Tendring District Council

Town Hall
Station Road
Clacton on Sea
CO15 2SE

Mr Briscoe
6 Wheelwrights
Colchester Road
Wix
Essex
CO11 2BG

Please ask for: Clive Dawson
Tel: 01255 686155
Email: cdawson@tendringdc.gov.uk

Our Ref: CPD/mydocs/HH566
Your Ref:

21 October 2026

Dear Mr Briscoe

RE: **COMPLAINT ABOUT A HIGH HEDGE SITUATED AT 4 ABBOTS CLOSE, WIX.**
REFERENCE NUMBER HH566

I refer to the complaint, made under Part 8 of the Anti-social Behaviour Act 2003, about the high hedge situated at 4 Abbots Close, Wix, CO11 2RW. The complaint alleged that the hedge is adversely affecting the enjoyment of the domestic property at 8 Wheelwrights, Colchester Rd, Wix, Essex CO11 2BG. In particular, it was alleged that the hedge blocks light to the garden, affecting the owner's enjoyment and use of the private amenity space as well as light reaching the dwelling.

The Council have considered:

Representations made by the complainant and the owner of the land where the hedge is situated;

The contribution that the hedge makes to the character and amenity of the area.

An officer of the Council visited the site on 10 August 2026.

Main Considerations and Conclusion

I enclose a copy of the case report that summarises the representations and other information before the Council and explains how we have assessed and weighed the various issues raised by the complaint.

The Council's role in these cases is to seek to strike a balance between the competing rights of neighbours to enjoy their respective properties and the rights of the community in general, and thereby to formulate a proportionate response to the complaint.

As the report indicates, the main considerations in this case are whether the problems complained of are sufficiently serious to justify action being taken in relation to the hedge, bearing in mind the effect such action would have on the property where the hedge is situated and on the wider area.

Following the assessment of the hedge it is apparent that it is causing an obstruction of daylight and sunlight to the garden and a window on the southern facing elevation of the dwelling at 8 Wheelwrights, Colchester Road, Wix, CO11 2BG

On balance, the Council believes that the harm caused by the hedge outweighs other factors and that remedial action is required.

Formal Decision

For the reasons given in the case report, the Council have decided that the height of the hedge in question is adversely affecting the complainant's reasonable enjoyment of their property and hereby issue the enclosed remedial notice specifying the action that must be taken in relation to the hedge to remedy the adverse effect and to prevent its recurrence.

If you would like further information about our decision, please contact Clive Dawson on Tel. no. 01255 686155 or cdawson@tendringdc.gov.uk , quoting the reference number given above.

Summary of Requirements of Remedial Notice

The hedge comprising evergreen conifers the boundary of the rear garden of 4 Abbotts Close, Wix CO11 2RW should be reduced to a height not exceeding 2m from ground level and subsequently maintained at a height not exceeding 2.5m for its complete length.

Person responsible for Taking Remedial Action

Under the Act, the owner or occupier of 4 Abbots Close, Wix, CO11 2RW is obliged to carry out the works specified in the remedial notice, within any timescale set there. Failure to do so may result in prosecution and a fine.

The remedial notice does not give the complainant any right to intervene and take the necessary action him or herself.

Right of Appeal

The complainant and everyone who is an owner or occupier of the land where the hedge is situated, that is Mr Briscoe (the complainant) and Mr Fisher and Ms Bryan (the owners/occupiers) can appeal to the Planning Inspectorate against the issue of the remedial notice. Further information is in the leaflet *High hedges: appealing against the Council's decision*, a copy of which is enclosed. An appeal must be submitted to the Planning Inspectorate, on their official form, within 28 days from the date of this letter. The form is available on the Planning Inspectorate website at www.planning-inspectorate.gov.uk.

Telephone: 0303 444 5570

or e-mail it to: treeandhedgeappeals@planninginspectorate.gov.uk

An appeal can be made on any one or more of the following grounds:

that the action specified in the remedial notice falls short of what is needed to remedy the adverse effect of the hedge or to prevent it recurring;

that, contrary to the decision of the Council, the hedge in question is not adversely affecting the complainant's reasonable enjoyment of their property;

that the action specified in the remedial notice exceeds what is reasonably necessary or appropriate to remedy the adverse effect of the hedge or to prevent it recurring;

that not enough time has been allowed to carry out the works set out in the notice.

The remedial notice will be suspended while any appeal is being determined.

If you would like further information about our decision, please contact Clive Dawson on Tel. no. 01255 686155 or cdawson@tendringdc.gov.uk, quoting the reference number given above.

I am sending this letter to the complainant and the owner and occupier of the land where the hedge is situated.

Yours sincerely

Clive Dawson
Tree and Landscape Officer
Planning Services