

Item 18 – tree on Tram Tracks

Issues raised by resident 3/9/21:

Could you raise with the council an issue I have with light following trees across from my house becoming overgrown?

The banking at the side of the tram tracks was landscaped by the builder when the houses were built on White Lee Avenue. Several of these trees are now very large and along with some of the huge trees on the allotments behind are creating a very large hedge which is blocking much of the light at the front of my house.

I understand Trawden Council now maintains the land next to the Tram Tracks and would like to request these trees are pollarded.

I am unsure what the position is with the trees on the allotments however in addition to blocking light, I worry about their safety as many are conifers which are shallow rooting and can blow over in strong winds. A tree did fall and block the Tram Tracks about half way up the track (It was early last year, Paul Rayner arranged to get it cleared) it was lucky that nobody was walking down the tram tracks at the time as they could have been killed. I would like to request the council considers whether these trees should have work done to reduce their size and ensure they are not a risk to people and property nearby.

Response 8/9/21

All trees 'belonging' to The Parish Council have recently been surveyed and a report written.

In order for me to give details for the correct tree(s), please could i ask that you specify which one(s) - either by photo or location (eg third down) or a combination of the two?

From resident 8/9/21: It's these trees in the photo - the second area of landscaping on the right hand side of the tram tracks as you go up from the Trawden Arms. Also the tall conifers behind these, they are on the allotments



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Response 9/9/21: I have checked the report and the Arborist who undertook the survey has no concerns over the trees in this area. The Councillors would now need to decide if action should take place.

As you say, the trees behind the fence are on allotments - these are not owned by the Parish Council. You would need to contact the landowner directly (sorry don't know who this is) to ask them to carry out work.

From resident: Thank you for your response. I will contact the owner of the allotments (they are owned by a Trust, not sure of the details but will try to find the contact details)

The issue with the trees and hedging across from me is not the health of them, it is the height of them and the fact that together with the evergreen shrubs and some of the conifers behind they have formed a high hedge that blocks the light coming into my living room. This is especially an issue as they are planted on a banking higher than the Tram Tracks and houses on White Lee Avenue. When the trees and shrubs were smaller and before they formed a hedge I did not have this issue. This is why I ask the council to consider pollarding them

Response 9/10/21: We discussed the trees at the meeting and decided to consult again with the Tree Risk Management Appraisal and the Tree Conservation Officer at Pendle Borough Council.

The Borough Council would not recommend that a tree is cut unnecessarily, as the long term issues that it would cause, far outweigh the short term gains. The below is the 'formal' line from the Tree Officer:

Maintenance on trees will not be carried out to:

- Remove overhanging branches that aren't touching property.
- Prevent roots entering a drain that is already damaged.
- Improve natural light in a property.
- Improve natural light to a solar panel.
- Improve the view from a property.

Light

Unless your property has received daylight for a minimum period of 20 years, you do not have a right to light. There is no legal right to direct sunlight and the amount of light that you are entitled to is restricted to one foot of candlelight.

It is felt that the trees within the White Lee Avenue development would have been a planning condition and therefore planted at the time of building.

I am sorry if this answer is not what you were hoping for.

Resident 10/10/21: Thank you for the update Emma Jane

I have been looking on the internet and found guidance on Gov.uk about hedges that I believe should be taken into consideration here.

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<https://www.gov.uk/government/publications/hedge-height-and-light-loss>

I can confirm that my property has received daylight for more than 20 years - we have lived here since the house was completed in July 1995. As I previously advised, the hedge did not cause problems when it was lower but as the height and density have increased significantly over the last few years it is now blocking quite a significant amount of light. It is the light into my main living room that causes concern and this is made worse by the fact that the hedge is on a banking above the level of the road.

Could you please raise this with the Council again and reconsider my request to reduce the height of the hedge

Many thanks for your help with this request