
HEDGEROW REGULATIONS ASSESSMENT

LAND EAST OF STOKE ROAD AND NORTH OF NORMANDY
WAY (A47), HINCKLEY, LEICESTERSHIRE, NR LE10 1YA

ON BEHALF OF

MR & MRS ADCOCK C/O RICHBOROUGH ESTATES

REFERENCE: ZEL_203
DATE: November 2022
V1

30 St Georges Square | Worcester |
WR1 1HX
01905 947558

Report Data	
Report Title	Hedgerow Regulations Assessment
Report Reference	ZEL_203 Hedgerow Regulations Assessment
Client	Land east of Stoke Road and north of Normandy Way (A47), Hinckley, Leicestershire, Nr LE10 1YA
Site	Land east of Stoke Road and north of Normandy Way (A47), Hinckley, Leicestershire, Nr LE10 1YA
Surveyor	E. Seaton BSc (Hons) MCIEEM
Author	E. Seaton BSc (Hons) MCIEEM

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V1	Hedgerow Regulations Assessment	E. Seaton BSc (Hons) MCIEEM	18 November 2022

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The evidence gathered, and the opinions provided, have been prepared in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) Code of Professional Conduct.

Where any appraisal is based upon information provided by third parties, it is assumed that this information is relevant, correct and complete; there has been no independent verification of information obtained from third parties unless otherwise stated. Where field investigations have been carried out these have been appropriate to the agreed scope of works and carried out to a level of detail required to achieve the stated objectives.

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EXECUTIVE SUMMARY

- A Hedgerow Regulations Assessment was undertaken of land east of Stoke Road and north of Normandy Way (A47), Hinckley, Leicestershire (centred on Ordnance Survey grid reference SP 420 956) on 9 September 2022. The survey was completed by E. Seaton BSc (Hons) MCIEEM in accordance with the Hedgerow Survey Guidelines (DEFRA, 2007)
- Hedgerow 5 has been identified as being 'important' under the Hedgerow Regulations, 1997. This hedgerow has existed for more than 30 years and supports a Schedule 5 species (barn owl).
- No other hedgerows have been identified as 'important'.

1.0 INTRODUCTION

Background to the Development

- 1.1 Zebra Ecology Ltd were commissioned by Richborough Estates on behalf of Mr & Mrs Adcock to undertake a Hedgerow Regulations Assessment to determine whether any of the hedgerows are 'important' at the land east of Stoke Road and north of Normandy Way (A47), Hinckley, Leicestershire (centred on Ordnance Survey grid reference SP 420 956) under the Hedgerow Regulations, 1997.
- 1.2 The site is 25.4ha in area and comprises five separate fields subject to cattle grazing with a further parcel of land (arable) located to the west of Stoke Road surrounded by mixture of native species-rich and species-poor hedgerows.
- 1.3 The application site boundary is shown in Figure 1.



Figure 1: Application Site Boundary

Survey Objectives

- 1.4 The objectives of the survey were to:
 1. Undertake an assessment of the on-site hedgerows against the 1997 Hedgerow Regulations;
 2. Identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy'.
 3. Identify opportunities to deliver ecological enhancement.

2.0 METHODOLOGY

Field Survey

- 2.1 A Hedgerow Regulations Assessment was undertaken on 9 September 2022. The survey was completed by E. Seaton BSc (Hons) MCIEEM, in accordance with best practice guidelines (Hedgerow Survey Handbook, 2007).
- 2.2 The boundary vegetation was divided into survey units using the following criteria:
 - A hedgerow is defined as “Any boundary line of trees or shrubs over 20m long and less than 5m wide between major woody stems at the base.”
 - An individual hedgerow is defined using the following end points: where a hedgerow connects to another feature (e.g. wall, fence etc.) or habitat (e.g. woodland, pond etc.); where there is a gap of >20m; where two or more hedgerows meet.
 - Individual hedgerows are then further divided into sections of at least 20m if the following changes occur: distinct change in height; distinct change in management (e.g. recent planting, coppicing or laying); distinct change in hedgerow type (e.g. native hedgerow to native hedgerow with trees).
 - If an individual hedgerow or section is longer than 30m, it was then divided into 30m survey units. The location of the unit is selected to ensure that it is as representative of the hedgerow as possible, ideally located as centrally as possible including as few gaps as possible and covering the centre of the hedgerow. If species composition was very variable across the length of the hedgerow/section, then more than one survey section was selected to ensure this is represented. For hedgerows between 30-100m in total length, one survey unit was selected. For hedgerows between 100-200m, the hedgerow was divided into two and one survey unit selected for each half. For hedgerows over 200m, the hedgerow was divided into thirds and one survey unit selected for each third.

Limitations

- 2.3 The Hedgerow Regulations Assessment was undertaken in September 2022. This is within the optimal survey period for most habitats and species in England (JNCC, 2010).

Assessment

- 2.4 The ecological value of the hedgerow(s) were assessed in line with the CIEEM Guidelines for Ecological Impact Assessment (2006), against the criteria of the Hedgerow Regulations 1997 and Environment Act 1995 (Section 97).
- 2.5 In order to be considered species-rich, the length of the hedgerow or 30m section (whichever is shorter) must contain at least 5 woody species within its structure (this number is reduced to 4 if the hedgerow falls within any of the counties listed under 2.8 below). These species must either be native or archaeophytes, as per Appendix 11 of the Hedgerow Survey Handbook (DEFRA, 2007). Hedgerows that contain fewer woody species but have a rich basal

herbaceous flora may also be defined as species-rich, but the criteria to define these have to be set on a local basis as there is no national definition.

- 2.6 Under the Regulations, a hedgerow is “important” if it has existed for 30 years or more and meets one of the following criteria:

Wildlife

- 2.7 The hedgerow either contains species listed or categorised in the British Red Data Books¹ or the Red Data Books of Britain and Ireland²; or is referred to in a record held immediately before the relevant date by a biological record centre maintained by, or on behalf of, a local authority, and in a form recognised by the Nature Conservancy Council for England, the Countryside Council for Wales or the Joint Nature Conservation Committee, as having contained any such species:

- Animals listed in Part I Schedule 1 or Schedule 5 of the Wildlife and Countryside Act 1981 or categorised as “endangered”, “extinct”, “rare” or “vulnerable” in Britain or categorised as a declining breeder (category 3) in “Red Data Birds in Britain³”. Records must fall within the five years immediately prior to the survey date.
- Plants listed in Schedule 8 of the Wildlife and Countryside Act 1981. Records must fall within the ten years immediately prior to the survey date.
- Where more than one record referable to the five- or ten-year period and the most recent record does not satisfy the above criteria, the criterion is not satisfied (notwithstanding that an earlier record satisfies it).

- 2.8 The hedgerow or 30m survey unit includes:

- at least 7 woody species; or
- at least 6 woody species, including one of the following—black-poplar tree *Populus nigra ssp betulifolia*; large-leaved lime *Tilia platyphyllos*; small-leaved lime *Tilia cordata*; wild service-tree *Sorbus torminalis*; or
- at least 6 woody species, with at least 3 associated features; or
- at least 5 woody species, with at least 4 associated features.
- Where the hedgerow in question is situated wholly or partly in the county (as constituted on 1st April 1997) of the City of Kingston upon Hull, Cumbria, Darlington, Durham, East Riding of Yorkshire, Hartlepool, Lancashire, Middlesbrough, North East Lincolnshire, North Lincolnshire, Northumberland, North Yorkshire, Redcar and

¹ Vascular Plants” Perring FH and Farrell L, 2nd Edition, published in 1983 for the Royal Society for Nature Conservation (ISBN 0 902484 04 4); Insects” Shirt DB (Ed.), published in 1987 for the Nature Conservancy Council (ISBN 0 86139 380 5); and Invertebrates other than insects” Bratton JH (Ed.), published in 1991 for the Joint Nature Conservation Committee (ISBN 1 873701 00 4).

² Stoneworts” Stewart NF and Church JM, published in 1992 for the Joint Nature Conservation Committee (ISBN 1 873701 24 1).

³ Batten LA, Bibby CJ, Clement P, Elliott GD and Porter RF (Eds.), published in 1990 for the Nature Conservancy Council and the Royal Society for the Protection of Birds (ISBN 0 85661 056 9).

Cleveland, Stockton-on-Tees, Tyne and Wear, West Yorkshire or York, the number of woody species above is reduced by one.

- Associated features include: a bank or wall which supports the hedgerow along at least one half of its length; gaps which in aggregate do not exceed 10% of the length of the hedgerow; at least one standard tree for every 50m of hedgerow (when number of trees averaged over the total hedgerow length); at least 3 woodland species within one metre, in any direction, of the outermost edges of the hedgerow; a ditch along at least one half of the length of the hedgerow; a parallel hedge within 15 metres of the hedgerow; connections scoring 4 points:
 - connection with another hedgerow scores 1 point
 - connection with a pond or broad-leaved woodland scores 2 points
 - a hedgerow is connected with something not only if it meets it but also if it has a point within 10 metres of it and would meet it if the line of the hedgerow continued.

- 2.9 The hedgerow is adjacent to a bridleway or footpath, within the meaning of the Highways Act 1980(9), a road used as a public path, within the meaning of section 54 (duty to reclassify roads used as public paths) of the Wildlife and Countryside Act 1981(10), or a byway open to all traffic, within the meaning of Part III of the Wildlife and Countryside Act 1981; and includes at least 2 associated features and 4 woody species (in a 30m section or total length, whichever is shorter; number of species to be reduced by 1 if the hedgerow falls within any of the counties listed above).

Hedgerow Regulations 1997

- 2.10 The Hedgerow Regulations came into force in June 1997. They apply to any hedgerow that grows within or adjacent to common land, protected land, agricultural land, grazing pasture or forestry land. It does not cover any hedgerow along or within the curtilage of a residential property.
- 2.11 In order to be classed as a hedgerow under these Regulations, the vegetation must have a length of at least 20m, with no gaps greater than 20m, or, if shorter, be connected to another hedgerow at each end.
- 2.12 The Regulations make it an offence to intentionally or recklessly remove any qualifying hedgerow unless permission has been granted by the Local Planning Authority (either under a Hedgerow Removal Notice or as part of a planning application) or removal is required for obtaining access (if no other feasible means exist); moving an access point (the original access opening must be filled in with new hedge planting within 8 months); to assist an emergency or for the purposes of national defence; carrying out flood defence or land drainage works; managing plant pests; preventing interference of electric lines or highway works carried out by the Secretary of State. Works necessary for the proper management of the hedgerow are also not prohibited under these regulations.

3.0 RESULTS

- 3.1 Hedgerow 5 has been identified as being 'important' under the Hedgerow Regulations, 1997. This hedgerow has existed for more than 30 years and supports a Schedule 5 species (barn owl).
- 3.2 None of the other hedgerows (H1-5 and H6-13) have been identified as being 'important' under the Hedgerow Regulations, 1997.

Table 1: summary of results of the Hedgerow Regulations Assessment

	Hedgerow Reference												
	H1	H2	H3	H4	H5	H6	H7	H8	H9	H10	H11	H12	H13
Hedgerow Length (m)	950	400	425	400	450	160	380	150	140	130	100	410	120
Lie within or mark the boundary to a private garden?	N	N	N	N	N	N	N	N	N	N	N	N	N
Number of woody species	5	4	6	4	3	2	4	3	2	4	5	2	2
Existed for 30 years or more?	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Meet one or more of criteria listed in Part II of Schedule 1?	N	N	N	N	N	N	N	N	N	N	N	N	N
Is it an important hedgerow?	N	N	N	N	Y	N	N	N	N	N	N	N	N



Figure 2: location of Hedgerow 5 (green) identified as 'important' under the Hedgerow Regulations, 1997

4.0 CONCLUSION AND RECOMMENDATIONS

Assessment

- 4.1 Hedgerow 5 is to be retained as part of the proposals. All retained trees and hedgerows should be afforded adequate protection in line with '*BS5837: 2012 Trees in relation to design, demolition and construction*'.

5.0 REFERENCES

Defra (2007). Hedgerow Survey Handbook - A standard procedure for local surveys in the UK. Prepared on behalf of the Steering Group for the UK Biodiversity Action Plan for Hedgerows. 2nd Edition. Defra, London. Available at <http://www.defra.gov.uk/foodfarm/landmanage/landscape/documents/hedgerowsurvey-handbook.pdf>

HMSO (1997). The Hedgerows Regulations 1997. Statutory Instrument 1997 No. 1160. Available from: <http://www.hmso.gov.uk/si/si1997/97116001.htm>.

Zebra Ecology Ltd (2022). Preliminary Ecological Appraisal – Hinckley North. Zebra Ecology Worcester, UK

APPENDIX A

[Summary of Results](#)

[Phase 1 Habitat Map](#)

Summary of Results

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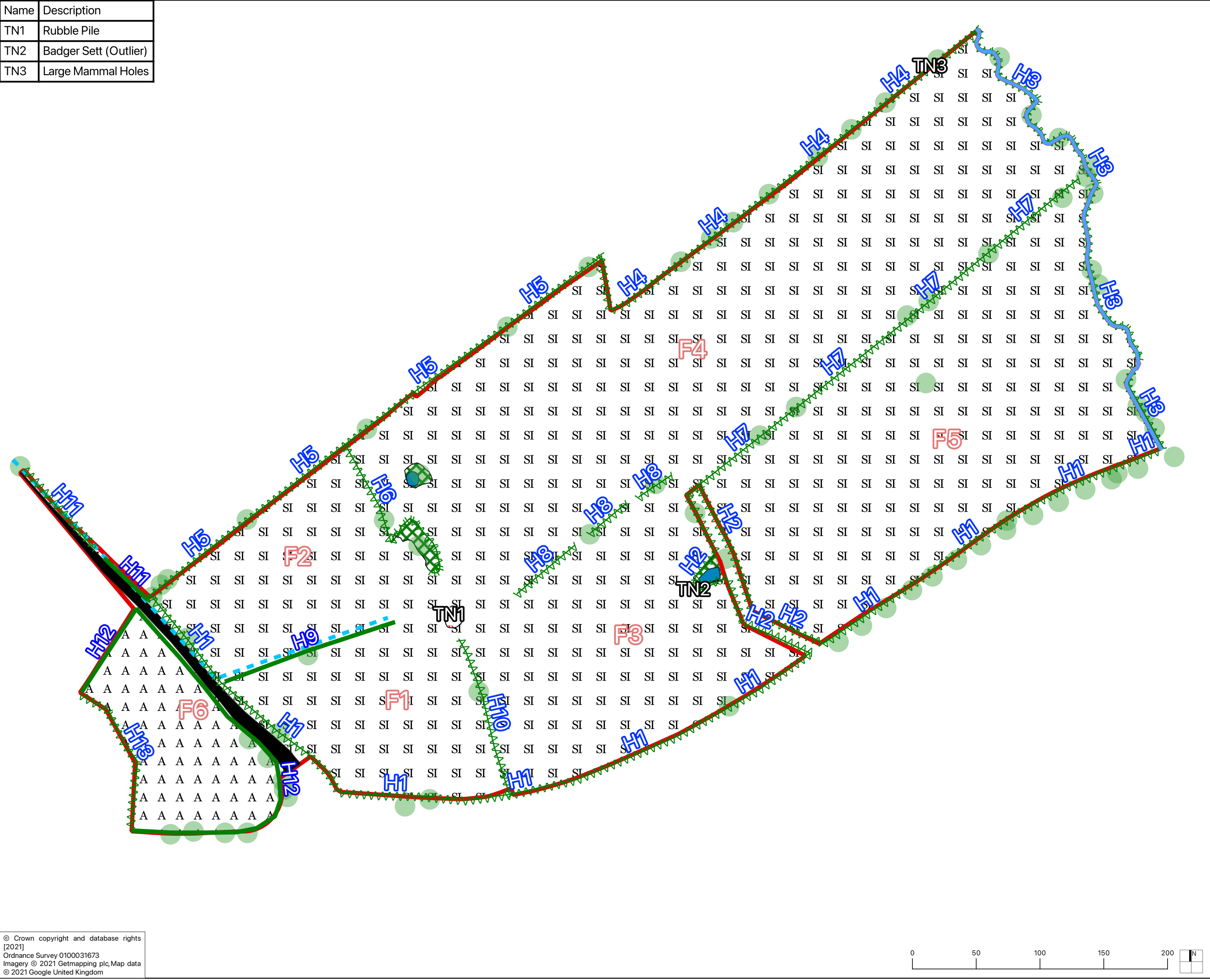
Table 3: number of woody species

Woody Species (includes hybrid of listed species but excludes cultivars)	Hedgerow Reference												
	H1	H2	H3	H4	H5	H6	H7	H8	H9	H10	H11	H12	H13
Elm	3	2, 3	3	1, 2, 3	3		1, 2, 3	1	1, 2		1		
Blackthorn			1,2						1, 2	1, 2		1, 2, 3	
Hawthorn	1, 3	1, 2, 3	1, 2, 3	1, 2, 3	1, 2, 3	1, 2	1, 2, 3	1, 2		1, 2	1	1, 2, 3	1
Ash	1, 2, 3	2, 3	1, 2, 3	1	1, 2, 3	1, 2	1, 2, 3			1, 2	1		
Dog rose	2			3			2, 3	2		1			
Field maple		1	3										1
Elder			3										
Pendunculate oak													
Horse chestnut	2	1					1						
Holly							1						

Numbers 1, 2 & 3 relate to the sections of hedgerow within which each woody species was identified, in line with the following guidance:

- Where the length of the hedgerow does not exceed 30m, but does not exceed 100m, count the number of woody species present in the central stretch of 30m.
- where the length of the hedgerow exceeds 100m, but does not exceed 200m, count the number of woody species present in the central stretch of 30m within each half of the hedgerow and divide by two
- where the length of the hedgerow exceeds 200m, count the number of woody species present in the central stretch of 30m within each third of the hedgerow and divide the aggregate by three

Name	Description
TN1	Rubble Pile
TN2	Badger Sett (Outlier)
TN3	Large Mammal Holes



APPENDIX A

- Red Line Boundary
- Species-poor Semi-improved Grassland
- Arable
- Ponds
- Scrub
- Rubble pile
- Ditch
- Target Notes
- Trees
- Species-poor hedgerow
- Species-rich hedgerow



Richborough Estates
Land east of Stoke Road and north of
Normandy Way (A47), Hinckley

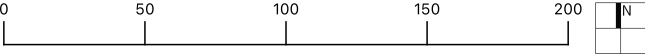
Leicestershire

Phase 1 Habitat Map

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zebra ecology ltd is part of zebra group consulting ltd.
zebra ecology ltd | 30 st georges square | worcester | w11 1hx
hello@zebraecology.co.uk | 01905 947 558

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APPENDIX B

Qualifications and Experience

Zebra Ecology Ltd is Registered Practice of the Chartered Institute of Ecology and Environmental Management (CIEEM). A comprehensive range of ecological services are offered including Preliminary Ecological Appraisal (PEA), Ecological Impact Assessment (EclA), Habitat Regulations Assessment (HRA), Biodiversity Impact Assessment (BIA) and European Protected Species (EPS) Surveys / Licensing.

The practice works closely work closely with clients to achieve their aspirations alongside securing the best outcomes for the environment. With wildlife legislation and policy as its basis; commercial awareness, pragmatism and defensible advice is combined to form Zebra Ecology's approach.

As well as offering a wide range of ecological services, Zebra Ecology forms part of Zebra Group offering an in-house collaborative approach in conjunction with Zebra Architects, Zebra Landscape Architects, Zebra Trees and Zebra Land and Development.

Emma Seaton BSc (Hons) MCIEEM

Emma holds a BSc (Hons) degree in Biology from the University of Sheffield and has since gained a postgraduate certificate in Ecological Consultancy. Her ecological experience includes Preliminary Ecological Appraisals, Ecological Impact Assessments (EclA), surveying for notable / European Protected Species, mitigation / licensing advice and providing Continued Professional Development (CPD) sessions for developers on Biodiversity Net Gain. She has held Natural England survey licences for bats (Class 2), great crested newts and white-clawed crayfish since 2015. She is also a Registered Consultant under the Bat Mitigation Class Licence (BMCL) licence and an Earned Recognition (ER) consultant under the Natural England bat pilot project. Emma is a Full member of the Chartered Institute of Ecology and Environmental Management.