

## HIGH HEDGES

Application for investigation

Re; 2 St George's Place YO24 1DR

### GROUNDS OF COMPLAINT

**The hedge comprises ten leylandii trees, immediately adjacent to the boundary wall and is 14 feet (4.26 metres) tall, measured on the uphill side of the gradient, and 32 feet (9.75 metres) long, and it causes;**

**Light and sunlight deprivation to my house;** The hedge blocks the early morning sun from my bedroom and living room and reduces light to other rooms on the ground floor where I live.

**Please see photos 1 and 2.** It should be noted that the hedge was last trimmed in September 2020 so the photos show the hedge before any re-growth has taken place.

**The hedge blocks sunlight from the garden;** As shown in the photos it starves the garden of light in the morning and in particular it keeps the driveway border in shadow until after midday. It also deprives the border of much rainfall. This makes it difficult to grow anything there. This should be an attractive frontage to the house. Summer bedding no longer flourishes there and other more resilient plants are damaged by the effects of the hedge. In combination with the garage at number 2 and the oversized trellis that is supporting an evergreen climber in contributes to the creation of a high sided tunnel, of well over 2 metres in height, along the entire length of the narrow driveway. See photos 3 and 4.

**This is not a safe or practical height for trimming and maintenance.** (photos 5 and 6) The hedge already extends beyond the boundary and grows out further until the growth is cut back. Trimming necessitates ladders being placed on the garden border which is also on a gradient and makes the operation doubly unsafe. This is not something I would want to undertake myself or ask my gardener to do.

As they fall the considerable amount of trimmings cause damage to the plants growing there and clearing them away does more damage. The trimmings are never properly cleared away causing further nuisance. As the photographs shows the large amount of bulky and heavy trimmings would flatten and damage delicate summer bedding that I want to grow there, which makes it futile to attempt to grow them.

I landscaped my driveway in the early 2000s and in the process carefully created a formal border parallel to the wall, with edging stones that follow the various gradients of the ground. I intended to plant it up with summer bedding among some taller plants and then change over to plant up for spring bedding in the autumn but the existence of the hedge and the need to maintain it prevents my plans coming to fruition. Thus I do not have the freedom to enjoy my garden according to my choice.

**The hedge is very detrimental to my visual amenity.** It blocks my view of the open green space and tree landscape of the 'Knaresmire' from my windows and from the driveway. The sheer size of the hedge and its proximity to my house is dominating and oppressive.

**From the street the view of my house is blocked.** (photos 11 – 13). It hides my visitors' view and first time visitors have difficulty finding the house, often walking past it because their view of the gate and house is masked by the hedge. The otherwise attractive view of my house and garden is largely hidden. It should be noted that St. Georges Place is a Cul-De-Sac, which means the hedge hides the house from all persons entering the street and is noticeably higher than any other front garden hedge in the street.

## HIGH HEDGES

Application for investigation

Re; 2 St George's Place YO24 1DR

### **PREVIOUS ATTEMPTS TO RESOLVE THE COMPLAINT**

#### **Background**

I have made many attempts over many years to resolve my complaint with Mr Parker and have written several letters, which until recently have been ignored. I have always hoped that this was something that could be resolved amicably.

The hedge had been planted by the previous owner who was a property developer whose plans to build two dwelling houses in the Garden at No 2, I had objected to.

The hedge was approaching 12 feet in height when Mr Parker moved in and had been planted 2 or 3 years previously.

#### **Actions**

**I first mentioned the matter several times** to Mr Parker soon after he moved into No. 2 in 2004. I have tried to talk to him on several occasions and at least once have called at his house. All my attempts were met with disdain.

**I have invited Mr Parker numerous times to come into the driveway** to have a look at the hedge from my side, to see how the hedge affects me so that he may better understand my complaint. I don't believe he has ever done so.

**I wrote to him in December 2005 – Letter L1 attached.** I received no response, but the hedge was trimmed on his side only without reducing the height.

**I wrote again in February 2006 – Letter L2 attached,** I again received no response.

**I had continued to try and persuade Mr Parker** over several years but my requests were always ignored. I have lost some copies of letters due to a computer accident. The hedge was trimmed occasionally but allowed to gradually grow taller and wider over time.

**I wrote another letter in September 2015 – Letter L3 attached.** This was again ignored.

**I attempted to speak to Mr Parker** in February 2020 – **Please see email correspondence.**

**I wrote a letter on 13<sup>th</sup> December 2020 – Letter L4 attached.** I received a telephone call from Mr Parker on the 4<sup>th</sup> January – 3 weeks later. This was the first time he had ever responded to my request to discuss the issue. The outcome of that conversation was that he would talk it over with his family and get back to me within two weeks. I waited more than 4 weeks and heard nothing further.

**I wrote again on 4<sup>th</sup> February – Letter L5 attached.** Mr Parker responded by email on the 13<sup>th</sup> February and further email correspondence followed.



**Please see attached emails.**

(Paginated 1 – 7)

- Mr Parker is somewhat disingenuous when he denies that I have written to him about the height of the hedge. It is inconceivable that he could not be aware of my complaints given that I have mentioned it to him so many times and sent various letters over the years.
- He appears to accept that I mentioned the matter in 2004 and then claims that he trimmed the hedge in response, but my letter in 2005 is a reminder that he only trimmed one side.
- The fact that he disputes the relevance and accuracy of my complaint demonstrates his disdainful attitude.
- Mr Parker does not suggest by how much or when he will reduce the height of the hedge so it is not known whether it will be sufficient to remedy the problems. He only says that he will consult with his tree surgeon. This is likely to be biased.
- If Mr Parker is sincere about his so called offer to call in the tree surgeon, he has had plenty of time to do this already – there has been no need to wait until the end of lockdown. The restrictions in place for the pandemic do not preclude coming into the garden to assess the hedge and it is noted that his gardeners have been there recently during the lockdown on at least two occasions (in early February and early March) to trim the privet hedge along the front of the house (photos 11 and 12), and also to partially trim the ivy (photo 3). Also the hedge was trimmed during the restrictions in September last year. (photo 6). If Mr Parker and his family are 'shielding' there need be no risk involved in calling in the tree surgeon, and then discussing it remotely.
- There is no guarantee that the shielding will be over when expected, and the same can be said for the end of restrictions.
- I have never given Mr Parker any reason to believe that he or his gardeners cannot come onto my driveway to carry out work on the hedge and this is what they have always done – usually without warning, because I have repeatedly made it clear that permission is granted.
- I am concerned that Mr Parker suggests trimming the hedge between April and August as this shows no regard to the birds that may be nesting there or the damage that will be done to my garden. This is the worst time of year to carry out the work. Also to trim the sides of the hedge in April would be futile as it has made no growth since it was last trimmed in September.

①

**Subject:** Without Prejudice: Leylandii Hedge

**From:** Shaun Parker <[REDACTED]>

**Date:** 13/02/2021, 21:07

**To:** [REDACTED]

Dear Anthony,

We note your letters dated 14<sup>th</sup> December 2020, and 4<sup>th</sup> February 2021 (received on 6<sup>th</sup> February 2021) and the phone call made by Shaun to you on 4<sup>th</sup> January 2021.

In your letter of 14<sup>th</sup> December you make a number of statements. We would dispute the accuracy and relevance of those statements.

You have not spoken to us or attempted to speak to us about the height of our hedge for many years. We were therefore upset and dismayed to receive your letter of 14<sup>th</sup> December completely out of the blue and threatening us with legal action quoting Anti-Social Behaviour legislation.

The hedge was existing when we acquired our house in March of 2004. The phone call on the 4<sup>th</sup> January was the first time we were made aware that you wanted us to reduce the height of the hedge substantially. The hedge is more or less the same height as it was in 2004. It is our understanding that there is no legal requirement defining what the height of our hedge should be.

We thought it may be helpful for you to know that our main consideration in respect of our mutual boundary is our privacy which is very important to us. Of particular relevance in this respect is the fact that you operate a high volume holiday lettings business from your property. The following is quoted on your website (<http://www.stakesby.co.uk> - 12<sup>th</sup> February 2021 – a copy of the relevant website page is attached):

**"Our large apartments can comfortably welcome groups of 12 and will combine to sleep up to 30+, providing ideal accommodation for reunions and hen parties in York."**

Whilst not mentioned on your website, we are aware that stag parties have also stayed at your property on many occasions. A google search for "stag party accommodation in York" returns your property as the second item.

The property adjacent to yours is also operated commercially as a hotel with ten bedrooms.

We do not believe that our hedge is unattractive and we have maintained it, including trimming the side adjacent to your property. It is our understanding that Leylandii should be trimmed between April and the end of August, and that care should be taken when trimming side shoots to avoid exposing bare wood which will not grow leaves again.

Having considered what you have said and without prejudice, we are prepared to offer the following:

#### Hedge Height

We are prepared to consider reducing the height of the hedge. Before deciding by how much, we will consult with a tree surgeon as we want to make sure that we do not damage or kill the plants, or create something which is unsightly. Our household is currently shielding as a result of the Covid-19

pandemic. Once the lockdown ends and our medical advice is that we no longer need to shield, we will ask the tree surgeon to come to our house to advise us. We will then be in a position to let you know what we would like to do.

### Side growth

We are happy to offer to cut the side growth on your side of the hedge back as far as we can without damaging the plants or exposing bare wood. We would arrange for this to be done in April, subject to the lockdown rules permitting this and subject to you granting access for the work to take place.

We are also happy to continue to maintain the hedge at our expense. We can trim the top from our side, however we need access to your property to trim the side adjacent to your property. We would require access to your property for this work two to three times each year between April and the end of August. Could you please let us know how you would like us to arrange access and any conditions you would wish to apply?

If you wish to discuss this email or any matters related to the hedge, please feel free to call Shaun on his mobile number [REDACTED]. If we are unable to answer, please leave a message and we will call you back.

Could you please acknowledge receipt of this email.

Yours sincerely

Shaun and Jane Parker

Attachments:

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York Holiday Accommodation | Stakesby Holiday Hats.pdf

381 kB



3

**Subject:** Re: Without Prejudice: Leylandii Hedge

**From:** Anthony Bryce <[REDACTED]>

**Date:** 16/02/2021, 19:48

**To:** Shaun Parker <[REDACTED]>

Dear Shaun and Jane,

Thank you for your email of 13th February - received and read on the 14th February.

Please allow me to remind you that I have written to Shaun, several times over the years about this matter - the first time was in 2005. I have also made several attempts to talk to Shaun directly, prior to my first letter and many times since. The last time I attempted to speak to Shaun was last February, 2020, as we coincided on the pavement in front of our houses whilst I was pruning the silver birch tree and you were getting stuff out of your car. On that occasion my mentioning of the matter was met with disdain, as were all my previous attempts, and you have ignored all my letters.

My letter of 14th December last was the first time you have ever responded, by calling me on the phone on 4th January, and although this was out of time I have waited much longer than the two weeks you asked for to consider and discuss with your family.

Unfortunately, what you are proposing does not offer a solution and is therefore not acceptable.

I understand that privacy is important to you, after all it is important to everybody and no less to me, but I am struggling to understand what level of privacy you perceive this hedge provides for you given that you park your only car behind it? I note that the hedge in front of your house that separates you from the whole world passing by, is much lower.

There is one more thing I would like to add and that is if you are concerned about aesthetics you might just consider removing the hedge entirely and planting something more pretty in the garden border there. The wall that is masked by the hedge is actually quite architecturally attractive as it is finished with natural stone copings and 'queenstones' along the top. I fully understand that you have never seen this because the hedge has always hidden it from view since before you moved in, but the wall definitely adds character. This was the way it was before J Guildford planted the trees a year or two before you arrived.

I am happy to wait another 7 days for you to discuss this with your family as I'm sure you will want to, but please give it some thought.

I am anxious to get this matter resolved so that the problems do not continue for yet another year, so can we say by the 24th February? Otherwise I will have no other option than to proceed with legal action through the council.

Yours sincerely

Anthony Bryce

4

**Subject:** Without Prejudice: Leylandii Hedge

**From:** Shaun Parker [REDACTED]

**Date:** 23/02/2021, 17:50

**To:** Anthony Bryce [REDACTED]

Dear Anthony,

We are perplexed and quite frankly outraged by your claims to have written and spoken to us many times about the Leylandii Hedge. This is simply untrue.

When you spoke to Shaun in February last year, you didn't mention the hedge at all. You informed him that some leaves from our ivy were on your driveway and demanded that we remove them. Despite our having no obligation to do so, we arranged for them to be removed promptly within a week or so.

We have not received any letters from you about the hedge. You did ask us to trim the hedge in 2004 after we had moved into our House as the previous owner had left it untidy. Since then, you have not made any attempt to speak to us about it, either when we have casually encountered each other or by simply knocking on our door, or by any other means.

Hence our surprise at receiving your letter in December, completely out of the blue and threatening legal action. We of course have responded.

Notwithstanding that, our offer in our email of 13<sup>th</sup> February still stands. The hedge should not be trimmed until the growing season which I understand commences in April. As a reminder, this is our offer:

"Hedge Height

We are prepared to consider reducing the height of the hedge. Before deciding by how much, we will consult with a tree surgeon as we want to make sure that we do not damage or kill the plants, or create something which is unsightly. Our household is currently shielding as a result of the Covid-19 pandemic. Once the lockdown ends and our medical advice is that we no longer need to shield, we will ask the tree surgeon to come to our house to advise us. We will then be in a position to let you know what we would like to do.

Side growth

We are happy to offer to cut the side growth on your side of the hedge back as far as we can without damaging the plants or exposing bare wood. We would arrange for this to be done in April, subject to the lockdown rules permitting this and subject to you granting access for the work to take place.

We are also happy to continue to maintain the hedge at our expense. We can trim the top from our side, however we need access to your property to trim the side adjacent to your property. We would require access to your property for this work two to three times each year between April and the end of August. Could you please let us know how you would like us to arrange access and any conditions you would wish to apply?"

If you wish to discuss this email or any matters related to the hedge, please feel free to call Shaun on his mobile number [REDACTED]. If we are unable to answer, please leave a message and we will call you back.

Yours sincerely



5

**Subject:** Re: Without Prejudice: Leylandii Hedge  
**From:** Anthony Bryce <[REDACTED]>  
**Date:** 23/02/2021, 21:52  
**To:** Shaun Parker <[REDACTED]>

Dear Shaun and Jane,

I thank you for your email of 23rd February from Shaun.

I wrote to Shaun in December 2005, and that letter refers to my several earlier attempts to talk to you to discuss your hedge, including on one occasion calling at your house and knocking on your door. I remember my visit was met with disdain and I was very clearly unwelcome.

I wrote to you again in February 2006.

The next record I have is that I wrote to you again in 2015 - I still have the folder containing these letters on my computer and I am attaching a screenshot of the contents with dates attributed.

There were other letters and notes too, in between and since the period 2006 and 2015, that have been lost due to a computer accident. I have also offered in the past, to cut the trees down to a more manageable height myself at no cost to you

When I spoke to Shaun in February last year I didn't get a chance to mention the hedge. I politely asked if you could have the Persian ivy cut back, but I was again treated with disdain and you retaliated by complaining about my crab apple tree in the rear garden because the branches were hanging over and the fruits were falling into your garden. You then quite rudely turned your back and walked away. I subsequently cut the crab apple back to lessen the likely fruit fall in the autumn. I noticed a few days later that the ivy had been cut back.

#### Hedge height and trimming

You could quite easily have your tree surgeon come to look at the hedge contactlessly and he could then report back to you contactlessly.

If the advice you are given is that the hedge should not be cut down sufficiently to alleviate the problems it is causing, then that would not be a solution and so would be unacceptable.

I can offer you some free advice;

In the process of carrying on my own gardening business before I moved back to York some years ago, I have been asked to deal with leylandii hedges a number of times so I have seen the problems they cause between neighbours. Leylandii trees are a man made hybrid of two species of very large growing trees, each of which if left to their own devices could grow to an enormous height of over 130 feet. The hybrid is easily capable of reaching a height of 20 metres (65 feet) in a garden situation. This is much taller than our houses. To keep them within a reasonable limits of size they need to be trimmed frequently (two or three times a year) or they will reach a stage where to cut them back too severely could possibly lead to dieback. In



any event the cutting back should be done before the sap begins to rise in early spring - and before April, in order to minimise this risk. I have cut hedges of larger than this size and they have survived.

#### Side growth

Cutting the side of the hedge back to the boundary would leave it brown on the side and it is not certain that it would 'green up' again. However, I don't see why this would matter to you as you do not have to look at it from my side - I do not mind it looking brown at all particularly if it is only 2 metres tall. I had this conversation with your gardener last year and persuaded him to cut it back a little further than he was planning to do, and it recovered. I would remind you that I am legally entitled to cut it back to the boundary (half way across the width of the party wall) but it is unreasonable to expect me to do that if the hedge is maintained at its current height.

If you are afraid of cutting it back enough then its just going to get forever wider, which explains perhaps why it is the ridiculous width it is now.

#### Management and damage to my garden.

As I have already explained to you, trimming the hedge necessitates standing ladders on my garden border which is just not practical as it flattens the plants I would like to grow there. Also the trimmings fall on the plants and damage them, ruining the plants and my work. The more frequently trimming is carried out the more I have to put up with this problem. The trimmings themselves are a problem as they are very bulky and time consuming to clear up properly.

#### Appearance

Why you should insist on maintaining a hedge of such dimensions is rather bewildering. It is quite out of place and there is no other hedge to match it between any properties in our street. It also masks my house from anyone approaching to the extent that visitors do not see the house until they have walked passed it.

#### Access

There is and has been no problem as regards access and I have said all along that your gardeners and you may feel free to come in and do what you want to do to the hedge and ivy. This is what the gardeners have been doing for a long time. It was evident that someone most recently came to cut the ivy back earlier this year but did not complete the job probably because my car was parked in the way.

If someone had got in touch to ask me to move the car I would have done so. You have my email and phone number and as you already know I'm also on the street Whats App group where you can privately message me if you wish.

Kind regards,

Anthony

7

**Subject:** Without Prejudice: Leylandii Hedge

**From:** Shaun Parker <[REDACTED]>

**Date:** 03/03/2021, 18:27

**To:** Anthony Bryce <[REDACTED]>

Dear Anthony,

We have made a perfectly reasonable offer which you have chosen not to accept and you appear to be persisting with your unreasonable demand that we reduce the hedge to a height of your choosing without any hint of compromise.

In any event, the offer still stands and we will consult a tree surgeon in April and we will trim your side of the hedge as we have said.

We did wish to make a few comments on your email below:

- We have not received the letters which you claim to have sent us and have no recollection of you knocking on our door to ask to speak to us. In any event, by your account that would be 16 years ago.
- We would wish to look at the trees with the tree surgeon which is currently not feasible as we are shielding.
- In February last year, Shaun raised the crab apples, leaves, branches etc falling in our garden not by way of complaint. As you well know, the point that Shaun made was that we were quite happy to clear up material from your trees and as a quid pro quo it was not unreasonable to expect that you would clear up the leaves from our Ivy plant. You didn't accept this compromise. In any event we did clear up the Ivy leaves as requested.

We will be in touch once we have consulted the tree surgeon. In the meantime, please call Shaun at any time if you wish to discuss ([REDACTED]).

Shaun and Jane

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**From:** Anthony Bryce <[REDACTED]>

**Date:** Tuesday, 23 February 2021 at 21:52

**To:** Shaun Parker <[REDACTED]>

**Subject:** Re: Without Prejudice: Leylandii Hedge

Dear Shaun and Jane,

Thank you for your email of 23rd February from Shaun.

I wrote to Shaun in December 2005, and that letter refers to my several earlier attempts to talk to you to discuss your hedge, including on one occasion calling at your house and knocking on your door. I remember my visit was met with disdain and I was very clearly unwelcome.

I wrote to you again in February 2006.

The next record I have is that I wrote to you again in 2015. - I still have the folder containing these letters on my computer and I am attaching a screenshot of the contents with dates attributed.





MR. SEAN PARKER  
'FIELD HOUSE'  
2, SAINT GEORGE'S PLACE  
YORK  
YO24 1DR

ANTHONY BRYCE  
'STAKESBY' HOLIDAY FLATS  
4, SAINT GEORGE'S PLACE  
YORK  
YO24 1DR

Tel: [REDACTED]  
Mob: [REDACTED]

Email: [REDACTED]

12<sup>th</sup> December 2005

Dear Sean,

**Anti-Social Behaviour Act 2003, Part 8. High Hedges**

I am writing to you about your hedge, on the right looking out from your house that follows part of the boundary between us, at the front of our properties. This hedge comprises ten x *Cupressocyparis Leylandii* and is now about twelve feet high. It is a considerable nuisance to me for the following reasons:

- It reduces the light to some rooms in my home and property.
- It blocks views of the 'Knavesmire' that we have always enjoyed.
- Because of the position along my flower border, it is very difficult to trim and maintain safely, on this side, as ladders cannot be securely positioned.
- Trimming also causes damage to the garden. This is especially apparent when, as has happened in the past, the hedge is cut during the spring and summer season resulting in damage to the flower displays from falling trimmings.
- It deprives light, sunshine and rainfall to part of the garden, which causes further plant damage.
- Most worrying of all is that this hedge is now of such a height that it largely hides the view of my property's frontage and signage from the exterior, making it very difficult for passers by to see. This is my home and I also run an accommodation business here that has continued in my family for more than thirty years – we have always relied upon and I continue to rely upon passing trade, which requires the property to be visible from the road.

I first mentioned my concerns about this hedge to you well over a year ago, on at least two occasions. Since then the hedge has been allowed to grow unchecked so I asked you again in October of this year if you would consider reducing the height to two metres because I was particularly concerned about the effect it is having on my business. I called at your house on Sunday 27<sup>th</sup> November (two weeks ago) to ask if you would be prepared to discuss this matter with me at some mutually convenient time and I am disappointed that I have not had any response from you regarding this.

This letter is sent as a result of the above Act. Once again I would ask you to communicate with me to try and amicably sort out the problem of your hedge's height, which should be reduced to two metres to minimize the problems it is causing. If you wish to go to mediation I am quite amenable to this, or if you wish to view the hedge from my property you are welcome to do so. You may call me on any of the above telephone numbers at any time or call at the door – I am usually here in the evenings, from 6 to 9pm and in the mornings, everyday of the week.

I would also add that I am willing, if you are agreeable, to cut the top of the hedge myself and to dispose of the cuttings so that there is no cost to yourself, although I am under no obligation to do so, provided that the hedge is maintained by yourself thereafter.

If you do not reply within 14 days I am afraid I will have no other option than to institute proceedings under part 8 of the Anti-Social Behaviour Act 2003: High Hedges, and I will lodge a formal complaint with York City Council.

If I am forced to take this action I will claim against you for the costs involved.

Yours faithfully,  
Anthony Bryce

(L2)

Mr. SHAUN PARKER  
'FIELD HOUSE'  
2, SAINT GEORGE'S PLACE  
YORK  
YO24 1DR

ANTHONY BRYCE  
'STAKESBY' HOLIDAY FLATS  
4, SAINT GEORGE'S PLACE  
YORK  
YO24 1DR

Tel: [REDACTED]  
Mob: [REDACTED]

Email: [REDACTED]

26<sup>th</sup> February 2006

Dear Shaun,

I am disappointed that I have not received a response from you regarding my letter of 12<sup>th</sup> December asking you to communicate with me about your hedge and the problems it is causing. I would much rather talk to you and Janie about this than have to write another letter and I cannot understand why you are ignoring my request to discuss it?

Unfortunately, the previous owner of your house planted this hedge without any consideration for how it would eventually affect his neighbour. This is a very inappropriate place for such a hedge.

I have noticed that, since I wrote, you have had the hedge trimmed. Unfortunately this is still not enough to solve the problems caused by the hedge's height.

Also, you have omitted to cut the hedge on this side and the growth is now so long that it is beginning to affect the border beneath to an even greater degree as well as looking untidy.

There are two other matters that I would like to bring to your attention:

The ivy that is growing on the trellis behind your garage is now growing over the wall and beginning to look very untidy.

Also, you may not be aware that, the tall conifers that are growing adjacent to my garage have branches that are now extending over the garage roof. I am concerned that their constant rubbing against the roof insulation will perforate it and allow the ingress of water, which will inevitably lead to substantial and costly damage to the roof.

I would be very grateful if you would kindly see to all these matters at your earliest convenience. With regard to the hedge, I would hope that this will be done before I plant up the border in late April as subsequent trimming of the hedge causes damage to the plants in this border, as I have mentioned to you previously.

You or your gardeners may feel free to enter my driveway to carry out this work at any time if needs be, though I would appreciate a ring at the door to let me know you are there.

Kind Regards,

Anthony Bryce.



4, St Georges Place  
York

L3

11<sup>th</sup> September 2015

BY HAND

Dear Shaun,

I hope this letter finds you well.

I would be grateful if you could give some attention to the 'Persian ivy' which is growing behind your garage and is spreading over the wall into my driveway. The overgrowth is now quite considerable and unsightly. It is also causing problems by continuously dropping its rather large leathery leaves which then blow into drains and gullies and threaten to block these. Please see attached photograph.

In the past your gardeners have kept this in check by cutting it back but I note that this has not been done for a long time.

I was pleased that the Leylandii hedge in front of your garage between our houses, was trimmed after I spoke to you earlier this year. but unfortunately it was not cut back far enough. There is now a considerable overhang and it is half way across my garden border which runs alongside the wall. This together with the hedge's ever increasing height makes it very difficult to grow anything there successfully as the hedge keeps a lot of light away and also blocks the rainfall.

I would also like to point out that the wall running alongside the wall is a 'party' wall and therefore you might consider it fair to cut the hedge back to the half way point, after all the hedge will only grow out again

I would further urge you to consider reducing the height because it would be less of a problem and much easier to trim. The hedge is now fourteen feet high and when it is trimmed we get a lot of large trimmings falling onto the border, which damages any plants that do manage to grow there, and many trimmings are often left behind for me to clear up.

This time of year would be a good time to carry out this work as the birds are not nesting and it would be good if it could be carried out before mid October so that I can plant the border up for spring flowering without fear of the plants being flattened.

I will be away from home for much of the time before mid October but you or your gardeners may enter at anytime to attend to these matters – there is no need to knock.

Kind regards.

Anthony

LA

Mr. SEAN PARKER  
'FIELD HOUSE'  
2, SAINT GEORGE'S PLACE  
YO24 1DR

ANTHONY BRYCE  
4, ST GEORGE'S PLACE  
YO24 1DR

Mob: [REDACTED]

Email: [REDACTED]

14<sup>th</sup> December 2020

Dear Shaun,

### Anti-Social Behaviour Act 2003, Part 8: High Hedges

With reference to my several past letters and attempts to talk to you over many years I am writing to you again regarding the hedge that is made up of ten *Leylandii* trees and Persian Ivy *Hedera Colchica*, along the boundary between the front part of our properties.

The *Leylandii* hedge has now grown to fifteen feet tall and continues to be a considerable nuisance to me, which is worsening as time goes on;

- **Light and sunlight deprivation;** It blocks the early morning sun from my bedroom and reduces light to other rooms in my property. It blocks light from the garden and driveway.
- **The hedge starves the garden of light and rainfall** making it difficult to grow anything in the driveway border. This should be an attractive frontage to the house. Summer bedding no longer flourishes here and other plants are damaged by the effects of the hedge.
- **This is not a safe height for trimming and maintenance.** The hedge already extends eighteen inches beyond the boundary and increases throughout the year until the growth is out back. Trimming necessitates ladders being placed on the garden border and trampling on it to clear the considerable amount of trimmings, which as they fall, cause further damage and nuisance. These are never properly cleared away.
- **Leaves constantly fall from the Persian Ivy**, especially in the growing season, and at other times of year also. This causes a constant trip hazard and nuisance as the large leathery leaves accumulate in the doorway. The problem would be considerably less if the height were reduced.
- **Visual amenity.** This *Leylandii* hedge blocks my view of the open green space and tree landscape of the 'Knavesmire'. Its sheer size and proximity to my house is oppressive and dominating.
- **From outside my property visitors' view of the house is blocked.** First time visitors have difficulty finding the house, often walking right past it because their view is masked by your hedge.

This letter is sent as a result of the above Act, and I would ask you to communicate with me to try and amicably sort out the problem of your hedges' height. I should add that I would like to get this sorted out before spring and the birds begin to nest. It is now more than 3 months until the end of March and I would reasonably expect that it could be carried out by then.

If you wish you are welcome to view the hedge from my side as I believe this might help you understand the situation from my angle. If you wish to do this please just get in touch using any of the contact details above or just call round (afternoons/early evenings are best).

If you do not reply within 21 days I am afraid I will have to resort to instituting formal proceedings under part 8 of the Antisocial Behaviour Act: High Hedges.

I will hand deliver this letter, taking an impartial witness with me.

Yours sincerely  
Anthony Bryce



(L5)

Mr. SEAN PARKER  
'FIFI D HOUSE'  
2, SAINT GEORGE'S PLACE  
YO24 1DR

ANTHONY BRYCE  
4, ST GEORGE'S PLACE  
YO24 1DR

Mob; [REDACTED]

Email; [REDACTED]

4<sup>th</sup> February 2021

Dear Shaun,

**Anti-Social Behaviour Act 2003, Part 8: High Hedges**

I am disappointed not to have heard from you since your phone call on the 4<sup>th</sup> January in response to my letter of 14<sup>th</sup> December last year.

During your call you asked me what it was that I wanted you to do. I answered by explaining that the leylandii hedge should be cut down to 2 metres in height and, considering that this will grow about half a metre in a year, this would keep it to about the same height as your privet hedge along your front boundary with the street.

I also explained that the hedge should be cut back to the boundary, which is the mid point of the width of the boundary/party wall. Again, it should be borne in mind that this hedge grows quickly so it will spend most of the time actually over the boundary if it is going to be trimmed only once a year.

You told me that you would discuss it with your family and get back to me within 2 weeks.

I notice that the Persian ivy has been trimmed for about half way along its length but the job remains unfinished. However, the main bugbear of the leylandii hedge is still there.

I would like to give you one last chance to consider my request so that we can resolve this amicably, but if I do not hear from you within the next 7 days I will instigate proceedings under the above act through the council.

This letter will be delivered by hand by a witness.

Yours sincerely  
Anthony