

Mark Warwick
Tree Officer
Arun District Council
Maltravers Road
Littlehampton
BN17 5LF

30 August, 2019

Dear Mr Warwick,

I've been trying to contact you for a while, and left messages, but perhaps you are on holiday or very busy, so I decided to write a letter instead.

I would like to discuss the Yew tree in the garden of 78 North Bersted Street, which was the subject of planning application BE/30/18/TC. I live at number 76, next door, and the tree is 50cm from the boundary wall and 2m from the east wall of my house. I have lived here for over 35 years, and have seen the tree grow significantly during that time. About ten years ago the branches from the tree were extending several metres over the boundary and were interfering with my roof and banging against my windows, so for this and other reasons (see later) I had to take action.

Firstly I asked my neighbour to prune the tree, and offered to pay one third of the costs, but he declined. I therefore applied for planning permission to prune my side of the tree, and when permission was granted I pruned the west side of the tree, where it overhangs my boundary. This made the tree unbalanced, as it had not been pruned on the other side, but I assumed my neighbour would eventually prune the rest of the tree, and he duly applied for planning permission to do this in April, 2018.

My understanding was that he would prune his side of the tree, thus balancing the tree and so all parties would be happy and the tree would be left in good health and would continue to be a visual asset in the area. However, permission was refused, largely I think due to a letter from you after your inspection on 1st May 2018, so we are left with an unbalanced tree and two unhappy households.

There are three points regarding your letter which I think need clarification:

Firstly, you stated that it would not be good to prune the tree by 1.5m all round. My neighbour should have made clear in his application that it was not his intention to reduce the crown by 1.5m all round, but to balance the tree by removing growth on the north/east/south sides, so as to match the west side, as stated above.

Secondly, the implication from your report is that the wall adjacent to the tree is in good condition, but nothing could be further from the truth. The wall under the tree has been sheltered from the weather, so does not have the crumbling surface which is characteristic of walls that have suffered water ingress, but it does have several very severe vertical cracks, up to 3cm wide and 2m long. Also the whole wall is leaning away from the tree. The lean is such that the centre of mass of the wall is

now above the edge of the base. I have been monitoring the lean for three years, and it has increased by about 10mm, as measured at the base, so the centre of mass will be well outside the base in a few years, and thus the wall will then be very likely to fall. The part of the wall alongside my path could easily weigh 20 tonnes, so if it does collapse, any person or animal beneath would certainly be killed, and considerable damage would be done to the external wall of the house, which is only 1.5m away from the 2.8m high boundary wall.

Thirdly, the implication is that the tree currently does not cause any problems, but that is not the case. In addition to the leaning wall, which is clearly caused by the tree and by the elevated ground level under the tree, there are other issues. Each year I collect several dustbins full of yew needles which fall on my path and after high winds they form a carpet several centimetres deep. I understand that they, and all other parts of the yew tree, are highly poisonous, so this represents a hazard, as well as an inconvenience, for me, my family and pets. The needles block drains and gutters, and the gutter along that side of the house has to be cleared several times each year. The needles and other debris falling from the tree are probably responsible for the elevated ground level, which is a major reason for the wall leaning. (*The ground level is 1.2m higher on the neighbour's side than on my side. My side is clearly the original level, and the increase in ground level, which produces sideways forces on the wall, can be calculated from the amount of needles and debris falling on my path. The calculation shows that the ground level under the tree has probably risen by about 1m in thirty years, which agrees with actual measurements and with my experience*). Also, the overhanging branches are an ideal place for birds to roost, and they deposit droppings on my path, right outside my kitchen door. At certain times of year, these can be obnoxious, thick and foul-smelling. In addition to this, the tree takes away virtually all the light from all the windows on the east side of the house, making all those rooms very dark. We normally keep lights on all the time in those rooms. The roof was re-thatched a few years ago and the thatcher said that the life of the roof had been reduced by several years due to the needles that collected in the thatch under the branches of the tree.

In summary, I'm happy to co-exist with the tree, as I have done for 35 years. As you stated, it's a fine and handsome specimen, but when allowed to grow unchecked, it causes severe problems and expense for me, and certainly interferes with the quality of my life.

I would like to suggest a reasonable compromise: If the tree were to be reduced by 1.5m on my neighbour's side, and simply tidied up on my side, this would leave it in a balanced state, which would enhance its appearance, and it would enable me to enjoy my house and my property for the foreseeable future, and my neighbour could avoid the heavy shading he currently experiences. It would also reduce the amount of debris and needles falling from the tree, and thus slow down the build up of material under the tree which contributes to the toppling forces on the wall.

If a planning application were to be made along these lines, would you be able to support it?

Yours sincerely,

(P.Mullans)