



Bothenhampton & Walditch
Parish Council since 1886

Mr J Bennett / Mr G Cox
Dorset Council Tree Team
Countryside Management

Via Email

17th November 2021

Dear Sirs

**TREE ISSUES IN WALDITCH, WEST DORSET - DT6 4LB
DORSET EXPLORER osgp 4000000025927299**

We refer to our letter of 19th September and note your lack of response.

We write again on 3 major issues within the parish, two of which have been brought to your attention previously, and one which has been outstanding for many years.

100+ year old veteran tree felled in Walditch, within a Conservation Area

The detail of this is that our Clerk wrote to your Customer Services team in February 2021 notifying you of the illegal felling of this veteran tree by the landowner, no permission was sought or granted. The tree was sited within the Conservation Area.

There followed several emails where your team asked for further detail and these were provided. On 3rd March our Clerk received an email from Trees DCP advising that the tree that was felled was outside of the conservation area. Our Clerk immediately responded as this assumption was incorrect and our Clerk asked Trees DCP to refer to the WDDC Local Plan (June 1994) which clearly shows the conservation boundary with a red line and the field where the tree stood is clearly within the Conservation Area. We received no response to this, and subsequent reminder sent on 11th March. (Note the Conservation area was reaffirmed by a detailed West Dorset District Council 'Appraisal' in 2007.)

We are not satisfied with the outcome of this issue as nothing has been done by Dorset Council and our emails and letters have not been responded to.

When I talked to James Bennett in May 2021, he indicated that there was nothing that could be done.

According to Historic England "Where a tree in a Conservation Area has been removed illegally or because it is dead or dying a replacement tree must be planted by law. It must be of appropriate species and size. The local authority can enforce and ultimately come onto the land itself and carry out the planting and then recover the cost from the owner. Removing or pruning a tree in the Conservation Area without first giving Dorset Council (previously WDDC), 6 weeks written notice of the intention is a criminal offence".

The felling of this aged tree is not an isolated occurrence and other trees in the field within the Conservation Area have also been felled since John Norman bought the land. Some have fallen in gales at various times, others have lost limbs and were subsequently felled. The trees that lost limbs were felled instead of being subject to tree surgery / professional assessment before deciding to fell. In any event, West Dorset District Council should have been given the regulatory Notice of Intention to fell (6 weeks) and these trees should all have been replaced. We understand this is the legal requirement.

We urge Dorset Council to pursue this, as they should do, for it being a criminal offence with a potential fine of up to £20,000 and would go a long way to preventing such tree vandalism from occurring in the future.

Long standing issue with regards Sycamore Avenue

We understand that Dorset Council wrote to John Norman in October 2003 about replacing some trees. Limes were planted in 2004, at the insistence of West Dorset District Council, but have been badly neglected.

The Avenue trees were then in the Conservation area, which remains in place however we understand that the trees are now covered by TPOs. The final paragraph of the Dorset Council letter reads:

"I should remind you that all trees within the conservation area, as these are, are protected under section 211 of the Town & Country Planning Act; causing or permitting damage to them is an offence liable to a fine up to £20,000. If soil conditions are allowed to deteriorate around the trees in the way they did last year, the council would regard this as causing or permitting damage, and prosecution procedures may result".

Five more trees fell in 2013-14, but these have not been replaced. The trees along the Avenue continue to deteriorate year on year, and the Parish Council continue to write to you about this, but no action has been taken by Dorset Council.

The parish council has written many times. I have met James Bennett, the Tree Officer, in May this year, and our Clerk has spoken directly with Tree Officers at Dorset Council. We were told that tree replacement orders were to be served on John Norman but have heard nothing about the process following his non-compliance with them. This is not good enough and enforcement action must surely be warranted.

The Parish Council is very grateful to the Tree Officer (JB) who has sent us a link to the Ancient Tree inventory and a document by the Woodland Trust.

Veteran Beech Tree damaged in Storm

The nineteenth tree up from the bottom, on the west side of the Avenue, near the cattle trough, is a Notable Tree, and has been damaged in a recent storm. The damage is severe, and one limb has been torn off. We believe this needs to be looked at by a tree surgeon and the wound must be treated before it is infected or made worse.

Unfortunately, this Notable beech is also on John Norman's land, so we have no confidence that he will undertake any remedial work on the beech. We are therefore asking for your involvement in effectively dealing with this latest issue.

Dead Tree

There is a substantial dead tree right up close to the fence and within just a few feet of the bench i.e., on the same side of the road as the beech tree above. It lost major branches several years ago, which never received any attention. The tree is very close and may constitute a danger to the public and the Parish Council would welcome an assessment of its soundness. The landowner is the care home provider HC-1, while the manager of the Hyde care home has plans to replace when grant funding is in place for large-scale tree planting

With the current focus on environmental issues and climate change we believe it is in everyone's interest to get this work carried out as soon as possible. There is overwhelming evidence that trees are helping to remove harmful greenhouse gasses. The trees enhance Walditch and the whole setting of Walditch village.

We very much hope that you are now able to deal with these issues without further delay.

For your perusal, we are appending photographs:

Yours sincerely,



A J Basker
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Cc: DC Councillors
C Loder MP



Damaged beech on Sycamore Avenue



Dead tree on Sycamore Avenue



Gaps in Sycamore Avenue since 2014



Neglected state of Sycamore Avenue



Stump of tree in Conservation Area