

Delegated Decision Report

Application No:	26/0478	Statutory Period Expires:	19th August 2026
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Site:	3 Brynglas Road Newport South Wales NP20 5QY		
Proposal:	WORKS TO A MIXED TREE GROUP (PRUNING AND FELLING) PROTECTED BY TPO 05/1980		
Applicant:	C. Remnant		
Type:	Tree Preservation Orders	Ward:	Shaftesbury
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a detached dwelling located within the Shaftesbury ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 Works, including felling, are proposed to 4no protected trees as follows:

- T1 Sycamore – fell
- T2 Sycamore – fell
- T3 Ash – reduce by up to 3m
- T4 Ash – fell

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
18/1147	WORKS TO TREES PROTECTED UNDER TPO 5/80 COMPRISING TIP REDUCTION OF SYCAMORE (T10) AND CEDAR (T8)	GRANTED WITH CONDITIONS	10.01.2019

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)

- GP5 – Natural Environment

5.4 TECHNICAL ADVICE NOTE

- TAN10 Tree Preservation Orders

6. CONSULTATION RESPONSES

6.1 Tree Team: No objection in line with the consultant's report.

6.2 Ecology: No comments received.

6.3 Wildlife in Newport: No comments received.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 7th July and a Site Notice was put up on 9th July.

7.1 NEIGHBOURS: No comments received.

7.2 COUNCILLORS (COCKERAM & JAMES): No comments received.

8. ASSESSMENT

8.1 This application seeks to carry out works, including felling, to protected trees to the north and west of the site. The tree survey and application form that were submitted in support of the application state that the works are required due to future management issues, damage to the wall and ash dieback. The Council's Tree Team were consulted on the proposal and advise that they have no objection for works in line with the consultant's report and advise that conditions are attached requiring the works to be completed in accordance with British standards and that replacement trees for the proposed removal of T4 ash (TPO 5 of 1980) are required at a ratio of 3 replacements for every felled tree. In terms of visual impact, the proposed felling of 3no trees and reduction of 1no tree would not adversely affect the character and appearance of the site and wider streetscape.

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 It is considered that the proposed works, including felling, of the trees would be acceptable and therefore planning permission is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Defective Tree List and Management Recommendations Dated 10/04/26.

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

02 Prior to felling of any protected trees on the site written approval of the Local Planning Authority is required to a scheme of compensatory tree planting. This shall comprise new planting at a ratio of at least 1:1 for trees to be felled with the species, positions and heights on planting for new trees to be detailed and submitted to the Local Planning Authority. New tree size shall be no less than 10-12cm trunk circumference measured 1m above ground at time of planting. The approved scheme shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the felling of the protected tree being replaced.

Reason: To secure the satisfactory implementation and maintenance of a tree compensation scheme in the interests of visual amenity, species diversity and landscape character having regard to Policies SP5, SP9, and GP2 of the adopted Newport Local Development Plan, Planning Policy Wales (Edition 12) 2024 and The Trees, woodland, hedgerows and development sites SPG.

03 Any new trees shall be maintained for a period of 5 years from the date of planting and any which die or are damaged within that period shall be replaced and maintained until satisfactorily established.

Reason: To secure the satisfactory implementation and maintenance of a tree compensation scheme in the interests of visual amenity, species diversity and landscape character having regard to policies SP5, SP9, and GP2 of the adopted Newport Local Development Plan, Planning Policy Wales (Edition 12) 2024 and The Trees, woodland, hedgerows and development sites SPG.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Defective Tree List and Management Recommendations Dated 10/04/26.

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

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 All replacement trees are themselves protected by the relevant Tree Protection Order under Section 206(4) of the Town & Country Planning Act 1990 as amended and may not be worked upon or felled without the relevant consent in place.