



Arboricultural Report

Impact assessment and method statement

St Paul's Church
Commercial Street
Newport
NP20 1LU

14th January 2025

Compiled for:

Andy Brown

By

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Ref: WTC_1436.01

Status: FINAL

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Validation statement for LPA registration

This report is submitted to Newport City Council to accompany a planning application. The report contains tree information relating to the proposal for the conversion of existing church to 9no. flats.

For local planning authority (LPA) validation purposes, this report contains the following:

- A full tree survey compliant to the requirements of BS5837:2012 'Trees in relation to design, demolition and construction – recommendations' undertaken by a competent and qualified arboriculturist.
- A suitably scaled plan with a north point showing the site boundaries and the tree survey information.
- An assessment of the impacts of the proposed development on the existing trees. This includes recommendations of which trees should be removed/retained and the proposed protection measures.
- An arboricultural method statement outlining appropriate methods of tree protection and any specific technical construction methods needed to implement the design proposals with minimal detriment to retained trees.

Summary

2 mature trees are growing to the south of the church and these will not be affected by the build. Temporary fencing and existing hardstanding provide full protection for the duration of the build.

With works being carried out in accordance with this tree report the overall impact on the trees is considered to be very low.

NOTE

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1.0 INTRODUCTION

1.1 Instruction: I am instructed by Andy Brown, to inspect the trees that could affect or be affected by the development proposal at the land known as St Paul's Church. This report, in compliance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations' is required to accompany the submission of a planning application for the proposal for the conversion of existing church to 9no. flats. My instruction is to prepare the following information:

- A schedule of the relevant trees including tree data and condition assessment.
- A tree constraints plan.
- An arboricultural impact appraisal.
- An arboricultural method statement.
- A tree protection plan.

1.2 Documents provided: Drawings WTC_1436.02 (tree constraints plan) and WTC_1436.04 (tree protection plan) are derived from the following drawings which were supplied to me by Daniel Draycot:

- Forward Surveying & Design Ltd drawing – *Existing Block & Location Plan* – Dwg. No. 504/04/001 rev A – Dated: November 2019
- LPC drawing – *Site Plan – Proposed* – Dwg. No. LPC 4673 PR 01 C – Dated: November 2023

1.3 I am a consulting arboriculturist with Wotton Tree Consultancy Ltd. I have a BSc (hons) Arboriculture and the AA Technicians Certificate in Arboriculture (Cert Arb L4 (ABC)). I am a LANTRA qualified Professional Tree Inspector. I am a professional member of the Consulting Arborists Society, a professional member of the Arboricultural Association and a licensed user of Quantified Tree Risk Assessment (QTRA) - license no. 2278. I am trained in valuing amenity trees using the Capital Asset Value for Amenity Trees (CAVAT) system. I have been a consulting arborist since 2006.

1.4 Limitations:

1.4.1 My survey was a preliminary assessment undertaken from ground level and observations have been made solely from visual inspections for the purposes of assessment in terms relevant to planning and development. Only binoculars, mallet and a probe have been used to aid tree assessment. No invasive or non-invasive internal decay detection devices have been used in assessing tree condition.

1.4.2 The recommendations and conclusions in this report relate only to the conditions found on this site at the time of the site visit and inspection. The recommendations contained within this report are valid for a period of 12 months from the date of this report. Any significant alteration to the site that may affect the trees that are present or have planning implications (level changes, additional tree works, post extreme weather events, hydrological changes) and will necessitate a re-assessment of the trees and the site.

1.4.3 The tree survey that forms part of this report is not a tree safety inspection. The survey has been carried out in order to inform the planning process. Where obvious risks have been observed, they have been addressed in the 'preliminary management recommendations' (see Appendix 1 – Tree Schedule). Potential hazards and levels of risk are likely to change as the site usage changes during and post development.

1.5 Ecological Constraints: The Wildlife and Countryside Act 1981 and amendments made within and subsequent to the Countryside and Rights of Way act 2000 provides statutory protection to bats, birds and other species that inhabit or use trees. The protection afforded to these species could impose significant constraints on the use of a particular site as well as significantly restrict the timing of any works that may be necessary. Any restrictions are in addition to the tree restriction highlighted in this report. Whilst I have some working knowledge of these potential issues they are outside my area of expertise and you must seek advice from a qualified ecologist to ascertain if any further restrictions apply.

1.6 Tree preservation orders and/or conservation area protection:

I have contacted Newport City Council to enquire whether trees at the address are subject to a tree preservation order. I am informed that T1 is subject to Tree Preservation Order No 3/1999. The site does not sit within a Conservation Area. A copy of the Tree Preservation Order is appended to this report.

2.0 SITE VISIT AND DATA COLLECTION

2.1 Site Visit: I visited the site on 9th January 2025. All observations were made from ground level (aided by the Visual Tree Assessment method – Mattheck and Breloer, 1994) and all measurements except stem diameter were estimated unless otherwise stated in the tree schedules. The weather at the time of the visit was cool and overcast; these conditions in no way hindered my ability to view the trees.

2.2 Site Description:

The site comprises of a church surrounded by hardstanding. A mature lime is growing at the site entrance, and a mature sycamore further up the entrance driveway. Whilst other trees are growing in the vicinity, these are off-site with significant barriers to root growth onto site.

2.3 Data collection: Each tree or group was inspected and allocated an identification number as indicated in the tree schedule (appendix 1) and tree survey plan. For each tree the following information was collected:

- species
- height (m)
- stem diameter (mm)
- average radius of crown to 4 cardinal points (m)
- height and orientation of first significant branch
- average height of canopy clearance
- life stage
- observations regarding condition
- preliminary management recommendations
- safe useful life expectancy

As encouraged in BS5837:2012, each tree or group was allocated to one of four categories (A,B,C or U), which reflects its suitability for retention in context of the development. Please see table 1 for explanation of the criteria for tree categorisation.

Table 1: cascade chart for tree assessment, adapted from Table 1 of BS5837:2012

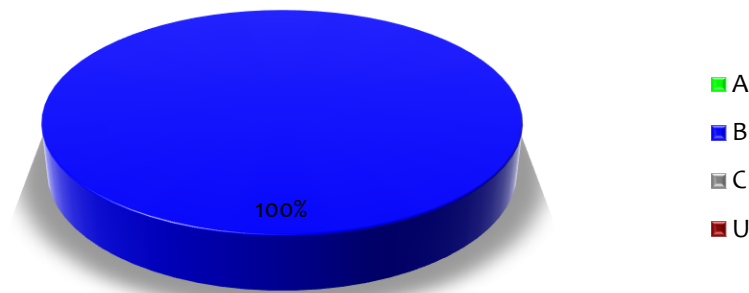
Category & definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention				
Category U Trees in such a condition that they cannot realistically be retained as living trees in the context of current land use for >10 yrs	<ul style="list-style-type: none"> Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees Trees that are dead or showing signs of significant, immediate and irreversible decline Trees infected with significant pathogens affecting health or safety, or very low quality trees suppressing trees of better quality <p><i>NOTE: these trees can have existing or potential conservation value making retention desirable</i></p>			DARK RED
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values incl conservation	
Trees to be considered for retention				
Category A Trees of high quality with an estimated remaining life expectancy of >40 yrs	Particularly good examples of their species, esp if rare or unusual. Those that are essential components of groups or formal or semi-formal arboricultural features	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.	Trees, groups or woodlands of significant conservation, historical, commemorative or other value	LIGHT GREEN
Category B Trees of moderate quality with an estimated remaining life expectancy of >20 yrs	Trees that might be included in category A but are downgraded because of impaired condition such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit category A designation.	Trees present in numbers, usually growing as groups or woodlands such that they attract a higher collective rating than they might as individuals. Trees occurring as collectives but situated so as to make little visual contribution to the area.	Trees with material conservation or other cultural value	MID BLUE
Category C Trees of low quality with an estimated remaining life expectancy of >10 years, or young trees with a stem diameter <150mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary landscape benefits.	Trees with no material conservation or other cultural value.	GREY

2.4 Interpretation of data: Section 4.6 of BS5837:2012 recommends that the trunk diameter measurement is used to calculate the RPA which can then be interpreted to identify the design constraints of a particular site. Once the design principal has been established the construction exclusion zone and location of protective measures can be identified.

3.0 ARBORICULTURAL OVERVIEW

3.1.1 A total of 2 items were surveyed within and adjacent to the development site. These items comprised 2 individual trees. The chart below shows the ratio of tree retention categories on the site.

Tree retention category ratios



3.1.2 T1 is an 'A' category sycamore subject to a TPO. It is growing within a small area of soft ground, with hardstanding beyond. No works are proposed within the RPA of the tree and so the soft ground will be protected with temporary fencing and the hardstanding will act as ground protection throughout the build.



Plate 1: T1 – 'A' category sycamore

- 3.1.3 T2 is a B category lime growing at the entrance to the site. Growing within a narrow verge, the remainder of its roots is below the hardstanding. This hardstanding will remain *in situ*. Temporary fencing will protect the trunk of the tree.



Plate 2: T2 – B category lime

4.0 ARBORICULTURAL IMPACT ASSESSMENT

4.1 Below ground constraints

4.1.1 Below ground constraints refer to tree roots. These are easily overlooked during construction operations as they are unseen and often little is understood about their importance. It is essential to ensure that roots are not damaged during building operations as they are the life blood of each tree, providing structural stability by anchoring the tree to the ground and providing transportation of water and nutrients from the soil to the foliage.

4.1.2 In reality the spread of roots for trees in an urban environment will rarely be distributed in a perfect circle as the environment below ground level is highly variable. The presence of structural foundations, pipes, impermeable surface coverings and differing soil conditions mean that tree roots will extend in to areas that offer a preferential environment; where water is most available and the soil is least compacted.

4.1.3 Root protection areas (RPAs) are shown as a circle centred on the base of the stem unless site conditions such as nearby structures indicate that the shape of the rooting area deviates from this format.

4.1.4 As the proposals are for internal works, with the exception of some landscaping works, no trees have any RPA conflicts with the proposals.

4.2 Above ground constraints

4.2.1 Trees in close proximity to buildings can provide some constraints, both actual and perceived. Actual constraints may be where low branches conflict with new elevations either at the time of building or in the future. Future growth of young trees should be accommodated in building design. Other constraints include shade, leaf litter and damage from falling branches.

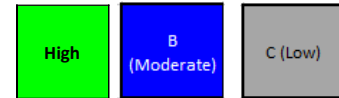
4.2.2 Large tree canopies close to buildings can also cause 'post-development pressure' by way of requests for tree removal or pruning as a result of resident anxiety.

4.2.3 Although some shading is likely it is not considered to be significant.

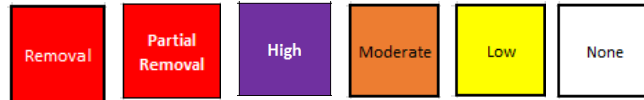
4.2.4 It is possible that leaf fall could block gutters and downpipes. This can be mitigated through regular maintenance of the guttering or by installing a proprietary gutter guard.

4.3 ARBORICULTURAL IMPACT CASCADE CHART

4.3.1 Tree **Values** are taken from BS: 5837 and comprise of the following:



4.3.2 The **Impacts** comprise of 6 elements:



4.3.3 Causes of impacts comprise of 6 factors: '**None**', '**To facilitate development**', '**Due to poor condition**', '**Direct disturbance to roots**', '**Pruning required**' and '**Possible future pruning pressure due to shade and other factors**'.

4.3.4 Comments are also included providing more information where necessary.

	REMOVAL	PARTIAL REMOVAL	HIGH	MODERATE	LOW
TO FACILITATE DEVELOPMENT	Tree / group requires removal.	Partial removal of group is required. I.e., 'a section of hedge may require removal to allow a new access road'.	N/A	N/A	N/A
DUE TO POOR CONDITION	Tree or group require removal due to poor structural and / or physiological condition.	Part of group require removal due to poor structural and / or physiological condition.	N/A	N/A	N/A
DIRECT DISTURBANCE TO ROOTS	N/A	N/A	In many case this will result in the loss of tree/s - refer to ' TO FACILITATE DEVELOPMENT '. In rare cases a Tree/s may be retained but damage will occur to the roots. Up to 30% of total RPA area affected.	Disturbance will be caused to roots of a tree/s that are likely to result in some physiological and structural dysfunction. The extent of damage does not require trees to be felled. Remedial actions may be taken in some cases that would help mitigate against damage but site topography, tree age, condition and species condition may result in disturbance being considered MODERATE as opposed to LOW . Up to 20% of total RPA area affected.	Activity will occur within the root protection area of trees which will have a low impact, or can be mitigated by special measures. Up to 10% of total RPA area affected.
PRUNING REQUIRED	N/A	N/A	Pruning that may retain a tree but will have a potential impact on the tree condition and visual appearance	Pruning is required that is acceptable within recommendations within BS3008:2010, but would require a material alteration to the tree/group affected.	Pruning is required that will have little impact to the structural, physiological and visual amenity of a tree or group.
POSSIBLE FUTURE PRUNING PRESSURE DUE TO SHADE OR OTHER FACTORS	Removal of tree/s required as retention is unsustainable and/or undesirable within the context of development. i.e. fast growing tree in small garden.	Partial removal of tree/s required as retention is unsustainable and/or undesirable within the context of development. i.e. fast growing tree in small garden.	Tree/s likely to cause significant shading. i.e. small garden areas with dense mature trees to south.	Some level of shade or other inconvenience will occur. Not highly oppressive, but some residents may seek management of trees in long term.	Some level of shading / overhang will occur.

Table and cascade chart courtesy of Mike Gregory (2021)

Arboricultural Implications Assessment						
Ref No.	Species	Value	Impact	Impact Cause	Management Options / Comments	Other
T1	Sycamore	A (High)	None	None	Existing hard standing within RPA to remain in situ, providing adequate ground protection. Any soft ground within RPA to be protected by temporary fencing throughout the duration of the build.	Tree protection required. See WTC_1436.04.
T2	Lime	B (Moderate)	None	None	Existing hard standing within RPA to remain in situ, providing adequate ground protection. Any soft ground within RPA to be protected by temporary fencing throughout the duration of the build.	Tree protection required. See WTC_1436.04.

4.4 Trees to be retained

Of the 2 trees surveyed, both are proposed to be retained.

- 4.4.1 Tree protection on development sites is of paramount importance if trees are to be retained successfully. The inevitable stress caused by development near an existing tree can, if provision for adequate protection is not made, be a strain that can severely damage the trees or even result in their death. Although the trees appear healthy during and on completion of the development, the full effects may not come apparent for up to five or more years after works have finished.

4.5 Trees to be removed

- 4.5.1 No trees are proposed for removal as a result of this development.

5.0 ARBORICULTURAL METHOD STATEMENT

5.1.1 Control measures for construction works in or near to the root protection zone are detailed in this chapter. This will form the method statement of works and will be the exact principle/methodology utilized during construction periods.

5.2 Tree works prior to construction

5.2.1 Following the approval of Newport City Council's appointed Tree officer, all tree works will be carried out to BS 3998 "*Recommendations for Tree Work*" (2010) or BS 5837 "*Trees in relation to design, demolition and construction - Recommendations*" (2012) or as modified by more recent research. Tree works will be undertaken before commencement of other site operations.

5.3 Protective fencing

5.3.1 Before the commencement of any works on site protective fencing shall be erected to the dimensions shown on the accompanying drawing 'tree protection plan'. Individual root protection areas at the measured m² will be erected for the duration of the development around retained trees. Although these protection measures will be in place for the duration of the development on site monitoring will allow for the successful retention of the subject trees.

5.3.2 Tree protection fencing will be constructed to the specification as set out in Appendix 5 of this report. It is imperative that the fencing is constructed in such a way that it cannot be easily moved or opened during construction work.

5.3.3 Signs will be affixed to the fencing to inform on-site contractors of the importance of the fencing barriers (Appendix 6).

5.3.4 The construction exclusion zones (CEZs) are to be treated as sacrosanct and the following guidelines must be followed:

- NO mechanised excavations
- NO movement of construction traffic or parking of vehicles
- NO storage of building materials
- NO storage of chemicals or fuels
- NO fires to be lit in close proximity to trees

5.3.5 Fences must only be removed following a site visit from the Local Authority officer to confirm on-site construction activity has been completed.

5.4 Site access

5.4.1 The site shall be accessed via Commercial Street.

5.5 Contractors car parking

5.5.1 No vehicles shall be parked on un-surfaced ground within the RPA of retained trees.

5.6 Site huts and storage

5.6.1 Any storage required for materials, spoil, plant or welfare facilities shall be positioned outside the RPA of retained trees. Mixing of cement shall be in a designated area where runoff will not enter the RPAs of retained trees. Ground protection in the form of a geotextile membrane will ensure no leaching of mixings enters the soil and kick boards around the perimeter will ensure that runoff is contained.

5.7 Service installation

5.7.1 I have not been supplied with details of the routing of underground services that may affect the trees on site. The provision of underground services must be led by the site's tree constraints. Should the routing of services cause conflict with the specified RPAs, a detailed and specific method of work will be provided in writing to the LPA for approval prior to installation of services.

5.8 Ground level changes

5.8.1 There shall be no changes in ground levels within the RPAs of retained trees during the construction.

5.9 Foundations within Root Protection Areas

5.9.1 There shall be no foundations within RPAs of retained trees.

5.10 Hard surfaces within Root Protection Areas

5.10.1 There shall be no new hard surfaces within RPAs of retained trees.

5.11 Tree and hedge planting

5.11.1 GENERAL

5.11.1.1 All tree and hedge planting to be undertaken in accordance with British Standards publication BS8545:2014 Trees: from nursery to independence in the landscape – Recommendations.

5.11.1.2 The methodology contained within this report is to facilitate the required tree replacement planting as per Bristol's Tree Replacement Standard.

5.11.2 GROUND PREPARATION

5.11.2.1 Prior to planting, any tree stumps must be ground out and the planting area treated with an appropriate Glyphosate based systemic herbicide. Please check the current list of approved herbicides and follow the manufacturer's instructions.

5.11.2.2 Lightly cultivate the soil removing large stones (>75mm dia), rubbish, concrete, metal and glass.

5.11.3 TREE PLANTING METHOD

5.11.3.1 Trees to be root-balled standards (8-10cm girth, 2-3m height).

5.11.3.2 Planting pit to be 1.5 times the diameter of the root ball. For root balled standards this is generally 600 x 600 x 600mm. The hole should be square with the sides and base scarified to avoid root girdling. The top soil and sub soil should be separated.

5.11.3.3 Remove stones and any other items that may inhibit root growth.

5.11.3.4 Two 600mm rounded softwood stakes with top diameter of 50mm to be driven vertically into the pit using either a hammer or drivel so as to be equidistant from the root ball. The top of the stake to be at the height of 1/3 of the clear stem of the tree when planted.

5.11.3.5 Remove plastic packaging from root ball. Any hessian or mesh should be left intact.

5.11.3.6 Position tree to ensure it is vertical and that branches are not impeded by the stake.

5.11.3.7 Back fill with mix of top soil from pit excavation and good quality peat free tree planting compost, in successive layers, working plant up and down between each layer to ensure a distribution of soil between all roots and an intimate contact between roots and soil particles. Plant up to the nursery line.

5.11.3.8 A buckle and strap tree tie is to be nailed to the top of the stakes and attached to the tree at 1/3 of the clear stem.

5.11.3.9 100mm deep layer of a suitable mulch such as woodchip to be spread at the base of the trees at a minimum of 1m radius from the tree trunk.

5.11.3.10 Trees to be well watered in.

5.11.4 AFTERCARE

5.11.4.1 The following covers a 10-year programme of aftercare to ensure the establishment of the trees and hedgerow.

Figure 1: 10 year aftercare matrix

TASK	Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Yr7	Yr8	Yr9	Yr10
Top up mulch	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Check tree ties and stakes (quarterly visits per annum)	✓	✓								
Remove ties and stakes			✓							
Prune off any broken, diseased or dead branches	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Remove basal suckers	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Top dress with general fertiliser with a ratio of 10:6:6 NPK at the rate of 70gm per square metre.		✓		✓		✓		✓		✓
Water well, especially during dry periods	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Check tree stability. Firm up trees that have suffered frost heave or are affected by strong winds. (quarterly visits per annum)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Remove weeds by hand (quarterly visits per annum)	✓	✓	✓	✓	✓					
Review aftercare plan					✓					

5.12 Soft landscaping within exclusion zones

5.12.1 Soft landscaping must respect the rooting areas of retained trees. Removal of spoil and the import of materials must be outside the specified RPAs.

5.12.2 No level changes or disturbance to the soil will take place within RPAs of retained trees. This includes in particular any rotavating of the ground. Should the soils require cultivating, the use of an airspade can be employed under an arboricultural watching brief.

5.13 Responsibilities

5.13.1 It will be the responsibility of the main contractor to ensure that any planning conditions attached to planning consent are adhered to at all times and that a monitoring regime in regards to tree protection is adopted on site.

5.13.2 The main contractor will be responsible for contacting the Local Planning Authority at any time issues are raised related to the trees on site.

5.13.3 If at any time pruning works are required permission must be sought from the Local Planning Authority first and then carried out in accordance with BS 3998 Recommendations for Tree Works 2010.

5.13.4 The main contractor will ensure the build sequence is appropriate to ensure that no damage occurs to the trees during the construction processes. Protective fences will remain in position until completion of ALL construction works on the site.

5.13.5 The fencing and signs must be maintained in position at all times and checked on a regular basis by an onsite person designated that responsibility.

5.14 Arboricultural supervision

5.14.1 It is recommended a number of short inspections of the subject trees should be undertaken by the project arboriculturist familiar with BS5837:2012 operations during the extent of the project to ensure that methods of works are in accordance with this method statement.


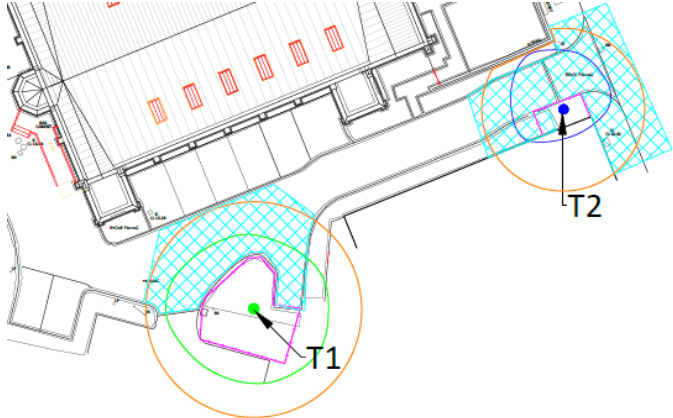
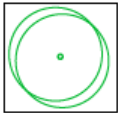
5.14.2 Any works required within the RPA of retained trees that is not covered in this document can only be done so with the written permission of the Local Planning Authority, in accordance with a detailed arboricultural method statement and under an arboricultural watching brief.

A handwritten signature in black ink, appearing to read 'Phil Dye', is written over a horizontal line.

Phil Dye - BSc (hons) Arb, Cert Arb L4 (ABC), BA (Hons), MArborA

14th January 2025

Phasing of arboricultural works

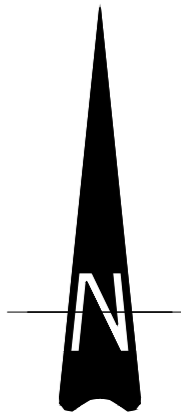
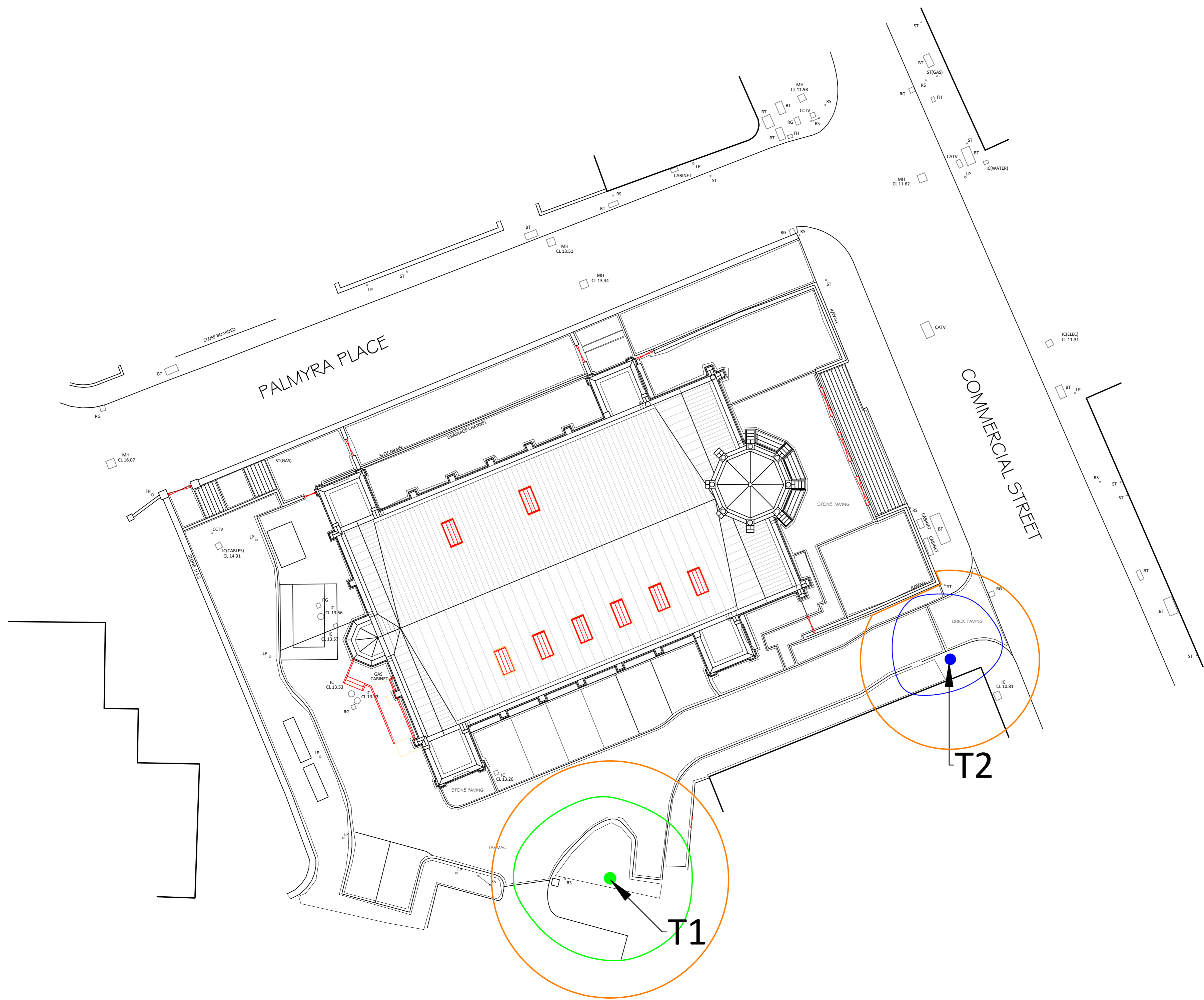
Phase	Requirements	Method
<p>1 Prior to any construction works on site</p>	<p>Erection of protective fencing:</p> 	<p>Protective fencing is to be erected in accordance with 5.3 of this report.</p> <p>The fencing must comply with the positions shown in the Tree Protection Plan and agreed at the pre-commencement site meeting.</p> <p>No works, no storage of materials, no access, or any ground disturbance is to take place within the Tree Protection Barrier Fencing. Fenced areas are to be treated as Construction Exclusion Zones.</p> <p>Warning signs to be placed on all protective fencing. For large sections of fencing the signs must be placed at 15m intervals.</p> <p>Signs must be laminated and securely attached at all corners. Two signs are to be placed side by side; copies of which are attached within Appendix 6.</p> 
<p>2 Start of development</p>	<p>Commencement of development</p>	<p>Protective fencing to remain in situ during development phase.</p>
<p>3 Completion of main construction and undertaking of landscaping</p>	<p>Landscaping and Dismantling of tree barrier protective fencing.</p> <p>Tree planting</p>	<p>It is essential that ground levels within the root protection areas are not altered, either by raising or lowering soil levels; even at the landscaping stage.</p> <p>Landscaping operations must be undertaken in a manner that will not impact trees.</p> <p>Landscaping within the root protection area of trees must be undertaken using hand tools only in line with any approved Landscaping management plans</p> <p>Tree planting to be undertaken in accordance with the supplied method statement and tree planting plan.</p>  <p>New tree planting</p>

APPENDIX 1: Tree schedule

Tree ID	Species	Ht (m)	Stem Dia. (mm)	Spread (m)				Avg. Canopy Height (m)	Life Stage	Health & vitality	Struct. cond.	General Observations	Preliminary Recommendations	Estimated safe useful life expectancy (Years)	BS5837: 2012 Category	RPA Radius (m)	RPA m ²
				N	E	S	W										
T1	Sycamore	18	780	6	6	6	7	4	Mature	Good	Good	Dense ivy throughout. Growing in a small area of soft ground surrounded by hard standing beyond.	-	40+	A2/3	9.4	275
T2	Lime	20	590	5	4	2	4	5	Mature	Good	Fair	Tall upright form due to proximity of adjacent building. Bifurcated at 5m.	-	20+	B2	7.1	157

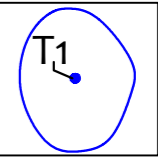
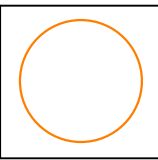
APPENDIX 2: Tree constraints plan

WTC_1436.02







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Key

-  Tree/group canopy
-  Root Protection Area

Retention Categories

-  A High quality
-  B Moderate quality
-  C Low quality
-  U Unsuitable for retention

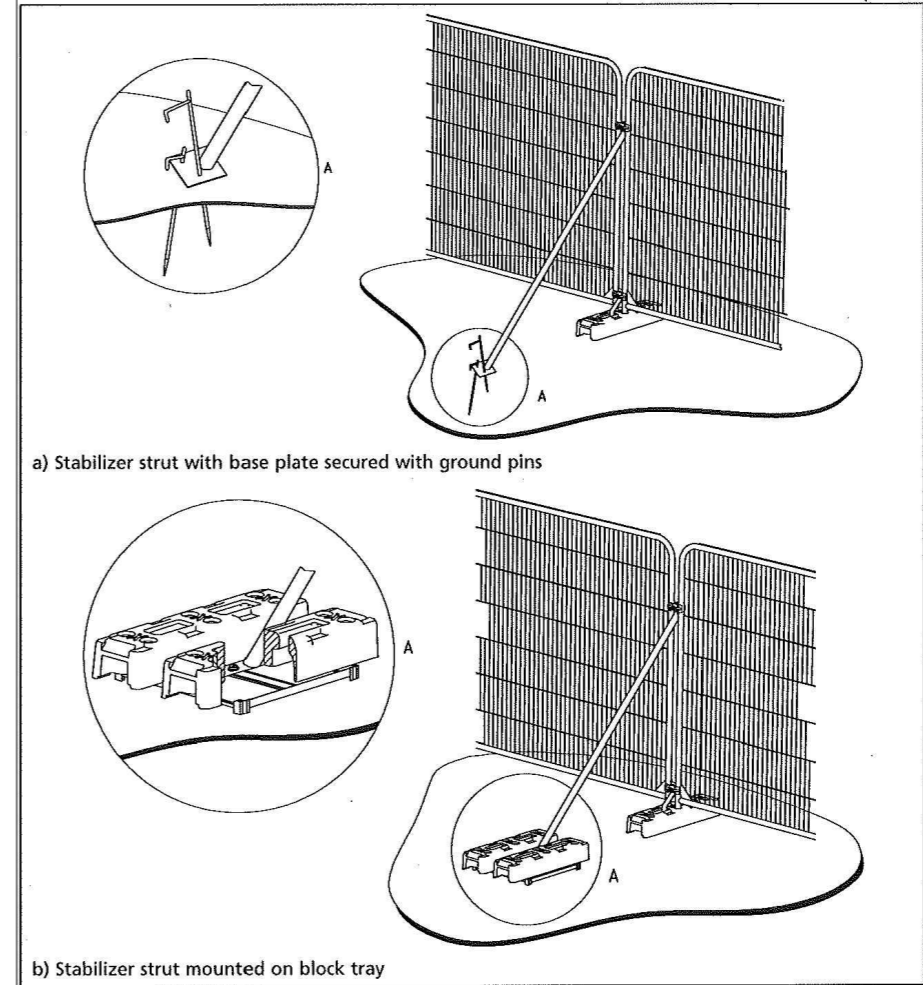
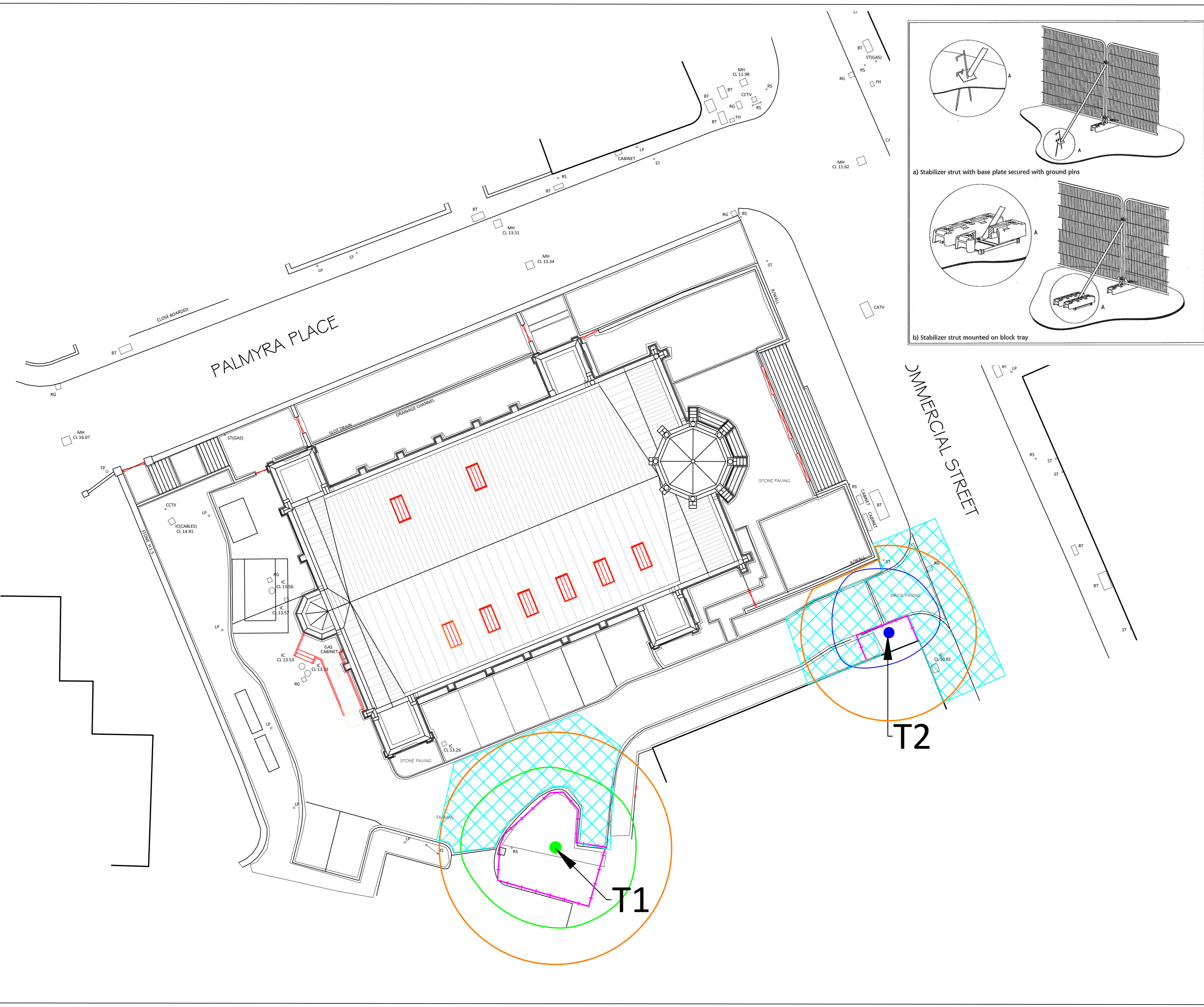
Project
**St Pauls Church
 Commercial Street
 Newport**

Title
**Tree Constraints
 Plan**

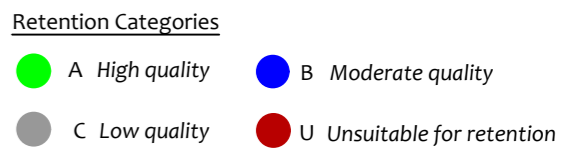
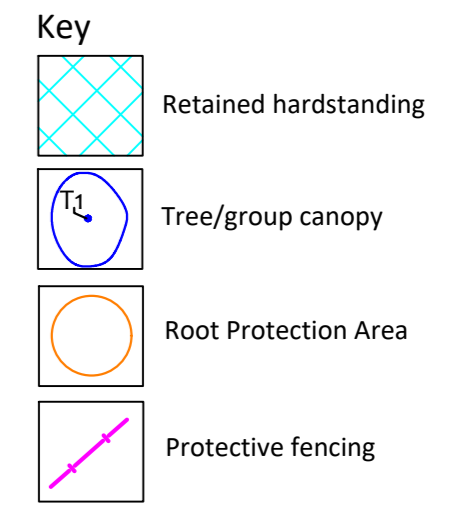
		Rev	Rev date
Drg No	WTC_1436.02		
Scale @A2	1:200	Drn by	PD
Date	January 2025	App	

APPENDIX 3: Tree protection plan

WTC_1436.04



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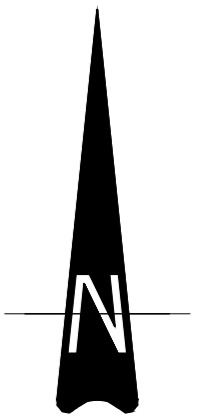
Project
**St Pauls Church
 Commercial Street
 Newport**

Title
**Tree Protection
 Plan**

		Rev	Rev date
Drg No	WTC_1436.02		
Scale @A2	1:200	Drn by	PD
Date	January 2025	App	

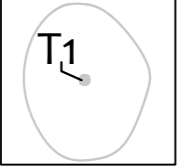

APPENDIX 4: Tree planting plan

WTC_1436.05



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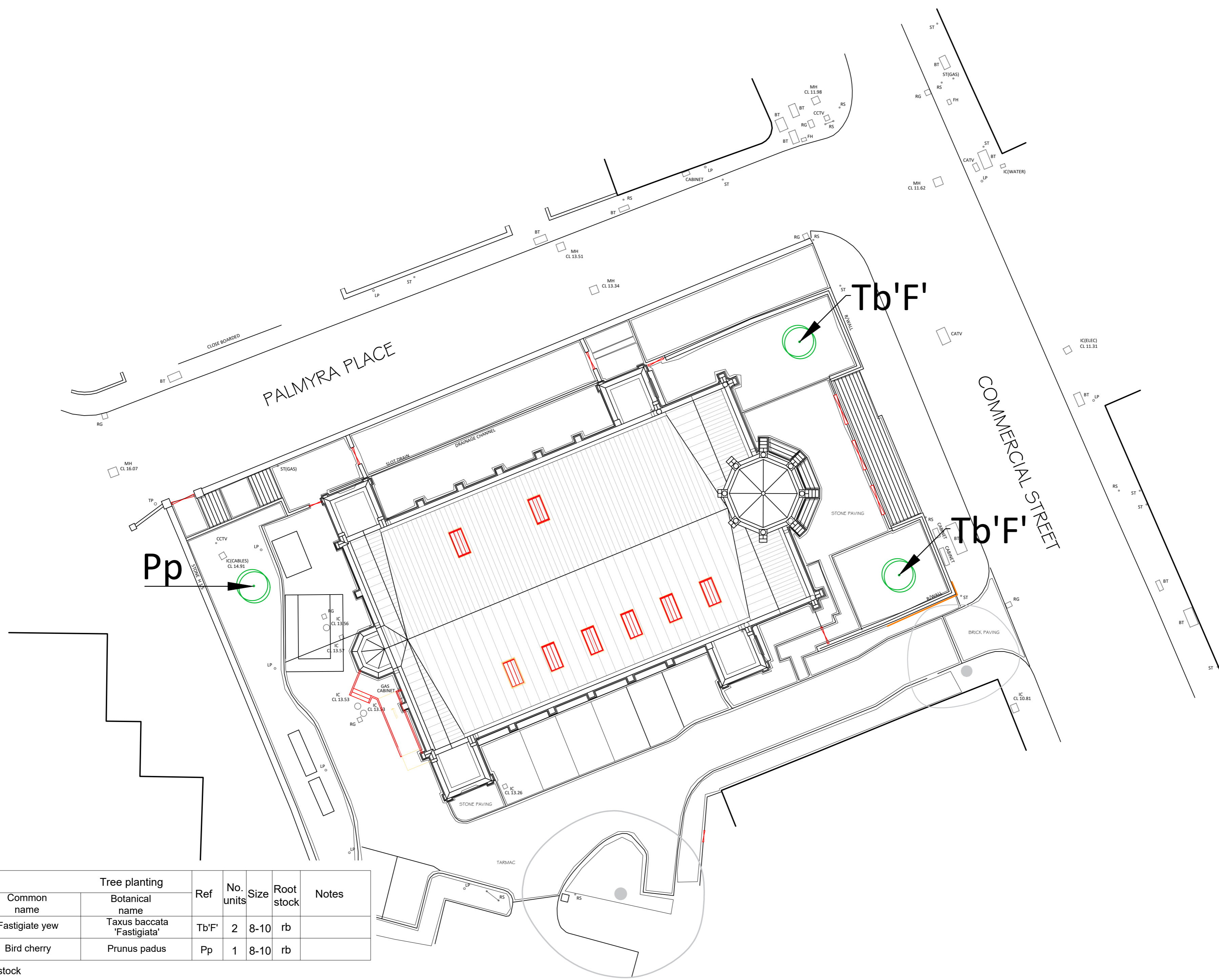
Key

-  Existing tree/group canopy
-  New tree planting

Project
**St Pauls Church
 Commercial Street
 Newport**

Title
**Tree Planting
 Plan**

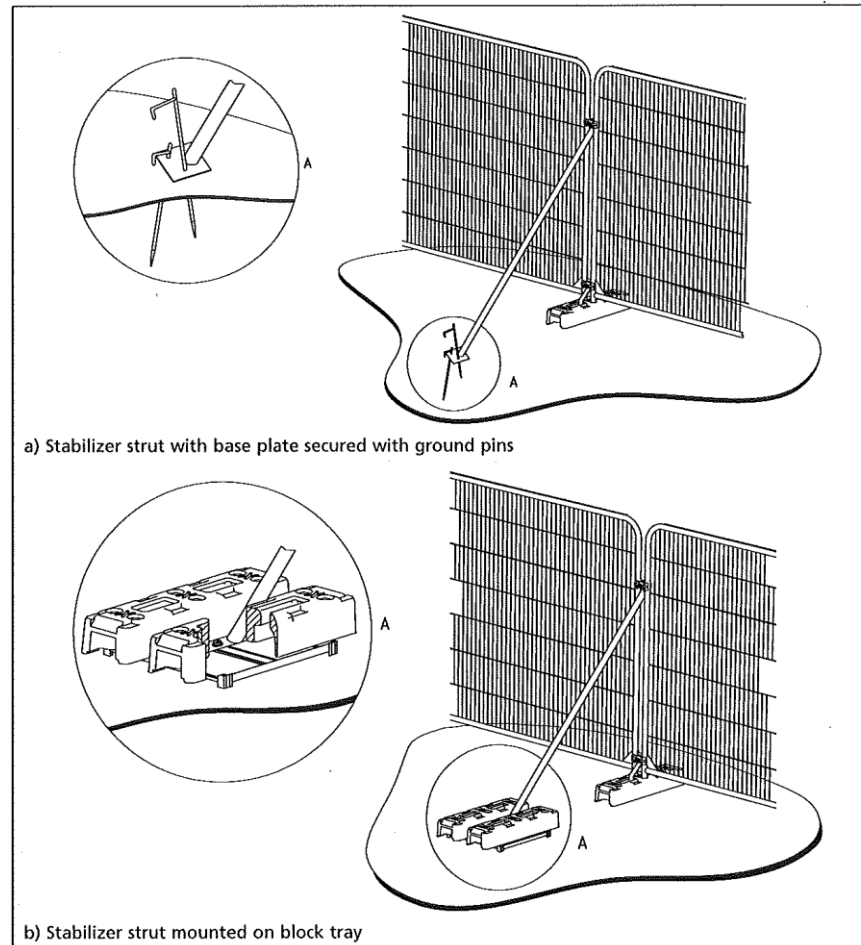
Drg No	WTC_1436.02	Rev	Rev date
Scale @A3	1:200	Drn by	PD
Date	January 2025	App	



Tree planting		Ref	No. units	Size	Root stock	Notes
Common name	Botanical name					
Fastigate yew	Taxus baccata 'Fastigiata'	Tb'F'	2	8-10	rb	
Bird cherry	Prunus padus	Pp	1	8-10	rb	

Root stock
 br - bare root
 rb - root balled
 ct - containerised

APPENDIX 5: Tree protection fencing (source: BS5837:2012)



APPENDIX 6: Tree protection fencing signs



APPENDIX 7: Tree Preservation Order

3/1999

4.3.99

TOWN AND COUNTRY PLANNING ACT 1990

COUNTY BOROUGH OF NEWPORT

TREE PRESERVATION ORDER NO: 3 OF 1999

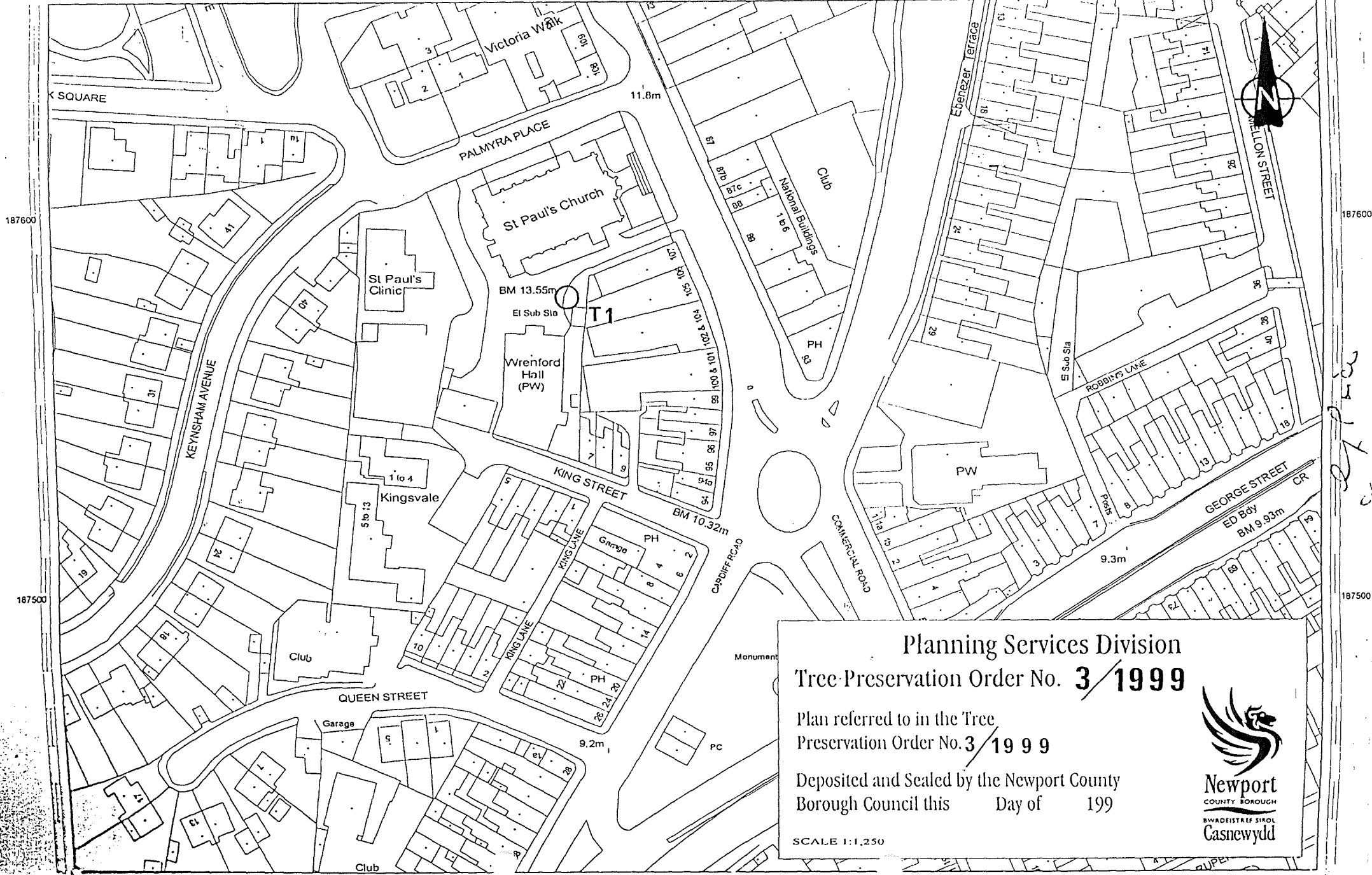
Address: St Paul's Church, Commercial Street, Newport, South Wales

TOWN AND COUNTRY PLANNING ACT 1990

COUNTY BOROUGH OF NEWPORT TREE PRESERVATION ORDER NO: 3 of 1999

STATEMENT OF REASONS FOR MAKING THIS ORDER

The Local Planning Authority considers that the tree subject to this Tree Preservation Order forms a prominent and attractive feature and makes a significant contribution to local visual amenity, whilst the removal of the tree would be detrimental to local amenity. An emergency Tree Preservation Order is considered to be appropriate as the tree appears to be threatened by the proposed redevelopment of a part of this site for residential accommodation.



Planning Services Division
 Tree-Preservation Order No. **3/1999**
 Plan referred to in the Tree
 Preservation Order No. **3/1999**
 Deposited and Sealed by the Newport County
 Borough Council this Day of 199

SCALE 1:1,250



TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1969
as amended

In accordance with Regulation 5 of the above-mentioned Regulations your attention is drawn to the following:-

- (i) the statement of reasons for making the Order
- (ii) a certified copy of the Order and map have been deposited for inspection at the Finances and Central Services Department, Civic Centre, Newport, South Wales, and may be inspected each weekday between 8.30 am and 1.00 pm and between 2.00 pm and 4.30 pm
- (iii) that objections and representations with respect to the Order may be made to the Head of Law and Administration Newport County Borough Council, in accordance with Regulation 7 which states:-

7(1) Every objection or representation with respect to an Order shall be made in writing to the Authority and shall state the grounds thereof and specify the particular tree, groups or trees or woodlands in respect of which it is made,

7(2) An objection or representation shall be duly made if it complies with paragraph (1) of this regulation and is received by the Authority within 28 days from the date of the service of the notice of the making of the Order,

- (iv) that this Order includes as Article 13 a direction under Section 201 of the Town and Country Planning Act 1990 as amended that it shall take effect provisionally on *4th March 1999* and shall continue in force by virtue of Section 201 until

(a) the expiration of a period of six months beginning with the date on which the Order was made;

or

(b) the date on which the Order is confirmed;

whichever first occurs.

- 4 (1) Where an application for consent is made to the Authority under this Order, the Authority may grant such consent either unconditionally or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the Authority may think fit or may refuse consent:

Provided that where the application relates to any woodland, specified in the First Schedule to this Order the Authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the Authority, it is necessary in the interest of amenity to maintain the special character of the woodland or the woodland character of the area and shall not impose conditions on such consent requiring replacement or replanting.

NOTE: If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under Section 9 of the Forestry Act 1967, application should be made not to the Authority for consent under this Order but to the Forestry Commissioners for a licence under that Act (Section 15(5)).

- (2) The Authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the Authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

- 5 Where the Authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any

trees for which they are so refusing or granting consent that they are satisfied -

- (a) that the refusal or condition is in the interests of good forestry: or
- (b) in the case of trees, other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value, or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

but a certificate shall not be given in the case of trees falling within [©] above if the application in respect of them has been referred by the Forestry Commission under Section 15 (1)(b) or 15 (2)(a) of the Forestry Act 1967.

6 (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act; or
- (b) the Authority with the approval of the Secretary of State dispense with replanting,

the Authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and Section 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per hectare;
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7 On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the Authority shall if such condition or direction relates to land in respect of which byelaws made by a water authority, a river authority or drainage board or other statutory water undertaker restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such Byelaws and that any such condition or direction has effect subject to the requirements of the water authority, river authority, the drainage board or other statutory water undertaker under those Byelaws and the condition or direction shall have effect accordingly.

8 The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9 Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the Authority within the time and in the manner, prescribed by this Order, be entitled to recover from the Authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10 In assessing compensation payable under the last preceding Article account shall be taken of:

(a) Any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 198 of the Act, or under Section 60 of the Town and Country Planning Act 1971, or under the terms of any Interim preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932; and

(b) Any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11 (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the Authority; such service to be effected by delivering the claim at the offices of the Authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of Twelve months from the date of this decision of the Authority or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the Authority, from the date of the decision of the Secretary of State on the appeal.

- 12 Any questions of disputed compensation shall be determined in accordance with the provisions of Section 205 of the Act.
- 13 The provisions of Section 201 of the Act shall apply to this Order and the Order shall take effect on the *4th* day of *March 1999*.
- 14 This Order may be cited as - "County Borough of Newport Tree Preservation Order No.3 of 1999".

NOTE

PENALTIES FOR NON-COMPLIANCE WITH A TREE PRESERVATION ORDER UNDER SECTION 210 OF THE ACT

"NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding £2,500 on summary conviction. If a tree except in the case of a tree to which the Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by Section 198(6) of the Town and Country Planning Act 1990 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the Authority to enable the latter to decide whether or not to dispense with the requirement.

In respect of trees in a woodland it shall be sufficient for the purposes of Section 206 to replace the trees removed uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the planning authority and the owner of the land, and (in either case) in such places as may be designated by the planning authority."

Section 207 of the Act provides for the enforcement of Section 206 of the Act. An appeal against a Notice under Section 207 may be made to the Secretary of State on the grounds

set out below:-

- (a) that the provisions of the said Section 206 or the conditions aforesaid are not applicable or have been complied with;
- (a) that in all the circumstances of the case the duty imposed by Section 206(1) should be dispensed with in relation to any tree;
- (b) that the requirements of the notice are unreasonable in respect of the period or the size or species of trees specified therein;
- (c) that the planting of a tree or trees in accordance with the notice is not required in the interests of amenity or would be contrary to the practice of good forestry;
- (d) that the place on which the tree is or trees are required to be planted is unsuitable for that purpose.

There is a further right of appeal to the High Court on the point of law in accordance with the provisions of Section 289 of the Act.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY
(encircled in black on the map)

<u>No on Map</u>	<u>Description</u>	<u>Situation</u>
T1	Sycamore	Within the curtilage of St Paul's Church, adjacent to the rear boundary of 107 Commercial Street.

TREES SPECIFIED BY REFERENCE TO AN AREA
(within a dotted black line on the map)

<u>No on Map</u>	<u>Description</u>	<u>Situation</u>
None		

GROUPS OF TREES
(within a broken black line on the map)

<u>No on Map</u>	<u>Description</u>	<u>Situation</u>
None		

WOODLANDS
(Within a continuous black line on the map)

<u>No on Map</u>	<u>Description</u>	<u>Situation</u>
None		

SECOND SCHEDULE

This order shall not apply so as to require the consent of the Authority to:-

- (1) the cutting down of any tree on land which is subject to a forestry dedication covenant where
 - (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;
 - (b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed;
- (2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under Section 4 of the Forestry Act 1967 except a scheme which applies to a forestry dedication covenant;
- (3) the cutting down, uprooting, topping or lopping of a tree,
 - (a) in pursuance of the powers conferred on the Post Office by virtue of Section 5 of the Telegraph (Construction) Act 1908 as amended by the Post Office Act 1969;
 - (b) by or at the request of
 - (i) statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) an electricity board within the meaning of the Electricity Act 1947 where such tree obstructs the construction by the Board of any main

- transmission line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
- (iii) a water authority established under the Water Act 1973, where the tree interferes or would interfere with the exercise of any of the functions of such water authority or in relation to the maintenance, improvement or construction of water courses or of drainage works;
- or
- (iv) the Secretary of State for Defence or the Secretary of State for Trade and Industry where in the opinion of such Secretary of State the tree obstructs the approach of aircraft to, or their departure from, any aerodromes or hinders the safe and efficient use of aviation or defence technical installations;
- (c) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act; or deemed to have been so granted for any of the purposes of that Part;
- (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Act as adapted and modified to apply to this Order.

75(1) Without prejudice to the provisions of this Part of this Act as to the duration, revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the Authority on the granting of such a consent, shall (except in so far as the consent otherwise provides) enure for the benefit of the land and of all persons for the time being interested therein.

77(1) The Secretary of State may give directions requiring applications for consent under the Order to be referred to him instead of being dealt with by the Authority.

77(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

77(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

77(4) Subject to subsection (5) of this section, where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the Authority.

77(5) Before determining an application referred to him under this section, other than an & (6) application for consent under the Order referred to a Planning Inquiry Commission under Section 101 of this Act, the Secretary of State shall, if either the applicant or the Authority so desire, afford to each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

77(7) The decision of the Secretary of State on any application under this Section shall be final.

78(1) Where an application is made to the Authority for consent under the Order and that consent is refused by that Authority or is granted by them subject to conditions, or where any certificate or direction is given by the Authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed, if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

78(2) Where an application for consent under the Order is made to the Authority then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the Authority, the Authority either:-

(a) give notice to the applicant of their decision on the application;

or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under Section 77 above.

The provisions of Section 78(1) above shall apply in relation to the application as if the consent to which it relates had been refused by the Authority, and as if notification of their decision had been received by the appellant at the end of the said period, as the case may be.

78(3) A notice under this section shall be served in writing, within twenty-eight days from & (4) the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

79(1) Where an Appeal is brought under this section from a decision, certificate or direction of the Authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of

the decision of the Authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it has been made to him in the first instance.

79(2) Before determining an appeal under this section, other than an appeal referred to &

(3) a Planning Inquiry Commission under Section 101 of this Act, the Secretary of State, shall, if either the appellant, or the Authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

79(5) The decision of the Secretary of State on any appeal under this section shall be final.

97(1) If it appears to the Authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the Authority may by Order revoke or modify the consent to such extent as they consider expedient.

97(3) The power conferred by this section to revoke or modify a consent may be

& (4) exercised at any time before the operations for which consent has been given have been completed:

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

98(1) Except as provided in Section 99 below and Section 201 of the Act, an Order under

& (6) Section 97 shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

98(2) Where an Authority submit an Order to the Secretary of State for his confirmation under this Section, the Authority shall serve notice on the owner and on the

occupier of the land affected and on any other person who in their opinion will be affected by the Order.

98(3) This said notice shall specify the period within which any person on whom it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

98(4) If within that period (which must not be less than 28 days, from the service of the & (5) said notice), such a person requires, before the Secretary of State confirms the Order he shall give such an opportunity both to him and to the Authority.

99(1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called "such Order") under Section 97 above revoking or modifying any consent granted on an application made under a tree preservation Order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and occupier of the land and all persons who in the Authority's opinion will be affected by such Order have notified the Authority in writing that they do not object to such Order.

99(2) Where these provisions apply, instead of submitting such Order to the Secretary of State for confirmation, the Authority shall advertise in the prescribed manner the fact that such Order has been made and the advertisement must specify (a) the period (not being less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not being less than fourteen days from the expiration of the period referred to in paragraph (a) of this subsection) at the expiration of which,

if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

99(3) The Authority shall also serve notices to the same effect on the persons mentioned in subsection (1) of this section.

99(6) The Authority shall send a copy of any advertisement published under subsection (2) of this section to the Secretary of State, not more than three days after the publication.

99(7) If within the period referred to in subsection (2)(a) of this section no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in subsection (2)(b) of this section take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 98(1) of the Town and County Planning Act 1990.

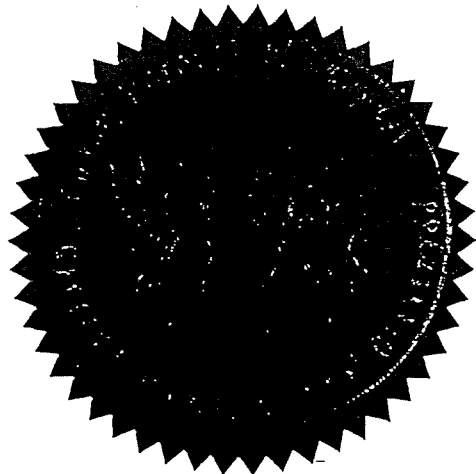
99(8) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under this Part III Part VII or V of the Town and Country Planning Act 1990.

Given under the Seal of the Newport County Borough Council on the *4th* day of *March* in the year Nineteen Hundred and Ninety-Nine.

THE SEAL of NEWPORT COUNTY)
BOROUGH COUNCIL was hereunto affixed in)
pursuance of a Resolution of the Council)

Lyreen Dunc
Head of Law & Administration

Chief Legal Officer



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