

# **Landlord told to cut 40 feet high hedge – but will appeal**

**A landlord who owns a house in Crewe Crescent has been told to cut-back his 40 feet ‘hedge’ after a resident complained it leaves them “living in constant darkness.”**

The City of Edinburgh Council ruled the row of 17 trees – considered a hedge under planning guidance – was “very dominant and overbearing” after officers paid a visit to the Granton property.

Owner Zohrah Ghafoor, who leases the flat out, was subsequently ordered to significantly reduce the height of the trees and he has since launched an appeal against the decision.

Kerry Millar, who stays in the neighbouring property first took the issue to the council last year after spending months attempting to resolve the matter directly with Mr Ghafoor.

In an application for a high hedge notice, she wrote she “seems to be living in constant darkness” as the hedge has a “major impact on the daylight to property and garden.”

Speaking to the LDR service, Ms Millar, 51, added: “It’s classed as a hedge because there’s so many trees in a row and my issue is that they block the light to my house and because of the height of them you can’t get any sunlight.

“It can be quite depressing, you can be outside on a lovely day and then you come into your own garden thinking ‘I’ll sit

outside and have a nice cup of tea or something' and there's no daylight out there, it's all just doom and gloom."

She said before the sun disappears behind the trees and residents – including those renting out Mr Ghafoor's property – get "maybe get a couple of hours" of sunlight in the morning.

She added: "Then when it comes out the other side you'll maybe get 40 minutes before the sun goes down."

Ms Millar, who moved to the area four years ago, added: "I mentioned it before and then the pandemic struck and I thought there's more important things than this, but 2020 was when I first started sending emails and approaching him."

In a letter to Mr Ghafoor, the council said: "The hedge would clearly restrict a significant amount of direct and indirect sunlight to the drying green and a lesser extent to the private garden area and dwelling due to the considerable distance from the hedge.

"The Officers first impression on site was that the hedge was very dominant and overbearing to much of the garden.

"The Local Authority has decided that the high hedge does adversely affects the enjoyment of the domestic property."'

The council estimated the height of the hedge to be around 12 metres and ordered trees along the east of the garden to be reduced to at least two metres and trees along the south to at least 3.5 metres.'

**However, the landlord, has now filed an appeal with The Scottish**

# **Government in a bid to overturn the notice.**

An appeal statement submitted on behalf of Mr Ghafoor disputed the hedge is having an “unacceptable adverse effect” on Ms Millar’s property.

It said: “The appellant does not consider that the attempts to resolve the matter by the applicant were sufficient.

And it added cutting down the trees would “create a stark, depressing and unattractive feature in the surrounding area, with no significant material gain.”

A reporter for the Scottish Government’s Planning and Environmental Appeals Division (DPEA) will issue a decision on the case later this year.

## **by Donald Turvill Local Democracy Reporter**

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