



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 Mr & Mrs Ward

Address
2 Stanbrook Close
Manton
Marlborough
Wiltshire

Postcode
SN8 4HY
Daytime Tel

Email

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

Name
Guy Watson
Organisation
Certhia Consulting Ltd
Address
11 Ermin Close
Baydon
Marlborough
Wiltshire

Postcode
SN8 2JQ
Daytime Tel

Email
guy@certhia.co.uk

I prefer to be contacted by: Email

C. APPEAL SITE

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

2 Stanbrook Close

Manton

SN8 4HY

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: Wiltshire Council

Council Contact Name: Simon Turner Telephone Number: 0300456 0114

Full title of tree preservation order (if known): TPO E/172

Date of Council's decision (if applicable): 03 April 2026

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

See attached supporting letter.

2 Stanbrook Close TPO Appeal 13-05-26

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

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

Free access to the front and drive of the property directly from Stanbrook Close

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?

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 |
|---|---|

Attached

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):

PL/2026/01515

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

Attached

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 13 May 2026

Name (in capitals) GUY WATSON

On behalf of (if applicable) Mr & Mrs Ward

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:

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.



If you would rather make this application online, you can do so on our website:
<https://www.planningportal.co.uk/apply>

Application for tree works: works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area.
Town and Country Planning Act 1990

Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to the Local Planning Authority in accordance with the legislation detailed on this form.

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to the Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

Local Planning Authority details:

Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
Tel: 0300 456 0114 Email: developmentmanagement@wiltshire.gov.uk

Wiltshire Council

Publication of applications on planning authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.

Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require any further clarification, please contact the Local Planning Authority directly.

If printed, please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes and help text as incorrect completion will delay the processing of your application.

1. Applicant Name and Address	2. Agent Name and Address
Title: Mrs First name: SALLY	Title: First name:
Last name: WARD	Last name:
Company (optional):	Company (optional):
Unit: House number: 2 House suffix:	Unit: House number: House suffix:
House name: BLAISDON HOUSE	House name:
Address 1: STANBROOK CLOSE	Address 1:
Address 2: MANTON	Address 2:
Address 3: MARLBOROUGH	Address 3:
Town:	Town:
County: WILTSHIRE	County:
Country:	Country:
Postcode: SN8 4HY	Postcode:

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit:		House number:		House suffix:	
House name:					
Address 1:					
Address 2:					
Address 3:					
Town:					
County:					
Postcode (if known):					

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

4. Trees Ownership

Is the applicant the owner of the tree(s):

☒ Yes

☐ No

If 'No' please provide the address of the owner (if known and if different from the trees location)

Title:		First name:	
Last name:			
Company (optional):			
Unit:		House number:	
House name:			
Address 1:			
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			

Telephone numbers

Country code: National number: Extension number:

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Country code: Mobile number (optional):

Country code: Fax number (optional):

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Email address (optional):

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☒ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☐ Yes ☒ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below: tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

WALNUT TREE
SEE ATTACHED

7. Identification Of Tree(s) And Description Of Works continued ...

WALNUT TREE
SEE ATTACHED.

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall:

☐ Yes ☒ No

If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives.

☒ Yes ☐ No

If YES, you are required to provide for:

Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

Other structural damage (e.g. drains, walls and hard surfaces)

Written technical evidence from an appropriate expert, including description of damage and possible solutions:

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)?

☒ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

9. Authority Employee / Member

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "relating to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or agent? ☐ Yes ☒ No

With respect to the authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

If Yes, please provide details of their name, role and how you are related to them.

10. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8)



For all trees

(see Question 7)

- Clear identification of the trees concerned
- A full and clear specification of the works to be carried out



For works to trees protected by a TPO

(see Question 7)

Have you:

- stated reasons for the proposed works?
- provided evidence in support of the stated reasons? in particular:
 - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert
 - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist.
 - in respect of other structural damage - written technical evidence
- included all other information listed in Question 8?



11. Declaration - Trees

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

11/3/2026

(This date must not be before the date of sending or hand-delivery of the form)

12. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

13. Agent Contact Details

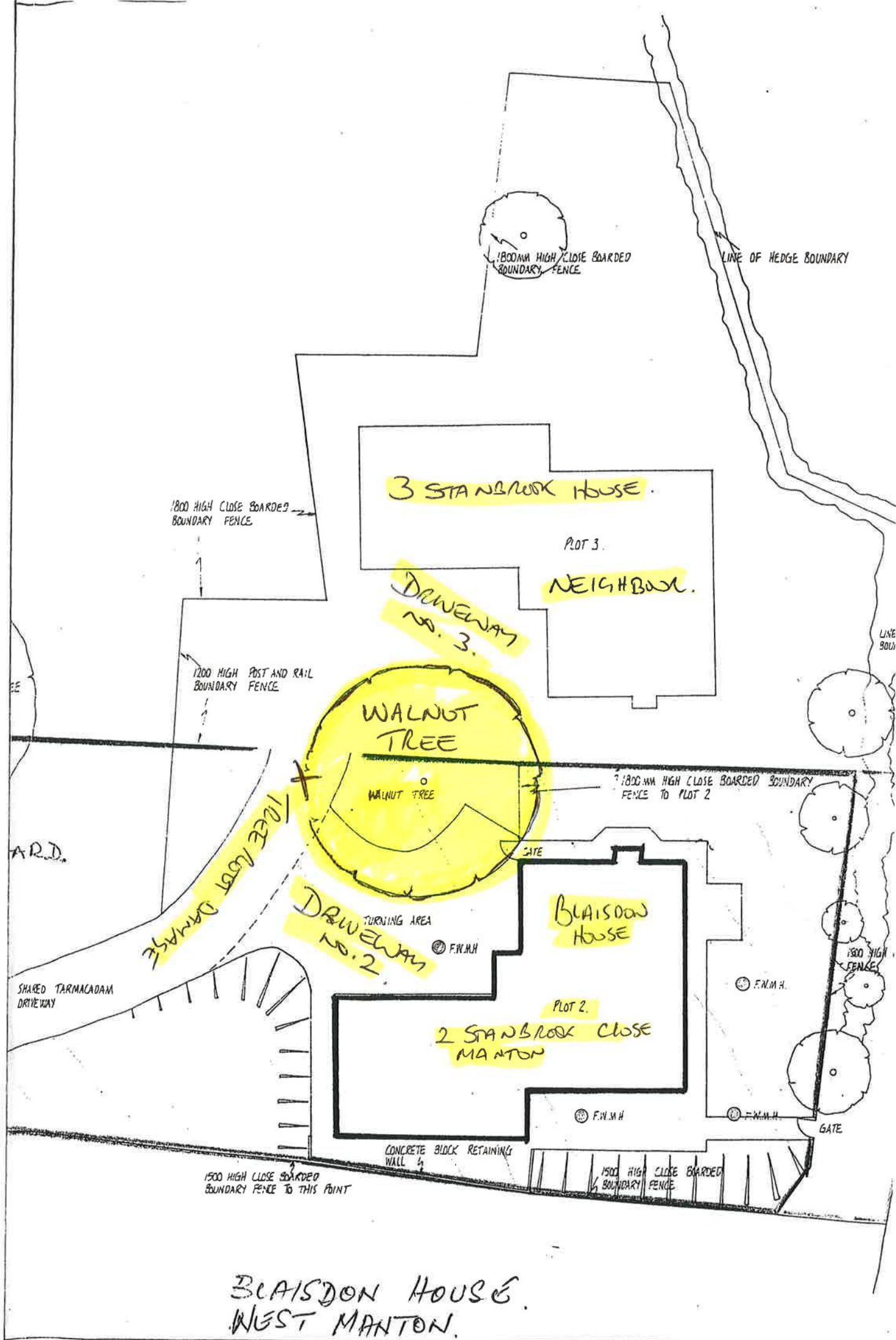
Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):



BLAISDON HOUSE.
WEST MANTON.

Right of appeal against Tree Works refusal and/or conditions

If you are aggrieved by the decision of the local planning authority to refuse to grant consent for certain elements and/or to impose conditions on certain elements then you may appeal to the Secretary of State for Communities and Local Government in accordance with Regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 within 28 days of the date of this decision. Details of the appeals procedure and forms can be found at the Planning Portal –

<http://www.planningportal.gov.uk/planning/appeals/otherappealscasework/treepreservation>

Or alternatively direct from the Planning Inspectorate –

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

A copy of the appeal documents should be sent to planningappeals@wiltshire.gov.uk.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

**Blaisdon House – 2 Stanbrook Close, Manton, Marlborough, SN8 4HY – Walnut Tree –
Application for Removal.**

7. Identification of Tree and Description of Works.

8. Trees – Additional Information

The walnut tree is identified on the property plan enclosed. We wish to remove the tree entirely due to the damage it is causing each year to our vehicles, our neighbours' vehicles and to both driveways and also due to the size of the tree and proximity to both numbers 2 & 3 Stanbrook Close. We have previously managed the canopy of the tree by reducing it using an arboriculturist within the rules of the TPO reducing the canopy by 25%, but this does not reduce the overall limbs of the tree and also causes the tree to have a growth spurt and produce more walnuts each year. For the past several years we have had damage to vehicles parked on both driveways through walnuts falling and causing dents in car bodywork. The tree overhangs both property driveways and overhangs number 2 entirely so there is nowhere that we can safely park our 3 vehicles without being directly under the limbs of the tree. Considerable damage has been caused to vehicles. Our neighbour has complained to us about the size of the limbs overhanging her property and also about the falling walnuts causing damage. The debris from the proliferation of walnuts on the driveways and the road that is Stanbrook Close, also causes staining and damage to our front door area and to shoes, inside cars etc. It is impossible to keep up with the volume of nuts that fall each year and remove the casings from our driveways, especially from number 2, as our drive is covered in shingle. Our neighbour is unable to manage the clear up from the mess caused and will hold us responsible for it and any damage caused to her car and property.

There is evidence on the tarmac driveway that is Stanbrook Close, that the tree roots from the tree is causing damage with the tarmac starting to break up.

We plan to use an arboriculturist to carry out the works.

Enclosures as follows:

- Blaisdon House Plan, with Walnut Tree highlighted and numbers 2 & 3 Stanbrook Close identified.



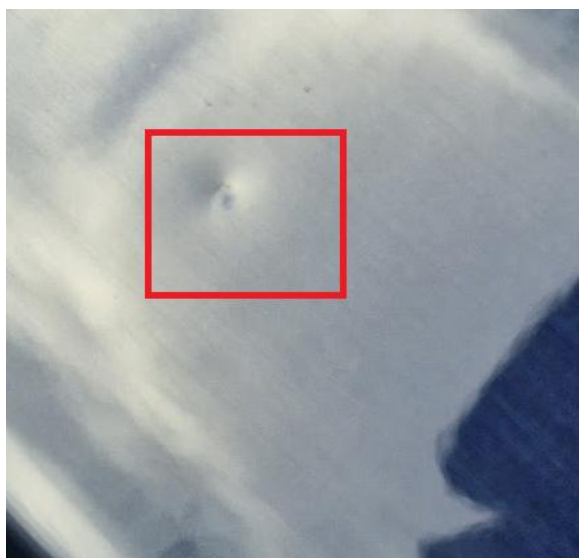
Photographs:

Tree root damage to tarmac driveway

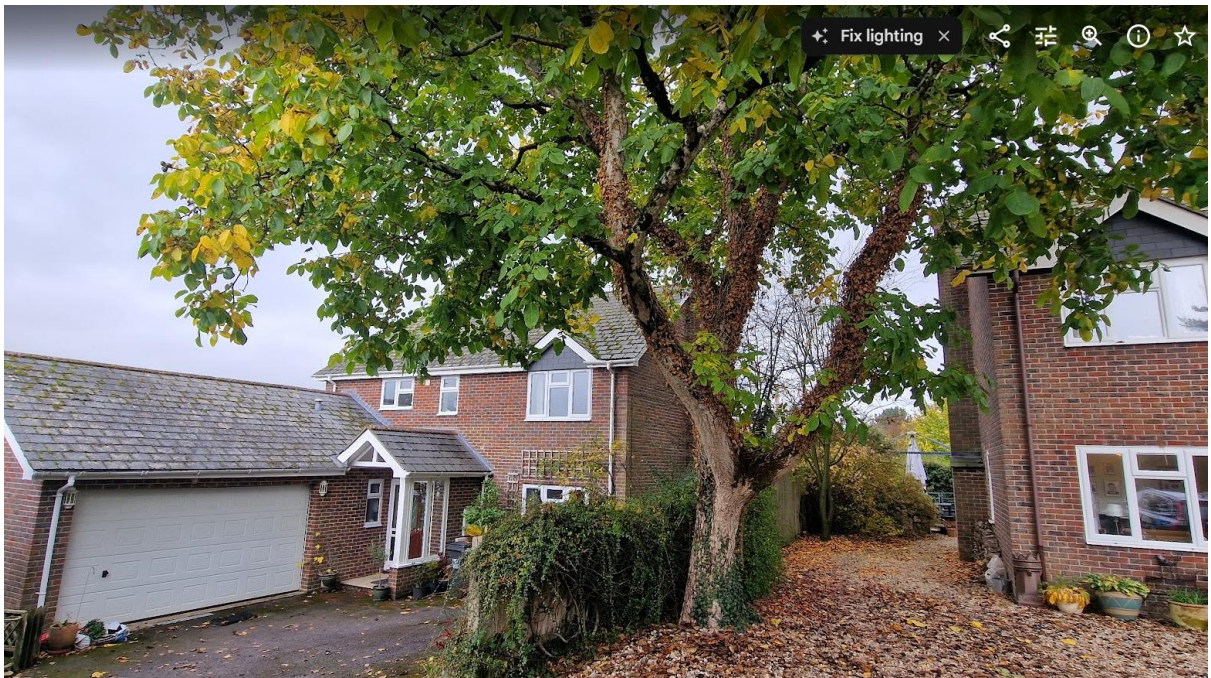


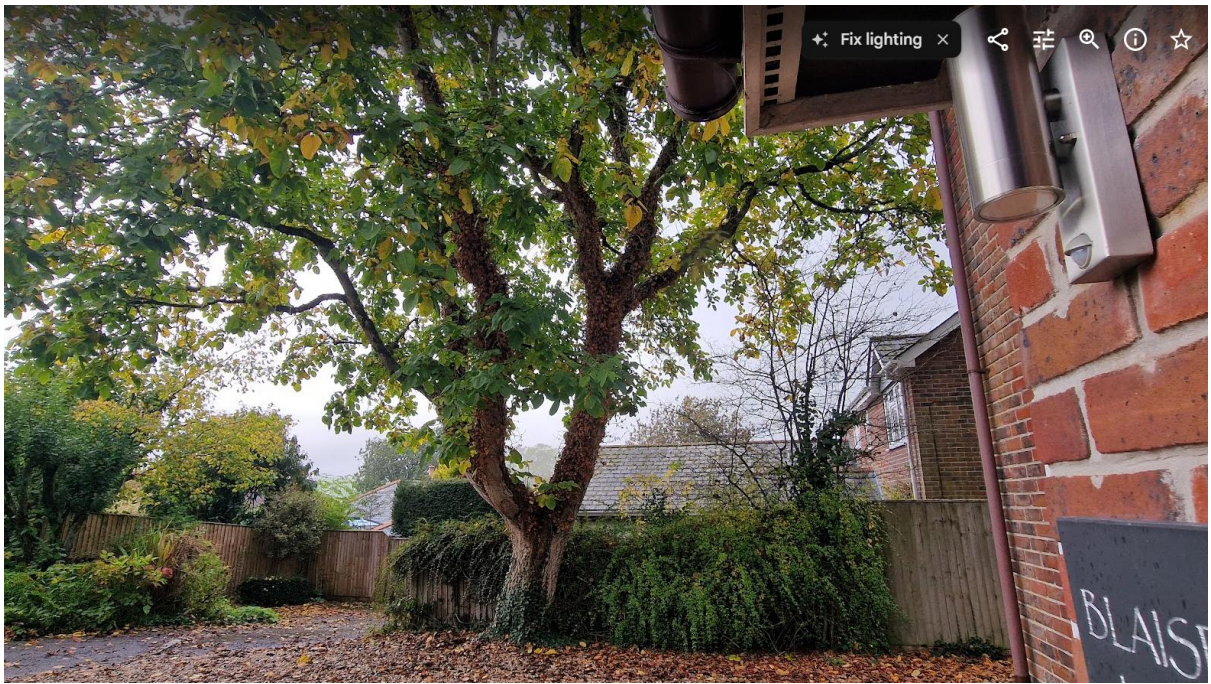
Dents in car bodywork – damage to 3 separate cars.













The Town and Country Planning Act 1990
Notice of REFUSAL to Carry Out TPO Tree Work
Application Reference Number: PL/2026/01515
Decision Date: 30/04/2026

Applicant:	Mrs Sally Ward 2, STANBROOK CLOSE, MANTON, MARLBOROUGH, SN8 4HY
Particulars of Development:	Walnut tree - Fell.
At:	2 STANBROOK CLOSE, MANTON, MARLBOROUGH, SN8 4HY

In pursuance of its powers under the above Act, the Council hereby **REFUSES PERMISSION** for the tree works referred to in the above particulars of development to be carried out in accordance with the application and plans submitted, for the reasons specified hereunder:-

Refusal Reason

- 1 The mature Walnut tree is considered to be of significant amenity value which contributes to the special amenity value of the area. The proposal to fell the tree is considered to be inappropriate and excessive and would have a detrimental impact on the amenity value and character of the local area.

Nic Thomas - Director of Planning, Economy and Regeneration

The Planning Inspectorate

13 May 2026

BY EMAIL ONLY: treeandhedgeappeals@planninginspectorate.gov.uk

Dear Sirs

**RE: Appeal against refusal of permission to fell 1 Walnut
2 Stanbrook Close Manton Wiltshire SN8 4HY**

1: Wiltshire Council refused an application to fell 1no Walnut at the above on the following grounds:

The mature Walnut tree is considered to be of significant amenity value which contributes to the special amenity value of the area. The proposal to fell the tree is considered to be inappropriate and excessive and would have a detrimental impact on the amenity value and character of the local area.

2: The TPO, E/172 was served in 1992 and confirmed on 16 April that year. It was placed at the time Stanbrook Close was constructed on what was a small holding.

3: The tree stands directly between 2 & 3 Stanbrook Close, a private drive serving three properties, off West Manton, an estate of brick built detached dwellings in substantial plots. The crown overhangs both driveways and the turning and parking areas of 2 & 3 Stanbrook Close. The tree stands some 14m tall with an average radial spread of 5.5m. It is 4.8m from the north east corner of 2 Stanbrook Close and the canopy virtually touches the wall and roof and extends over the roofline.



4: The tree causes cause harm to both owners of 2 & 3 Stanbrook Close when Walnuts fall and cause bodywork damage to vehicles parked in the drive. This is unavoidable as the parking arrangements preclude parking elsewhere. The arrangements of garages and access is directly under the tree. No mitigation is possible as a car cover will not affect Walnut impact. It is impracticable to consider a car port as a solution and maintain manoeuvring and access. The tree prevents the reasonable enjoyment and use of the owners' property as designed and there is no alternative possible.



5: The tree is an early mature specimen and has no arboricultural features that require remedial works.

6: The retention of this tree in relation to the approved layout of the dwellings in the early 1990s is a typical example of misguided tree retention. The introduction of the current iteration of BS5837:2012 refers to the objective of achieving a "harmonious relationship between trees and structures that can be sustained in the long term." It goes on to state at para. 5.1 that "care should be taken to avoid misplaced tree retention." It is clear that this is an example of that misplaced retention.

7: This tree would have been much smaller at the time of the imposition of the Order. The last 30 years of growth has resulted in the tree dominating the frontage of the properties and creating the conflict that exists today. It is inevitable that some degree of tree surgery to reduce the crown dimensions to prevent physical damage to the building fabric for both houses will be required. This will result in wounding and response growth requiring further cyclic pruning. The need for these periodic reductions demonstrates the impact this tree has on 2 & 3 Stanbrook Close.



8: The Walnut has limited public amenity. No impact assessment is available as part of the application papers lodged on the Wiltshire Council website. It is my professional opinion that the assertion that the tree has "*significant amenity value*" is incorrect. The tree is visible in part, only from selected viewpoints, and as a deliberate act of looking, rather than being a part of the general visual experience where loss of singular or cumulative features would be very clear. At best, views are glimpsed over or between buildings from narrow or restricted specific viewpoints. These are also where, for the most part, people will be looking forward rather than sideways, for example, looking for traffic where footways and pavements are not complete through the village.

9: A visual appraisal of views is attached at the end of this document.



10: The reference to the “*special amenity value of the area*” is also unclear. The site is not within a Conservation Area nor is it part of a “special landscape area”. These are the two demonstrably local designations shown on the Wiltshire Council constraints mapping. The site is within the North Wessex Downs National Landscape. However, this national designation should not affect the individual consideration of this singular tree.

11: Under the Town and Country Planning (Tree Preservation)(England) Regulations 2012, section 24, compensation is payable to owners of TPO trees if harm is caused as a direct result of refusal of permission to carry out works as applied for. It is asserted that Wiltshire Council is aware of the potential for damage, as this was directly referred to in the original application, (dated) (s24 para 4b refers). Furthermore, it is asserted that there is very limited ability to mitigate against further damage (s24 para 4c) due to the approved design and layout of the development in its original form. Car covers are unlikely to prevent further impact damage occurring.

12: An established semi mature Snake Bark Maple, *Acer pensylvanicum*, has been planted and is establishing well, to the north of the access drive. Alternatively, or in addition, a new tree can be planted in the narrow grass area to the south of the access to 2 Stanbrook Close. Either tree would provide a suitable replacement and can mature into the future with no conflict to the surrounding properties.

In conclusion, it is my professional opinion that:

- The Walnut is an example of misplaced tree retention as part of development from the 1990s.
- The walnut has inevitably grown and developed and is now in demonstrable conflict with property and use and enjoyment of that property.
- Physical damage is being caused to vehicles parked in the designed parking areas and turning areas of the dwellings.
- The Walnut has limited public amenity and its loss would not be detrimental to the wider public amenity.
- The walnut is in an early stage of maturity and will continue to increase in size. It will have to be repeatedly reduced to maintain its relationship with the surrounding properties. This will reduce further any amenity it may have now.
- Replacement planting in a logical place will support long term tree development and retention.
- Further damage to vehicles at the properties cannot be mitigated. This may result in compensation being claimed for repairs.



It is therefore our assertion that Wiltshire Council has not reasonably balanced the impact this tree has on the reasonable enjoyment and use of property against the very limited public amenity that this tree provides. It does not appear that Wiltshire Council has considered or demonstrated a structured approach to considering this application.

We therefore request that the appeal is upheld and consent is granted for the removal of the Walnut.

Yours Sincerely



Guy Watson MICFor, CEnv, ND Arb (RFS), F. Arbor. A.

Director

Certhia Consulting Ltd.



Regd.in England and Wales. Regd. no. 9480912. VAT no. 470170123



Manton Visual Appraisal.

Unless shown there are no further views of tree above or between buildings or hedge/roadside vegetation. All views are very specific, from isolated viewpoints, and with a deliberate search for the tree. They do not constitute a general appreciation of the tree.



Viewpoint 2



Viewpoint 3



Viewpoint 4



Viewpoint 1



Viewpoint 5



Viewpoint 6