

**Great North Road Solar & Biodiversity Park – EN010162**  
**Carlton-on-Trent Parish Council – Reference number: [REDACTED]**

**Deadline 4 response**

**Response to Second Set of Questions – 25.03.2026**

Carlton-on-Trent Parish Council have responded to questions:

- Qu 2.2.14 Operational Noise
- Qu 6.2.1 Health & Well Being
- Qu 8.2.1 Cultural Heritage & archaeology
- Qu 8.2.8 Ossington Airfield
- Qu 9.2.2 Cumulative Assessment
- Qu 11.2.7 The evolving character of the regional landscape
- Qu 11.2.8 Hedgerow removal on decommissioning
- Qu 12.2.2 Site selection
- Qu 13.2.2 Surface water concerns

- **Qu 2.2.14 Operational Noise**

The assumption that baseline noise at Carlton-on-Trent is high due to the A1 is incorrect. While it is true that some properties experience a background noise those to the west of the A1 and the railway do not. There is some uncertainty regarding the adequacy and representativeness of the baseline noise monitoring conducted.

Traffic along local routes, in particular the B1164 and Ossington Lane, is anticipated to increase, and peak HGV activity could raise background noise levels considerably. Given that parts of this road are relatively narrow, they are not ideally suited to frequent two-way HGV movements, which increases the risk of congestion, delays, and stop-start traffic. The traffic build-up will inevitably increase at times when the railway barrier is down, as a major line this is frequent, and vehicles have been known to wait for up to ten minutes before the barrier is lifted. Such conditions would not only hinder traffic flow but also raise noise levels, thereby further impacting the amenity of the local area.

Further compounding this issue are the physical characteristics of the landscape. The corridor between Carlton-on-Trent and Ossington is open, with limited vegetation to provide acoustic screening – any planned hedge planting will not have effect during construction although will potentially assist during operational phase when maintenance vehicles can be expected.

These effects are seen as compounded since Carlton-on-Trent has direct access between the A1 and then into the heart of the ‘doughnut’ connecting multiple development parcels and resulting in yet another negative impact on our community. Operational noise would therefore form part of a broader set of effects, which could intensify its overall significance.

While the applicant has mapped a traffic management plan, we are aware that at times of road closures, sometimes unplanned such as flooding, it will not be possible to police drivers and prevent them from taking their own route. We have first hand experience of this each time there is a

blockage on the A1, despite the weight restrictions through our village lorries often ignore these when they single mindedly have their own goal to achieve.

Additionally, operational noise from infrastructure such as inverters and battery storage units would not be contained locally can project over considerable distances, especially at night, increasing the likelihood of disturbance to humans and wildlife; emerging research has identified noise pollution from inverters (persistent humming or buzzing) as a potential cause of distress in residents living in close proximity to industrial sized solar farms. Carlton Wood is to have adjacent to it a substation – details yet to be provided; it seems incredulous to us that it is considered acceptable to even consider placing this structure here with negative impacts on wildlife. Noise pollution affects all types of life forms, including wildlife.

We believe the applicant should review Requirement 15 to ensure that operational noise is effectively managed through a precise, robust, and location-specific approach that considers the sensitivity of the environment.

As such, and while it may seem a futile exercise initially, we ask that background noise measurements and traffic flow analysis is taken through the village at a central location, such as the Village Hall. Given the increased volume of traffic our community is anticipated to receive we do not feel this is too much to ask.

Should the application be approved, we would like to know what penalties would be imposed the applicant if drivers were to use travelling through the heart of our village as an access route

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- **Qu 6.2.1 Health & Well Being**

Carlton on Trent Parish Council strongly agree with Sally Drew’s Deadline 3 Submission<sup>1</sup> and note that the 2kilometer (dropped to 2-mile by some) suggested World Health Organisation distance between a solar park and residential properties has not been met for Carlton-on-Trent residents. If this Solar Park is allowed to move forward and its outer boundaries are not adjusted, there will be a significant impact on the Mental Health and Wellbeing of all residents. The significant visual and adverse impact of turning 1765 hectares of what is currently farmland into an industrial landscape, the size of a large town, containing regimentally aligned solar panels should not be underestimated. The impact to all who wander out from the boundaries of the village, whether that be to walk their dogs, enjoy a countryside stroll, exercise, improve their **mental health** and wellbeing or even take a relaxing drive, will have their experience radically impeded. More so, residents that currently have a direct and picturesque view of the countryside, specifically **ALL** residents of Carlton on Trent whose properties reside on the western edge of the village, will have their beautiful view of the rural landscape significantly and adversely impaired.

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<sup>1</sup> Submission ID: SA7917726

- **Qu 8.2.1 Cultural Heritage & archaeology**

St Mary's Church Carlton-on-Trent.

We do not agree with the decision made by the applicant that all heritage assets of Carlton-on-Trent should be seen as one. In addition to those listed we are also conscious of the unique buildings and history behind Stud Farm found to the west of the railway and the unique remains of Willoughby village and Hall (marked on the map as moat) and the historical inter relationship of this dwelling and the village settlement with Carlton-on-Trent.

We disagree with the '*professional*' claims made by the applicant.

*A11.2.7.1 St Marys Church (1178592) (and Carlton on Trent CA)*

*40 Professional judgement was applied in the decision to group the assets at Carlton on Trent and to include St Marys Church within this. ...The description of **'what matters and why'** for these assets relates specifically to their role **within the historic village** where their interests are appreciated. **None** of the assets within the conservation area were considered to have settings extending beyond the limits of the CA. (my bold)*

*41 St Marys Church in Carlton on Trent derives its significance principally from its architectural and historic interests with some contribution made by its setting through the relationship to the community it served. ...The immediate surroundings provide the primary setting where the architectural and historic interests of the church can be appreciated. .... The spire of St Mary's Church is a landmark feature when viewed from the low-lying ground in the floodplain of the Trent to the east of Carlton but less prominent from the west as a result of the quantity of mature trees in the conservation area. The prominence and visibility of the church spire as a landmark within the wider area is not considered to be challenged by the Development, and this element of its historic and architectural interest is undiminished. Since the areas within the OL were not considered (using professional judgement) to form part of the surroundings within which the asset's historic or architectural interests were appreciated, **there was no mechanism for harm to the significance of heritage assets to occur and as such St Marys Church and the assets at Carlton on Trent were scoped out of the detailed assessment within the ES.** This judgement was informed by observations made during the Site visit, using modern aerial mapping, historic mapping, and the listing description. (my bold)*

We find the opening remark at paragraph 41 condescending, other points inaccurate.

The '*professional judgement*' of the applicant is shown to be wanting. St Mary's can indeed be seen from the east of the Trent valley; however, it can also clearly be seen from the B1164/Ossington Road, the Ossington to Norwell Road, from the properties at Park Lidgett, and from the Carlton to Norwell Road. In addition, it can be seen from all footpaths, one of these less affected than the others. The proposed panels in E4, E5, E6, E7, E8 and E9, and to a slightly lesser extent, E10 and E11 will impact on the view looking westerly towards Carlton and the view of St Mary's. Due to the height of the panels and to the increase in hedge height, the views of the spire will be severely compromised contrary to the applicant's claim of "*not considered to be challenged by the Development*"

Having successfully demonstrated that the heritage assets of Carlton-on-Trent are not only integral within the centre of the village but also the outlying areas and the wider relationships within those outer limits, significant doubt is cast on the applicants claims.

There is no justification for the applicant to have taken the decision not to scope St Mary's and all our heritage assets out of the detailed assessment within the ES

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- **Qu 8.2.8 Ossington Airfield**

Carlton-on-Trent Parish Council reiterate the points in their submission at Deadline 3 and support those of JPAG and NCC. The woods surrounding the airfield contain many points of interest, which are still being uncovered. As a child, one council member used to play in the woods and was frequently surprised as, yet another structure would reveal itself out of the brambles.

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- **Qu 9.2.2 Cumulative Assessment**

Carlton-on-Trent Parish Council wish to endorse the comments made by JPAG.

The applicant has been keen to state that they “*have followed the guidance*”. However, this advice is non-statutory.

During ISH3 it was pointed out that current guidance was not written for a project of this size, and therefore the applicant should not only follow the guidance but pursue a process that could develop into revised guidance for such enormous projects as this.

Alas to the contrary.

The guidance states:

*“The scale and complexity of an NSIP may result in a complex cumulative effects assessment...”*

The applicant instead of carrying out a ‘complex cumulative effects assessment’, declared that any project already established forms part of the baseline and therefore did not have to be considered. The same “light-touch approach” seen in other areas by the applicant.

This certainly was a different, possibly unexpected, way of ... *varying the approach to identifying and assessing ‘existing and, or approved development’*.

Carlton-on-Trent supports the view of JPAG that their entire cumulative assessment process to be so fatally flawed that it cannot be relied upon.

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- **Qu 11.2.7 Regional landscape change**

Carlton on Trent Parish Council disputes the applicant’s response to Q11.2.7

The applicant acknowledges that NSDC and the community are concerned “about the ongoing landscape change at a regional level as a result of a series of consents and applications for solar farms”. However, they state that this falls “out the scope of cumulative assessment included within the LVIA for any individual project”.

Applicants should not be allowed to dismiss the cumulative impact of their development in this way, or the rural nature of the area will be completely lost. There needs to be some level of ‘bigger picture’ responsibility, or the area will be destroyed on a piece meal basis.

The applicant looks at the zones of influence and makes arbitrary decisions as to where their limits are set with the greatest being 10km, enabling them to ignore many developments which are

impacting this region. When challenged on the visual impact of the project zones become less significant and discuss changes across a much wider region.

When considering the changing use of land, they discuss “arable farmland, sand and gravel workings and the local use of Newark brick as a building material”.

The area within and around the 10km zone of influence is largely rural with a present and historical use mainly given to arable farming. Thus, the siting of a solar farm the size of the present application will change the landscape fundamentally. Though changes have taken place, historically, this part of the county has always been primarily farming, despite changes occurring beyond the 10km zone.

Sand and gravel works have impacted the region but when considered within the 10km zone of influence and compared in scale to the proposed solar farm, their impact is minimal. The Notts County Council Minerals Plan map showing all types of mineral works demonstrates how widely spread the sites are and superimposing the zones of influence (see CoT.25.03.26.1) shows that very few fall within the 10km zone.

Site	Size in Hectares (taken from the NCC Minerals Local Plan)
Ablemix (Bestwood Quarry)	23.5
Besthorpe East / Besthorpe South	36.5
Cromwell Quarry / Cromwell Triangle	26.5
*Langford Lowfields North / South / West	175
Scrooby North / Scrooby Thompson Land / Scrooby South	17.8
Bawtry Road West / Bawtry Road	(proposed site area not specified)
East Leake Quarry / Rempstone Extension	27.5
Mill Hill / Barton in Fabis	88
Barnby Moor / College Farm	25.5
Girton	156
Burridge Farm	56
Coddington	120
Bestwood II North / East	23.5
Little Carlton:	18.33
**Attenborough Nature Reserve	220
**Daneshill Lakes	7.33
**Besthorpe Nature Reserve	70
Total	1091.46
Great North Solar	1765

\*much restored to RSBC wetland nature reserve

\*\*no longer operational – fully restored nature reserve)

If the area of all the gravel sites in the county is added together, they amount to 57% of the proposed solar farm, which being concentrated in one place will be far more impactful.

Mining has certainly impacted the area. However, according to Notts County Council adopted mineral plan, 95% of Nottinghamshire’s coal was deep mined, the impact on the rural landscape was minimal with the vast number of operations being underground. The pitheads with their shaft head winding gear, ventilation machinery, coal processing and washing plant, spoil tips and administrative buildings were a familiar feature of the landscape until the 1980s. However, the largest of these, such as Edwinstowe and Rufford, were only in the region of 225 hectares according to Notts County

Council adopted mineral plan 2005. The negative impacts of such development were countered by the newly formed communities, the employment opportunities within that community plus all the associated infrastructure of schools and commerce. According to Notts County Council 12A\_Submission to ODPM on Coalfield Communities they employed 56,000 people across 39 pits in 1961, and once again, these sites were spread across the county, not concentrated in one area. The same will not be true large scale solar farms – the visual in loss of green fields can only be compared to having all the pitheads and all the gravel sites concentrated in one area, BUT without mass job creation.

Superimposing the 10km zone of influence on the coalfields map of Nottinghamshire shows very few were actually within the 10 km zone of influence which was largely rural even at the peak of mining history. See CoT.25.03.26.2.

The applicant argues that the character of the regional landscape “has been profoundly shaped by the coalfields to the west and the presence of the Trent. This combination of geology and geography resulted in the chain of 13 coal-fired power stations which by “the mid-1980s, generated up to a quarter of the power demand for England and Wales”. (from [https://en.wikipedia.org/wiki/Megawatt\\_Valley](https://en.wikipedia.org/wiki/Megawatt_Valley)).

Looking at the location of power stations across this region and superimposing the zones of influence of the solar farm, there is very little in this area – Staythorpe sits within the development itself and High Marnham the next nearest, now decommissioned power station, sits just beyond the 10km zone of influence.

The applicant ends their comment stating that the legacy of the power development in the region has resulted in renewables being sited here but then gives an example of large-scale wind farms in Goole – over 80km away. The switch to renewables has been embraced by the residents in this area with many solar farms appearing since the turn of the millennium, however, these have been small scale and less obtrusive. The scale of this development has made the application unacceptable, especially when combined with others, creates a complete change from rural to industrial landscape.

To bring the timeline right up to date; the H2 pipeline is due to come through the region as well. Hydrogen infrastructure is similar to the coal mines, being mainly underground and far less intrusive. Managed carefully, such changes can have minimal impact on the rural nature of the area. Solar developments on the scale of Great North Road will change the landscape beyond recognition. This is a choice, not a must; the same energy output could be achieved in other ways with far less change or impact to the local landscape.

In conclusion, Carlton-on-Trent Parish Council feels that the applicant uses a very tight 10km zone of influence when it suits but then uses a much bigger zone to state how the area has changed over time. In fact, the area of the development, including its 10km zone of influence, has always been largely farming land, remaining a rural idyl of green and pleasant land throughout all the changes that took place in the surrounding areas. The cumulative effects of solar development on regional landscape character should not be dismissed so easily; the change will be immense in an area that has altered very little throughout its history, as evidenced by the fact that Laxton, which sits within the 5km zone of influence, still operates the medieval open field farming system. This area has escaped the changes discussed by the applicant, which only serves to highlight why the residents are so concerned about the cumulative impact of this project and other major developments occurring nearby.

- **Qu 11.2.8 Hedgerow removal on decommissioning**

Carlton-on-Trent Parish Council does not agree with the removal of any hedges, they are a vital corridor for wildlife forming an integral part of England's pipeline for nature. Hedges with or without trees are encouraged as part of the Government's bid to combat climate change; it seems to us entirely counter productive to remove any trees or hedges as part of this project.

Hedges form boundaries and borders, often of fields; where a run of panels meets a hedge it is not unreasonable to stop and then recommence the other side of the hedge if necessary. Hedges can remain going through a solar field, with nominal ongoing maintenance to keep the height in check taking place at the same time as other ground maintenance.

The removal of the secondary hedgerows at decommissioning would have significant impacts on the local landscape, hedges created as a consequence of this project, do not need to be thought of as a temporary 40-year structure. Hedgerow planting in practice would develop into an established feature that contributes to the field structure, enclosure, and visual coherence. Consequently, these features would become an integral evolving environmental landscape character.

Removal of these hedges will not restore the original and current boundaries, the hedges the applicant seeks to remove during construction. The boundary features are essential for visual amenity and the quintessential field pattern, the applicant currently seeks to allow these hedges to grow taller, to remove them at decommissioning is not essential and would be detrimental to wildlife, it is our belief that hedges should remain but be reduced in height to reinstate lost views.

Retaining well established hedgerows would represent a more appropriate and sustainable approach, ensuring that the landscape develops in a manner that supports long-term stability of character. This strategy would avoid unnecessary and avoidable harm at the conclusion of the scheme's operational lifespan.

In addition to offsetting carbon production and increasing biodiversity, hedges as are all trees, beneficial in alleviating flood risk. In E8 second hedging is alongside the railway and a permissive route, E8 is known to flood. What is not clear is how far into the field the hedge is to be planted, consequently how much land would effectively be removed from future farming practice should this remain, that said to retain this hedge would assist in the uptake of water and the alleviation of flooding. [Species selection essential]

The Tree Council, who work closely alongside the Government, the Forestry Commission and other agencies, confirm

*"Hedges are an important wildlife habitat in their own right. As the most widespread semi-natural habitat in the UK, they support a large diversity of flora and fauna. They deliver a wide range of valuable services, like reducing rain water run-off from fields or capturing carbon from the atmosphere, and act as a vital habitat for invertebrates, birds and mammals. Hedges interspersed with full size trees, are even better for wildlife, as they offer additional shelter, song posts and improved connectivity across the landscape."*

*“Due to the significance of hedgerows, they are protected by law following The Hedgerows Regulations 1997. It is against the law to remove most countryside hedges without permission from the local planning authority (LPA). If the hedgerow is an “important hedgerow”, the LPA will decide if the circumstances justify its removal. Generally speaking, however, important hedgerows will be protected, and permission will not be granted”* Tree Council “Hedges and the Law” attached for reference

Given the applicant has extended the GNR project to be a Biodiversity and Wildlife park it is not only counterproductive to permit ANY hedges to be removed with this project but questions the purpose behind renaming and allegedly creating areas of biodiversity.

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- **Qu 12.2.2 Site selection**

Carlton-on-Trent Parish Council wishes to reiterate the comments made in REP3-104, and draw attention to the evidence submitted previously in REP1-072

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- **Qu 13.2.2 Surface water concerns**

*[Surface water flooding concerns Please provide an update on any further discussions about concerns related to surface water flooding in Carlton, and following the applicant’s response to action point 28 from ISH3 (Table 2-1 of [REP3-101]).]*

There has been no further discussion beyond the disappointing meeting held on Sunday 8<sup>th</sup> February. I have attached the email exchange that followed, with an update since 18.02.26. Ref: CoT email to Raincloud

The Applicants response at Action point 28:

*“The Applicant and Mrs Hopkins discussed the changes in the layout following PEIR, including the removal of a section of Work Area 1 from a modelled surface water flow pathway and the removal of Work Area 4: Substations east of Carlton Road. Both parties also discussed the current flow pathways from Field E6 and that they correlate with the Raincloud modelled 2D rainfall pathways. The Applicant explained that Field E6 is currently tilled and compacted and is leading to runoff which flows to the east. Work Area 1 will be sown with grass and will promote retention of surface water for longer compared to the baseline scenario. Both parties also discussed the Natural Flood Management Measures being taken forward as part of the NG+ fund and that there will be engagement with the PC on how best to deliver these / have engagement with the process. Other matters discussed but not related to Hydrology – Work Area 4 and the detail / Rochdale envelope parameters, hedging proposals, cable depth. The Applicant and Mrs Hopkins agreed to further dialog and the provision of detail on matters not relating to the water environment.*

Four members of the Council turned out plus the clerk to meet the applicant, we had previously explained that a site meeting would be necessary, however the applicant stated he had been prior to the meeting and declined to go; the intention was that we showed him areas of concern,

idiosyncrasies caused by topography and unusual drainage layout that don't appear on modelling schedules but locals are aware can have significant impact.

We do not agree with the summary at Action point 28.

- Much is hidden behind the jargon. Section of Work Area 1 removed refers to half of the field E8 known as Low Moor, half E8 is still in the scheme despite it flooding as shown on the Flood zone map (Ref: CoT.FZ attached). We were told that this had been 'modelled' with panels suited to standing in water. This contradicts the advice given by the Environment Agency who informed us 'The applicant needs to commit to **not** placing construction material or equipment within Flood zone 3' (letter attached EA response).
- Although we were told things were "*modelled for*" we were never given any explanation of what that entailed. How would this 'modelling' differ to a field at Bilsthorpe for example – we understand it is the same therefore there is no specific 'modelling'.
- We asked very specifically what flood mitigation was planned for our area, what SuDs would be put into practice. No answer was given other than we were told that grass would hold back the water better than crops as the land is rough. The land shown in photographs submitted REP3-104 was 'rough', in some it was ploughed, a form of SuDs; it is disingenuous of the applicant to say that grass land will retain the water better. This statement would depend on many factors, soil type, topography, outlying drainage, type of grass... (cereals are grasses!)
- The applicant acknowledged that not all grass was good at retaining water, commenting that Egmonton was not a good example (not verbatim, this was linked with a comment about sparseness), when asked what seed mix would be used this was not known.
- We highlighted that should the project go ahead we understood panels would be fitted this time next year, this was agreed; this meant grass seed would need to be drilled this coming winter/spring season, this was agreed, which would mean crops would be no more advanced than at present and machinery would be destroying the grass during construction. This would mean grass cover would be sparse. No satisfactory answer was given.
- We asked specifically about E9 & E7, both identified as being heavily panelled, both on an easterly slop already known to flood – again there was no indication of any planned mitigation.
- The applicant maintained that arable caused compaction of the soil and increased run-off. This is untrue. If land was compact then crops would not grow as shown in wheelings (tractor tracks in fields); this is a modicum of the field surface area compared to sheep grazing impacting soil, with no breaking up of the pan (hard crust), as mechanical means cannot get between the panels.
- The applicant maintained that some fields produced two crops each year making compaction even worse. We dispute this – there is only one summer in our British calendar, so it is not possible to have two crops. We do not know of a crop that grows in 6 months and would like the applicant to tell us if they are aware of any.
- We do not understand what is meant by "*the current flow pathways from Field E6 and that they correlate with the Raincloud modelled 2D rainfall pathways*" if we did discuss this as the applicant suggests, then we would know more; no explanation or suggestions were given as to how the panel arrangement would or would not increase/affect water flow, or about the modelled 2D. We find this comment mis-leading.
- Regarding E6 – we dispute that this is currently suffering from compaction.

- We asked were the substation previously identified as going south of E8 had been moved to, the applicant didn't know. We surmised that it had been removed due to flooding and queried why this had ever been considered, given that no land at risk of flooding was supposed to be in the scheme. When I asked was this because the Flood maps had changed (March 2025) I was told "no".
- There was a discussion regarding the use of NG+ to provide flood alleviation measures, we didn't believe this is what the money was for, we informed the applicant that previously we had been told we would not be part of any scheme as we had not signed up to the NG+ fund.
- The applicant acknowledged that solar panels **did increase water running off the fields** as acknowledged through the need to input flood mitigation measures.
- We asked what other mitigating measures were planned, such as scrapes, bunds, gulleys/ditches... We were told scrapes were being considered in areas such as Maplebeck, a discussion ensued regarding the need for ongoing maintenance (we got the impression this would not be the applicant's responsibility). All agreed scrapes would not work around us as there would be nowhere for the water to drain.
- It was acknowledged the ground was already saturated and though we had experienced consistent rainfall this had not been excessive, even so the ground was saturated (the applicant showed us an image he had taken that morning at E2). It was agreed bunds would therefore be full and would not serve as mitigation. Likewise, ditches would not be of any help as there would be nowhere for the water to go as dykes and the Trent were already relatively high.
- We had expected the applicant to bring information regarding the substation we can expect to see adjacent Carlton Wood, an Ancient Woodland; at the ISH3 alarm bells were sent ringing as we became aware this was potentially not going to be as we were previously told. No design was brought; however, we were assured the information would be passed on and the clerk would receive something the next day.
- This didn't happen and so we emailed – see email attached updated since 18.02.26 (CoT email to EG re substation). We have had no further communication despite being told our queries would be answered.
- We are struggling to understand how it can be considered acceptable to site a structure of the magnitude of these substations (we don't know exactly which one) in this location, with country roads and ancient wood lands around it, notwithstanding the fact there is a substation between the level crossing and the A1 slip road. This proposal should be

reconsidered or subjected to a thorough review.



- A discussion took place regarding the need to protect the woodland, questions were asked about the damage the cabling would cause, the effects of having a 'mini power station type structure there.
- It was acknowledged there would be an effect on the wildlife with the likelihood that some would be displaced during construction. This being the case how would wildlife return given the area was to be fenced. Carlton Wood has been excluded from any scoping or assessment related to the scheme by encasing it in a redline within the redline of the project!!!



How can this be acceptable?

- **We are still waiting for further engagement, and information.**

Several members of Carlton-on-Trent Parish Council have attended several consultations, numbering over 23, and yet we have still not been able to secure these critical answers, I even attended a consultation and a further village meeting (with my brother-in-law, different PC) on the day my father died as I had arranged to collect a folder from the applicant; and yet despite complying and making ourselves as available as possible, we still have questions unanswered. Many Parish Councillors work as well, and yet still avail themselves to support and engage with the process. The point is - despite everything else we have going on in our lives we still have to meet prescribed deadlines and attend events when they are scheduled. However, by comparison the applicant has not adhered to any sense of necessity to supply the information asked for in a timely manner so that we have the means

to address and investigate as necessary to protect the people we represent and assist in creating the right project in the right place.

We are left feeling uninformed and frustrated

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We wish to bring to the attention advice that states: "Consideration of effects that are deemed individually not significant should be included in the assessment, as the cumulative effect of several non-significant effects could be significant".

Our community is affected by so many different aspects in a negative way that these can only accumulate to be classed as significant.

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Liz Hopkins  
Via Email

**Our Ref:** EIR2026/03094

**Your Ref:**

**Date:** 09/02/2026

Dear Liz

**Enquiry regarding - Great North Road Solar Park**

Thank you for your email about the Great North Road Solar Park received on the 15 January regarding your flooding concerns. I want to reassure you that I understand why this is a matter of concern for you and your community.

We respond to requests under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.

We take the risk of flooding seriously and will ensure that the project proposal is compliant with policy to ensure that there is not an increased risk of flood elsewhere. We encourage applicants to consider Strategic Flood Risk Assessments (SFRAs) to help ensure that Nationally Significant Infrastructure Projects are resilient over the expected lifetime of the development.

As part of the Development Consent Order process, a Flood Risk Assessment (FRA) has been undertaken to identify, assess and propose measures to manage flood risks from all potential sources. We have applied the principle that development should not result in an increase in flood risk elsewhere and remain safe and operational in times of a flood. The approach to the layout of development is to steer more vulnerable development to areas of the site at the lowest risk of flooding. The FRA also needs to provide evidence the development will be resilient to the impacts of climate change for the lifetime of the development.

The applicant has used the latest Environment Agency hydraulic modelling of the fluvial and tidal River Trent as well as reviewing modelling from neighbouring sites. The solar panels and associated ancillary infrastructure are outside of the design flood extent for the River Trent.

In our response to the Planning Inspectorate [[REP2-124](#)] we have raised issues that the applicant must resolve to ensure that the development doesn't increase flood risk elsewhere.

These include that the applicant needs to:

- Demonstrate that modelling has considered flood risk from ordinary watercourses in relation to the Battery Energy Storage System.
- Commit to not placing construction material or equipment within Flood zone 3.
- Clarify whether their flood modelling data was inclusive of the 39% allowance for climate change.

Our response will ensure that the applicant understands whether their development proposal will increase flooding elsewhere and mitigate for it accordingly. I hope that this reassures you that flood risk is taken seriously.

Please refer to [Open Government Licence](#) which explains the permitted use of this information.

Please get in touch if you have any further queries or contact us within two months if you'd like us to review the information we have sent.

Yours sincerely

Customers & Engagement Team  
East Midlands

For further information please contact the Customers & Engagement Team on 02084 747770

Direct e-mail:- [EMDenquiries@environment-agency.gov.uk](mailto:EMDenquiries@environment-agency.gov.uk)

## URGENT - we require information from Dominic Robinson

L

[REDACTED]@carltonontrent-pc.gov.uk  
To: <info@gnrsolarpark.co.uk>  
Cc: <clerk@carltonontrent-pc.gov.uk>

February 16, 12:05 AM

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Hello,

At the planning meeting in Newark on 4th February I arranged to meet with Mr Liam Nevins on Sunday 8th February, with other Parish Councillors.

The purpose was:

1. make a site visit to discuss the areas that potentially flood and
2. identify what specific mitigating measures are planned to prevent flooding being exacerbated by the large number of panels planned in our location.

Mr Nevins agreed, although not his area of work, to bring an image and information regarding the proposed substation planned to go at the side of Carlton Woods.

Unfortunately Mr Nevins was unable to provide any information but assured us that he would contact Dominic Robinson and ask him to email the clerk (cc'd in) with regard to this the following morning (Monday).

To date we have had nothing.

Given Deadline 3 is 3 days away, we require this information as a matter of urgency,

1. a proposed image of the substation.
2. Dimensions of the substation
3. plan showing distance from the road and the wood
4. where the cables coming to and from the substation will be routed.
5. where and how this will connect to the main grid
6. What size are the cables, both dimension and current
7. how are the cables insulated/protected
8. how deep down into the ground do the cables go
9. where will the soil go that is dug out
10. what visual impact will this have on the area.
11. How will you mitigate visual impact
12. what noise measurements have you taken and where from
13. What affect this will have on the wildlife in the Ancient wood
14. How will vehicles access the site.
15. How many vehicle visits will be required to construct the substation and how will this be managed
16. How will the site be maintained post erection
17. Post operation will the site be decommissioned and returned to its current state, including removal of underground structures
18. Any other information you think we require to know how this will impact us.

While a link to a document would help us identify your methodology, I am sure you appreciate these questions are specific to us and our situation, therefore please respond to each point above. Please include the clerk in your reply to ensure this is seen at the earliest opportunity.

Regards,  
Liz Hopkins  
Chair Carlton-on-Trent Parish Council

# RE: URGENT - we require information from Dominic Robinson



<info@gnrsolarpark.co.uk>

To: [redacted]@carltonontrent-pc.gov.uk>

Cc: <clerk@carltonontrent-pc.gov.uk>

February 19, 4:30 PM

1

Good afternoon Liz,

Thank you for getting in touch.

Most of the information you have requested is available on the Planning Inspectorate website, including the Design Approach Document and the Substation Elevation Document. For ease of reference, please find the relevant links below:

- Design Approach Document: [https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010162-000750-GNR\\_5.6B\\_Design\\_Approach\\_Document\\_Rev%203.pdf](https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010162-000750-GNR_5.6B_Design_Approach_Document_Rev%203.pdf)
- Substation Elevation Document: [https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010162-000244-GNR\\_6.3.5.16\\_ES\\_Figure\\_5.16\\_132kV\\_Substation\\_Elevations.pdf](https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010162-000244-GNR_6.3.5.16_ES_Figure_5.16_132kV_Substation_Elevations.pdf)
- The Examination Document Library: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162/documents>

Noting that Deadline 3 has now passed, please be assured that we fully appreciate the points you have raised and will provide a response to each of them, as far as reasonably possible, over the coming days.

Thank you again for taking the time to contact us. Should you have any further queries in the meantime, please do not hesitate to get in touch.

Kind regards,

The Great North Road Solar and Biodiversity Park Project Team

Stakeholder Correspondence



Email: [info@gnrsolarpark.co.uk](mailto:info@gnrsolarpark.co.uk)

# Water displaced by panels at Carlton-on-Trent



[raincloud@raincloud-consulting.co.uk](mailto:raincloud@raincloud-consulting.co.uk)  
To: [raincloud@raincloud-consulting.co.uk](mailto:raincloud@raincloud-consulting.co.uk)  
Cc: [info@gnrsolarpark.co.uk](mailto:info@gnrsolarpark.co.uk), [clerk@carltonontrent-pc.gov.uk](mailto:clerk@carltonontrent-pc.gov.uk)

February 16, 12:48 AM



Hello,

At the Inspectorate Planning meeting in Newark on 4th February I arranged to meet with you on Sunday 8th February, with other Parish Councillors.

The purpose was:

1. make a site visit to discuss the areas that potentially flood and
2. identify what specific mitigating measures are planned to prevent flooding being exacerbated by the large number of panels planned in our location.

You agreed to print out, and leave with us, an A3 map to make it easier for us all to gather around during discussion prior to setting off.

You also agreed, although not your area of work, to bring information regarding the proposed substation planned to go at the side of Carlton Woods.

This was not the first attempt to hold this meeting, following the Sutton-on-Trent consultation, we were told a meeting would be arranged to discuss hydrology issues, it never happened.

Following the planning meetings in November, I emailed to arrange a meeting, it never happened.

It took three months and a face-to-face discussion to arrange.

Carlton-on-Trent Parish Council have attended several consultation events, travelling to villages other than our own to learn about the scheme, and yet when we try to arrange meetings we have been unsuccessful with few of our concerns being answered.

Alas you didn't bring a map, though you did have your tablet, the image was small, and we couldn't all gather round.

You weren't able to give any information regarding the proposed substation near Carlton Woods, however assured us that you would contact Dominic Robinson and ask him to email the clerk (cc'd in) with regard to this.

To date we have had nothing. I have emailed separately to ask for information as a matter of urgency.

As we collate information for Deadline 3 we find we still do not have any specific details for how water will be managed in our area.

You recognised that there was a flooding issue and talked about generic actions that would be taken at other sites.

We recognise that as a necessity, panels displace water - hence why you need to take action, and displaced water from all the sites will need their own mitigation.

We are also aware that despite mitigating actions to help hold back and reduce water flow this does not retain 100% of displaced water, as Carlton is 'at the end of the line' we are therefore going to see the accumulated effect of every other sites displaced water as well as that of the fields surrounding us - because as yet you have not told us what mitigating features will be employed.

We never did a site visit.

You informed us that you had already been and looked at the site prior to meeting us and showed an image of land north of Ossington road. It is only on reflection that we realised you may not have been and looked at Low Moor or the fields surrounding Whitley Plantation, the water run-off from these fields, if excessive can have serious consequences for properties in the village.

We discussed at length the vegetation that would be under the panel and how you believe this will slow water run off better than a crop; also how ground will not be impacted as much since

machinery will not be used year-on-year, especially in the instances where two crops were harvested in a year.

We are not convinced.

Could you:

1. send us an annotated map showing where any SuDS works will be placed - specific to Carlton.
2. describe how these will be constructed.
3. how many extra vehicles will be accessing the site during construction.
4. where will these vehicles access the site.
5. where will the soil go that is removed, if any.
6. how will the SuDS be maintained.
7. tell us where two crops were harvested in one year, what were they, and which field(s)

As Deadline 3 is three days away please respond as a matter of urgency.

Regards,

Liz

Chair Carlton-on-Trent Parish Council

# RE: Water displaced by panels at Carlton-on-Trent

**I** <info@gnrsolarpark.co.uk>  
To: [redacted]@carltonontrent-pc.gov.uk  
Cc: <clerk@carltonontrent-pc.gov.uk>

February 19, 4:21 PM 1

Hi Liz,

I hope you're well, and thank you for getting in touch.

Liam called earlier this week and left a message. We would greatly appreciate the opportunity to continue the discussion, and if you're able to return his call, that would be most appreciated.

Liam will then be able to run through the information that is currently available, as well as clarify what is not yet available at this stage of the development process.

Dominic should also have been in touch regarding your enquiry below. If you have not yet received this, please do let us know and we will follow up directly to help progress matters.

Thank you in advance, and we look forward to speaking with you soon.

Kind regards,

Lucy

**Stakeholder Correspondence**



**Email:** [info@gnrsolarpark.co.uk](mailto:info@gnrsolarpark.co.uk)  
**Call Freephone:** 0808 175 4054  
(open 0900-1700 Monday to Friday)  
**Write to:** FREEPOST GNR SOLAR

# Re: RE: Water displaced by panels at Carlton-on-Trent

**L** [redacted]@carltonontrent-pc.gov.uk  
To: <info@gnrsolarpark.co.uk>, [redacted]@raincloud-consulting.co.uk  
Cc: <clerk@carltonontrent-pc.gov.uk>

February 25, 11:15 PM 1

Hi Lucy & Liam,

Thank you for the email.

I did get the message that Liam had called, I understood he was going to call back later having been told I would return at 6.30pm.

Things have been very busy at work.

If Liam is able to reply that would be helpful and enable us to examine how the actions will benefit water control, and consequently, our village.

We have a Parish Council meeting next week, so any information sent I will feed back to everyone else.

If you could send an annotated map as suggested below, others on the council with better understand of the local area, and subject, will be able to explain it to the others.

If it is easier to call, please do so, but I work full-time and I daren't take any more time off currently.

With work and evening meetings - I can't guarantee I'll be home.

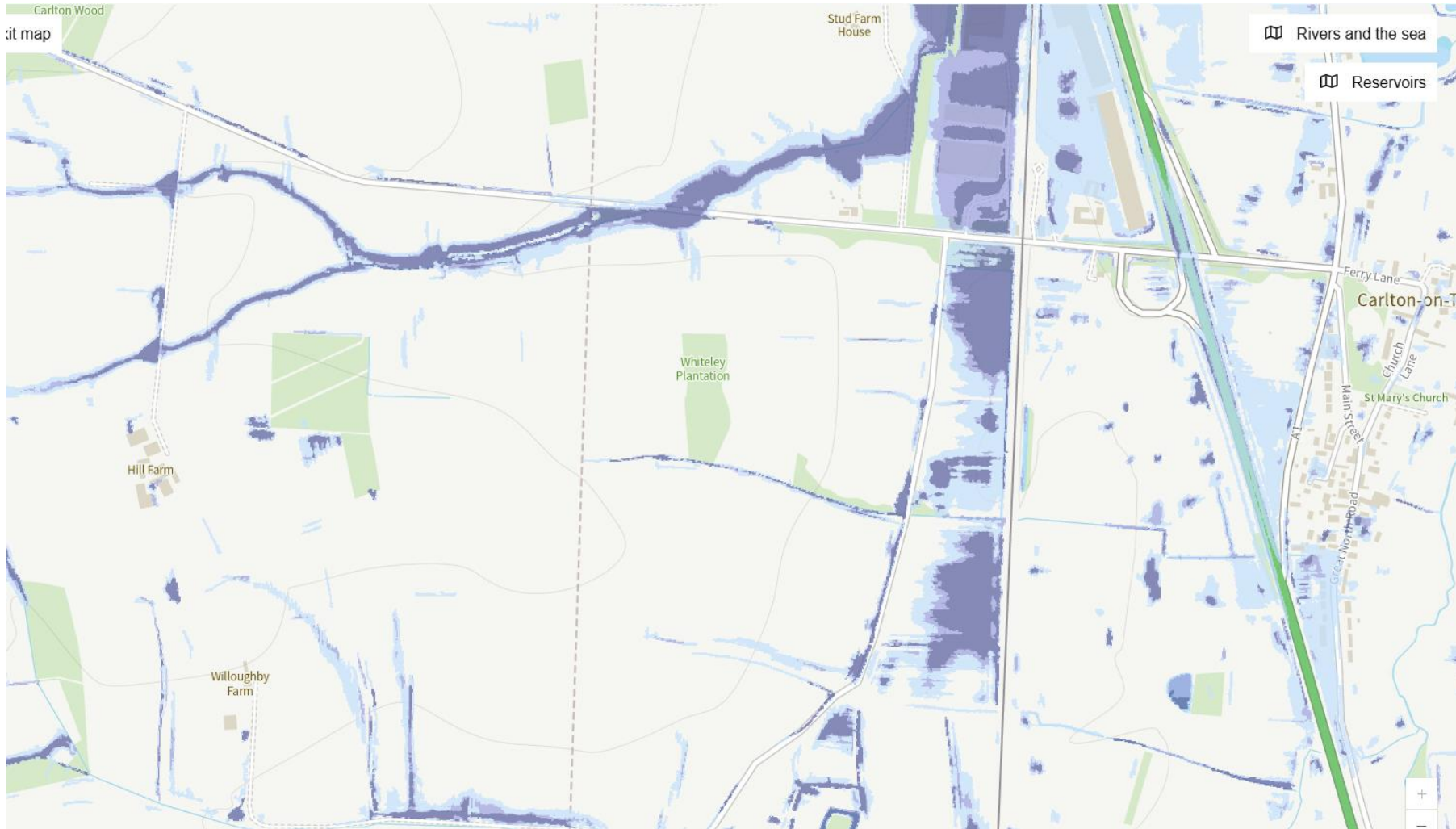
I did receive an email following this one, not sure if it was from Dominic, it contained some links to documents showing the design for a sub-station, so I assume that is what is planned to be built alongside Carlton Woods.

It is big!

It also said "... please be assured that we fully appreciate the points you have raised and will provide a response to each of them, as far as reasonably possible, over the coming days."

I may have confused the purpose Liam suggested Dominic contact our clerk, with his recommendation for who would be best placed to respond to the queries on sub-station. Apologies if that has caused confusion in the email below.

Kind regards,  
Liz  
Chair Carlton-on-Trent Parish Council

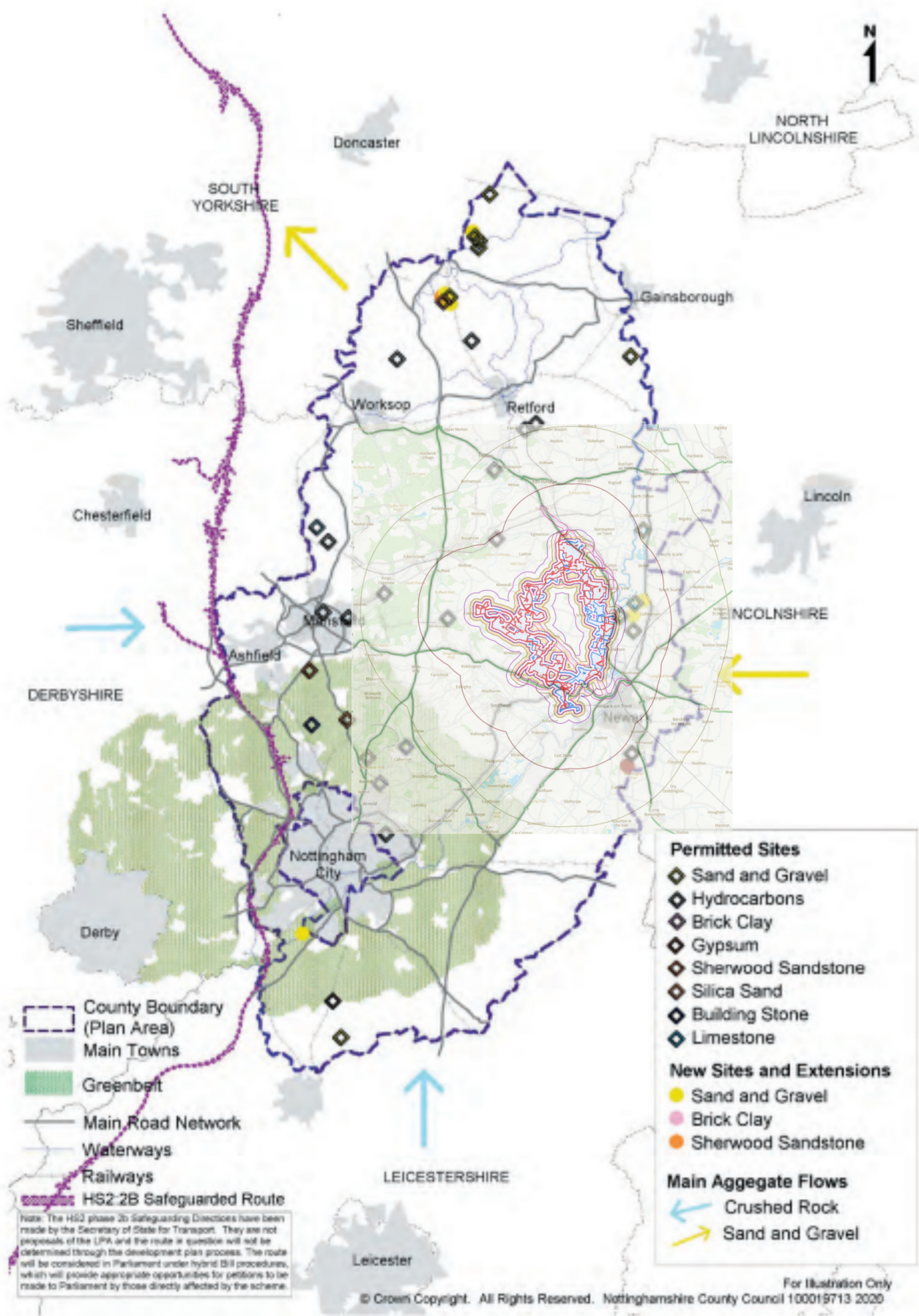


Drainage across E6 & E3 fields consists of over as well as below ground, invariably there is too much water for the under-ground pipe hence flooding as depicted here – ‘High chance’

Panels planned for E8 despite ‘High chance’ of flooding.

Culverts under the A1 cannot cope with the quantity of water

# Plan 3: Key Diagram





# Hedges and the law

# Introduction

Hedges\* are an important wildlife habitat in their own right. As the most widespread semi-natural habitat in the UK, they support a large diversity of flora and fauna. They deliver a wide range of valuable services, like reducing rain water run-off from fields or capturing carbon from the atmosphere, and act as a vital habitat for invertebrates, birds and mammals. Hedges interspersed with full size trees, are even better for wildlife, as they offer additional shelter, song posts and improved connectivity across the landscape.

Hedges, and particularly hedge trees, are declining due to agricultural practices, development and lack of management and it is therefore important that existing hedges are protected and well managed, and new ones are planted.

As a tree and hedge champion, you will be aware that threats exist to hedges in your local community and to help you to protect and manage them correctly it is useful to understand:

- the laws relating to hedges, including The Hedgerows Regulations, Tree Preservation Orders and Felling Licences
- other legislation that protects both hedges and the wildlife in hedges
- hedges and planning.

This guide will enable you to:

- strengthen your knowledge base in relation to hedges and the law
- build relationships with your local community and increase awareness by explaining to others the legal frameworks and legislation affecting hedges
- understand potential breaches of legislation and know where to report them.

# Contents

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This is the second of a series of hedgerow learning guides that work together to give you a detailed understanding of why

hedges are important, and what you can do to protect, manage and plant them.

*\* In this guidance, the terms hedges and hedgerows are used interchangeably.*



*Hedges deliver a wide range of valuable services which is why they are often legally protected*

## SECTION 1

## Legal protection for hedges



A hedge, or a hedgerow, is defined as a row of woody bushes or trees, usually less than 5m wide at the base, often along the edge of a garden, field, or road. A hedge can be protected in a number of ways.

### Countryside hedges

The Hedgerows Regulations 1997 were introduced to protect important countryside hedges from removal. The regulations apply to hedgerows in England and Wales. Wildlife, historical and landscape criteria determine whether a hedge is important or not. These are set out below:

#### Is a hedgerow protected?

A hedgerow is protected, meaning you cannot remove it, if it meets the following criteria for:

- length
- location
- 'importance'.

#### Length

A hedgerow is protected if it is:

- more than 20m long with gaps of 20m or less in its length
- less than 20m long, but meets another hedge at each end.

#### Location

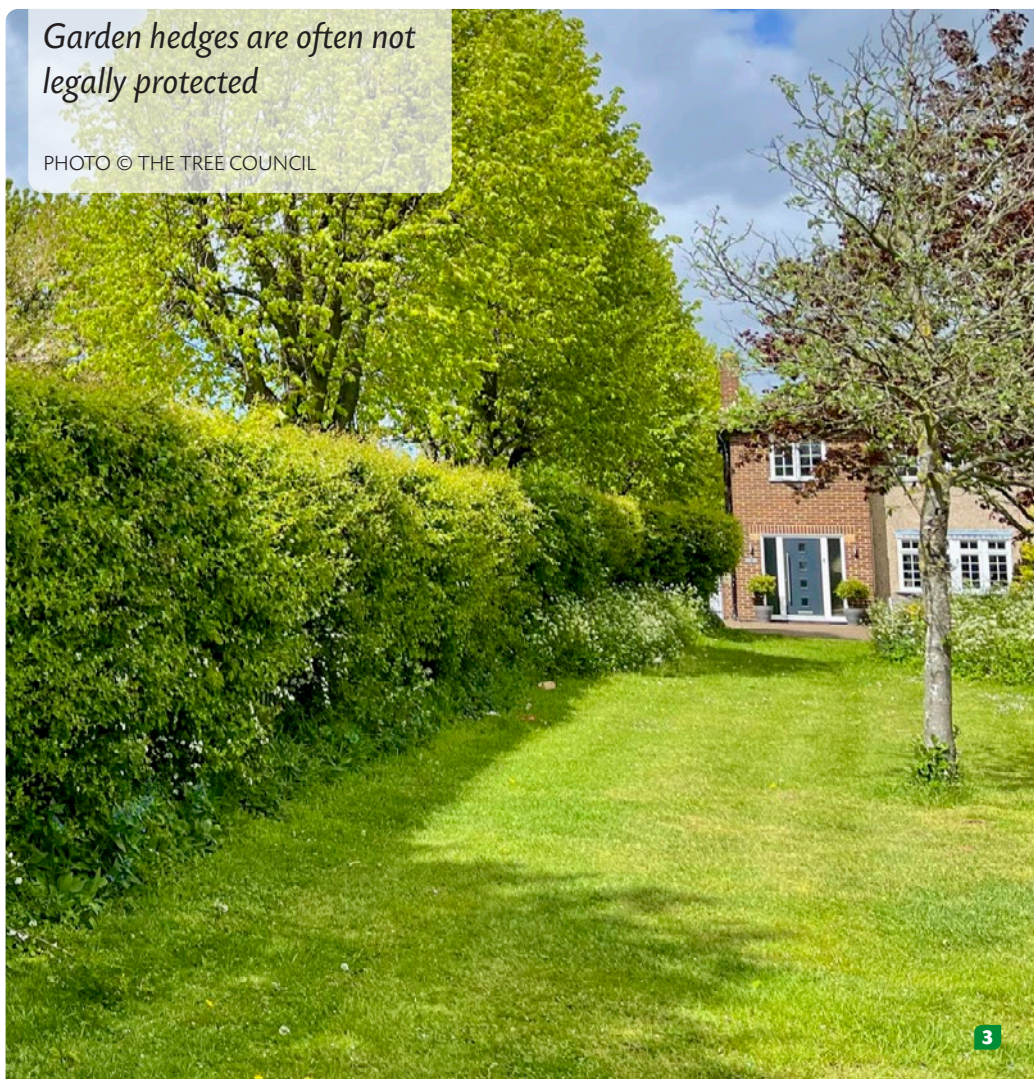
A hedgerow is protected if it is on or next to:

- land used for agriculture or forestry
- land used for breeding or keeping horses, ponies or donkeys
- common land
- a village green
- a Site of Special Scientific Interest (SSSI)
- a protected European site such as a Special Area of Conservation (SAC) or Special Protection Area (SPA)



*The location of a hedge can determine its legal protection*

PHOTO © THE TREE COUNCIL



*Garden hedges are often not legally protected*

PHOTO © THE TREE COUNCIL

- a local or national nature reserve
- land belonging to the state.

A hedgerow is not protected if it's in, or marks the boundary of, a private garden.

### 'Importance'

A hedgerow is 'important', and is protected, if it is at least 30 years old and meets at least one of these criteria:

- marks all or part of a parish boundary that existed before 1850
- contains an archaeological feature such as a scheduled monument
- is completely or partly in or next to an archaeological site listed on a Historic Environment Record (HER), (formerly a Sites and Monuments Record)
- marks the boundary of an estate or manor or looks to be related to any building or other feature that is part of the estate or manor that existed before 1600
- is part of a field system or looks to be related to any building or other feature associated with the field system that existed before 1845: you can check the County Records Office for this information
- contains protected species listed in the Wildlife and Countryside Act 1981 (as amended) and/or The Conservation of Habitats & Species Regulations 2017 (as amended)
- contains species that are endangered, vulnerable and rare and identified in the British Red Data books
- includes woody species and associated features as specified in Schedule 1, Part II Criteria, paragraph 7(1) of the Hedgerow Regulations: the number of woody species needed to meet the criteria is one less in northern counties.

Thanks to The Hedgerows Regulations 1997, it is against the law to remove most countryside hedges without permission from the local planning authority (LPA). If the hedgerow is an "important hedgerow", the LPA will decide if the circumstances justify its removal. Generally speaking, however, important hedgerows will be protected and permission will not be granted.

'Removal' means serious damage to the roots, uprooting or over-maintenance which results in the death of the hedge. Appropriate maintenance, including coppicing, pruning and laying, does not require permission.

### Garden hedges

Unfortunately, garden hedges do not have any specific protection.

Hedge maintenance and ensuring neighbours are not affected by a hedge are the responsibility of the owner. This means that although there are no laws in place that dictate how high a hedge can grow, the owner is responsible for looking after any hedges on their property and to take action to prevent it from growing to a height that can have negative effects on neighbouring properties.

Statutory regulations were introduced under the Anti-social Behaviour Act 2003 to address the problem of neighbourly disputes over the height of boundary hedges. Measures under the regulations are only available to domestic properties but hedges on historic sites adjoining domestic properties may be the subject of action too. The regulations only apply to hedges of evergreen or semi-evergreen species, such as Leyland cypress. Hedges of deciduous species are not covered.

Garden hedges can also provide suitable habitats for protected species listed in the Wildlife and Countryside Act 1981 (as amended) and/or The Conservation of Habitats & Species Regulations 2017 (as amended). These species must be considered before any work is carried out to a garden hedge and include nesting birds (see page 5), bats, hazel dormice, lizards, great crested newts and some butterfly species.

Some properties have legal covenants which lay down the size or type of hedge owners can grow. Details are normally found in the property deeds.



*Evergreen hedges should not grow so tall that they negatively impact on neighbouring properties*

PHOTO © KATIE POLLARD

## SECTION 2

# Legislation checklist for working on hedges



Whether you are going to work on a countryside hedge or a garden hedge, not only do you need to be aware of the law protecting hedges specifically (Hedgerows Regulations 1997), but other legislation that covers what is in the hedges, e.g. wildlife species, trees covered under Tree Preservation Orders, Felling Licences and where the hedge is sited, i.e. in a Conservation Area, a UK Protected Area, e.g. a Special Site of Scientific Interest (SSSI), and/or whether the landowners are claiming rural payments as they are required to abide by cross compliance rules.

## Protected species

**The Wildlife and Countryside Act 1981** (as amended) protects rare or endangered plants, wild birds and other animals, with differing levels of protection according to their needs. The Act makes it an offence intentionally to:

- kill, injure, or take any protected species
- take, damage or destroy any nest or place of shelter or protection, in use or being built
- take or destroy an egg of any wild bird or to intentionally disturb animals using resting places, and
- pick, uproot or destroy protected plants.

For example, you must not do any work which might harm nesting birds or destroy their nests. You will usually find nesting birds during the main nesting and breeding season from 1 March to 31 August. Intentional damage or destruction of an active nest in a hedge is a criminal offence.

## The Conservation of Habitats and Species Regulations 2017

(as amended) also protects a range of plants and animals – referred to as ‘European Protected Species’ (EPS) – and their habitats.

Several European Protected Species are closely associated with

*Several European Protection Species, such as hazel dormouse and great crested newts, are associated with hedgerows and hedge trees*

PHOTO © DANIELLE SCHWARZ





*Any wildlife crimes can be reported to your local police force, who should have a wildlife crime officer investigate illegal activity*

PHOTO © THE TREE COUNCIL

hedgerows, including the hazel dormouse, most species of bat (including the greater horseshoe bat) and the great crested newt.

These regulations have implications on how management operations on hedges and hedge trees should be carried out.

Any wildlife crimes can be reported to your local police force, who should have a wildlife crime officer investigate illegal activity. They can be contacted via the National Wildlife Crime Unit (NWCU). Wildlife crimes related to hedges may involve cutting a hedge when birds are nesting in it or removing a tree from a hedge which has a known bat roost.

### UK protected areas

The UK has many different types of protected areas; some are established solely for nature conservation, while others serve a range of purposes including nature, landscape and amenity values.

Within the UK, protected areas fall into a number of categories:

- protected areas established under **national legislation**, such as Sites of Special Scientific Interest and National Nature Reserves
- protected areas established as a result of **European Union Directives** or other European initiatives, such as Special Areas of Conservation and Special Protection Areas
- protected areas set up under **Global Agreements**, such as Ramsar sites.

If you want to carry out any work on one of these protected areas, including to hedges, it would be best to check with your Statutory Nature Conservation Organisation (SNCO).

- England – Natural England
- Scotland – NatureScot
- Wales – Natural Resources Wales
- Northern Ireland – Northern Ireland Environment Agency.

Only landowners or managers of the site can consult with the relevant statutory bodies. SNCOs cannot issue any consent to a third party.

### Habitats and species of principal importance – priority habitats and species

Even if a hedge does not meet the criteria to be ‘important’ under the Hedgerows Regulations 1997, all hedges with 80% or greater cover of native shrubs or trees are classified as ‘habitats of principal importance for biodiversity conservation (i.e. Priority Habitats)’.

UK Biodiversity Action Plan Priority Habitats are a range of semi-natural habitat types that were identified as being the most threatened and requiring conservation action. The list of priority habitats and species was used to help draw up statutory lists of habitats (and species)



*Nesting birds are legally protected under the Wildlife and Countryside Act 1981*

PHOTO © MEGAN GIMBER

of principal importance for the conservation of biodiversity in England, Scotland, Wales and Northern Ireland. It is estimated that 84% of countryside hedgerows in Great Britain would be included as such habitats.

The Natural Environment and Rural Communities (NERC) Act 2006, The Environment Wales Act 2016, The Nature Conservation (Scotland) Act 2004, and the Wildlife and Natural Environment Act (Northern Ireland) 2011 each place a duty on every public authority to consider biodiversity. The duty places an obligation on public authorities, including local authorities, to help halt the loss of biodiversity within their jurisdiction and, where possible, enhance it.

Priority habitats and species are not always strictly protected under UK wildlife laws. However, they can be sensitive to development and therefore it is reasonable to expect that they should be a material consideration when local planning authorities determine planning applications.

There are 130 priority species (species of principal importance) associated with hedges, including hedgehogs, birds such as the bullfinch and yellowhammer, and invertebrates, including the large carder bee.



*Hedgerows are an important habitat for a number of priority species, including the hedgehog*

PHOTO © TERRA FERRAE/SHUTTERSTOCK

## Highways Act 1980

In England and Wales, it is the common law duty of the landowner to take reasonable care to ensure that trees outside the highway boundary, but within falling distance, are safe and to ensure hedges do not obstruct safe passage of users of the highway. The definition of 'highway' includes public rights of way such as footpath and bridleways.

When highway authorities become aware of trees, hedges or shrubs which are not safe they can take action. Section 154 of the Highways Act 1980 empowers the authority to deal, by notice, with hedges, trees and shrubs growing on adjacent land which overhang the highway, and to recover costs.

If you have concerns about any dangerous trees along the highway, contact your local authority.

## Claiming rural payments

If a landowner is claiming rural payments for their hedges, including the Basic Payment Scheme (BPS), a stewardship scheme or the Farm Woodland Premium element of the English Woodland Grant Scheme (EWGS), they are required to abide by cross compliance rules. They will need to check these before undertaking any work on their hedges.

Cross compliance will end in 2024 and environmental land management schemes (ELMS) will be introduced. There will be three new Defra led schemes: the Sustainable Farming Incentive, the Local Nature Recovery Scheme and the Landscape Recovery Scheme.



*If you have concerns about any dangerous trees along the highway, contact your local authority*

## SECTION 3

# Legal protection of trees in hedges



*Tree Preservation Orders (TPOs) may be used to protect a tree in a hedge (although this is rarely used)*

PHOTO © THE TREE COUNCIL

### Tree Preservation Orders

The main way to permanently protect a single, or group of, tree(s) is for a local authority to issue a Tree Preservation Order (TPO). A TPO can only be issued on trees that have historical, landscape or amenity value.

Hedge trees may be protected by a TPO however this is rarely used.

Limited protection is also provided in conservation areas (relating to areas of towns and villages of historical interest). Here, trees cannot be removed unless the landowner gives six weeks' prior notice to the local planning authority (LPA), which may allow sufficient time for a TPO to be issued.

TPOs prohibit the cutting down, uprooting, topping, lopping, wilful destruction or damage of trees without the LPA's consent. However, unless specifically protected by a TPO, a tree is not protected, no matter the species or size.

If you have concerns about a tree in a hedge, please contact your local planning authority for advice.

### Felling licences

Before carrying out work on hedgerow trees, you must check if you need a felling licence.

The Forestry Commission administers regulations under the Forestry Act 1967 on tree felling, particularly in the countryside.

The regulations do not apply to Northern Ireland or the Inner London boroughs but do apply to trees in urban woodland, on amenity land and playing fields and in private parks.

A felling licence is required by law if someone wishes to fell more than five cubic metres (5m<sup>3</sup>) of wood in one calendar quarter, roughly the equivalent to three large ash trees, or two cubic metres (2m<sup>3</sup>) if the wood is to be sold. This applies to trees and hedges as well as woodlands.

The volume of timber is assessed by measuring the amount of wood in the main tree stem(s) which has a diameter greater than 8cm (over bark) or 15cm for coppice. For large broadleaved trees, this includes major branches.



*If you are concerned that a felling licence hasn't been granted, or conditions haven't been met, contact your Forestry Commission area office*

PHOTO © THE TREE COUNCIL

Contact your nearest Forestry Commission area office before felling occurs to check whether a licence is required, or if you are concerned that a felling licence hasn't been granted, or conditions haven't been met.

### Conservation areas

Conservation areas are designated by the local planning authority (LPA) and almost always applies to an area (usually urban or the core of a village) of special architectural or historic interest. Anyone wishing to fell trees growing in a hedge in a conservation area, will need to notify the LPA. Once the felling licence has been issued, you should give the LPA at least six weeks' notice before carrying out any felling, topping, lopping or uprooting work. However, you cannot give notice more than two years before the works being carried out. You should check with the LPA over this.

Usually, the conservation area notice period gives LPAs the chance to protect the tree with a TPO before work starts, should it decide to do so. This could result in a new felling licence being required.

*You will need to notify the local planning authority (LPA) if you wish to fell trees in hedges located in conservation areas*

PHOTO © THE TREE COUNCIL



## SECTION 4

# Planning and hedges



The standard planning application forms ask: “Are there trees or hedges on the proposed development site?” and/or “Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?”.

This would also include smaller scale householder applications, such as domestic extensions and outbuilding, introducing new buildings within close proximity of any part of a tree or hedge, and raising or lowering ground water levels.

If the answer to either of these questions is “Yes” the applicant needs to consider what the

implications of the development are for these trees/hedges and submit the necessary information to support the application.

A qualified arboricultural consultant can give advice and survey trees and hedges on site to carry out a survey following British Standard BS5837:2012 ‘Trees in Relation to Design, Demolition and Construction’.



*Trees or hedges on or adjacent to a proposed development site need to be considered in the planning application*

PHOTO © THE TREE COUNCIL



*Check planning applications in your area to see if they impact on local hedges*

PHOTO © KATIE POLLARD

A suitably qualified ecologist may also be needed to survey any hedges on site in line with BS 42020:2013 Biodiversity – ‘Code of practice for planning and development’.

A hedge could be any, or all, of the following:

- an ‘important’ hedge and therefore protected under the Hedgerows Regulations 1997
- a habitat of principal importance (Priority Habitat)
- and/or have species protected under UK law
- and/or priority species either present or using the hedge.

Important hedges and protected species are a material consideration in the planning process and so the effect of development on protected species

should be considered by the local planning authority (LPA) when determining planning applications. In addition, LPAs should take into account any habitats and species of principal importance that could be potentially affected by a development. This means that significant negative impact on these habitats should be avoided and, if this is not possible, measures which reduce any such negative impact should be explored. Failing that, losses of such habitats should be compensated for as part of the development proposals.

Under the Environment Act 2021, both Town and Country Planning Act (TCPA) and Nationally Significant Infrastructure Project (NSIP) developments will need to deliver a minimum 10%

Biodiversity Net Gain (BNG) and the new habitat will be secured for at least 30 years via an obligations/conservation covenant. This is a significant opportunity to ensure that developments provide lasting benefits for wildlife and to people’s ability to experience nature where they live and work. Planting hedges can help provide the BNG on site.

As a tree warden or volunteer in your community, you can look at planning applications in your local area and see where you can comment, or you could contact your local wildlife trust, or local planning authority ecologist. Discuss the application with them and ask if they are commenting on hedge protection and enhancement on the site.

## SECTION 5

# What can you do as a volunteer in your community?



*Learning new skills, like hedgelaying, can ensure you are equipped with the knowledge to manage hedgerows successfully*

PHOTO © MEGAN GIMBER

If you are concerned about the removal of a hedge, please contact your LPA in the first instance. If your concern is in relation to any protected species using the hedge, for example the removal of a hedge tree with a known bat roost, please contact your local police and ask for the local wildlife crime officer.

There are a range of laws, legislations and regulations to consider before carrying out

any work to a hedge, the most common of which we have covered in this document. The reason there are so many is that hedges and hedge trees are such valuable habitats for a wide range of species.

As a tree warden or volunteer, you can champion hedge planting in your community while looking after the ones we already have, through good management practices.



*You can grow new hedge plants using locally sourced seed*

PHOTO © THE TREE COUNCIL

## SECTION 6

## Frequently asked questions



PHOTO © EMJAY SMITH/SHUTTERSTOCK

### Can you legally cut, trim, lay or coppice a hedge at any time of year?

Yes, but the onus is on the person doing the work to avoid committing an offence under the Wildlife & Countryside Act 1981 or The Conservation of Habitats and Species Regulations 2017 (see page 5).

For example, it is recommended that any works are avoided during the main breeding season for nesting birds, which usually runs throughout March to August each year. This can be weather dependent and some birds may nest outside this period, so it is important to always check carefully for active nests prior to cutting.

### How do The Hedgerow Regulations 1997 protect hedgerows?

Thanks to these regulations, it is against the law to remove most countryside hedges without permission from the local planning authority (LPA) – see page 3. There are a few exceptions to this, the two main ones being that a new gateway can be created but only if an existing one is filled,

or the removal is covered by planning permission. Anyone else wishing to remove a hedge must apply to their LPA for consent. The LPA then has six weeks to determine the application and can either issue a Hedgerow Removal Notice (if the hedge is not considered “important” or if there are grounds for allowing the removal of an “important” hedge), or a Hedgerow Retention Notice (issued if the hedge is important and should be retained).

### I’m concerned about the removal of a hedgerow near me. How can I check whether the necessary permissions have been granted?

Please speak with your local planning authority in the first instance. They hold records of Hedgerow Removal and Retention notices.

### Are garden hedges protected?

No, they don’t have any specific protection. They may however be home to species protected by the Wildlife and Countryside Act 1981 and/or The Conservation of Habitats & Species Regulations 2017 (see page 5).

These species must be considered before work is carried out on a garden hedge. This includes nesting birds.

### How do felling licences and Tree Preservation Orders (TPO’s) apply to hedgerow trees?

A felling licence is required if someone wishes to fell more than than 5m<sup>3</sup> of timber in a calendar quarter. We recommend contacting the Forestry Commission for advice. Permission is also needed for work on trees that are subject to a Tree Preservation Order (TPO) or those located in conservation areas. Contact your local planning authority for advice.

### A hedge is due to be removed to make way for a new development. Can I do anything to protect it?

It is ultimately the local planning authority that decides whether hedgerows are considered ‘important’ enough to save. You can comment on planning applications or contact your local wildlife trust or planning authority ecologist to discuss the application with them.

## SECTION 7

# Where to find out more



It is important to note that the law relating to hedges varies between the nations of the UK.

### Legal protection

- [The Hedgerow Regulations 1997](#)
- [DEFRA Hedgerow Regulations FAQs](#)
- [Countryside hedgerows: protection and management](#)
- [Hedgerows, retention and replacement notices: the appeal procedures](#)

### Legislation checklist for working on hedges

- [Wildlife and Countryside Act 1981](#)
- [Conservation of Habitats & Species Regulations 2017](#)
- [UK National Wildlife Crime Unit](#)
- [UK BAP Priority Species](#)
- [UK Protected Areas](#)
- [Highways Act 1980](#)

### Trees in hedges

- [Tree Preservation Orders and trees in conservation areas](#)
- [Tree felling licences](#)

### Planning and hedges

- [Environment Act 2021](#)
- [The Town and Country Planning Act \(Tree Preservation\)](#)
- [Defra 2007 Hedgerow Survey Handbook](#)



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Produced by The Tree Council in association with Katie Pollard.

This document provides general guidance about hedges and the law. The authors do not accept liability for any loss incurred as a result of relying on its contents. Seek independent professional and legal advice where necessary.

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