



The Planning Inspectorate

3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line:
Customer
Services:
e-mail:

0303 444 5844
0303 444 5000

treeandhedgeappeals@planninginspectorate.gov.uk

Eastleigh Borough Council

Your Ref: T/22/93285

trees@eastleigh.gov.uk

Our Ref: APP/TPO/W1715/9285

Date: 26 February 2024

Dear Sir/Madam,

Town and Country Planning (Tree Preservation) (England) Regulations 2012, SI No. 605

Application for Consent to Carry Out Works to Protected Trees

Appeal by: Mr Neal Warcup

Site Address: FLAT 141 HILTINGBURY ROAD CHANDLERS FORD SO53 5NP

We have received appeal forms and documents for this site in relation to an application to carry out work on tree(s) protected by a Tree Preservation Order. I am the case officer. If you have any questions please contact me, quoting the above appeal reference.

The procedure and starting date

The appellant has exercised their right to be heard. We consider that the Hearing procedure is suitable and we intend to determine this appeal by this procedure.

From 13 September, the Planning Inspectorate will be returning to holding physical events, hosted by Local Planning Authorities. On occasion, virtual events, also hosted by Local Planning Authorities may take place where this is considered desirable. Further information is provided within the links below.

<https://www.gov.uk/guidance/coronavirus-covid-19-planning-inspectorate-guidance>

<https://www.gov.uk/government/publications/setting-up-a-venue-for-a-public-inquiry-hearing-or-examination/public-inquiries-hearings-and-examinations-venue-and-facilities-requirements>

<https://www.gov.uk/government/publications/guidance-for-local-planning-authorities-hosting-virtual-events-for-the-planning-inspectorate>

I trust that this is self-explanatory. Please contact me if you have any queries.

The Hearing is currently anticipated as sitting for **1** day, but the duration is not fixed and may change depending on what the Inspector decides needs his/her consideration.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

<https://www.gov.uk/government/organisations/planning-inspectorate>

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

Please send any correspondence using the email/postal address above. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at:
<https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal(s) promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.

By 2 Weeks

Please read through the enclosed questionnaire carefully and then complete the form and return it to me, together with copies of the documents cited within it.

If you have reason to believe that the appeal is invalid e.g. it has been submitted out of time or the appellant is not the person who made the application, ignore the questionnaire and simply provide the relevant information bringing your observations to our attention.

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

- I. that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 6 week deadline). If they want to make any additional comments they must do so **within 6 weeks** of the starting date.
- II. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- III. when and where the appeal documents will be available for inspection;
- IV. that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);
- V. that they can get a copy of our booklet 'Guide to taking part in planning and listed building consent appeals proceeding by a hearing' either free of charge from you, or on GOV.UK—<https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>; and

You must provide the following documents to us. Please remember to include the full appeal reference number:

- a) a copy of the Tree Preservation Order(s) including documentary evidence of the date on which the Tree Preservation Order(s) was confirmed;
- b) a copy of the plan attached to the Tree Preservation Order(s) - if the original plan was coloured, the copy should be coloured identically;
- c) a copy of the application made to the LPA - including all relevant documents, plans and extracts of relevant policies;
- d) a copy of the LPA's decision notice (in the case of non-determination appeals, a copy of any officer report).

You must also make sure that the appellant(s) or their agent and I are sent a copy of your completed appeal questionnaire and supporting documents, including extracts of any relevant development plan policies, a copy of your notification letter and a list of those notified.

By 6 Weeks

If you propose to submit an appeal statement, please send me a copy of your statement giving full details of the case which you will put forward at the hearing including copies of any documents (maps, plans etc) to which you will refer. It is best practice to provide a summary of your statement. This summary should not be more than 500 words long.

I will send a copy of your statement (and summary) to the appellant(s) and you must send a copy of your statement (and summary) to any statutory parties. I will also send you and the appellant(s) a copy of any comments received from other interested persons or organisations.

You must allow anyone who wants to inspect the appeal documents a reasonable opportunity to do so. Your statement should say when and where this can be done.

By 8 Weeks

You and the appellant(s) must submit any final comments you and they have on each other's statement and on any comments from interested people or organisations. You must not send your final comments instead of, or to add to your statement. No new evidence is allowed at this stage. I will send you a copy of the appellant's final comments at the appropriate time.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please contact me immediately. If I receive written confirmation of this from the appellant(s), I will write to you. If you are able to resolve this dispute with the appellant at any time during the appeal process before the hearing, please let us know. This would enable the withdrawal of the appeal and a consequent saving of time and public resources.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs – <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party. Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Important information

The Planning Inspectorate deals with over 20,000 appeals a year in locations all over England. We are experiencing a high demand on our resources and unfortunately this is causing a delay in dealing with our casework. We are putting measures in place to deal with the current delays including the recruitment of additional resources and the introduction of new working practices and hope to recover our position soon.

We are unable to respond to any queries on delays for specific cases. General information about average times is available [here](#). We would also ask you to use email for submission of any required documents and quote your appeal reference. This will ensure that all documents are associated with the correct case file. Sending documents to us by post can lead to delays in the processing of your appeal. We will write to you again when we are in a position to make arrangements for the appeal.

Yours sincerely

Daisy Casemore

Case Officer
Tree and Hedge Appeals

**THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012, SI No. 605**

TREE PRESERVATION ORDER APPEAL QUESTIONNAIRE

This appeal is being processed as a hearing. Please complete this questionnaire and aim to return it to the Planning Inspectorate by 14 days from today. Please send a copy of this form to the Appellant/Appellant's Agent.

1. Details of the Appeal

Appellant's name and address:	Mr Neal Warcup 28 Pine Road, Chandlers Road, Eastleigh, SO53 1LU
Agent's name and address:	Ms A Lovejoy Belle Vue, West Hill Road North, South Wonston, Winchester, So21 3HN
Details of appeal:	SILVER BIRCH (T2) - CROWN LIFT BACK TO SOURCE ALL BRANCHSTEMS BELOW THE HEDGE LINE AT 3.5M FLAT 141 HILTINGBURY ROAD CHANDLERS FORD SO53 5NP
Pins reference:	APP/TPO/W1715/9285

2. Background information

	Yes	No
(a) Is the appeal tree/ are the appeal trees located in a Conservation Area?		
If yes, please provide the name of the conservation area:		
(b) Is the appeal site subject to a separate live planning application or appeal to the Secretary of State?		
If yes, please provide your reference for the planning application:		

Copies of the following are enclosed:

Item	Yes	No	Already submitted
(c) The application for consent including all enclosures			
(d) Your decision on the application			
(e) The tree preservation order (TPO) – including the map and schedule			
(f) A plan/map showing the location of the relevant TPO tree(s)			
(g) Evidence that the order was confirmed <i>This is a mandatory requirement. If the TPO has not yet been confirmed, you should advise us of the anticipated date of confirmation. We cannot proceed with the case until the TPO is confirmed. If you are unable to supply evidence that the TPO was</i>		Not applicable	

<i>confirmed, it is likely that we will decide that the appeal is invalid and the tree not protected.</i>			
(h) An up-to-date A4 plan/map of the appeal site, tree(s) near the centre and major roads at 1:1250 or 1:1000 scale or similar			
(i) A designated plan of the Conservation Area showing the site marked (if applicable)			
(j) The council officers or committee's report on the application (if any)			
(k) Third party representations			

3. FURTHER INFORMATION

Please tick the relevant box	Yes	No
a) do you intend to submit an appeal statement?		
b) have you enclosed an up-to-date plan of the appeal site showing a major road?		

Please note that any further representations, such as your appeal statement, must be submitted to the Planning Inspectorate by 6 weeks from the date of this letter.

4. CONDITIONS

Please set out any conditions you would like the Inspector to consider when determining the appeal, particularly in respect of applications for consent to fell.

I confirm a copy of this questionnaire and background papers have been sent to the appellant.

Name:

Tel no:

Signature:

Date:

