council

I write on behalf of the Braunston Parish Council in relation to the above planning application and can report that we would like to refer to a previous application 2018/1029/FUL. In this application it was clearly stated that the existing road frontage blackthorn hedge 'would be thickened where needed'. In the tree survey for the site it was recommended to reduce the crown height and width proportionality by 2m and 1m and maintain by regular trimming from the road to give clearance of 1-1.5m for vehicles. There is no mention of the removal of this road frontage hedge, the removal has been done without consent, the replacement fence is inappropriate in this setting and should be removed and the blackthorn hedge replanted.

4. Ecology

The proposed works result in the removal and replacement of a section of existing hedgerow. From a desktop study conducted using online resources, there appears to be a low risk of this existing hedge being classed as 'important' under the Hedgerow Regulations. In addition, the proposed plans show the existing standard trees within the hedgerow to be retained and a replacement hedgerow consisting of a species-rich native mix is proposed. Therefore, no ecological surveys are required.

Note to Applicant: Vegetation clearance works must either take place outside the bird-nesting season (March to July inclusive), or within 24 hours of the 'all-clear' from an

appropriately qualified ecologist following a negative bird-nesting survey. Netting to prevent bird nesting may only be done with prior approval of the LPA.

Neighbour Representations

5. A resident of High Street Braunston has objected:

The previous planning application 2018/1029/DIS, granted on 18/12/18, clearly states that the existing roadside hedge is to be kept and thickened, and that a line of silver birch trees are to be planted behind the hedge to screen the house from the road.

The works that have been undertaken completely contravene this; the fence is incongruous in this rural setting and does not screen the house. The continuous hedgeline along the road has now been broken and should be replanted for visual amenity and to provide wildlife habitat.

Planning Assessment

6. The main issue is visual amenity in the open countryside.

Principle of the use

7. This application came about as a result of an enforcement complaint that the fence had already been erected. The site is in the open countryside, remote from the village. The dwelling which sits behind the new fence has recently been extended. There is no policy objection in principle to a new boundary treatment in this location but the details have to be appropriate.
8. Planning permission 2017/0906, for extensions to the house, included a standard landscaping condition, including a requirement for additional tree planting between the house and the road. There was a substantial hedge/tree screen along the frontage at the time.
9. An application to discharge this condition was submitted and approved, 2018/1029/DIS. This showed the existing hedge to be thickened, with a row of silver birch behind and a beech hedge behind that along the edge of the driveway to the house. This was approved in December 2018.

Impact on the character of the area

10. This is the main issue. Clearly a stark fence in this location on its own would not normally be acceptable.



11. The application provides for a double row of native species hedging with intermittent tree planting within to be carried out in front of the new fence. If this is allowed to grow and is maintained at a height at least equivalent to the fence, the impact will in time be ameliorated. On that basis, as the existing hedging has already been permanently lost, apparently without loss of important hedgerow, it is recommended that the solution will be acceptable. A hedgerow to a domestic property is not covered by the Hedgerow Regulations so was not protected.
12. The applicant has confirmed that there is a strip of land in his ownership between the fence and the ditch that he deliberately left to replant the hedge on. He also confirms there is already some regrowth from roots left in the ground.

Impact on the neighbouring properties

13. None

Highway issues

14. None

Conclusion

15. The removal of the original screen hedge is regrettable but no amount of enforcement action will reinstate it any better than the current proposal. On that basis, with a condition to ensure that it is carried out during the current planting season, it is recommended for approval.