The Planning Inspectorate

For official use only	
Date Received	02 JUL 2013
Appeal Ref	APP/TPO/W1715/3340

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TREE PRESERVATION ORDER (TPO) APPEAL FORM
The Town and Country Planning (Tree Preservation) (England) Regulations 2012 – SI No. 605, Regulation 19

Before completing this form please read "Guide for Appellants (Tree Preservation Orders – consents for works)"

WARNING **Your appeal must reach the Planning Inspectorate within 28 days from receipt of the decision against which you are appealing;**

Appeals received after the deadline will only be accepted in exceptional circumstances.

If you need this document in large print, on audio tape, in another language or in Braille, please call 0303 444 5584.

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT

Name MR TENNANT

Address 9 PARK VIEW
BOTLEY
HAMPSHIRE

Postcode SO30 2AB

Daytime Tel [redacted]

Fax

Email [redacted]

I prefer to be contacted by: Email ☑ Post ☑

B. AGENT: If acting on behalf of the appellant, you will be our main contact on all matters relating to this appeal and we will direct all queries and correspondence to you.

Name MATTHEW CROSS

Organisation MJC TREE SURGEONS LTD

Address THE HOLLIES
CURRIDGE LANE
CURRIDGE, HANTS

Postcode SO32 2BH

Daytime Tel [redacted]

Fax

Email [redacted]

I prefer to be contacted by: Email ☑ Post ☐

C. APPEAL SITE

Address where the appeal tree is (trees are) located:

Do you own the site: Yes ☑ No ☐

If no

1) give details of your interest in the site (eg tenant, neighbour):

2) give the name and address (if different from the above) of the owner and/or occupier of the site. We will need to contact them to make arrangements for our Inspector to gain access to the site:

D. COUNCIL/DECISION

Council: EASTLEIGH BOROUGH COUNCIL

Council Contact Name: TIM HOLMAN Telephone Number: 02380 688471

Full title of tree preservation order (if known): APPLICATION NO T/13/72613

Date of Council's decision (if applicable): 5 JULY 2013

E. APPEAL

Please tick only the relevant boxes.

I am appealing against:

The Council's refusal of consent	☑
The Council's failure to issue a decision (deemed refusal of consent)	☐
Condition(s) attached to the consent	☐
The Council's refusal to agree a matter that required their agreement under the terms of a condition of consent.	☐

F. GROUNDS OF APPEAL

If you choose the recommended Fast Track appeal procedure the reasons you set out below will be treated as your statement of case. It is important that you set them out in full because you will not get an opportunity to add to them later.

You should provide at least one reason for each of the boxes you have ticked in section E. Explain why you think the Council's decision is wrong and should be overturned. The decision on your appeal will take into account the contribution that the tree(s) make to the amenity of the area and the reasons set in support of your application/appeal. Please bear in mind that allegations of maladministration or complaints about the time taken by the Council to issue a decision on the application are unlikely to affect the outcome of the appeal, since such matters are not relevant to the merits of the proposal. If appealing against a refusal of consent to fell a tree or against a condition or direction requiring replacement planting you should indicate the species and size of any tree/s you would be prepared to plant if the appeal were to be allowed.

Please continue at section K or on a separate sheet if necessary

THE COUNCIL FEEL THAT THE WORK IS UNJUSTIFIED AND WOULD BE DETRIMENTAL TO THE HEALTH AND APPEARANCE OF THE TREES.

PRUNING OF THE TREES WILL NOT BE DETRIMENTAL TO THE HEALTH OF THE TREES AS THE PRUNING CUTS WILL BE TO BRITISH STANDARDS AND OF A SMALL DIAMETER.

THE REDUCTION OF THESE TREES WILL NOT SPOIL THE AESTHETICS AS THERE HAS BEEN OTHERS TREES WITHIN THIS GROUP HAVE BEEN EXTENSIVLEY REDUCED AND THESE TREES ARE SEEN AS PART OF A GROUP AND NOT INDIVIDUALS.

G. PROCEDURE

Appeals dealt with by written representations (Fast Track) procedures are usually decided more quickly than those which proceed through a hearing or a more formal local inquiry and because of this we recommend the Fast Track procedure.

However, if you or the Council ask to be heard by the Inspector we will organise a hearing which will take the form of a round table discussion. In very exceptional cases, where complex legal matters are at issue, a substantial number of third parties are involved and/or formal cross examination is warranted, we may decide to hold an inquiry.

Please tick one box only.

I wish my appeal to be decided through the Fast Track procedure ☑

I wish to appear and be heard by an Inspector ☐

H. SITE VISIT

Are you willing for an Inspector to enter the site and conduct the visit unaccompanied?

Yes ☐ No ☑

If Yes, please give details below of anything the Inspector needs to know with regard to how to access the site:

If No, please outline below why this is not possible, why you need to be there or why you need to be represented during the Inspector's visit:

Are there any Health and Safety concerns that the Inspector will need to be aware of prior to the site visit?

Yes ☐ No ☑

If Yes, please detail the concerns below:

I. SUPPORTING DOCUMENTS

In support of your appeal form please send a copy of your application for consent and a copy of the Council's decision (where one has been issued).

Please tick the boxes to show which documents you are enclosing and list any other documents you are submitting in the space below. Don't worry if you cannot send a copy of the tree preservation order – we will ask the Council to send a copy together with the relevant background papers.

I enclose:

1. A copy of my application for consent 1 ☑

   If you do not have a copy of your application please state the council's application reference number here (it should be stated on your decision if one was made):

   _____

2. A copy of the Council's decision (if one was issued) 2 ☑

J. CONFIRMATION

DECLARATION

1. I understand that:

a) the Planning Inspectorate may use the information I have given for official purposes in connection with the processing of my appeal.
b) details from this form, including my name, the site description and reasons for making this appeal may appear on the Planning Portal.

By signing this form I am agreeing to the above use of the information I have provided.

2. I have completed all sections of the appeal form and confirm that the details are correct to the best of my knowledge.

3. I have sent a copy of this appeal form and enclosures to the Council.

Signature [redacted]

Date 10/7/13

Name (in capitals) M. CROSS

On behalf of (if applicable) MR TENNANT

The gathering and subsequent processing of the personal data you give on this form accords with the terms of the Planning Inspectorate's registration under the Data Protection Act 1998. More about the Planning Inspectorate's data protection policy can be found on the Planning Portal at http://www.planningportal.gov.uk/planning/appeals/online/about/privacystatement

Please send the completed form and supporting documents to:

The Environment Appeals Team
Trees and Hedges
Room 3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Telephone: 0303 444 5584
or e-mail it to: environment.appeals@pins.gsi.gov.uk

1. You must send a copy of this completed form to the Council including copies of any supporting documents you send to us.
2. When we receive your appeal form we will check it against background documents supplied by the council before telling you whether your appeal is valid.
3. At the end of the appeal process we will send you the Inspector's decision, including the reasoning in writing.