



Guidance Note – High Hedges

Please read the following guidance note as to what the Council requires from an applicant before submitting a High Hedge Application and what the Council cannot take into account when assessing a High Hedge application.

- The Council is able to take on High Hedge complainants from residents complaining about their neighbours' evergreen or part evergreen hedges. The hedge must be made up of at least two evergreen trees situated together to form a hedge and must be over two metres high.
- However, under the legislation in order for the Council to take action on your behalf you would need to take 'reasonable steps' to prove that you have tried to resolve the matter yourself and that an application to the Council is a last resort. The following information below explains the process and what the Council expects you to have done in order to satisfy this requirement.
- We would expect 'reasonable steps' to be in the form of at least 3 letters sent to your neighbour over a minimum of 6 months immediately prior to your application to the Council and you would need to prove that you have sent the letters and provide copies of them in your application to us. We would therefore, recommend that you send the letters by recorded delivery and retain the proof of posting slip and reference numbers.
- In the letters you would need to ideally explain what issue you have with the hedge, the height that you wish it to be reduced to and a time scale for doing the work.

- Unfortunately, if 'reasonable steps' have not been entered into the Council may refuse to take the case up for you and send your application back.
- **The Council cannot request through the High Hedge application process that the hedge be reduced in height to 2m as this would likely kill the hedge.** The Council follows the method in the BRE guidelines on 'Hedge height and light loss' for calculating what height a hedge should be in order not to cause unreasonable obstruction of light to windows and gardens.
- If you submit an application to the Council under the High Hedgerow regulations you will be expected to prove how the hedge in question is adversely affecting your reasonable enjoyment of your property.

The Act applies only to problems experienced because the hedge is too tall. This includes obstruction of daylight and sunlight, jointly or as separate issues, as well as the visual impact of the hedge.

Under the Legislation we cannot take into account:-

- Overhanging branches as these can be dealt with under Common Law
 - Root related property damage including subsidence
 - Roots taking moisture and nutrients from the soil
 - Roots blocking drains or invading pipes
 - The effect of a hedge or the dispute over it on the complainant personally. For example that the problems with the hedge have caused worry, concern, depression leading to health problems.
 - The effect of the hedge on particular activities that the complainant engages in on the property. For example that the hedge interferes with a greenhouse, vegetable patch, growing of plants, or on television reception etc.
 - Factors relating to the complainants feelings about over perceptions of the hedge. For example, fears that the hedge will break or fall.
- The service also carries a fee which is non refundable. The fee for East Suffolk Council is £350.