



Appeal Decision

Site visit made on 24 June 2026

by Simon Cox MSc PgDip FArborA CEnv

an Inspector appointed by the Secretary of State

Decision date: 04 August 2026

Appeal Ref: APP/TPO/W1715/11013

79 Hursley Road, Chandler's Ford, Hampshire, SO53 2FS

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to fell a tree protected by a Tree Preservation Order (TPO).
 - The appeal is made by Mr Mark Taylor against the decision of Eastleigh Borough Council.
 - The application, Ref: T/25/100108, dated 20 September 2025, was refused on 14 November 2025.
 - The work proposed is to fell a fir tree.
 - The relevant TPO is Tree Preservation Order No. 58 – Chandlers Ford, Eastleigh, which was confirmed on 15 August 1955.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:
 - i. The impact of proposed tree felling on the character and appearance of the area.
 - ii. Whether sufficient justification has been demonstrated for the proposed felling.

Reasons

The impact of proposed tree felling on the character and appearance of the area.

3. 79 Hursley Road is a residential, detached property in Chandler's Ford, set along a well-used public highway. The wider area is well developed, with tall and mature trees contributing to the setting.
4. The tree proposed for felling, a cypress tree in good health, is located adjacent to the public highway at the frontage of the property. It is also tall and mature and is a noticeable feature on approach along the highway. Given the tree's height, the

upper canopy will also be visible from many vantage points in the surrounding area and from nearby properties.

5. Thus, the tree makes a positive contribution to the character and appearance of the area and its removal would lead to unacceptable harm. Consequently, any reasons given to justify felling it need to be convincing. I now turn to those reasons.

Whether sufficient justification has been demonstrated for the proposed felling.

6. Additional information was submitted in the appeal statement. Whilst I appreciate the points raised, for it to be considered, such information must be submitted as part of the original application for work to a tree subject to a TPO. Therefore, I will only consider the original application and the findings from my site visit.
7. The structural engineer's report identifies a number of causes for the damage to the property, including long-term settlement. Whilst the tree has been implicated in the damage, the type of detail I expect to be submitted in an application to fell a protected tree associated with subsidence has not been provided, including soil analysis, ground investigation of foundations, investigation for roots near/underneath foundation and root identification. Nor have the results of ongoing monitoring of building movement been submitted.
8. Therefore, based on the information submitted, I cannot attribute the damage to the tree.
9. Regarding broken concrete in the driveway, some of this damage is obviously associated with the cypress as it is near the base of the tree. However, the information provided does not show that other damage to the surface has been caused by the roots of the tree rather than as a result of settlement or ongoing use, and further evidence would be required to implicate the tree's roots in all the damage to the drive.
10. In relation to the obvious damage to the driveway, I do not consider tree removal to be proportionate given the amenity the tree offers and the fact that no attempt has yet been made to alter or maintain the driveway near the tree.

Conclusion

11. With any application to fell a protected tree, a balancing exercise needs to be undertaken. The need for the work applied for must be weighed against the resultant loss to the amenity of the area. In this case, the felling of the tree would result in unacceptable harm to the character and appearance of the area and, in my judgement, insufficient justification has been demonstrated for the proposed felling.

12. Thus, having considered all matters raised, I conclude that the appeal should be dismissed.

Simon Cox

INSPECTOR