

Complaint form: high hedges

Use this form to submit a complaint to the Council about a high hedge, under Part 8 of the Anti-social Behaviour Act 2003. It should be completed by the person making the complaint or their representative.

Before completing this form, please read the guidance notes sent with it and the leaflet *High hedges: complaining to the council*. Please use BLOCK CAPITALS and black ink.

YOU MUST PAY A FEE WHEN YOU SEND IN THIS FORM which can be emailed to ppu@selby.gov.uk payment can be made by card over the phone to 01757 705101 or by cheque made out to 'Selby District Council'. The current fee is £445.56.

The Council will rely on the information you provide so please make sure it is clear and accurate.

1. Attempts to resolve the complaint

Please describe what you have done to try to settle this matter. Give dates and say what the result was. Please provide copies of any letters that you mention.

1.1 Approached neighbour/hedge owner and asked to discuss problem

1.2 Asked neighbour/hedge owner to try mediation

1.3 Informed neighbour/hedge owner of intention to complain to council

If you have not tried all the above steps, the Council might not proceed with your complaint.

1.4 Anything else

2. Criteria for making a complaint

About the hedge

2.1 Is the hedge - or the portion that is causing problems - made up of a line of 2 or more trees or shrubs?

Yes

No

2.2 Is it mostly evergreen or semi-evergreen?

Yes

No

2.3 Is it more than 2 metres above ground level?

Yes

No

2.4 Even though there are gaps in the foliage or between the trees, is the hedge still capable of obstructing light or views?

Yes

No

2.5 Is it growing on land owned by someone else?

Yes

No

Who can complain

2.6 Is the complainant the owner or occupier (eg tenant) of the property affected by the hedge?

Yes

No

Please delete whichever does not apply.

2.7 Is the property residential?

Yes

No

If you have answered 'No' to any of the questions in this section, the criteria have not been met and so the Council cannot consider your complaint.

3. Grounds of complaint

Please describe the problems actually experienced as a result of the hedge being too tall, and say how serious they are. It will save time and help your case if you stick to the facts and provide all relevant information to back up the points you are making.



To help the Council understand your situation, please provide a photo of the hedge and a plan or sketch of both the site where the hedge is growing and the property it is affecting, with the hedge clearly marked on it.

4. Previous complaints to the Council

4.1 Has a formal complaint been made to the Council before about this hedge?

Yes

No

4.2 If you have ticked 'Yes', do you know the date and/or reference number of the Council's decision letter?

Date

Ref
number

4.3 What has changed since the Council last looked at this?

If nothing has altered, the Council might not proceed with your complaint.

5. Who's who/The parties

5.1 Complainant's contact details

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

Is the complainant content for us to contact them by email, at the address provided?

Yes

No

5.2 Address of the property affected by the hedge and name of the person living there, if different to 5.1

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

5.3 Contact details of Agent or other person acting on behalf of the complainant (if any)

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

Is the Agent, or other person named above, content for us to contact them by email at the address provided?

Yes

No

5.4 Address of the site where the hedge is growing and name of person living there, if known

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address or description of location	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

5.5 Name and address of the person who owns the property where the hedge is situated, if different to 5.4 and if known

	Title	Forename	Surname
Name	<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	<input type="text"/>		
	<input type="text"/>		
City/Town	<input type="text"/>		
County	<input type="text"/>	Postcode	<input type="text"/>
Daytime Telephone No.	<input type="text"/>		
Mobile Telephone No.	<input type="text"/>		
Fax No.	<input type="text"/>		
Email Address	<input type="text"/>		

6. Supporting documents

6.1 Have you enclosed the following:

Tick box

A photo of the hedge

A location plan of the hedge and surrounding properties

Copies of correspondence with your neighbour about the hedge

Copies of any other documents that you mention (please list these separately)

7. Sending the complaint

7.1 I confirm that I have completed as much of this form as a I can and that, to the best of my knowledge, the information provided is accurate.

Tick box

7.2 I enclose the fee of £445.56.

Tick box

Name

Date

7.3 POST OR EMAIL THIS FORM AND ALL ENCLOSURES TO:

By email: ppu@selby.gov.uk

By post:

The Planning Department
Selby District Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT

7.4 Please also send a copy of this form to the people identified in Section 5 above.

Tick the box to show you have done this

**GUIDANCE NOTES FOR COMPLETING THE
'APPLICATION FOR INVESTIGATION: HIGH HEDGES'
FORM**

General Notes

These guidance notes are to help you fill in the form to make a complaint about a neighbouring high hedge.

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

1. Contact Details

The person here 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.

There are some documents that we are required, by law, to send to the owner / occupier of the affected property. These include our decision on the complaint.

2. Property affected by the hedge

Keep the description short e.g. flat above shop, home and Doctor's Surgery combined. The property must include living quarters otherwise we cannot consider the complaint.

2.3, 2.4

and 2.5 We need this information as we will have to contact this person to arrange to visit the property affected by the hedge.

2.6 This is the person who owns the freehold of the property – not a management company. Any tenancy agreement or lease should have this information. If not, you can check with the Land Registry. The relevant form is available on their website (www.landregistry.gov.uk) or it can be obtained from their local office.

You do not need to be the owner of a property affected by a high hedge to make a complaint. However, you should let the owner know what you are doing.

3. Location of hedge

We need this information because we will have to get in touch with these people to get their side of things and to arrange to visit the site where the hedge is growing.

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

If you are in doubt about who owns the property, please see the note on question 2.6 above.

4. The hedge

Please provide a photo of the hedge. It would help us if it includes a person standing by the hedge to give an idea of scale. We need this to make sure that the hedge meets the legal definition.

Please also provide a plan showing the location of the hedge and surrounding properties. When drawing your plan, please look at the example below and make sure that you:

- Name relevant roads.
- Locate your house and the property where the hedge is growing. The properties should be numbered or named.
- Mark clearly where the hedge is and how far it extends.

Example of typical plan – Even if you have ticked all the ‘Yes’ boxes in this section, it does not necessarily mean that the hedge meets all the legal tests. We still have to make a judgement on whether the hedge as a whole screens out light or gets in the way of someone – or thing – passing it. That is why we need the photo.

5. Grounds of complaint

It will help if you provide as much information as you can but keep it factual. Concentrate on the hedge and the practical problems that it causes because it is too tall.

We cannot consider problems that are not connected with the height of the hedge e.g. if the roots of the hedge are pushing up a path.

Nor can we consider things that are not about the hedge in question e.g. that other people keep their hedges trimmed to a lower height or that the worry is making you ill.

Please include copies of any professional reports you have had prepared. If you are complaining about the hedge blocking light, please mark which way is North on your plan (see note on Section 4 above) and provide relevant measurements (e.g. size of garden, distance between hedge and any windows affected). All measurements must be in metres (m) and centimetres (cm)

6. Previous attempts to resolve the complaint

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

**HIGH HEDGES
APPLICATION FOR INVESTIGATION**



Example 1

13 November 2004 – phoned to ask if we could discuss the hedge; met on 20 November but we couldn't agree a solution; 14 December – mediators visited; held joint meeting but still couldn't find an answer we were both happy with; 4 January 2005 – wrote to inform neighbour would be complaining to Council.

Example 2

13 November 2004 – wrote to ask if we could discuss the hedge; 2 weeks later still no reply; 4 December - wrote to ask if would speak to mediator; 2 weeks later still no reply; 18 December – wrote to inform neighbour would be complaining to Council.

It is not necessary to send 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.