

Trees and your property

My neighbour's trees encroach across my boundary - can I cut them back?

Your common law rights allow you to remove branches that cross over your boundary without the need to seek your neighbour's permission. However, it is always advisable to let your neighbour know of your intentions before cutting any branches. When you prune back trees from neighbouring land you must not cross the boundary or enter their land to do so. For example, climbing the tree or leaning a ladder over the boundary to rest against the trunk of the tree without consent could be classed as trespass.

You should ask your neighbour if they wish the removed material to be returned to them. If they don't want it, it will be your responsibility to dispose of it at a Household recycling and Waster Centre or using the Council's garden bin service.

If a tree is protected by a Tree Preservation Order or is in a Conservation Area, the common law right is removed and you will need to seek formal planning permission before undertaking work to living parts of the tree, see:

<https://www.aylesburyvaledc.gov.uk/section/protected-trees-and-hedgerows>

My neighbour's trees are blocking my light or views - what can I do?

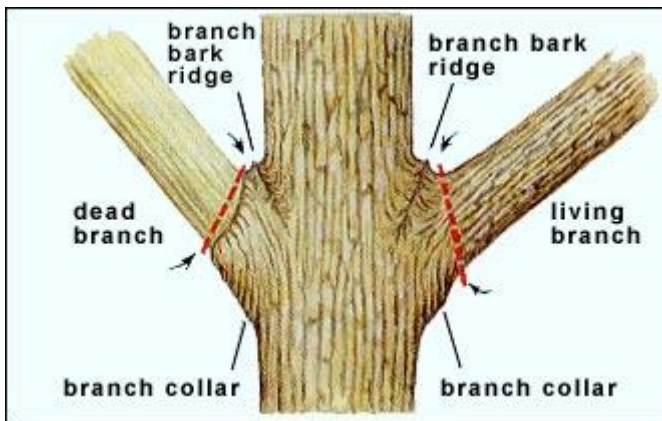
Your neighbour only has a duty to ensure their trees are maintained in a sound and healthy condition to minimise risks to people and property. There is no legal right to light or views.

There is no restriction governing the height to which trees are allowed to grow. If you have concerns about a tree ask your neighbour how they intend to maintain their trees. You may be able to cut the overhanging branches back to the boundary. However, before either you or your neighbour undertake work to any tree it is important to check they are not covered by a Tree Preservation Order or in a Conservation Area.

More information can be found in our leaflet 'Boundaries and Tree Advice' which can be found on the AVDC website (See links below).

Finding a tree expert

Pruning a tree requires skill so that the pruning cuts are not detrimental to the trees future health or appearance. Trees require pruning to BS3998, pruning back to suitable growing points and/or back to the branch collar and branch bark ridge (see fig1.) where appropriate.



AVDC would highly recommend the use of an Arboricultural Association certified professional as these contractors undertake high quality tree works and are up to date on current best practise.

Using an AA certified Tree Surgeon would eliminate the risk of unnecessary works being advised or poor quality works being undertaken by unscrupulous contractors, saving you money and safe guarding the beautiful trees we have in Aylesbury Vale.

Find a tree work professional: <https://www.trees.org.uk/Find-a-professional>

Useful links:

AVDC Tree information page: <https://www.aylesburyvaledc.gov.uk/trees>

Protected tree search: <https://www.aylesburyvaledc.gov.uk/protected-tree-search>

Arboricultural Association: <https://www.trees.org.uk/>

Email: trees@aylesburyvaledc.gov.uk