

Delegated Decision Report

Application No:	26/0051	Statutory Period Expires:	4th March 2026
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Site:	<i>The Amphitheatre Broadway Caerleon Newport South Wales</i>		
Proposal:	<i>WORKS TO TREES PROTECTED BY CAERLEON CONSERVATION AREA-GROUP G6</i>		
Applicant:	<i>L Moore</i>		
Type:	Trees in Conservation Areas	Ward:	Caerleon
Decision:	No Objection		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application relates to the Amphitheatre in Caerleon, located within the Conservation Area. The application site is also located within an Ancient Monument Area, Special Landscape Area, Archaeologically Sensitive Area, the Countryside and Environmental Space. The trees referred to within the application are located between the Amphitheatre and neighbouring farm buildings and a group known as G6 only. None of the trees in the subject of this application are protected by a Tree Preservation Order.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent to undertake works to a group of trees protected by the Caerleon Conservation Area. The application form states that the works are to be undertaken to group G6 only. The works include reducing the ridge height of the tree line by 3m, to 6m in height and to remove dead and damaged sections. The reasons for the works are described as nuisance and public safety. The trees are Cypress or conifer type variety.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
22/0225	WORKS TO TREES PROTECTED BY CAERLEON CONSERVATION AREA	No objections	19.04.2022

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)
- 5.3.1 Policies GP2 (General Amenity), GP5 (Natural Environment), GP6 (Quality of Design), CE6 (Archaeology), CE7 (Conservation Areas), SP5 (Countryside), SP9 (Conservation of the Natural, Historic and Built Environment) of the Newport Local Development Plan 2011-2026 are relevant to the determination of this application
- 5.4 SUPPLEMENTARY PLANNING GUIDANCE
- 5.4.1 Trees, Woodland, Hedgerows and Development Sites (2017).
- 5.5 HISTORIC ENVIRONMENT WALES (ACT) 2023
- 5.6 TECHNICAL ADVICE NOTES
 - Technical Advice Note (TAN) 5: nature conservation and planning
 - Technical Advice Note (TAN) 10: tree preservation orders
 - Technical Advice Note (TAN) 24: historic environment
- 5.7 Consideration is also given to the following documents:
 - Caerleon Conservation Area Appraisal
 - CADW Managing Conservation Areas

6. CONSULTATION RESPONSES

- 6.1 **Principal Heritage Officer:** The green spaces across the Conservation Area typically correspond with Scheduled Monument sites, including the barracks area and the amphitheatre field. These are well-maintained, open spaces which provide both public and visual amenity. The mature trees to these areas make a very positive contribution towards the character and appearance of the area and should carefully preserved.

I shall leave it to our Tree Officer to determine whether the works are necessary.

- 6.2 **Ecology Officer:** No response received.
- 6.3 **Tree Team:** No objections.
- 6.4 **Wildlife in Newport:** No response received
- 6.5 **CADW:** I confirm that the trees crowned at 6m will continue to screen the amphitheatre from the Broadway Farm barns as intended and I am not concerned about the impact of the proposed works on the amphitheatre's setting.

Cadw's Historic Environment Inspectorate is content for the application to be determined.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 02.02.2026, Site Notice was put up on 06.02.2026

- 7.1 NEIGHBOURS: 3no. neighbours were consulted. No representations were received.
- 7.2 COUNCILLORS: Cllr Jason Hughes, Cllr Claire Baker-Westhead and Cllr Steve Cocks were consulted. No comments were received.

8. ASSESSMENT

- 8.1 The Trees are protected by reason of their siting within the Conservation Area and not by individual TPO's. The Tree Officer has been consulted on this application and raises no objection to the works. There is no justification for attaching TPO's to the trees and the principle of the works is accepted subject to other material considerations being assessed.
- 8.2 **Character and Appearance**
- 8.2.1 The Principal Heritage Officer has been consulted on the application and recognises that the trees make a positive contribution to the character and appearance of the area, and should therefore be retained. However, they advise that it is for the Tree Officer to determine whether the proposed works are necessary. The trees are not being removed

and the works proposed are maintenance only and are considered to be justified. The works are proposed by the guardians of the heritage asset, i.e. Cadw. There is a farmstead adjacent to the Amphitheatre, and a barn is screened by group G6. As the trees are being reduced to 6m in height, the green buffer will be retained, resulting in minimal harm to the character and appearance of the area.



8.3 **Biodiversity**

8.3.1 The Council's Ecology Officer has not commented on the application. However given the nature of works, it is understood that there would be no impact to European Protected Species. A suitably worded informative about this will be added to any consent.

8.4 **Other matters**

8.4.1 The site is located within an archaeologically sensitive area and countryside. The works will not result in any archaeological impacts and will not impact on the openness of the countryside. The works to the trees will not have a demonstrably significant adverse impact upon air quality and the works are justified.

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 works are justified and no objection is raised to reducing the height of the trees by 3m.

11. **DECISION**

NO OBJECTION

NOTES TO APPLICANT

01 This decision relates to plan Nos: Tree Report, Application Form, Email dated 27th February 2026 confirming tree report amendments

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies CE6, CE7, SP5, SP9, GP2, GP5, GP6 and GP7 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 Bats often roost in houses and other buildings and trees, and work on these buildings/trees may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/trees in which bats are roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

05 Trees may support nesting birds at certain times of the year. The applicant is advised to avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.