

Guidance for **application for High Hedge Notice**



Planning Services Development Management

The High Hedges Act is intended to control hedges over two metres high which are causing a loss of residential amenity because of a loss of light, to your house or to your garden. If you feel that your neighbour has a hedge over two metres high which is overshadowing you, you can apply for the council to serve a High Hedge Notice.

The Act gives a definition of a high hedge as being a hedge which:

- a) is formed wholly or mainly by a row of two or more trees or shrubs,
- b) rises to a height of more than two metres above ground level, and
- c) forms a barrier to light.

If your neighbour's hedge does not meet the above criteria, we will not be able to accept an application for a High Hedge Notice. We will also not be able to accept your application if your property which is affected by the hedge is not residential, or if you are not the owner or occupier of the property and if you have not made any effort to contact the owner of the hedge to resolve the situation between you.

The legislation is aimed at controlling hedges which would normally be on the boundary of a garden; areas of woodland which are adjacent to residential properties are not, for the purposes of the Act, considered a 'hedge' and cannot be the subject of a notice.

Before you apply, you will need to:

Make efforts to resolve the situation by approaching your neighbour. You should attempt to contact your neighbour, by different means if necessary - in person, by email or by letter. Keep a record of all such contact and give us details when you submit your application.

Even if you have previously made contact you **must** send a letter to the owner of the hedge at least seven days before you submit your application. We have provided a template for you to use if you wish, but you are free to use your own letter if you prefer. Whichever you use, keep a copy and submit it with your application.

When you apply, you will need to:

- Complete **all** of the application form, including section 3, which sets out the requirements for making a serious complaint.
- Provide a map which clearly shows the location of the hedge. You should use colour or cross-hatching to highlight the hedge. You can submit as much additional supporting information as you wish, but please bear in mind that the council has to share all the information you supply with the owner of the hedge.
- Pay the fee for processing the application.

Customers with special requirements

Information is available in **Braille, tape, large print** and **community languages**. Please contact the **interpretation and translation** service on **01506 280000**

Text phones offer the opportunity for people with a hearing impairment to access the council. The text phone number is **18001 01506 464427**. A loop system is also available in all offices.

Development Management, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF

tel 01506 280000 email planning@westlothian.gov.uk web westlothian.gov.uk