



By Mel Robson – *Legal Executive*

# Hedges



## Are there any benefits to having a hedge rather than a wooden fence on my boundary?

A hedge, if maintained correctly, can last for a long time. It can also be cheaper than a wooden fence at the outset and it will also be cheaper to maintain – no painting/treating only pruning. It is also good for the wildlife providing both food and shelter.

## Do I need permission to plant a hedge in my garden?

Permission is not normally required for planting a hedge but you will be responsible for making sure you maintain the top and all sides of the hedge and making sure it does not become a nuisance to your neighbours. However, there are different rules if your property is situated within a conservation area and if this is the case it is worth checking with the Local Authority before going ahead.

## Is there a any law to say how high I can grow my hedge?

Again, there is no law to say how high you can grow your hedge, but as mentioned above you must ensure that it does not become a nuisance.

## My neighbours hedge has become very overgrown is there anything I can do?

If your neighbour's hedge is causing you problems, the best way to deal with it is to speak to your neighbours about your concerns. It is in your best interests to solve the problem amicably rather than getting the Local Council involved or even taking the matter to Court.

## How should I approach my neighbours – I have never spoken to them before?

Even if you have never spoken to your neighbours before arrange a time and place so that you can discuss the problem properly. It is better to speak to your neighbours face to face rather than putting a letter through their door.

## I have contacted my neighbours and arranged a "meeting" – what should I be saying to them?

Before you have your first meeting it would be a good idea to write down what your concerns are, how you feel, and what you feel the best way of dealing with the problem will be. It is best to stick to the facts, including the problems caused by the hedge and how they have affected you. There is no need to be rude, aggressive or abusive as this will not achieve anything! If you haven't spoken to your neighbour before, once you have arranged a meeting send them a copy of your concerns in the form of a letter, so that they are aware of the problems before the meeting.

## The "meeting"

At the meeting be prepared for your neighbour to have their say. You must be honest and say how you feel, but also your neighbour might well say how they feel. At the meeting treat the problem as a shared problem. Consider any ideas or suggestions and look at all the option before deciding on the option that is best for both of you.

## We have now reached an agreement – how do we put this into practice?

Once you have both reached an amicable agreement it would be sensible to write down exactly what has been agreed, and what you have each agreed to do to remedy the problem. A date will then need to be set to carry out the works, and it would be sensible to agree that you will let each other know if any future problems occur.

## What if my neighbours will not agree to a "meeting" to discuss the problems?

If your neighbour refuses to talk to you to try to resolve the problems, you could suggest mediation. Mediation is carried out by independent mediators who will help both you and your neighbour reach an agreement as to how to solve the problems. However, to enable mediation to

succeed both you and your neighbour will need to agree and co-operate.

**My neighbours will not agree to a “meeting”, or mediation is there anything else I can do?**

If your neighbour will not agree to either a meeting or mediation, the last resort would be for you to contact your Local Council to see if they could assist. However before contacting the Council you must have attempted to speak to your neighbour either at a meeting or mediation as they may turn your complaint away if they feel you have not made any effort to resolve this between yourselves.

**What action can the Council take?**

If the Council decides to take action, they will serve a remedial notice ordering your neighbour to reduce the hedge to a height that will remedy the problems. They cannot order that the hedge be removed completely and there is nothing to say that the hedge must be reduced to 2 metres. The Council can also order the neighbour to take action to prevent the problems happening in the future. If your neighbour fails out carry out the works set out in the remedial notice they will commit an offence and could be prosecuted in the Magistrate’s Court, and if found guilty, they could be fined up to £1,000.00

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