

Delegated Decision Report

Application No:	26/0418	Statutory Period Expires:	6th August 2026
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Site:	Site Of Former Allt-Yr-Yn Campus Allt-yr-yn Avenue Newport South Wales		
Proposal:	WORKS TO A MIXED TREE GROUP (PRUNING AND FELLING) PROTECTED BY TPO 09/2007		
Applicant:	E Fennell		
Type:	Tree Preservation Orders	Ward:	Allt-yr-Yn
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site location is within the Allt-yr-yn ward and is characterised typically within residential properties. The proposal site spans a larger area affecting multiple TPO trees / groups.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks works to 12no. individual trees and 13no. tree groups consisting of T1, T2, T3, T4, T5, T6, T7, T8, T9, 10, T11, T12, G1, G2, G3, G4, G5, G6, G7, G8, G9, G10, G11, G12 and G13. Works range from appropriate herbicide treatment, foliage tip reduction, crown lifting, deadwood removal, pollarding, coppicing and felling. The Tree Survey was undertaken by TreeCare consulting.

4. RELEVANT SITE HISTORY

Application Number	Proposal Description	Decision
11/1269	APPROVAL OF RESERVED MATTERS FOR THE RESIDENTIAL DEVELOPMENT OF 125 DWELLINGS RELATING TO OUTLINE PERMISSION 11/0728	Approved with conditions 08.05.2012

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.

6.4.2- which advises that replacement planting should be provided at a ratio equivalent to

the quality, environmental and ecological importance of the trees lost, preferably on or adjacent to the site, and at a minimum ratio of three replacement trees for every one lost

6.4.38 Welsh native tree and hedge species, characteristic of the local area, provide a strong ecosystem resilience function, and they provide resources for local wildlife, particularly other native plants and species. Native tree and hedge species can also complement opportunities for natural regeneration. Alongside broader woodland habitat types, such as wood pasture, parkland and traditional orchards, native tree and hedge species help to define our cultural heritage and landscape, creating a strong sense of place and connection to the past.

6.4.39 Planning authorities must protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function¹³⁶. Planning authorities should consider the importance of trees and woodland, particularly native woodland and valued trees, and should have regard to local authority tree strategies or SPG and the Green Infrastructure Assessment. Planning authorities should adopt appropriate, locally relevant, time sensitive, minimum tree canopy cover targets for their authority area to guide the protection and where appropriate the expansion of canopy cover. The Green Infrastructure Assessment and tools such as NRW's Tree Cover in Wales' Towns and Cities study and Forest Research's i-Tree Eco tool will help establish a baseline of canopy cover and guide the identification of appropriate and measurable canopy targets.¹³⁷ Tools to help with design and species choice in urban areas are also available.

6.4.44 The protection and planting of trees and hedgerows should be delivered, where appropriate, through locally-specific strategies and policies, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs)¹⁴⁰. They should also be incorporated into Green Infrastructure Assessments and plans.

5.3 Technical Advice Notes

Technical advice note (TAN) 5: nature conservation and planning
Technical advice note (TAN) 10: tree preservation orders

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 (General Amenity)
Policy GP5 (Natural Environment)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

Trees, woodland, hedgerows and development sites SPG.

6. CONSULTATION RESPONSES

6.1 Tree Team:

No objections for works to be undertaken in line with the Tree Report including the consider suggestions.

Conditions:

- Works must be completed to BS3998

- Felled trees should be replaced by suitable replacement species as a selected standard 10-12cm at 1m (BS8545) and evidence that the tree has established after two years. Should the trees fail to establish the tree must be replaced and evidence of establishment provided again after two years

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 15.06.2026

7.1 NEIGHBOUR:

We live at 26 Fields Park Road and the rear of our property backs on to the former Allt-yr-yn campus site. We have a particular interest in the areas referred to in the Treecare report as Tree Groups 9, 10 and 11 since these areas are closest to our property and provide a high degree of visual screening. Almost all of the trees in these areas are identified in the report as "Retain as wildlife habitat / visual screen, alternatively fell." We appreciate that some of these trees are in poor condition but we have two requests.

- 1. Any trees to be felled should be replaced at least on a one for one basis by new planting.*
- 2. The area should be maintained to give the newly planted trees the best possible chance to thrive*

7.2 COUNCILLORS:

Cllr Matthew Evans:

I have no objections subject to approval by the Arboricultural Office

Cllr Pat Drewett:

Whilst I am supportive of the application in principle, I wish to record my concerns and suggest the following caveats to the proposal. Many residential properties back directly onto the former Allt-yr-Yn Campus site. Consequently, different residents will have a particular interest in the specific areas identified within the Treecare Report, as different groups of trees are located closest to their homes. A number of these trees currently provide a significant degree of visual screening between the site and neighbouring properties. It is noted that many of the trees within the affected areas are described in the report as "Retain as wildlife habitat / visual screen, alternatively fell." While we appreciate that some of these trees are in poor condition and may require removal on safety or arboricultural grounds, we would ask that the following conditions be considered:

1. Replacement Planting

Any tree that is felled should be replaced on at least a one-for-one basis with appropriate new tree planting. This will help to maintain the long-term visual amenity, biodiversity value, and screening function currently provided by the tree groups.

2. Aftercare and Site Management

The areas where replacement trees are planted should be properly maintained and managed to give the new trees the best possible opportunity to establish and thrive. This should include suitable protection, weed control, and ongoing maintenance during the establishment period.

These measures would help ensure that, while necessary tree management works are undertaken, the long-term environmental and visual benefits of the site are preserved for both wildlife and neighbouring residents.

8. ASSESSMENT

8.1.1 This application seeks works to 12no. individual trees and 13no. tree groups protected under TPO 09/2007. Works range from appropriate herbicide treatment, foliage tip reduction, crown lifting, deadwood removal, pollarding, coppicing and felling. The Tree Survey was undertaken by TreeCare consulting. TreeCare consulting states that all tree work recommended by Treecare Consulting should be carried out by professional tree contractors and they should follow the recommendations of BS 3998 2010 and industry good practice for green infra-structure.

8.1.2 Below denotes the TPO trees which are proposed to be felled and the reasoning:

- 8.1.3 T3 - Horse Chestnut – Self set sapling situated <2.5m from off site building. Future management issues
 T10 – Ash – HF3 infection. Supressed specimen featuring offset crown weighted towards adjacent off site residential rear gardens
 T12 – Ash – HF3 infection. Supressed specimen featuring offset crown weighted towards adjacent off site residential rear garden
- 8.1.4 Below denotes the TPO trees which are proposed to have work completed or alternatively fell:
- 8.1.5 T1 – Birch - Situated <1m from building. Conflict between minor branches and adjacent building. Ongoing management issues - Foliage tip reduction to provide up to 1m clearance from building. Consider fell and replace with suitable species at nearby location away from buildings/infrastructure.
 T5 – Ash - HF3 infection. Deadwood >50mm diameter overhanging adjacent off site residential rear gardens. Ivy obscuring main stems/principal branch unions - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 T6 – Ash - HF3 infection. Deadwood >75mm diameter. Southern stem historically reduced to 9m. Associated altered wind exposure in relation to retained crown. Within falling distance of on site building/off site residential rear gardens - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 T7 – Ash - HF3 infection. Crown offset/weighted towards adjacent on site building - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 T8 – Ash - HF3 infection. Crown offset/weighted over adjacent off site residential rear garden. Multiple historic primary branch removal/failure wounds. Ivy obscuring main stems/principal branches/extending into upper crown - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 T9 – Ash - HF3 infection. Deadwood >75mm diameter. Within falling distance of adjacent off site garden structures. Difficult access due to undergrowth - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 T11- Ash - HF3 infection. Deadwood >75mm diameter overhanging/adjacent to residential rear gardens - Pollard sat 6m. Retain as wildlife habitat/visual screen. Alternatively fell
- 8.1.6 The works and felling of these trees are considered acceptable for the reasons outlined above. Some other work includes removal of deadwood.
- 8.1.7 Below denotes the TPO groups which are proposed to be felled, or work completed / alternatively fell:
- 8.1.8 G4 – Ash (x7) - Stage 3 Hymenoscyphus fraxineus infection. Potentially within falling distance of onsite buildings/rear gardens/roadway. Ivy obscuring main stems/principal branch unions/extending into upper crowns - Fell paint marked trees
 G5 – Ash (x2) - HF3 infection. Deadwood >75mm diameter. Within falling distance of adjacent off site residential rear gardens - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 G6 – Ash (x2) - HF2 infection. Within falling distance of adjacent on site building. Ivy obscuring main stem/principal branches/extending into upper crown in relation to NW tree - Pollard paint marked trees at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 G7 – Ash (x2) - HF2/3 infection - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 G8 – Ash (x3) - HF3 infection. Ivy obscuring main stems/principal branch unions/extending into upper crowns - Pollard paint marked trees at 6m. Retain as wildlife habitat/visual screen. Alternatively fell
 G9 – Ash (x4) - HF3 infection. Ivy obscuring main stems/principal branch unions on multiple trees. Electricity substation situated at NE end of group. Trees at SW end of group within falling distance of adjacent off site residential rear gardens - Pollard paint marked trees at 6m. Retain as wildlife habitat/visual screen. Alternatively fell. Prioritise trees within falling distance of electricity substation
 G10 – Ash (x7) - HF3 infection. Deadwood >75mm diameter. Within falling distance of adjacent residential rear gardens - Pollard at 6m. Retain as wildlife habitat/visual screen. Alternatively fell

G11 – Ash / Sycamore - HF3/4 infection (ash). Within falling distance of on/off site residential rear gardens. Ivy obscuring main stems/principal branch unions/extending into upper crowns in relation to majority of trees - Fell standing dead trees as a HIGH priority. Fell ash. Post felling pruning of adjacent retained species as required in relation to altered wind exposure

8.1.9 The works and felling of these trees are considered acceptable for the reasons outlined above. Some other work to TPO groups G1, G2, G3, G12 and G13 includes removal of deadwood, crown lifting, foliage tip reduction, coppice and continue to assess on a cyclical basis with regard to physiology and structure.

8.1.10 The Tree Team have no formal objections to the works proposed however, the works should be carried out in accordance with the Tree Survey submitted and works done to the BS 3998:2010 by a qualified and competent tree surgeon. As well as this, the tree team suggested an additional condition in regard to any felled tree being replaced by suitable replacement species. In assessing the proposed removal of trees, regard has been given to the provisions of Planning Policy Wales (Edition 12) paragraph 6.4.2, which advises that *replacement planting should be provided at a ratio equivalent to the quality, environmental and ecological importance of the trees lost, preferably on or adjacent to the site, and at a minimum ratio of three replacement trees for every one lost*. The surrounding area is characterised by groups of trees and wooded areas alongside residential dwellings. The trees identified for felling are either dead, in poor condition, or present a risk to nearby structures and public safety. Given that the trees form a large area of land, it is considered reasonable that some form of compensatory replanting be secured. Whilst the full 3:1 replacement ratio set out in national policy may be disproportionate in this instance, appropriate mitigation can be achieved through the planting of alternative species more suited to the available space and character of the area. Accordingly, a significant number of trees are proposed to be felled in this application, as the works are considered to be justified/necessary the LPA raises no objection to their felling, however, in order to maintain the ecological/biodiversity value and positive visual impact it is considered that a replacement planting scheme of at least 1:1 is required. Such details can be submitted at a later date and controlled via condition.

8.2 **Response to third parties:**

8.2.1 One neighbour representation was received which neither supported nor objected to the application. The comments raised concerns regarding TPO Groups G9, G10 and G11, particularly the visual screening they provide. Consequently, the respondent requested that two conditions be attached to any approval. Firstly, that any trees removed as part of the approved works should be replaced on a one for one basis and, secondly, that the area should be managed and maintained to ensure the successful establishment and long term survival of the replacement trees. As noted earlier in this report, a condition requiring replacement planting, together with the protection and maintenance of the replacement trees, will be attached to any planning permission granted.

8.2.2 A comment was received from Cllr Matthew Evans, who raised no objection to the proposal, subject to the approval of the Arboricultural Officer. In addition, Cllr Pat Drewett expressed support for the application, subject to two conditions being attached to any approval. These conditions relate to the replacement of any felled trees on a one for one basis and the ongoing management and maintenance of the site to ensure the successful establishment and long term survival of the replacement trees. As outlined earlier in this report, a condition requiring replacement planting, together with the protection and maintenance of the replacement trees, will be attached to any planning permission granted.

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 felling and tree works proposed is acceptable and it is recommended that permission is granted with conditions.

**11. DECISION
GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents: Site Plan, Defective tree list and management recommendations dated 05.03.2025

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 Within 3 months of the felling of any tree hereby approved a tree replacement scheme shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include a replacement ratio of at least 1:1 for any felled trees, shall be of native provenance and at least semi-standard in age the scheme shall include at a minimum the location of the proposed replacement tree within the vicinity of the application site. All replacement planting shall be carried out in the first planting season following the approval for the replacement scheme and any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: in the interests of visual amenity and biodiversity.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Plan, Defective tree list and management recommendations dated 05.03.2025

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, 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.