

## Trees, Woodland and Orchards



*"I think that I shall never see  
A poem lovely as a tree ..."*

*When faced with this poem in an A level exam and was required to critique it, I never even considered the profound truth of it. Now, many years later, it seems such a simple statement of fact. The trees in our garden, surrounding hedgerows and copses are so much a part of the landscape we love and why we chose this lovely area to live in.*

*But I do have to admit I know nothing about trees and having madly pruned our fruit trees last year I sought professional advice on what to do next. Enter Pip Howard and a totally new learning curve. I suspect that what he does not know about trees is not worth knowing. He is such an enthusiast and has kindly written an article for us as an introduction to "Trees, Woodland and Orchards" - read, learn and enjoy.*

**A basic introduction to the regulations and best practice regarding the ownership and management of trees, woodland and orchards in France for the British expat.**

### **TREES**

Poitou-Charentes is a land of trees. It has a rich history (arguably the richest in Europe) with regards AHF (Arbres Hors Fôret) - Non-Woodland Trees. The resulting landscape is similar to the parkland of the UK with small pockets of copse, stand alone field trees, hedgerows and orchards creating a patchwork parkland landscape very familiar and comfortable, though often subconsciously, to the British.

Whilst the regulations surrounding trees appear to be less bureaucratic than in the UK and certainly less than every other element of French life, do not be fooled; the French have a completely different perception to all natural elements within a landscape than the British and this has filtered into somewhat ambiguous regulations surrounding trees.

In theory the only truly protected trees in France (comparable with the British Tree Preservation Order system) are those within 500m of an historic monument, where permission from the Prefecture must be sought before ANY operations are carried out on the tree.

But all trees in France having reached the age of 30 are immediately immune to third party complaint. This is straight forward in terms of neighbour disputes within towns or cities with regards to a tree that inhibits light, drops its leaves or other issues relating to trees which can annoy a neighbour – the tree, if proven by a professional, but usually fairly obvious due to its size, is more than 30 years old, has its own rights – it cannot be touched.

However, it gets much more complex in a more rural setting, where effectively each and every single tree is treated differently according to both an intangible and/or a productive value assigned to it or potentially assigned to it. This results sometimes in frankly bizarre covenants leading to situations where a family from a neighbouring village may have the full or partial rights to the fruit or timber of a tree growing in the middle of your lawn or is protected by request from the former landowner their family and even one of their friends!

Effectively you should never assume you can simply remove a tree yourself unless it is clearly dead or diseased or less than 30 years old and even then make sure you photograph the tree beforehand for later proof. Using a qualified contractor bypasses this need as in France, unlike the UK, the arboriste and paysagiste are trusted with such decisions NOT to fell unnecessarily.

And now the good news; as the French system is based on a landscape approach so should any concerns arise from a disgruntled neighbour, mediation is called for, which falls within the remit of your local Mayor. This means that 'common sense' prevails and often the Mayor will pre-empt any complaint about tree work anyway. And you do not have to live here long before your garden or land management is judged as being appropriate or not and as many British love gardening (indeed in France the British gardeners are held in very high esteem) then you are simply left to do what you feel is right – but abuse this privilege at serious cost to yourself.

There are some regulations with regards planting that must be adhered to:

All planting with growth up to 2m has to be planted at a minimum of 0.5m back from your boundary.

All planting above 2m, (trees) has to be planted at a minimum of 2m back from your boundary.

You are allowed to prune any growth (branches or roots) which encroach across your boundary – only as far as the boundary. As in the UK to cross the boundary

is criminal damage. However if your neighbours' tree dies as a result of your pruning – You are liable to pay for the damage.

Always maintain a distance of 6m back from roads, railways and municipal land when planting, unless a 'registered' fence is present.

## **WOODLAND**

Woodland ownership is increasingly popular with many British expats. French woodlands are usually far better managed in a sustainable manner than in the UK and a useful rule of thumb is that if you are not gaining €1000 per annum (either from timber sales, lease or by supplementing your own fuel needs), you are doing something wrong. Regulation for woodlands less than 25ha is minimal – however there are some rules, which if not adhered to can land you with a hefty penalty:

Always maintain by brushcutting the vegetation a 10m firebreak against roads - even private roads.

Always maintain by brushcutting vegetation a 50m firebreak against any buildings in your ownership.

Never fence off a property without explicit permission from your Mairie. This is not to do with hunting regulations (which I am not going to touch on here as they deserve an article unto themselves), but is in regards to the migration of animals – which in France includes human traffic!

Woodlands over 25ha in size require, as with all landowners of riparian habitat (watercourses, lakes etc., which feed into other land), require a 'Plan Simple de Gestion'. This management plan entitles you to profit from the huge range of grants available and is mandatory!

## **ORCHARDS**

The different style of orchard grown by British expats is being debated by many French, some feel it is not in keeping with a traditional landscape aesthetic, whilst others argue the biodiversity value of the British style is enough to allow such planting. However much study now suggests that the British well-spaced, canopied orchard style does not suit many of the sites they are planted in, with many infant trees dying. The reason for this is often to do with the supply of these trees, as rootstock used for grafting many French trees is not suitable for the British style of planting. Another factor is a disregard for the soils as many sites have been managed by rotovator or shallow plough, which in a short time creates a pan at a depth of 40cm. This subsurface pan is not suitable for many fruiting trees and shortens their life expectancy considerably. Those that do survive often have a very shallow root system which can spread far from the base of the tree as it is only utilising the few top inches of soil where more nutrients and more water can be found.

Therefore when planning an orchard it is essential to carry out soil analysis on the site as well as taking much more attention when purchasing the trees – examining the rootstock is essential.

To plant as per the French linear style avoids many of these problems but is very labour intensive, although the eventual crop is significant. Such orchard growing should only be considered for commercial purposes.

Poitou-Charentes is a land of trees. The natural pincer point between the high grounds to East and the Marshland to the West has meant that Poitou-Charentes since the Ice Age continues to be an extremely important region for trees and forestry. There is a variety of trees to suit all tastes, from some of the largest Cedars in Europe in the centre of Poitiers to the very rural and rich heritage of the Sweet Chestnut Coppice woodlands trying to march eastwards in the wake of the prevailing westerlies.

For me it is simply paradise, I need not drive or even cycle to discover yet another venerable tree, but simply poke about in the labyrinth of copses and half hedges that surround my home. I am a tree addict, to the chagrin of my wife and son who often act as 'scale' when photographing another monster plane tree.

It is also my profession, my background was in broadleaved silviculture in the highlands of Scotland, moving on to study soil and thence entered the world of arboricultural edaphology; the complex relationship between tree roots and soil, and soil organisms. My work is to ensure the right tree in the right place. Therefore choosing to live in Sud Vienne was almost inevitable as it is here where the frontline is, with the natural migration of pests and diseases which affect trees and the way a tree reacts to these threats. There is much to suggest that many of our European native species, as we now know them, were born here.

Landscape is 'all' and the French concept of landscape is centred on the right of a person to whom the landscape belongs, a concept which is now being adopted in the UK by way of the European Landscape Convention ratified in 2006. Combine this with the true meaning of 'Terroir' often confined to the vocabulary of the British wine enthusiast, but which actually refers to all elements within a landscape combining to create a taste of any product made within a particular locality. Rural France is much more a people's landscape, which the British mindset, established by the Enclosure Acts in the UK, struggles to understand. And when all subsequent policy and practice for land management is based around this common ideal it can lead to occasional disbelief.

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Pip Howard is available to advise on the trees you have or on those you could/should plant - he is a Silvicultural Surveyor and covers Woodland & Orchard Creation; Survey; Design; Establishment & Maintenance. Visit his web-site: [www.europeantrees.com](http://www.europeantrees.com) or send him an e-mail on: [pip@paysagedurable.com](mailto:pip@paysagedurable.com)