

High Hedges



What YOU need to Know!

High Hedges and Light Loss explained.

Everyone is entitled to reasonable enjoyment of their property. That includes adequate sunlight into your **home**. If a hedge on a property beside your home is big enough to block the light into your house or garden then, depending on the type of hedge it is, you might be able to do something about it. This booklet has been created to help make the ins-and-outs of high hedge complaints easier to understand. It sets out:

- What counts as a high hedge.
- Why you should talk it through.
- Who can help.
- What happens next.
- What if I am the hedge owner.

What counts as a High Hedge?

In the eyes of the law, there are specific rules about what **is** and what **is not** a high hedge. For the law to apply the hedge **must**:

- Be made up of a line of **2 or more** evergreen or semi-evergreen plants, trees or shrubs (not deciduous ones - that lose their leaves) **which are acting as a barrier to light**;
- Reach a height of **at least 2 metres from ground level** on the hedge owner's side (not measured from your garden level); and
- Have no significant gaps.

If the hedge in question meets all of the above, then you are entitled to do something about it, should you wish to.

If you have an issue with hedges causing an obstruction on footpaths and roads, you should contact DfI Roads (formerly Transport NI) as a different set of rules apply.

Why you should talk it through?

The High Hedges Act (Northern Ireland) 2011 (the Act) became law here at the end of March 2012. The purpose of the Act is to ensure that high hedges **do not restrict light entering domestic properties**. The Act allows your local council to deal with complaints about high hedges but, **before they can accept your complaint**, you must be able to show that you have taken all reasonable steps to try to resolve the matter with the hedge owner. In most cases, disputes can be resolved by having a reasonable, sensible talk with the hedge owner.

However, if this doesn't work (despite you having tried to sort things out without getting anyone else involved) you can raise a formal complaint with your Council.

Councils should be the last resort - remember to keep a record of your attempts to reach a solution, e.g. letters or emails, texts, dates and times etc. **Be aware...you may have to pay up to £360 per complaint for the Council to investigate your complaint and even then, the Council may find that you don't actually have a case.**

Who can help?

First and foremost, you may be able to help yourself! You cannot cut down your neighbour's hedge but you can trim branches overhanging your boundary provided you:

- **Don't** cut away so much that you harm the trees or shrubs;
- **Don't** reduce the actual height of the hedge (without the owner's agreement); and
- **Do** offer the cuttings back to the hedge owner - legally these belong to the hedge owner.

Any owner or occupier of a domestic property can make a complaint about a high hedge (as long as it fulfils all the criteria in the "What counts as a high hedge?" section on Page 2). Remember, the Council isn't obliged to accept your complaint if you can't provide evidence that you have tried to sort it out with the hedge owner before making your complaint.

What happens next?

If the Council accepts the complaint, it may charge a fee up to a maximum of £360. If it is found that you have a rightful complaint, the Council will instruct the hedge owner (by way of a Remedial Notice) to cut the hedge and maintain it at a reasonable height. If this happens, the Council must refund the £360 to you and may claim it back from the hedge owner later. If the hedge owner refuses to comply, the Council can take further action.

Decisions about reducing (or not reducing) hedges may be appealed to the NI Valuation Tribunal by either the person making the complaint or the hedge owner. Guidance for complainants can be obtained from your local council.

What if I own the hedge?

If you are the owner of a hedge which has the potential to block light to your neighbour's property, first and foremost, be a good neighbour - properly maintain your hedge so it doesn't grow too high! If your neighbour complains that your hedge is blocking light to their property, have a chat with them about it, it is in both your interests to try to sort it out in a reasonable, neighbourly way.

Ask yourself:

- Is my hedge blocking light to the main rooms in their home?
- Is it depriving them of summer or winter sunshine?
- Do they have their lights on for longer?
- Is their garden shaded for much of the day?
- What does the hedge look like from their side?
- How would I feel if I was in the shade? Would I want it sorted?

If the answer is yes to any of these questions, the proper thing to do is to work with your neighbour to sort the problem out without ever getting the Council involved!

If, for whatever reason, you cannot sort it out between yourselves, familiarise yourself with the Council guidance - the steps that can be taken by your neighbour and the implications for you if their complaint is successful.

Guidance for hedge owners can be obtained from your local council.

Council Contact Details:

Antrim and Newtownabbey Borough Council

Email: info@antrimandnewtownabbey.gov.uk

Phone: 028 9034 0160 (Environmental Health).

Ards and North Down Borough Council

Email: enquiries@ardsandnorthdown.gov.uk

Phone: 0300 013 3333 (Ask for Licensing).

Armagh City, Banbridge and Craigavon Borough Council

Email: info@armaghbanbridgecraigavon.gov.uk

Phone: 0300 030 0900 (Ask for Environmental Health).

Belfast City Council

Email: generalenquiries@belfastcity.gov.uk

Phone: 028 9032 0202 (Ask for City and Neighbourhood Services Department).

Causeway Coast and Glens Borough Council

Email: environmentalhealth@causewaycoastandglens.gov.uk

Phone: 028 7776 0302 (Environmental Health).

Derry City and Strabane District Council - Derry Office

Email: info@derrycityandstrabanedistrict.com

Phone: 028 7125 3253 (Ask for Environmental Health, Strabane Office).

Fermanagh and Omagh District Council - Enniskillen Office

Email: info@fermanaghomagh.com

Phone: 0300 303 1777 (Ask for Environmental Health).

Lisburn and Castlereagh City Council

Email: enquiries@lisburncastlereagh.gov.uk

Phone: 028 9250 9250 (Ask for Environmental Health).

Mid and East Antrim Borough Council

Email: ballymena.envhealth@midandeastantrim.gov.uk

Phone: 028 2563 3394 (Ask for Environmental Health).

Mid Ulster District Council - Dungannon

Email: info@midulstercouncil.org

Phone: 0300 013 2132 (Ask for Environmental Health).

Newry, Mourne and Down District Council

Email: council@nmandd.org

Phone: 0300 013 2233 (Ask for Environmental Health).

