

1. Home (<https://www.gov.uk/>)
2. Land management (<https://www.gov.uk/topic/environmental-management/land-management>)

Guidance

Countryside hedgerows: protection and management

Find out if you can remove or work on countryside hedgerows.

From:

Natural England (<https://www.gov.uk/government/organisations/natural-england>) and Department for Environment, Food & Rural Affairs (<https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs>)

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Applies to:

England

Contents

- Check if a hedgerow is protected
- Apply to remove a countryside hedgerow
- How your LPA will respond
- Appeal a hedgerow decision
- Check if you can work on a hedgerow
- Report a suspected offence against nesting birds
- Report a suspected hedgerow offence

[Print this page](#)

There are rules you need to follow if you intend to remove a countryside hedgerow. You could get an unlimited fine if you break these rules.

Check if a hedgerow is protected

A countryside hedgerow is a boundary line of bushes which can include trees. A hedgerow is protected, meaning you cannot remove it, if it meets the following criteria for:

- length
- location
- 'importance'

Length

A hedgerow is protected if it's:

- more than 20m long with gaps of 20m or less in its length
- less than 20m long, but meets another hedge at each end

Location

A hedgerow is protected if it's on or next to:

- land used for agriculture or forestry
- land used for breeding or keeping horses, ponies or donkeys
- common land
- a village green
- a site of special scientific interest
- a protected European site (<http://jncc.defra.gov.uk/page-4>) such as a special area of conservation or special protection area
- a local or national nature reserve
- land belonging to the state

A hedgerow is not protected if it's in, or marks the boundary of, a private garden.

'Importance'

A hedgerow is important, and is protected, if it's at least 30 years old and meets at least one of these criteria:

- marks all or part of a parish boundary that existed before 1850
- contains an archaeological feature such as a scheduled monument (<https://historicengland.org.uk/advice/hpg/has/scheduledmonuments/>)
- is completely or partly in or next to an archaeological site listed on a Historic Environment Record (HER) (<https://historicengland.org.uk/advice/technical-advice/information-management/hers/>), (formerly a Sites and Monuments Record)
- marks the boundary of an estate or manor or looks to be related to any building or other feature that's part of the estate or manor that existed before 1600
- is part of a field system or looks to be related to any building or other feature associated with the field system that existed before 1845 - you can check the County Records Office for this information
- contains protected species (<http://www.legislation.gov.uk/ukpga/1981/69/schedule/5>) listed in the Wildlife and Countryside Act 1981
- contains species that are endangered, vulnerable and rare and identified in the British Red Data (<http://jncc.defra.gov.uk/page-3352>) books
- includes woody species (<http://www.legislation.gov.uk/uksi/1997/1160/schedule/3/made>) and associated features (<http://www.legislation.gov.uk/uksi/1997/1160/schedule/1/made>) as specified in Schedule 1, Part II Criteria, paragraph 7(1) (<http://www.legislation.gov.uk/uksi/1997/1160/schedules/made>) of the Hedgerow Regulations - the number of woody species needed to meet the criteria is one less in northern counties

Apply to remove a countryside hedgerow

You can only remove the hedgerow if:

- it's less than 30 years old
- you're the owner, tenant or manager of the hedgerow
- you're a utility company that's eligible to remove it

Discuss your proposal to remove a hedgerow with the local planning authority (LPA) first to make sure it's legal to do so.

The LPA is one of the following:

- the local authority (<https://www.gov.uk/find-local-council>)
- the National Park Authority (<http://www.nationalparks.gov.uk/about-us/contact-us>) for land within a national park boundary
- the Broads Authority (<http://www.broads-authority.gov.uk/planning/Other-planning-issues/trees-and-hedgerows>) in the Norfolk Broads
- the Council of the Isles of Scilly (<http://www.scilly.gov.uk/node/48>) for land on the Isles of Scilly

You'll need to provide plans relating to the hedgerow you want to remove. The local authority will explain what's needed.

How your LPA will respond

After they have acknowledged your request, your LPA has 42 days to respond to your written notice to remove a hedgerow. In that time they will consult the relevant parish council. The parish council might ask for more time to consider the proposal.

The LPA will issue either:

- a hedgerow retention notice - if the hedge is protected and must be kept
- a written notice giving permission to remove it in the way you've proposed

You have up to 2 years from the date of the written notice to remove the hedgerow.

You can remove the hedgerow if you do not hear back from the LPA within the 42 day period.

People can object to a removal of a hedgerow by contacting the LPA. The LPA will consider any objections they receive.

Appeal a hedgerow decision

You can appeal (<https://www.gov.uk/appeal-hedgerow-notice/>) if you disagree with a decision and your LPA has sent you either:

- a retention notice, saying you cannot remove a hedgerow
- a replacement notice, telling you to replace a hedgerow you've already removed

You must appeal within 28 days of the date on the LPA decision letter.

Check if you can work on a hedgerow

Before you start working on a hedgerow, check whether there are any restrictions in place.

Nesting birds

You must not do any work which might harm nesting birds or destroy their nests. You'll usually find nesting birds during the main nesting and breeding season from 1 March to 31 August.

Tree protection and licensing

Before carrying out work on hedgerow trees you must check if you need a felling licence (<https://www.forestry.gov.uk/england-fellinglicences>).

The LPA will tell you if there's a tree preservation order (<https://www.gov.uk/government/policies/improving-the-energy-efficiency-of-buildings-and-using-planning-to-protect-the-environment/supporting-pages/tree-preservation-orders>) in place or if it's in a conservation area (<https://historicengland.org.uk/listing/what-is-designation/local/conservation-areas/>).

Restrictions for Common Agricultural Policy (CAP) schemes

If you get paid under the basic payment scheme, there are restrictions on managing hedgerows in the Good Agricultural and Environmental Conditions (GAEC) guidance (<https://www.gov.uk/government/collections/cross-compliance>).

If you have an Environmental Stewardship agreement (<https://www.gov.uk/government/collections/environmental-stewardship-guidance-and-forms-for-existing-agreement-holders>) or Countryside Stewardship agreement (<https://www.gov.uk/government/collections/countryside-stewardship-information-for-agreement-holders>), you must also check your agreement handbook (<https://www.gov.uk/government/publications/hedgerows-and-boundaries-grant-countryside-stewardship>) to see what restrictions there are.

Report a suspected offence against nesting birds

Report a suspected offence against nesting wild birds or their eggs to your local police force (<https://www.police.uk/contact/>). Ask for a wildlife crime officer to investigate for illegal activity.

Report a suspected hedgerow offence

How you report a suspected hedgerow offence depends on whether the hedgerow is in a:

- Countryside Stewardship scheme
- Environmental Stewardship agreement scheme
- EU basic payment scheme

These schemes are known as 'Common Agricultural Policy (CAP) schemes'. You can check whether the hedgerow is in a Countryside Stewardship or Environmental Stewardship agreement scheme on the Defra MAGIC website (<https://magic.defra.gov.uk/>).

Hedgerows in CAP schemes

If you have concerns about the activity someone is undertaking on a hedgerow in a CAP scheme, report it to Rural Payments Agency on 03000 200 301 or email ruralpayments@defra.gov.uk

Hedgerows not in CAP schemes

If the hedgerow is not in a CAP scheme, report the activity to your local planning authority (<https://www.gov.uk/find-local-council>).

You can find out more about how to manage your hedgerow on the Hedgeline website (<http://www.hedgeline.org.uk/>).

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1. 17 June 2019

Included process for reporting offences for hedgerows not in CAP schemes.

2. 16 August 2017

Corrected guidance on hedgerow removal and when you need permission to do this.

3. 8 November 2016

This page has been updated to improve: * the definition of a protected hedgerow and important hedgerow * what you need to provide the LPA when you apply to remove a hedgerow * how the LPA will respond to the request

4. 11 September 2014

First published.

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- Appeal a hedgerow notice (<https://www.gov.uk/appeal-hedgerow-notice>)
- Hedgerows and Boundaries Grant manual for 2020 agreements: Countryside Stewardship (<https://www.gov.uk/government/publications/hedgerows-and-boundaries-grant-countryside-stewardship>)

- Plant and manage hedgerows (<https://www.gov.uk/guidance/plant-and-manage-hedgerows>)
- Planning applications affecting trees and woodland (<https://www.gov.uk/guidance/planning-applications-affecting-trees-and-woodland>)

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