

**TO EACH MEMBER OF THE
COUNCIL**

25 September 2023

Dear Councillor

COUNCIL - TUESDAY 26 SEPTEMBER 2023

Further to the Agenda and papers for the above meeting, please find attached Member questions submitted in accordance with Council Procedure Rule 13.

The questions and answers will be taken as read without discussion but the questioners will be allowed to ask a supplementary question arising directly from the questions or from the replies.

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

Executive Director: Resources

Agenda Item 6

The following question has been received from Councillor Cate Cody to the Lead Member for Built Environment. The answer is given by the Lead Member for Built Environment, Councillor Mary Jordan, but is taken as read without discussion.

	Question
1.	<p>At the Council meeting on 22 June 2021, I asked a question regarding the removal of the hedgerow at Coombe Hill (new housing next to the Swan public house). For reference, please see my original question and the answer that followed:</p> <p>Question from Cllr Cody 22/06/21</p> <p><i>“Specifically referring to Planning Application 21/00039/ENFB - Part Parcel 8917, Tewkesbury Road, Coombe Hill, Gloucester, planning permission was given to this application with the specific condition that ancient hedgerow was not to be removed.</i></p> <p><i>Following the removal of the hedge, the council’s response that the situation is disappointing - but that it has been satisfactorily appeased by the promise of planting a new hedge - surely misses the point.</i></p> <p><i>Ancient hedges cannot simply be replaced by new - not only do these take years to establish, but the current wildlife is stripped of its habitat and quite often these hedges and trees are not watered or cared for properly and die anyway. In addition to the ecological damage, there is also the immorality and the avoidance of any sanction which set precedent for others to do the same elsewhere.</i></p> <p><i>The approved plans indicate that the eastern hedgerow running parallel with the A38 was due to be altered in order to incorporate the new highway access and its visibility splays and the relocation of the existing north bound bus stop. Altered does not mean removed.</i></p> <p><i>QUESTION: What is the point of planning permission and conditions associated with them if they can just be blatantly ignored?”</i></p> <p>Answer:</p> <p><i>“Where appropriate, Officers will seek the retention of trees and hedgerows on development sites through the application process although this is not always possible. The approved plans for the development adjacent to the Swan public house indicated that the eastern hedgerow, running parallel with the A38, was due to be altered in order to incorporate the new highway access and its visibility splays and the relocation of the existing north bound bus stop. The County Archaeologist was consulted as part of the application and did not identify any ancient hedgerows on the site.</i></p> <p><i>Given the proximity of the pre-existing hedgerow to the carriageway this could only realistically be achieved by removing the hedgerow. A replacement hedgerow will be secured through the approval of the landscaping plan – this new hedge will enjoy protection for at least five years following completion of the development. The clearance of the site was overseen by a qualified ecologist. Officers were advised that vegetation and boundary hedgerows were thoroughly checked but no nesting birds were discovered. Other wildlife checks were also carried out.”</i></p> <p>NEW QUESTION Referring to the answer to my question in 2021, I quote, <i>“this new hedge will enjoy protection for at least five years following completion of the development.”</i> The majority of the hedge that was planted is now dead, especially the end nearest the junction. Who is responsible for monitoring the ‘protection’ of hedges and indeed trees for that matter and who will be enforcing this and making sure another hedge is duly replanted?</p>

	Answer
1.	<p>Following an inspection on 19 September 2023, it has been identified that much of the hedgerow planting to the frontage of the site is dead or defective. Some trees planted within the site have also been identified as defective. Consequently, it appears there has been a breach of planning condition 2 of planning permission ref: 22/00876/FUL. Condition 2 states: <i>The landscaping scheme approved under Condition discharge application 21/00041/CONDIS shall be implemented no later than the first planting season following the completion of the development. The planting shall thereafter be maintained for a period of 5 years. If during this time any trees, shrubs or other plants are removed, die, or are seriously diseased, these shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.</i></p> <p>The LPA will be getting in touch with the developer of the site to ensure that adequate remedial measures are taken.</p>