

# Development Management High Hedges complaint form



Please use this form to submit a complaint to us about a high hedge under Part 8 of the Anti-social Behaviour Act 2003. The person making the complaint or their representative must complete this form.

Before completing this form, please refer to the information and guidance on the [Planning Portal](#) and [GOV.UK](#). This information and guidance will help you fill the form in. There is further help at the end of the form.

There is a fee payable with this application. Please make your payment over the phone by calling our Customer Support team on 01372 732000 when you submit this form. The fee is £420.00.

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

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## 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 Asked to discuss problem

### 1.2 Asked the hedge owner to try mediation

### 1.3 Informed them of intention to complain to us

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

1.4 Anything else

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**2. Criteria for making a complaint**

**About the hedge**

2.1 Is the complainant's property residential?

Yes No

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

Yes No

2.3 Is it mostly evergreen or semi-evergreen?

Yes No

2.4 Is it more than 2 metres above ground level?

Yes No

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

Yes No

2.6 Is it growing on land owned by someone else?

Yes No

**Who can complain?**

2.7 Is the complainant the owner or occupier (e.g. tenant) of the property affected by the hedge?

Yes No

Please delete whichever does not apply. Owner/Occupier

If you have answered 'No' to any of the questions in this section, the criteria have not been met and so we 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 us understand your situation, please provide a photograph of the hedge and a plan or sketch of both the site where the hedge is growing and the property it is affecting. Please mark the hedge clearly on the plan and an indication of where North is.

### 4. Previous complaints to us

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

Yes

No

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

Date

Ref. number

4.3 What has changed since we last looked at this?

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

### 5. Who's who/the parties

5.1 Complainant's contact details

Title

First name

Last name

Address

Postcode

Contact telephone number

Email

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	First name	Last name
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Address

Postcode

Contact telephone number

Email

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

Title	First name	Last name
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Address

Postcode

Contact telephone number

Email

at 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	First name	Last name
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Address or description of location

Postcode

Contact telephone number

Email

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                      First name                      Last name

Address

Postcode

Contact telephone number

Email

## 6. Supporting documents


6.1 Have you enclosed the following:

Tick box

- A photograph 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 I can and that, to the best of my knowledge, the information provided is accurate.

7.2 I enclose the fee of £4 

Name

Date

7.3 Please post or email this form to:

Epsom & Ewell Borough Council  
Place Development Services  
The Parade  
Epsom  
Surrey  
KT18 5BY

Tel. 01372 732000

Email: supportgrouprequests@epsom-ewell.gov.uk

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

Please confirm you have done this by ticking the box below

## Guidance notes for completing the complaint form: High Hedges

### 1. Attempts to resolve the complaint

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

#### Example 1

12 March 2005 - phoned to ask if we could discuss 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 would be complaining to Council.

#### Example 2

12 March 2005 - wrote to ask if we could discuss hedge. 2 weeks later still no reply

9 April - wrote to ask if would speak to mediator. 2 weeks later still no reply

7 May - wrote to inform neighbour would be complaining to Council.

#### Example 3

12 March 2005 - saw neighbour in their garden and asked if we could discuss hedge. Neighbour came round on 19 March. Saw the effect of the hedge for themselves. Sympathetic but unwilling to reduce the hedge as much as we wanted;

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 us 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. Criteria for making a complaint**

### **Who can complain**

2.1 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 a leaseholder), you can still make a complaint. But you should let the owner (e.g. landlord or management company) know what you are doing.

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

### **3. Grounds of complaint**

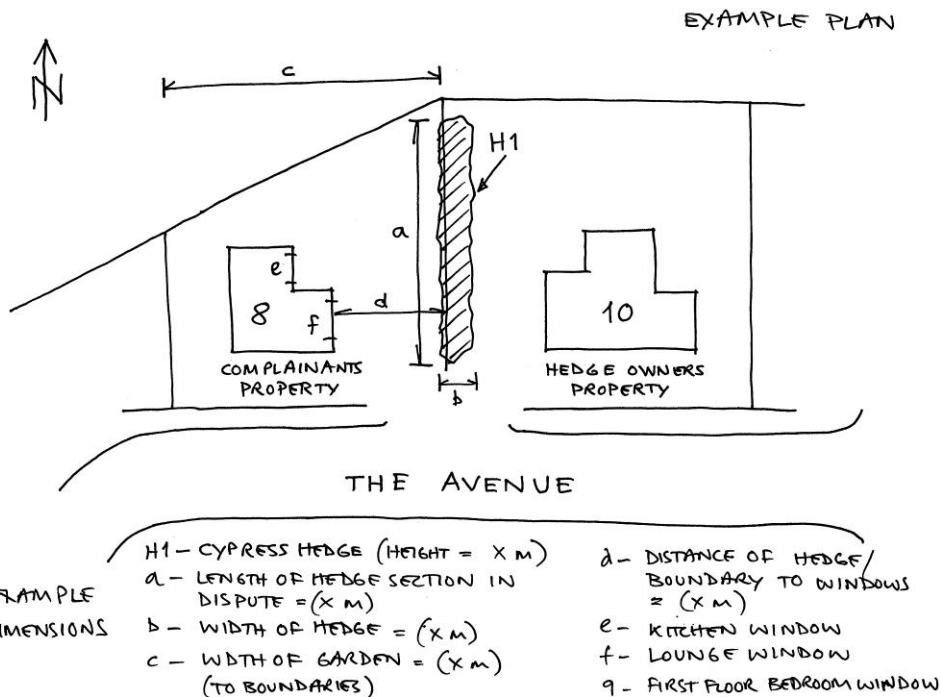
3.1 It will help if you provide as much information as you can but keep it factual. Remember that a copy of this form will be sent to the person who owns the site where the hedge is growing, and to the person living there if they are different people.

3.2 Concentrate on the hedge and the disadvantages you actually experience because it is too tall. We cannot consider problems that are not connected with the height of the hedge. For example, if the roots of the hedge are pushing up a path.

3.3 We cannot consider things that are not directly about the hedge in question. For example, that other people keep their hedges trimmed to a lower height; or that the worry is making you ill.

3.4 Please also provide a photograph of the hedge and 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:

- Mark and name surrounding roads.
- Sketch in buildings, including adjoining properties. Add house numbers or names.
- Mark clearly the position of the hedge and how far it extends.
- Mark which way North is.



3.5 Please include copies of any professional reports that you may 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 (eg size of garden, distance between the hedge and any windows affected). All measurements must be in metres (m).

#### 4. Previous complaints to us

4.1 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

5.1 We need all these names and addresses because there are some documents that the law requires us to send to the owner **and** occupier of the land on which the hedge grows. These include our decision on the complaint.

5.2 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 e-mail.

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.

5.3 Complete this section if you are a professional adviser, 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 e-mail.



5.4 This will normally be the person you have talked 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 box to describe as clearly as possible where it is, eg 'Land to 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.

5.5 If you are in any doubt about who owns the property where the hedge is situated, you can check with the [Land Registry](#).

## **6. Supporting documents**

Please make sure you have ticked all the relevant boxes. If you have ticked the last box, please list these documents by date and title (e.g. January 2016 - 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, put a reference number or title on them (e.g. hedge complaint, 12 High Street) so that we can match them up with your complaint.