The Clerk
Local Government and Regeneration Committee
The Scottish Parliament

28 October 2012

Dear Sir,

High Hedges Bill: Call for evidence

I attach a letter concerning the nuisance caused by dense planting of deciduous trees in proximity to property boundary lines.

I hope the letter is self explanatory.

I would like the Committee to consider it, along with this covering letter, as evidence of the distress caused by densely planted deciduous trees forming a barrier to light.

I understand that the Bill as it stands excludes deciduous trees and would ask the committee to consider that it is the impact of dense planting of tall trees that causes the problem. For this reason I would ask them to consider including deciduous trees which have an impact on light for a long growing season in the wording of the final legislation.

Yours faithfully

Carol Walsh (Mrs)
28 October 2012

Dear Sir and Madam,

Tree Planting to the rear of

I am the owner of [ ], which lies within the [ ] development at [ ]. Ground to the rear of my property, and that of several of my neighbours, is zoned for structured woodland planting.

I am writing to you both as I understand that [ ] retains a controlling interest in the amenity grounds in this area and were responsible for drawing up the planting scheme in conjunction with [ ] Council as the relevant planning authority. My purpose in writing is to appeal to you to bring some common sense to a situation which is causing me much concern.

Scottish Woodlands has planted a small forest of approximately 40 Alder trees directly at the foot of my garden. I understand that these trees can grow to a height in excess of 20 feet.

I have approached Scottish Woodlands about the reasonableness of the chosen planting scheme in such close proximity to my house and have been informed by them that it is part of the planting scheme for the area and they are powerless to do anything to vary it.

Having examined the deeds of my house I find that woodland areas can be planted such that trees are 2 meters from fence lines and 1 meter apart. Scottish Woodlands have chosen to plant at this maximum density and with a species of very large and fast growing trees. I find it hard to believe that [ ] and [ ] Council, intentionally designed such a planting scheme so that it would severely impact on my back garden. I have been informed that the trees will basically form a high, green barrier at the foot of my garden. They will block sunlight and be oppressive when viewed from my rear windows and back garden. Scottish Woodlands have advised me that the trees will be thinned, but that this is simply to accommodate ‘canopy closure’. In summary the tree thinning will have little impact on my concerns.

The plan of the area included with my deeds gives no indication that this area was zoned for woodland and the house was sold to me partly on the basis of the open outlook and the fact it was impossible to build to the rear because of the nature of the land.

For several years after I moved in the area was planted with what I would describe as low lying scrubland. When the Alder trees were planted, I believe a couple of years ago, it was not immediately apparent to me that they were anything other than replacement shrubs. It is only this year that I have become aware of the potential height and density of the planting.

As [ ] and [ ] Council appear to be the main parties able to influence the nature of the planting in this area I would ask you to review the situation with a view to reaching a compromise arrangement. The planting scheme as it stands appears to have some flexibility as some places within the zoned area have been left free from trees and some of the species planted appear to be of a less spreading variety. The trees in fact appear to be peculiarly crowded in front of my property, and also part of my neighbours’ property.
In considering this matter I would draw your attention to section 7.4 of Council's Supplementary Planning Guidance on Trees and Development which states: 'problems with shading caused by blocks of trees can be avoided by careful siting and keeping an area of open ground between the woodland and properties.' Clearly that has not been applied in this case.

You will also be aware that the Scottish Parliament will shortly be considering a bill to address the nuisance caused by high hedges. I am copying this letter to the committee responsible for considering evidence to inform the final drafting of the legislation, to draw attention to this particular case.

I have spoken to the neighbours in whose properties are adjacent to the woodland planting and they share the concerns I have expressed in this letter regarding shading and the proximity of the trees to the property boundaries.

I am sorry to write to you at such length on this matter but I have been left feeling rather powerless in the face of Scottish Woodlands' intransigence.

Yours faithfully

Carol Walsh (Mrs)