



**Validation Requirements for
Hedgerow Removal Notice**

11 - Hedgerow Removal Notice

Summary of National Requirements

- **Completed form** - 2 to be supplied (1 copy plus original) unless the application is submitted electronically
- **A plan which identifies the land to which the application relates to a scale of 1:1250 or 1:2500 and showing the direction of north** (Ordnance Survey based) The application site should be edged clearly with a red line and show it in relation to neighbouring properties - 2 to be supplied (1 copy plus original) unless the application is submitted electronically
- **A plan showing the approximate position of start and finish of hedge length to be removed** - 2 to be supplied (1 copy plus original) unless the application is submitted electronically
- **The Correct fee**
- **Evidence of the date of planting**

Summary of Local Requirements

- **A completed biodiversity and landscape checklist** will be required and our application will not be valid unless a checklist is submitted. A biodiversity and landscape checklist is available here to download.
<http://www.lewes.gov.uk/environment/3266.asp#nonhouse>
- Following receipt of a checklist and application **you may be required to submit a species survey and /or appropriate mitigation measures** in relation to your proposal in accordance with guidance from Natural England. Failure to do so may invalidate your application.

Appendix 1 – Details of Extra Documents

- **Supporting Planning Statement** - Information will include how the proposed development accords with policies in the development plan, supplementary planning document or development briefs. It should also include details of consultations with LPA and wider community/statutory consultees undertaken prior to submission. However, a separate statement on community involvement may also be appropriate. Further guidance on Statements of Community Involvement is available in Chapter 7 of Creating Local Development Frameworks: A Companion Guide to PPS12 (see <http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicystatements/pps12/>)
The Council has a Sustainability Checklist which we encourage be completed for all major applications:
<http://www.lewes.gov.uk/AF3/an/default.aspx/RenderForm/?F.Name=S3qZdq7fA3K>
- **Flood risk assessment** - Planning applications for development proposals of 1ha or greater in Flood Zone 1 and all proposals for new development, which are located in Flood Zones 2 and 3, or other areas where the Environment Agency, Internal Drainage Boards and other bodies have indicated that there may be drainage problems, should be accompanied by a Flood Risk Assessment. This should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed taking climate change into account. Maps of flood zones are available from the Environment Agency or by using their website <http://www.environment-agency.gov.uk/>. In addition Planning Policy Guidance 25: 'Development and Flood Risk' provides comprehensive guidance for both LPAs and applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere. PPG25 can be found at <http://www.communities.gov.uk/publications/planningandbuilding/pps25floodrisk>
- **Tree survey / Arboricultural statement** - A detailed tree survey shall be carried out by a competent person and be in accordance with British Standards BS5837:2005 Trees in Relation to Construction. The plans shall include appropriate information such as the location of trunk centres and crown spreads of existing trees. A Tree Constraints Plan, Arboricultural Implications Assessment (AIA), Arboricultural Method Statement (AMS), Tree Protection Plan (TPA) and details of proposed tree works should also be given where appropriate.
- **Retail assessments** - Current guidance can be found in Planning for Town Centres: Practice guidance on need, impact and the sequential approach, see paragraph 3.4 (see <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147399.pdf>) . The assessment should include the need for development, whether it is of an appropriate scale, that there are no sites close to a centre for the development, that there are no unacceptable impacts on existing centres, and if locations are accessible.

- **Sustainability Statement** - A sustainability statement should outline the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications.
- **Noise impact assessment** - Application proposals that raise issues of disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact assessment prepared by a suitably qualified acoustician. Further guidance is provided in PPG 24: Planning and Noise (see <http://www.communities.gov.uk/publications/planningandbuilding/ppg24>).
- **Sunlight/Daylighting Assessment** - Applicable for all applications where there is a potential adverse impact upon the current levels of sunlight/daylighting enjoyed by adjoining properties and building(s) – further guidance is provided in the Building Research Establishment’s (BRE) guidelines on daylighting assessments.
- **Ventilation/extraction details** - For example; for hot food take-aways, restaurant uses and laundrettes etc.
- **Details of any lighting scheme including a light pollution assessment**
- **Land Contamination** - Applications may also need to include an extended assessment of contamination in line with PPS23 focussed on local circumstances. (See <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps23/>).
- **Photographs and Photomontages** - These provide useful background information and can help to show how large developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building.
- **Regeneration statements** - A supporting statement of any regeneration benefits from the proposed development, including: details of any new jobs that might be created or supported; the relative floorspace totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal should be included.
- **Affordable housing statement** - Where local plan policies or Supplementary Planning Document guidance requires the provision of affordable housing the LPA may require information concerning both the affordable housing and any market housing e.g. the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. Further advice is available in Circular 6/98: Planning and Affordable Housing and in draft PPS3.
- **Open Space** - Plans should show any areas of existing or proposed open space within or adjoining the application site. ‘Open space’ here includes space falling

within the definitions of that term in the Town and Country Planning Act 1990 or PPG17 (see <http://www.communities.gov.uk/publications/planningandbuilding/planningpolicyguidance17>).

- **Landscaping** - Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management.
- **Transport Assessment** - Where developments will have significant transport implications, Transport Assessments should be prepared. The coverage and detail of the Transport Assessment should reflect the scale of development and the extent of the transport implications of the proposal. For small schemes, the Transport Assessment should simply outline the transport aspects of the application. For major proposals, the assessment should illustrate accessibility to the site by all modes and the likely split of types of journey to and from the site. It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. These assessments enable local planning authorities better to assess the application and provide a basis for discussion on details of the scheme, such as the level of parking, the siting of buildings and entrances, and the need for further measures to improve access arrangements to the site. Details of any firm proposals to improve the access to a site (particularly where included in the local transport plan) should be taken into consideration when assessing the suitability of a site for development. DfT and DCLG are in the process of preparing guidance on the preparation of Transport Assessments.
- **Draft Travel Plan** - A draft travel plan should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. Further advice is available in Using the planning process to secure travel Plans: Best practice guide ODPM and DfT, 2002.
- **Planning obligations** - This could include brief draft heads of terms or a draft section 106 agreement or unilateral undertaking. Applicants should clarify the LPAs requirements in preapplication discussions and confirm any planning obligations that they agree to provide using standard proformas or templates where available. Further advice is available in Circular 5/05: Planning Obligations (see <http://www.communities.gov.uk/publications/planningandbuilding/circularplanningobligations>).
- **Air quality** - Where the development is proposed inside, or adjacent to, an air quality management area (AQMA), where the development could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of a LA's air quality action plan, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Further advice is available in PPS 23: Planning and Pollution Control (see <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps23/>). This information may be provided as part of the Environmental Impact Assessment

where applicable or through other validation requirements, for example through information provided on lorry movements.

- **Assessment for the treatment of foul sewage** - This should include a description of the type, quantities and means of disposal of any trade waste or effluent.
- **Utilities Statement** - This should include how an application connects to existing utility infrastructure systems.
- **Energy statement** - The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards. Further advice is available in PPS22: Renewable Energy (see <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps22/>).
- **Sound insulation requirements** - Advice should be sought from the LPA's Environmental Health Service for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the Building Regulations or a Building Notice for the erection of most types of buildings, material alterations to existing buildings. Works will need to be inspected on site during the construction process.

Appendix 2 - Design & Access Statements

Government regulations require many applicants for planning permission to submit design and access statements, to explain the thinking behind their proposals.

This advice is set out in DCLG Circular 01/06. Design and access statements will be needed for all applications (both full and outline) except:

- Changes of use, not involving works to buildings
- Engineering or mining operations
- Householder development (except in Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, and Conservation Areas where statements will be required)
- Advertisements
- Tree works
- Storage of hazardous chemicals

All Listed Building Consent applications will require a statement.

The purpose of the statements is to explain and justify how the applicant has drawn up the application proposals and related them to their wider surroundings. They should evolve with preparation of the application and show the thought process behind the designs submitted for planning permission. The length of the statement will depend on the scale and complexity of the proposed development.

Where there is a planning application in parallel with a Listed Building Consent application a single combined statement should address both.

Statements for/covering Listed Buildings will be similar to those for planning applications, although there will be some difference given the different nature of a Listed Building Consent application.

Design and access statements will need to cover the following matters:

- The amount of development and how it is distributed around the site
- Use: the use to which the development will be put
- Layout: how buildings, routes and spaces are laid out
- Scale: height, width and length of building in relation to surroundings
- Landscaping: private and public spaces within the site
- Appearance: external form of buildings-architecture, materials, decoration, lighting etc
- Access: equal and convenient access
- Community safety and crime reduction issues

If you are doubtful whether you need to prepare a design and access statement with your planning application, phone us on 01273 471600 or e-mail us at planning@lewes.gov.uk and we will try to help.

Detailed information on design and access statements is also available on the internet from the Commission on Architecture and the Built Environment on www.cabe.org.uk and the Government's Department of Communities and Local Government via www.communities.gov.uk/index.asp?id=1500620

PLEASE NOTE that any application which is not accompanied by this information will not be validated and will therefore delay the processing of the application.

Appendix 3 – Statement of Heritage Significance

Why is a Statement of Heritage Significance required?

In April 2010, the Government introduced Planning Policy Statement 5 (PPS5) – Planning for the Historic Environment. This replaces Planning Policy Guidance 15: Planning and the Historic Environment (PPG15) published on 14 September 1994 and Planning Policy Guidance 16: Archaeology and Planning (PPG16) published on 21 November 1990.

Under Policy HE6 (Information requirements for applications for consent affecting heritage assets) of PPS5, Local Planning Authorities require an applicant “*to provide a description of the significance of the heritage assets affected, and the contribution of their setting to that significance*”. Certain applications will therefore need to be supported by a ‘Statement of Heritage Significance’.

What is a Statement of Heritage Significance?

Heritage assets may be affected by direct physical change or by change to their setting. You will need to properly assess the nature, extent and importance of the significance of a heritage asset and its setting as this will inform your ideas for a proposal and help justify the approach you have taken to the proposal within your application. This information will need to be contained within a Statement of Heritage Interest.

It is helpful to think of a Statement of Heritage Significance as the end result of a process.

Stage one of this process is an information gather exercise in which you will need to carry out an assessment and gain an understanding of a heritage asset prior to and perhaps during the initial formulation of a design proposal.

Stage two is to use this assessment and understanding of a heritage asset to inform the design proposal, carefully considering the impact that it will have on the heritage asset.

Stage three is to compile the Statement of Heritage Significance, clearly showing both stage one and two to justify the proposals impact on the heritage asset.

A poorly considered proposal is typically one where a scheme is imposed upon a heritage asset without carrying out this process and where a Statement of Heritage Significance is written retrospectively after the formulation of a proposal.

When are Statements of Heritage Significance required?

A Statement of Heritage Significance is required with an application where a proposal affects a heritage asset or its setting, these include:

- A listed building and any curtilage listed building or their setting.
- A locally listed building or its setting.

- A conservation area or its setting.
- A site of archaeological interest or land adjoining.
- A registered park and garden or its setting.
- A Scheduled Ancient Monument or its setting.
- A non-designated heritage asset or its setting.

PPS5 advises that Local Planning Authorities should not validate applications unless a clearly defined Statement of Heritage Significance is included as part of the application submission where heritage assets are involved. If the application also requires a Design & Access Statement, then the Statement of Heritage Significance may be included as part of the Design & Access Statement, but it should be clearly entitled as such. Please be aware that we will not validate the application without a Statement.

Where can information for a Statement of Heritage Significance be obtained?

The level of information required to be submitted in a Statement of Heritage Significance will be dependant on the significance of the heritage asset and the potential impact of the proposal on that significance.

Information is only required to be proportionate to what is proposed. For example, for a substantial demolition it is reasonable to expect detailed information on the heritage asset as a whole and a thorough explanation of the impact. An application for a minor alteration to part of the heritage asset is likely only to require detailed information on the affected part of the heritage asset, along with a brief explanation of how the impacts relate to the significance of the asset as a whole.

Although there is no limit on the sources of information that might be consulted or the exercises that might be carried out to fulfil this requirement, the most common steps you might take are as follows. The first three steps will be undertaken in almost every case.

- Check the development plan, main local and national records including the Historic Environment Record, statutory and local lists, the Heritage Gateway, the National Monument Record, and other relevant sources of information that would provide an understanding of the history of the place and the value the asset holds for society.
- Examine the asset and its setting.
- Consider whether the nature of the affected significance requires an expert assessment to gain the necessary level of understanding.
- Consider whether there are any special techniques that need to be employed because of the type of asset.

- Seek advice on the best means of assessing the nature and extent of any archaeological interest from East Sussex County Council.
- Consider, in the case of certain buildings whether physical intervention, such as the removal of plaster, may be needed to reveal important details hidden behind later additions and alterations.
- Carry out additional assessment where the initial research has established an architectural, historic, artistic and/or archaeological interest but the extent, nature or importance of which needs to be established more clearly before safe decisions can be made about change to the site. This may require a desk-based assessment and/or on-site evaluation. Such may be necessary for all types of asset, including buildings, areas and wreck sites, where understanding of the asset's history and significance is incomplete. Where there is a need to commission an assessment or evaluation you are advised to discuss the scope of the work with the local planning authority in advance and to agree a written scheme of investigation, if necessary, before commencement.
- Consider, and if necessary confirm, with local planning authority whether any investigative work may itself require planning permission or other consent.

Engagement with the relevant local authority specialists can be particularly helpful to you in developing an understanding of significance and in identifying the level of information needed to support an application.

What should a Statement of Heritage Significance contain?

Listed Building Application

For applications for listed building consent, a written statement supported by appropriate detailed plans and photographs should be submitted and include:

- An analysis of the significance of the listed building, the site and its setting, its character, the development of the building and any archaeology.
- A schedule of works to the listed building and the site.
- An assessment and justification of the impact of the proposals on the special interest of the building, its site and setting and that of any adjacent heritage assets together with any mitigation measures proposed.
- Where appropriate a structural survey.

Conservation Area Consent Application

For applications for conservation area consent, a written statement supported by appropriate detailed plans and photographs should be submitted and include:

- An analysis of the significance of the building, the site and its setting, its character, the development of the building and any archaeology.
- The principles of and justification for the proposed demolition.
- An assessment and justification of the impact of the proposal on the building, its site and the conservation area.
- Where appropriate, a structural survey.

Planning Applications

For all other applications, such as planning applications, either related to or impacting on any heritage asset or their setting, a written statement, supported by appropriate detailed plans and photographs should be submitted and include:

- An analysis of the significance of the heritage asset, the site and its setting, to include plans showing historic features that exist on or adjacent to the application site, its character, the development of the building and any archaeology.
- An assessment and justification of the impact of the proposals on the heritage asset, its site and setting and that of any adjacent heritage assets together with any mitigation measures proposed. .
- Where appropriate, a structural survey.

Archaeology

For applications affecting sites of archaeological interest, the statement should include:

- a desk-based archaeological assessment and an archaeological evaluation report in accordance with PPS5: Planning for the Historic Environment. The assessment should address issues relating to archaeological investigation of the site initially based on existing published material and the preservation and/or recording of historic or archaeological importance.

You are advised to discuss what is required at an early stage of your proposal with the East Sussex County Council Archaeologist:

county.archaeology@eastsussex.gov.uk

An application will not be validated unless it contains sufficient information to assess the impacts. Please note after an application is submitted the local planning authority may identify further areas where information or expert advice may be reasonably required. If an application is validated, but is subsequently found to be deficient either in the depth or extent of the description of significance and the impacts, further information may be required from you.

Further Information

You can download the full version of PPS5 by clicking on the following link:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1514132.pdf>

PPS5 is supported by a Practice Guide endorsed by Communities and Local Government, the Department for Culture, Media and Sport (DCMS) and English Heritage. This offers a further overview of what you will need to provide. You can download the full version of PPS5 Practice Guide by clicking on the following link:

<http://www.english-heritage.org.uk/publications/pps-practice-guide/pps5practiceguide.pdf>

If you have any queries relating to the above or require pre-application advice over the extent of significance please contact:

Christopher Morris (Design and Conservation Officer):

chris.morris@lewes.gov.uk

Katya Bowen (Assistant Design and Conservation Officer):

katya.bowen@lewes.gov.uk

Appendix 4 - Biodiversity

Biodiversity/geological conservation/landscape and natural beauty -

Applications should indicate any significant biodiversity or geological conservation interests and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc) Regulations 1994 or other animals protected under their own legislation for example the Protection of Badgers Act 1992. Where pre-application discussion has identified the necessity for survey information on protected species or other biodiversity or geological conservation interests, this should accompany the application. Where the development proposal will result in significant harm to biodiversity and geological conservation interests, evidence must be supplied as to why the development cannot reasonably be located on any alternative sites that would result in less or no harm. Where no such alternatives are available, details of proposed mitigation measures should be given. Detailed guidance on dealing with the impacts of development on biodiversity and geological conservation is given in PPS9 and its accompanying Government Circular <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147408.pdf> and its Good Practice Guide <http://www.communities.gov.uk/documents/planningandbuilding/pdf/143792.pdf>

A biodiversity and landscape checklist is available to download for completion and submission with an application where appropriate:

http://www.lewes.gov.uk/Files/plan_biodiversitychecklist.pdf

Following receipt of a checklist you may be required to submit a species survey. If a survey is required your application will not be valid until a suitable survey is received.

A biodiversity check list will be required with all major applications and any applications that affect the following:

- protected species,
- traditional timber framed building (e.g. barn or oast house) or traditional farm building.
- Ponds or slow flowing waterbodies (e.g. ditches) on or within 500m of the site linked by semi-natural habitat (e.g. grassland/pasture, woodland, hedgerows)
- Woodland, including scrub, and hedgerows on, or adjacent to the application site (by hedgerows etc.)
- Rough grassland and previously developed sites ('brownfield sites') on/immediately adjacent to the application site
- Heathland on, adjacent to or linked to the application site by other semi-natural habitat
- Watercourses including rivers, ditches and lakes on or immediately adjacent to the application site

- Meadows, grassland, parkland and pasture on adjacent to or linked to the application site by other semi-natural habitat.
- Biodiversity Action Plan Priority Habitats (refer to UKBAP website - <http://www.ukbap.org.uk/>)
- Buildings with the following features:

Factors affecting the probability of a building being used by bats in summer	
Increase probability	<p>Disused or little used; largely undisturbed</p> <p>Large roof void with unobstructed flying spaces</p> <p>Large dimension roof timbers with cracks, joints and holes</p> <p>Uneven roof covering with gaps, though not too draughty</p> <p>Entrances that bats can fly in through</p> <p>Hanging tiles of wood cladding, especially on south-facing walls</p> <p>Rural setting</p> <p>Close to woodland and/or water</p> <p>Pre-20th century or early 20th century construction</p>
Decrease probability	<p>Urban setting or highly urbanised area with few feeding places</p> <p>Small or cluttered roof void (esp. for Plecotus)</p> <p>Heavily Disturbed</p> <p>Modern construction with few gaps around soffits or eaves (but be aware these may be used by pipistrelles in particular)</p> <p>Prefabricated with steel and sheet materials</p> <p>Active industrial premises</p> <p>Roof shaded from the sun</p>
Factors affecting the probability of trees being used by roosting bats	
Increase probability	<p>In ancient woodland or parkland</p> <p>Large trees with complex growth form</p> <p>Species that typically form cavities, such as beech, willow, oak or ash</p> <p>Visible damage caused by rot, wind, woodpeckers, lightning strike, etc</p> <p>Loose bark providing cavities</p>
Decrease probability	<p>Coniferous plantation with no specimen trees</p> <p>Young trees with simple growth form and little damage</p>
Factors affecting the probability of underground sites being used by roosting bats	
Increase probability	<p>Large enough to develop stable temperature in winter</p>

	High humidity Undisturbed Close to woodland or water (but note that bats will also use upland sites) Many cracks and crevices suitable for bats
Decrease probability	Small and draughty Heavily disturbed In urbanised areas Smooth surface with few roosting opportunities

For information regarding biodiversity and local information the following links may be useful.

Lewes District Council's Biodiversity webpage:
<http://www.lewes.gov.uk/community/18202.asp>

The following external link goes to the Biodiversity Action Plan for East and West Sussex and Brighton & Hove which is on the Sussex Biodiversity Partnership website
www.biodiversitysussex.org/

The Sussex Biodiversity Record Centre collect, manage and disseminate wildlife data for East and West Sussex and Brighton & Hove. Find out more via the external link below to their website.
www.sxbrc.org.uk

Applications for major development in the countryside that will affect areas designated at the national level in relation to landscape and scenic beauty will need supporting information to enable consideration of the issues set out in paragraphs 21-23 of PPS7
<http://www.communities.gov.uk/publications/planningandbuilding/pps7>

Multi Agency Geographical information for the Countryside
<http://www.magic.gov.uk/>

Decision-making flowchart

The following flow chart shows the decision making process for local authorities when dealing with applications affecting ancient woodland. The assessment checklist and further information on mitigation and conditions are provided below.

