

The houses at Walderslade Woods were built as a 'woodland development' and thus most houses are surrounded by large trees which whilst welcomed by many residents can cause some problems. The parish council has received many complaints about the following; loss of light in gardens/properties; leaf fall; concern about large trees swaying in winds (nature designs them to do this); branches and twigs falling into gardens (some small scale branch fall is natural); loss of signal to TV. Unless there is a health and safety issue, KCC (which owns Walderslade Wood) is under no requirement to manage its trees and these problems are part of the lifestyle of choosing to live within a wooded area.

Contact List

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Kent Highways Services
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Forestry Commission
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Boxley Parish Council
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Boxley Parish Council Trees Information sheet

In view of the number of enquiries received by the parish office, the Council has produced an information sheet of frequently asked questions and to highlight other sources of information. Covered in this document are *Tree Preservation Orders; trees on public land; and issues surrounding Walderslade Woods.*

What is a Tree Preservation Order (TPO)?

It is an order made by a local planning office (Maidstone Borough Council) which generally makes it an offence to cut down, top, lop, uproot, wilfully damage or destroy a tree without the planning authority's permission. The Planning Permission form to submit a request for authorisation for work can be downloaded free from the MBC website (details below). There is no cost to apply. If you deliberately destroy or damage a tree covered by a TPO you could be fined up to £20,000 as it is deemed a criminal offence.

How can I check if the tree/s on my property are subject to TPOs?

This may be contained in the deeds of your house and should be in the legal search undertaken prior to purchasing your property but the up to date list is kept at Maidstone Borough Council (see Contact List below).

My tree has a TPO so who looks after it?

The owner of the property remains responsible for the trees, their condition and any damage they may cause.

The Government produces a very good guide (available to download from www.communities.gov.uk) Protected trees: a guide to tree preservation procedures. A copy is available to read at the parish office. Maidstone Borough Council also has relevant information on its website regarding what a TPO is and how to apply for a TPO etc.

Are all trees covered by TPOs?

No.

I live in a conservation area are there any other rules?

If you live in a conservation area then the trees have a level of protection even if they are not subject to individual TPOs. Permission must be sought prior to any work or removal of the tree, and the Planning Permission form to submit a request for authorisation can be downloaded free from the MBC website (details below). There is no cost to apply and basically you must give 6 weeks' notice of the work you plan to do.

I have a lot of trees, not TPOed, which I want to cut down, can I just go ahead?

Not necessarily, as depending on the amount, you may need a felling licence. More information on this can be found at www.forestry.gov.uk - Tree Felling - getting permission.

Trees on highway verges or public land.

These are public property and even if they are causing you a nuisance (loss of light to your garden/house) you cannot chop them down or cut off branches.

Trees in parks or open spaces generally belong to Maidstone Borough Council and trees by roads belong to Kent Highway Services.

Maidstone Borough Council and Kent County Council have a number of similar policies which can be summed up as follows.

MBC's website contains more details as does the "A New Tree Policy for Kent Highway Services".

- Trees are not cut down unless they are considered dead, diseased or dangerous.
- Trees overhanging gardens and drives. Work is only carried out if there is a health and safety issue. It is unlikely that work to improve TV signal problems, shading problems, overhanging branches etc will take place. Clerk's comment - In the Walderslade area KCC has indicated that it might consider allowing work (subject to MBC's permission for trees covered by TPOs) if a resident considers paying for the work themselves. Residents should be aware that an application to reduce the size of a tree to improve television signal reception is unlikely to be approved by MBC.
- Leaves or berries etc which fall into gutters and guttering, residents' driveways and residents' pathways are not the responsibility of the councils as cleaning up leaves or seeds are seen as normal household maintenance.

Trees in private gardens causing a nuisance.

This is a private matter between you and your neighbour.

What is coppicing?

Woods in Kent were traditionally planted as chestnut coppice, which with regular management can be cut down with the wood sold. Coppicing is traditionally done on rotation, with small areas cut in sequence to provide a mosaic of different aged coppice. The whole of each area is cut right down and this creates a clearing. This lets light back into the woodland floor and allows ground flora and the coppiced stools to re-grow. Managed correctly coppicing can increase biodiversity in the woodland because of the varied amounts of light reaching the woodland floor and the range of different aged trees and stools in the woodland. The coppice re-growth from chestnut is rapid and provides good habitat conditions for a range of bird, mammal and insect species.

Some trees species thrive on coppicing but other trees do not. Thus situations can occur when one person gets permission to coppice a chestnut but a neighbour's request to fell a Beech tree is refused as Beech would die from such work whilst a chestnut will send out regrowth.

Walderslade Woods - a summary of the position.

A blanket Tree Preservation Order covers the Walderslade Woods (roughly Impton Lane to Beechen Bank Road). The reason for the protection is that it is an Ancient Woodland and areas of these are becoming increasingly rare.