

**LAND OFF PUMP LANE  
RAINHAM  
KENT  
ME8 7TJ**

**TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL REFERENCE: APP/A2280/W/20/3259868**

**APPEAL BY A C GOATHAM & SON**

**INQUIRY DOCUMENT: Ecology note on Hedgerow loss**

**PREPARED BY: Tim Goodwin**

**22/02/2021**

**INQUIRY DOCUMENTS REF: ID 14**

Ecology Solutions Limited  
Farncombe House  
Farncombe Estate  
Broadway  
Worcestershire  
WR12 7LJ

+44(0)1451 870767  
info@ecologysolutions.co.uk  
www.ecologysolutions.co.uk



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## 8252: LAND AT PUMP LANE AND LOWER BLOORS FARM, LOWER RAINHAM

### **INQUIRY NOTE: HEDGEROWS**

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1. It is understood that there has been some discussion at the Inquiry regarding whether (and the extent to which) existing hedgerows present within the Appeal Site may constitute 'ancient' hedgerows.
2. A question has also been asked in terms of whether existing linear features could be subject to biodiversity enhancements as part of the Proposed Development. The purpose of this Inquiry Note is to provide further information in relation to both of these points.
3. The Hedgerow Regulations 1997 is the primary piece of legislation which is concerned with the protection of hedgerows. Whilst the legislation does not define the term 'ancient hedgerows', specific protection is afforded to hedgerows which are identified to be 'important', according to specific criteria set out in the Regulations.
4. As outlined in Schedule 1 of the Regulations, when considering whether any given hedgerow would qualify as 'important', there are two fundamental elements: the first of these relates to the historical or archaeological value of the hedgerow, whilst the second relates to the ecological value held.
5. In summary, in order to qualify as an "important" hedgerow on account of its ecological value, the hedgerow must be at least 30 years old and also meet at least one of the further criteria set out at Schedule 1. These criteria are as follows:
  - The hedgerow supports species afforded protection under the Wildlife and Countryside Act 1981, as amended (specifically, species listed on Schedules 1, 5 and 8 of the Act);
  - The hedgerow supports species that are listed as endangered, vulnerable or rare as identified in the British Red Data books;
  - In accordance with Schedule 1, Part II, paragraph 7(1), the hedgerow includes:
    - At least seven woody species;

- At least six woody species plus at least three 'associated features' (which include a bank or wall, no / small gaps, standard trees, woodland ground flora species, ditches and parallel / connected hedgerows);
  - At least six woody species in addition to either Black Poplar, Large-leaved Lime, Small-leaved Lime or Wild Service-tree; or
  - At least five woody species plus at least four 'associated features'
6. As outlined in Chapter 15 and specifically at Technical Appendix 15.1 of the Consolidated Environmental Statement (CD8.3), the Appeal Site supports a number of tall hedgerows, treelines and shelter belts, primarily associated with the boundaries. Surveys have confirmed that these are all species-poor, with only a limited complement of species present, and with extensive sections dominated by the non-native species Leyland Cypress. This is no evidence that any of the hedgerows present within the site would qualify as 'important' under the Hedgerow Regulations on the grounds of their biodiversity value.
  7. Having undertaken an independent site visit, I fully concur with this assessment, and I do not believe that there would be any need to undertake botanical survey and assessment work in light of the criteria set out in the Hedgerow Regulations to reach a robust conclusion.
  8. At present, many of the shelter belts, treelines and hedgerows present within the Appeal Site are of limited ecological value. As one of their main purposes has been to act as windbreaks for the orchards, management has focused on the delivery of tall features, but with little regard for the overall structure or indeed the botanical diversity of the linear feature itself.
  9. As a result, there is significant scope to enhance the value of existing linear features as part of the proposed development.
  10. By way of an example only, treelines supporting tall Birch trees in the north-eastern part of the Appeal Site can easily be enhanced through the delivery of new species-rich native hedgerow planting underneath the trees. With the instigation of management over time, both the botanical diversity and the structure of this feature would be significantly improved, both increasing its inherent biodiversity value and the opportunities that it provides for faunal species such as nesting birds, foraging bats and invertebrates.
  11. Similarly, by bolster planting existing gaps using a range of native species of local provenance, together with the adoption of a long-term management regime focused on maximising their ecological value (which may involve selective removal of undesirable, non-native species and replanting with native species), the biodiversity value of these features can be enhanced.
  12. Moreover, the provision of a network of green corridors supporting species-rich habitats across and through the Appeal Site will better connect existing habitats, providing further benefits to a range of species such as foraging bats and birds.

**Tim Goodwin**

**22 February 2021**