

Delegated Decision Report

Application No:	25/0392	Statutory Period Expires:	3rd July 2025
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Site:	9 Caerau Crescent Newport NP20 4HG		
Proposal:	WORKS TO 1NO. LIME TREE (POLLARDING) PROTECTED BY THE STOW PARK CONSERVATION AREA		
Applicant:	Y Renee Delgado		
Type:	Trees in Conservation Areas	Ward:	Stow Hill
Decision:	OBJECTION		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to the proposed pollarding of 1no. Lime Tree, which is located in the front garden of Norfolk House Nursery close to junction between Caerau Crescent and Caerau Road.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to pollard a Lime Tree as part of works to repair a boundary wall.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2
Policy GP5
Policy GP7
Policy SP9
Policy CE7

6. CONSULTATION RESPONSES

6.1 Tree Officer: There are objections to this application.

There is no evidence that :-

1. Pruning pollarding the lime tree will have any effect on the stability of the wall.
2. There is no evidence of an imminent failure of the wall if the tree remains as it is.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 29.05.2025 and a Site Notice was put up on 04.06.2025.

7.1 NEIGHBOURS: None.

7.2 COUNCILLORS: None.

7.3 COMMUNITY COUNCIL: None.

8. ASSESSMENT

8.1 The application seeks permission to pollard a Lime Tree protected by the Stow Hill Conservation Area.

8.2 The applicant has stated that damage to the adjacent brick wall has been caused by the growth of the roots from the Lime Tree. Justification for the pollarding is sated by the applicant to maintain the stability of the tree in advance of cutting back the roots.

8.3 The Councils Tree Officer has objected. There is no structural report that shows that the wall is in imminent danger of collapse. There is no evidence that pollarding would be the appropriate solution; indeed, pollarding can cause a boost to growth of root systems, so may be counterproductive. There is no evidence that alternative engineering solutions to reconstructing the wall (such as a lintel) in a manner more sensitive to the roots has been investigated.

8.4 The tree is of very high amenity value at a prominent location. The pollarding proposed would be brutal and excessive and would destroy the amenity value of the tree.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 The Council's Tree Officer offers objections and does not support this proposal. The tree is a healthy contributor to public amenity and must be protected.

11. **DECISION**

OBJECTION

01 The tree is of very high amenity value at a prominent location. The pollarding proposed would be brutal and excessive and would destroy the amenity value of the tree. Insufficient information has been provided to mitigate this objection in the form of a structural report that shows that the wall is in imminent danger of collapse. There is no evidence that cutting back the roots and pollarding would be the appropriate solution; indeed, pollarding can cause a boost to growth of root systems, so may be counterproductive. There is no evidence that alternative engineering solutions have been explored that may enable the reconstruction of the wall without the need to cut back the roots to an extent that would require such a degree of pollarding works. The

scheme is contrary to Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Site Plan, S251113.2 - Arboricultural Assessment.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP7, SP9, CE7 were relevant to the determination of this application.