

Hedging your bets

Scared the hedge police could nab you? Ross Moyses sheds light on the leylandii wars

THERE is still enormous confusion over the new hedge laws introduced in England in June. Keen gardeners had visions of the 'hedge police' knocking on their doors demanding leylandii conifers were cut to the bone. Neighbours in dispute over hedge size thought the arguments, for good or for evil, would be over in months.

The media reported the new laws required an evergreen hedge, like the leylandii, be cut down to under 2m (6.5ft) if neighbours complained. Individual trees and deciduous hedges were not affected.

The reality is the new laws are ambiguous and do allow for considerable negotiation and compromise. They have also encouraged people to use more imaginative and interesting ways of creating privacy with different types of hedges and screens in their gardens.

For example there are some glorious deciduous plants which retain their leaves in winter and provide good privacy. These plants – such as hornbeam and beech which make wonderful hedges – are not covered by the new laws.

People are also mixing evergreens with deciduous trees which keeps within the law and creates more colour, mood and interest.

Possible evergreens include the evergreen oak, bay, magnolia grandiflora and eucalyptus, some of which can grow up to 30m (100ft) if required.

Every situation will be judged on its individual merits if you ask the council to apply the law. Ideally you want to sort

it out directly with your neighbour because the council will charge you about £450 if you ask them to handle a dispute with no refunds even if you win.

Essentially, the law is focused on protecting sunlight and daylight on neighbouring houses and gardens. The Act specifically says councils can't deal with problems caused by roots.

So far it all makes sense, so where does the ambiguity lie?

Well, first of all, you can work out a compromise with your neighbour and do whatever works for both of you.

If you involve the council, they use some fairly complex ways of measuring the problem (see the council booklet Hedge Height and Light Loss).

If the hedge is more than 8m (25ft) away from the neighbours the new rules may not be relevant.

Councils want to encourage hedges, not have them removed or massacred, so they may compromise, but equally they may ask you to cut the offending hedge lower than 2m to allow for growth.

To keep your privacy, you do have a wide and interesting range of options.

If you cut your existing hedge to 2m, you could use larger species of plant or trees in front of it such as photonia or bamboos.

You could redesign your garden to create privacy within the centre of the garden itself or where you are not overlooked – a screen closer to where you sit does not need to be so tall to provide privacy.

If you are starting from scratch, you can buy instant hedges – essentially deciduous hedging like

beech which is 2-3m (6ft-10ft) high.

You can look at new ways of combining deciduous trees into hedging such as pleached hornbeams which are shaped to provide a hedge while their glorious trunks are still in full view.

Individual specimen evergreen trees such as evergreen oak can be combined with deciduous trees to create real privacy in selected key areas.

Alternatively, you can combine all three, perhaps a purple acer to give coloured foliage, a strawberry tree and a hornbeam hedge for privacy and to give texture.

The new hedge laws may cause

Measuring up

- ✦ The law only applies if there is a complaint.
- ✦ The law only affects evergreen or semi-evergreen hedges; it does not affect deciduous hedges even if they retain their dead brown leaves in winter.
- ✦ The portion of the hedge causing the problem has to be made up of a line of two or more trees or shrubs.
- ✦ The law only applies if it is more than 2m high from ground level unless it has been planted on a bank or in a raised bed, when the measurement would be taken from the natural ground level.
- ✦ Even if there are gaps, the law still applies if the hedge is capable of obstructing light or views.

frustration. But they will encourage new thinking and the creation of imaginative and wonderfully creative gardens around the county.

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NATURAL LOOK: Combining deciduous trees with pleached specimens and evergreens creates a visually pleasing barrier.



EYECATCHING: Pleached lime.