

**Item 10**

**Land Rear of Chart  
View, Off Chart View Hill Road, Chart Sutton**

**16/505932**

**Pages 2-8**

At Planning Committee on 28.09.2017 the application was DEFERRED until the expiry of the additional publicity set out in the urgent update report. The application was originally to be presented to planning committee on the 9<sup>th</sup> November. This was subsequently rolled forward to 16<sup>th</sup> November.

REPRESENTATIONS

Further representations have been received including in particular submission of a hedgerow appraisal. This asserts in the appraisal that:

The hedgerow has a significant ecological value and is of importance – due to its age and presence of the qualifying number of ‘woody’ species in accordance with the Hedgerow Regulations;

Additional Consultation Responses

Kent County Council Biodiversity has commented as follows: From the evidence provided, the hedgerow could be considered as being species rich and the hedgerow could qualify as ‘important’ under the Hedgerow Regulations 1997. According to these regulations, a Local Planning Authority can only give permission for the removal if satisfied that there are circumstances which justify the hedgerow’s removal (Regulation 5 (5)(b)). Taking into account the ecological points, if the application resulted in the transplanting of the hedgerow as well the planting of 75 metres of additional, native species rich planting (and appropriate buffer zones), we do consider that there is potential to provide adequate mitigation/compensation in regards to any ecological impacts. However, we would be more supportive if additional hedgerow planting was included on the eastern side (which we note from the current site plan is not included) to ensure that ecological connectivity is maintained around the border of the development. This would also provide an additional 45 metres of hedgerow planting.

Planning Policy

The following updated figures have been provided in respect of G&T sites as of 27<sup>th</sup> October:

Permanent/non-personal – 107 pitches  
Permanent/personal - 21  
Temporary/non-personal - 3  
Temporary/personal – 38

**Officer Comment.**

Ecology – The hedgerow has been surveyed by a third party on behalf of objectors. It is submitted that the 7 or so common native woody species within the hedgerow are of sufficient number for the hedgerow to be considered ‘important’. This definition is accepted.

## Urgent Update Presented at Adjourned Planning Committee 16/11/2017

In instances where preservation of hedge root-balls may be desirable, this can be achieved through translocation.

Kent County Council Biodiversity Officer has commented that the application is acceptable from a biodiversity perspective subject to the following mitigation measures:

1. Continuation of the proposed boundary hedgerow planting along the eastern boundary of the site (an additional 45m of hedgerow to provide ecological connectivity around the boundary of the development).
2. Translocation of the hedgerow to be removed.

It is considered that the benefits associated with provision of two additional sustainable Gypsy and Traveller sites provide justification in the context of Regulation 5 (5)(b) and that the removal of 15m of hedgerow as proposed, can be mitigated as set out in the amended conditions, above.

Access to the site: It should be noted that the Regulations under 6.1.c permit a section of hedgerow to be removed in order to provide access 'where another means of access is not available or is available only at disproportionate cost'.

Need for Sites: The proposal relates to a speculative, 'windfall' site. Such sites form an intrinsic element to the delivery of unidentified G&T sites in accordance with the council's GTAA. Although updated figures have been provided of G&T site uptake it is considered that there is still sufficient need to warrant approval in this instance.

Amended site location plan : Member's should refer to the Site Location Plan attached as an Appendix to this report, which includes the access in the red outline which supersedes that in the Committee Report.

### CONCLUSION

Consideration has been given to all representations received pursuant to planning committee on 28.09.2017. Taking all representations into account, the recommendation remains to GRANT PLANNING PERMISSION subject to the following amended conditions.

1. The development shall not commence until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall include a planting specification, a hedgerow translocation methodology, a programme of implementation and a [5] year management plan. The landscape scheme shall specifically address the need to provide:

- Retention of the existing hedge along the south boundary of the site apart from that section required to be removed for the approved access.
- A new double staggered mixed native hedge and trees along the west and north and east boundaries of the site on the outside of any boundary treatments, in conjunction with appropriate plant protection buffer zones.
- Translocation of that part of the existing hedgerow to be removed for site access purposes to an adjoining location either side of the splayed bell-mouth access.

Reason: In the interests of biodiversity, landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

**Urgent Update Presented at Adjourned Planning Committee 16/11/2017**

9. All planting including translocation, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following commencement of development, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;  
Reason: In the interests of biodiversity and to safeguard the character and appearance of the countryside.