

The Planning and Building Service

General Notes

These guidance notes are to help you fill in the form to make a complaint about a neighbouring high hedge. You should also read the leaflet '*High Hedges: complaining to the Council*'

Consideration of your complaint will be delayed if you do not complete the form properly or do not provide the information requested.

If you are still unsure how to answer any of the questions, please contact the Tree Team on 01264 368132 or email planning@testvalley.gov.uk

1 Attempts to resolve the complaint

Please keep the descriptions brief but say how you made the approach (eg. Face to face, phone, letter) and what the result was.

Example 1:

- 12 March 2013 – phoned to ask if we could discuss the hedge. Met on 19 March but we couldn't agree a solution;
- 15 April – mediators visited;
- 29 April – met neighbours and mediators but still couldn't find an answer we were both happy with
- 14 May – wrote to inform neighbour we would be complaining to Council

Example 2:

- 12 March 2013 – wrote to ask if we could discuss hedge. 2 weeks later still no reply;
- 9 April – wrote to ask if we could speak to mediator. 2 weeks still no reply
- 7 May – wrote to inform neighbour would be complaining to the Council

Example 3:

- 12 March 2013 – saw neighbour in their garden and asked if we could discuss the hedge. Neighbour came round. Saw the effect of the hedge themselves. Sympathetic but unwilling to reduce the hedge as much as we wanted;
- 19 March – neighbours willing to try mediation but discovered mediation not available in our area. We live too far away from the nearest service;
- 23 April – saw neighbour again and told them that, if we couldn't agree a solution, we would make a formal complaint to the Council. Left it for a couple of weeks then confirmed in writing that we would be going ahead with the complaint.

It is not necessary to send all copies of all correspondence with your neighbour about the hedge - especially if the dispute is a long-running one. You need only provide evidence of your latest attempts to settle it.

2.1 Who can complain

You must be the owner or occupier of the property affected by a high hedge in order to make a formal complaint to the Council.

If you do not own the property (e.g. because you are a tenant or leaseholder), you can still make a complaint but you should let the owner (e.g. landlord or management company) know what you are doing.

The property does not have to be wholly residential but you must include some living accommodation otherwise we cannot consider the complaint.

3 Grounds of complaint

It will help if you provide as much information as you can but keep it factual. Remember that a copy of this form will be sent to the person who owns the site where the hedge is growing and to the person living there if they are different people.

Concentrate on the hedge and the disadvantages you actually experience because it is too tall.

We cannot consider the problems that are not connected with the height of the hedge. For example, that other people keep their hedges trimmed to a lower height, or that the worry is making you ill.

Please provide a photo of the hedge and a plan (to a scale of at least 1/1250) showing the location of the hedge and surrounding properties. It is important that the plan is accurate. When producing your plan, please make sure that you:

- Mark and name surrounding roads
- Add house numbers or names
- Mark clearly the position of the hedge and how far it extends
- Mark which way is north

Please include copies of any professional reports that you may have prepared. If you are complaining about the hedge blocking light, please provide relevant measurements (e.g. size of garden, distance between the hedge and any windows affected). All measurements must be in meters (m).

4 Previous complaint to the Council

We only need to know about formal complaints made under the high hedges part of the Anti-Social Behaviour Act 2003. You don't need to tell us about telephone calls or other informal contact with the Council about your hedge problems.

5 Who's who / The Parties

We need all these names and addresses because there are some documents that we are required, by law, to send to the owner and occupier of the land on which the hedge grows. These include our decision on the complaint.

Even if someone else is submitting the complaint on your behalf, it is important that we have the complainant's contact details – tick the 'yes' box if you prefer to be contacted by email. We cannot send documents to you electronically unless you agree.

5.1 We need this information because we will have to get in touch with this person to arrange to visit the property so that we can see for ourselves the effect of the hedge.

5.2 Complete this section if you are a professional advisor, relative, friend or other representative.

This person will be our main contact on all matters relating to this complaint. We will direct all queries and correspondence to them. Please bear this in mind.

If you tick the 'yes' box, we will conduct all business relating to this complaint by email. We cannot send documents to you electronically unless you agree.

5.3 This will normally be the person you have talking to when you tried to agree a solution to your hedge problems.

If the site where the hedge is growing does not have a postal address, use the address box to describe as clearly as possible where it is, e.g. 'Land to the rear of 12 to 18 High Street' or 'Park adjoining Main Road'

We need this information because we will have to contact these people for their comments and to arrange to visit the site where the hedge is growing.

5.4 If you are in any doubt about who owns the property where the hedge is situated, you can check with the Land Registry.

The relevant form (313) is on their website (www.landregistry.gov.uk) or can be obtained from the Local Office. The current fee for this service is £4 if you know the full postal address of the property.

Alternately, Land Register Online at (www.landregisteronline.gov.uk) provides easy access to details of registered properties in England. Copies of title plans and registers help in electronic format can be downloaded in PDF format for £2 each. The register includes ownership details.

6 Supporting documents

Please make sure you have ticked all the relevant boxes.

If you are providing copies of other documents, please include them on a separate sheet and list them by date and title (e.g. January 2013 – surveyor's report). This will help us to check that we have got everything.

If you are submitting this form by email but will be posting supporting documents to us separately, please put a reference number or title on them (e.g. hedge complaint, 12 High Street) so we can match them up with your complaint.

7 Sending the complaint

You should make out your cheque to Test Valley Borough Council. See our Fees and Charges list for current fee.

8 Address and opening times

Planning and Building Service
Beech Hurst
Weyhill Road
Andover
SP10 3AJ
Tel: 01264 368000

Planning and Building Service
Former Magistrates' Court
Church Street
Romsey
SO51 8AQ
Tel: 01794 527700

The Council Offices are open during the following hours:

8:30am to 5:00pm Monday – Thursday

8:30am to 4:30pm Friday

Email: planning@testvalley.gov.uk