SUBMISSION FROM AILEEN BENSON

Definition of High Hedge
1. I do not agree with the definition of a high hedge as set out in the bill because it does not meet the principal policy objective to provide a solution for Scotland. To do that deciduous hedges and trees need to be included. A neglected deciduous hedge becomes a solid block of high trees just like evergreens. A barrier to light is not the only problem. Obscuring a neighbour’s treasured view is also a interfering with the reasonable enjoyment of domestic property. The definition in my view should be ‘defining a high hedge as one which is formed by a row of two or more trees or shrubs over two metres in height and interferes with the reasonable enjoyment of domestic property’.

Other Forms of Vegetation - Why
2. Research shows that shorter days and dull light in winter means that as a nation we suffer a Vitamin D deficiency due to the lack of it. Deciduous trees block light in the months when we have it, in the West of Scotland the cloud cover is such that even in March dry days can be dark. What actually happens to the plant depends on temperature, and also wind. Last year evergreens here lost their leaves to wind, our colder weather has the same effect. In short, it is no difference having a deciduous problem rather than an evergreen one. It’s a technicality. In the months we have light, the leaves are on creating a barrier, in winter its dark by nature!

3. A row of large deciduous trees produces massive leaf drop which certainly interferes with reasonable enjoyment of domestic property.

4. By not including deciduous trees you are leaving a door open for people to trim evergreens and plant a row of fast growing deciduous trees. You can buy them ready grown at heights of over 2 metres.

5. My problem consists of a mixed row of neglected conifers and deciduous which are now becoming massive trees. I had hoped the bill would set ‘fair rules’ for such a situation but as it currently stands my life just becomes more miserable and my house devalues or becomes unsellable. Surely that qualifies as ‘interfering with reasonable enjoyment’ just as if they were all conifers.

6. I believe that including deciduous trees would set out a ‘community code of conduct’ and it’s very likely that there would be little issue between neighbours when people have this norm to judge themselves by.

Questions 3 – 8
7. Everything seems to have been well thought out. I think it should be well publicised that it would cost the owner a lot more if the council have to do the work, that may put them off deliberately delaying the work, or thinking the council would be cheaper than a Tree Surgeon.