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**CROSS COMPLIANCE - APPLICATION FOR A DEROGATION TO REMOVE A LANDSCAPE FEATURE UNDER GAEC 7 ‘Retention of Landscape Features’**

# Please complete this form in BLOCK LETTERS and sign at PART 3A/3B

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# PART 1:- Applicant details

1. Business Reference Number

2. Title Forename(s)

Surname

3. Address

4. Telephone Number

5. Mobile Telephone Number

6. E-Mail Address

## **Important Information**

**Under Cross Compliance rules and specifically Good Agricultural and Environmental Condition (GAEC) Standards number 7 (Retention of Landscape Features), the removal of landscape features (dry stone walls, ditches or sheughs, hedgerows, including trees in hedgerows and earthbanks) is not allowed without prior written permission from DAERA. You must use this form to request permission (a derogation) to remove a landscape feature. This applies to all land within an agricultural business irrespective of whether it is used to activate Basic Payment Scheme (BPS) entitlements.**

## **The completed form should be returned electronically or by post to your local DAERA Direct office at the address shown on pages 7 and 8. A copy of your farm map with the proposed landscape feature changes clearly marked should be included with this application. Please provide any additional information that you consider may be relevant.**

**DAERA will assess your application to remove a landscape feature based on location (environmentally); quality of the landscape feature; townland boundaries; landscape character; health and safety, field size and shape. For every length of landscape feature you apply to remove we will look for the same length of new hedge or equivalent to be planted elsewhere (mitigation) to minimise the environmental loss.**

**The mitigation work must be completed at your own cost. It is NOT grant eligible, and cannot be claimed under agri-environment scheme funding. DAERA will inform you of its decision in writing.**

**Landscape features are a very important component in the Northern Ireland countryside and provide important habitats for a variety of flora and fauna. In 2000, the Northern Ireland Countryside Survey estimated that we have approximately a quarter of a million kilometres of field boundaries, hedgerows being the main type.**

**LEGAL REQUIREMENTS**

**It is important to remember that even when a derogation has been granted, you must not destroy or damage birds, their nests or eggs, nor disturb birds when they are nesting and comply with the Wildlife (Northern Ireland) Order 1985 as amended. The removal of a landscape feature is not permitted from the 1st March to 31st August (inclusive) to help landowners comply with the Wildlife (Northern Ireland) Order 1985 as amended.  In addition it is the applicant’s responsibility to comply with all other legal requirements whether the landscape feature is inside a designated site such as Area of Special Scientific Interest (ASSI), Special Area of Conservation (SAC) or Special Protection Area (SPA), or is outside one of these designated sites.  Landscape features such as hedgerows and sheughs by their nature may contain protected plant species and /or protected species habitats which must not be disturbed. More information can be found at** [**www.daera-ni.gov.uk**](http://www.daera-ni.gov.uk)

PLEASE NOTE: NO WORK IS ALLOWED TO START BEFORE

**WRITTEN PERMISSION HAS BEEN RECEIVED FROM DAERA.**

**DAERA Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007.**

Under GAEC 6 *‘Maintenance of soil organic matter level through appropriate practices’* if you wish to carry out works that lead to an intensification of agricultural activity on previously uncultivated land or a semi-natural area you must apply to DAERA for consent under the DAERA Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007 or the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006.Failure to do so may lead to penalties being applied or prosecution. To apply for consent under the EIA (Agriculture) Regulations 2007 you must make a screening application to DAERA giving details of the works you propose to carry out. For further information on the EIA (Agriculture) Regulations 2007 contact Countryside Management Unit at the address below.

Countryside Management Unit

Integrated Controls Branch

Academy House

121A Broughshane Street

BALLYMENA

BT43 6HY

Telephone: 0300 200 7848

Email: [eia@daera-ni.gov.uk](mailto:eia@daera-ni.gov.uk)

An Application form and guidance is also available at the following link: <https://www.daera-ni.gov.uk/articles/environmental-impact-assessment-eia-0#:~:text=Under%20the%20Environmental%20Impact%20Assessment,and%20Rural%20Affairs%20(DAERA)>.

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**PART 2A: Details of landscape feature removal request**

1. Farm Survey Number 2. Field Number(s)

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3. Location of landscape feature in the field(s) – please indicate on your farm map

(e.g. hedge beside road; hedgerow tree at laneway)

4. Description of proposed work to landscape feature

(e.g. hedge removal; piping open sheugh; removing hedgerow tree)

Metres

5. Length of proposed landscape feature to be removed

6. Number of trees with trunk diameter greater than 100cm to be removed

7. Reason for proposed landscape feature removal

**For additional landscape feature removal requests please complete continuation sheet LF2 (PART 4: Landscape feature Removal Request continuation form) and attach it to this form.**

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**PART 2B: Details of proposed MITIGATION works to replace landscape feature(s).**

**Mitigation requirements are as follows:**

* **Hedgerow to be removed must be replaced by an equivalent length of hedgerow e.g. 100 metres removed should be replaced by 100 metres**
* **In some cases tree planting may be permitted as mitigation. In such cases the area of trees to be planted is 0.1ha per 100metres of boundary removed**
* **One hedgerow tree replaced by 10 standard trees or area of tree planting. (0.01ha /tree removed).**
* **All works must be completed to agri-environment scheme specification.**

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1. Farm Survey Number 2. Field Number(s)

3. Location of proposed mitigation works for replacing landscape feature in the field(s) – **please indicate clearly on a copy of your farm map**.

4. Description of proposed mitigation work to create new landscape feature(s)

(e.g. hedge planting, new dry stone wall, hedgerow tree planting or tree planting)

**For additional mitigation works to replace landscape feature/s please complete continuation sheet LF2 (PART 4: Landscape feature Removal Request continuation form) and attach it to this form.**

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# PART 3A: Declaration to be signed by all applicants (BPS claimants)

I declare that the information entered in this form is correct.

Name Date

Signature Status (owner/

tenant/agent)

Where you are a tenant or agent you must ask the landowner to complete and sign PART 3B otherwise this application will not be processed.

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# PART 3B: Declaration to be signed by Landowner (where different to applicant / BPS claimant)

I am aware that an application for a derogation to remove landscape feature(s) on my land is being submitted. Once the application has been processed I agree to liaise with the applicant regarding any proposed mitigation.

Name Date

Signature

Send your application (including annotated farm map showing proposed works) by e-mail to [landscapefeaturederogations@daera-ni.gov.uk](mailto:landscapefeaturederogations@daera-ni.gov.uk) or by post to your local DAERA Direct Office at the address below.

The Department takes data protection, freedom of information and environmental information issues seriously. It takes care to ensure that any personal information received from you is dealt with in a way which complies with the requirements of the General Data Protection Regulation (2016). This means that any personal information you supply will be processed principally for the purpose for which it has been provided. However, the Department is under a duty to protect the public funds it administers, and to this end may use the information you have provided for this purpose.

A full copy of the DAERA Privacy Statement can be found here:- <https://www.daera-ni.gov.uk/daera-privacy-statement>

**DAERA Direct Regional Offices**

Telephone number for all offices (Cross Compliance queries): **0300 200 7842**

**Public office opening hours are 9.00am – 16.00pm each working day**

**Closed for lunch from 12.30pm to 13.30pm**

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| **Location and Email Address** | **Postal Address** |
| **Armagh**  [***daeradirect.armagh@daera-ni.gov.uk***](mailto:daeradirect.armagh@daera-ni.gov.uk) | A:tek Building  Edenaveys Industrial Estate  Newry Road  Edenaveys  ARMAGH  BT60 1NF |
| **Ballymena**  [***daeradirect.ballymena@daera-ni.gov.uk***](mailto:daeradirect.ballymena@daera-ni.gov.uk) | Academy House  121a Broughshane Street  Town Parks  BALLYMENA  BT43 6HY |
| **Coleraine**  [***daeradirect.coleraine@daera-ni.gov.uk***](mailto:daeradirect.coleraine@daera-ni.gov.uk) | Crown Buildings  Artillery Road  Millburn  COLERAINE  BT52 2AJ |
| **Downpatrick**  [***daeradirect.downpatrick@daera-ni.gov.uk***](mailto:daeradirect.downpatrick@daera-ni.gov.uk) | Rathkeltair House  Market Street  Demesne of Down Acre  DOWNPATRICK  BT30 6LZ |
| **Dungannon**  [***daeradirect.dungannon@daera-ni.gov.uk***](mailto:daeradirect.dungannon@daera-ni.gov.uk) | Crown Buildings  Thomas Street  Drumcoo  DUNGANNON  BT70 1HR |
| **Enniskillen**  [***daeradirect.enniskillen@daera-ni.gov.uk***](mailto:daeradirect.enniskillen@daera-ni.gov.uk) | Inishkeen House  Killyhevlin Industrial Estate  Killyhevlin  ENNISKILLEN  BT74 4EJ |
| **Strabane**  [***daeradirect.strabane@daera-ni.gov.uk***](mailto:daeradirect.strabane@daera-ni.gov.uk) | Government Offices  18 Urney Road  STRABANE  BT82 9BX |
| **Magherafelt**  [***daeradirect.magherafelt@daera-ni.gov.uk***](mailto:daeradirect.magherafelt@daera-ni.gov.uk) | Units 36 - 38  Meadowlane Shopping Centre  Moneymore Road  Townparks of Magherafelt  MAGHERAFELT  BT45 6PR |
| **Mallusk**  [***daeradirect.mallusk@daera-ni.gov.uk***](mailto:daeradirect.mallusk@daera-ni.gov.uk) | Castleton House  15 Trench Road  Grange of Mallusk  Mallusk  NEWTOWNABBEY  BT36 4TY |
| **Newry**  [***daeradirect.newry@daera-ni.gov.uk***](mailto:daeradirect.newry@daera-ni.gov.uk) | Glenree House  Unit 2, Springhill Road  Carnbane Industrial Estate  Carnbane  NEWRY  BT35 6EF |
| **Newtownards**  [***daeradirect.newtownards@daera-ni.gov.uk***](mailto:daeradirect.newtownards@daera-ni.gov.uk) | Sketrick House  16 Jubilee Road  Corporation South  NEWTOWNARDS  BT23 4YH |
| **Omagh**  [***daeradirect.omagh@daera-ni.gov.uk***](mailto:daeradirect.omagh@daera-ni.gov.uk) | Sperrin House  Sedan Avenue  Lisnamallard  OMAGH  BT79 7AQ |