



The Planning Inspectorate

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For official use only

Date Received

Appeal Ref

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 5000.

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT

Name Kathryn Symmonds

Address 4 Denbigh Close, Eastleigh, Hampshire

Postcode SO50 4QN

Daytime Tel [REDACTED]

Email [REDACTED]

I prefer to be contacted by: Email

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. It will be your responsibility to keep the appellant informed.

Name

Organisation

Address

Postcode

Daytime Tel

Email

I prefer to be contacted by: Email Post

C. APPEAL SITE

Address where the appeal tree is (trees are) located: 4 Denbigh Close, Eastleigh, Hampshire, SO50 4QN

Do you own the site: Yes

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: Tree Officer

Telephone Number: 023 80688000

Full title of tree preservation order (if known): 322-E Oak

Date of Council's decision (if applicable): 9 October 2025

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

The decision states that a crown reduction by 2-3 metres is considered unjustified and will be of detriment to the health and appearance of the tree. The officer's report states that the tree appears to be healthy when viewed from the road therefore I don't see why taking off this relatively small amount would mean it would not still be healthy. The fact it is described as small to medium in size is surprising considering it covers the entirety of my garden, and goes past this into the boundaries of neighbouring properties.

The decision also states that removing this amount will remove the majority of the photosynthetic material. I am aware that it is possible to pollard oak trees, and whilst this isn't what has been asked for, the point made about damage to the health and appearance to the tree from removing up to 3 metres therefore seems unjust. The tree was last pruned in February 2022, and it's considered that this request is within industry guidance of every 3 – 5 years for mature oak trees.

The decision states that this will considerably reduce the public amenity provided by the tree and further damage its form and shape. As the officer describes the tree as healthy I don't think this could cause 'further' damage, as there is no existing damage. The officer also acknowledges that the tree can't maintain a traditional shape due to the proximity to properties so this comment doesn't seem relevant. The tree is surrounded by private properties, not public land. Whilst this is visible from the pathways / roads, as it's set back I don't consider that this has a high level of public visibility. There's plenty of other foliage in the immediate vicinity for wildlife and from what I have noticed, the tree doesn't provide this to a crucial level.

The officer's report notes that a visit was made to the property, but I was at work at the time so they didn't have access to the garden. If I had been notified of the planned visit then I would have made arrangements to be there, and it would have been much more obvious that the tree branches are now over the roof of my house. This reason for refusal is therefore not correct.

Permission had also previously been given to remove up to 2 metres from the branch tips in January 2024. Only the branch near to 2 Denbigh Close was treated in this way, which is the same branch where permission has now been granted now to be removed. The rest of the tree was untouched at this time. If this was considered suitable then, and the tree has grown in size since, the decision made now seems illogical. New consent was only applied for to try to obtain 3 metres. Considering that this is over 18 months since the last decision this new request felt sensible. Otherwise am I not permitted to continue with this granted permission to do 2 metres? The permission of this is technically still in place I believe.

If you are appealing to fell a tree or against a condition requiring replacement planting please indicate the species and size of any tree(s) you would be prepared to plant if the appeal were to be allowed:

Number of trees and Species:

Size:

F. GROUNDS OF APPEAL (cont)

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

G. PROCEDURE – (See Section 9 of the Guide for Appellants before making your choice)

Appeals dealt with by the Fast Track procedure 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 – Please note: no discussion about the merits of the case will take place during the 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:

The garden can only be access by a side gate which I keep locked for security reasons. I live alone and am not comfortable leaving this unlocked when I am not there. I can be available to be at home at any suitable time so this just needs to be arranged with me in advance.

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. 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):

T/25/99985 (enclosed application form also, but photos available online)

- | | |
|---|---|
| 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 Appeals Casework 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

Date 20/10/2025

Name (in capitals) KATHRYN SYMMONDS

On behalf of (if applicable)

For more information about how we process your personal information please see "A Guide for Appellants (Tree Preservation Orders- consents for works)."

Please send the completed form and supporting documents to:

Trees and Hedges
Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Telephone: 0303 444 5000

or e-mail it to: treeandhedgeappeals@planninginspectorate.gov.uk

What happens next:

- 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.

K. SUPPLEMENTARY SHEET

