

Delegated Decision Report

Application No:	26/0596	Statutory Period Expires:	25th September 2026
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Site:	6 Lydney Walk Newport NP19 4BS		
Proposal:	WORKS TO 1NO. ALDER TREE (FELLING) PROTECTED BY TPO 04/2010		
Applicant:	J Bradley		
Type:	Tree Preservation Orders	Ward:	Llanwern
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to land to the east of no.6 Lydney Walk, Newport.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks permission to fell 1no. Alder Tree protected by TPO 04/2010.

4. RELEVANT SITE HISTORY

4.1 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)

SP9 – Conservation of the Natural, Historic and Built Environment

GP2 – General Amenity

GP5 – Natural Environment

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Trees, Woodland, Hedgerows and Development Sites (2017)

6. CONSULTATION RESPONSES

6.1 TREE OFFICER: Upon reviewing the supplied information there are no objections to undertake the removal of T9 from the report in line with the tree report. With the condition that the tree be replaced at a ratio of 3:1 at a size of 10-12cm at 1m as per bs 8545 the

next planting season post the works November to March. The species should be alder if a different species is desired to be planted it will need to be agreed by NCC Tree Team. Evidence of the planting (photos) and establishment (a live and growing) should be provided after 2 years and should the trees die they should be replaced and the establishment period restarted.

6.2 ECOLOGY OFFICER: No response.

6.3 WILDLIFE IN NEWPORT: No response.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 7th August 2026 and a Site Notice was put up on 14th August 2026.

7.1 NEIGHBOURS: Neighbours with a common boundary and opposite were consulted and no responses were received.

7.2 COUNCILLORS: Councillor Kellaway was consulted. No comments received to date.

8. ASSESSMENT

8.1 This application seeks permission for the felling of 1no. Alder tree protected by TPO 04/2010. The supporting information submitted with the application states that the tree is dying, and due to it being in a public location it poses a safety risk.

8.2 The Council's Tree Officer has offered no objection to the proposed works subject to the provision of replacement planting at a ratio of 3:1 with a size of 10-12cm at 1m within the next planting season (November to March), this will be secured by way of a condition. No other comments have been received. On this basis the proposal is considered acceptable in accordance with policies SP9 and GP5.

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 proposed works to the protected tree are considered acceptable.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Tree Report by Treecare Consulting (received 03/08/2026).

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 Three new Alder whips at a size of 10-12cm at 1m shall be planted no later than the end of the planting season following the felling of T7 as outlined in the Tree Report by Treecare Consulting (received 03/08/2026). Thereafter the new trees shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, the planting season shall mean the period of November to March inclusive.

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 the following documents: Tree Report by Treecare Consulting (received 03/08/2026).

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 Bats often roost in trees and these works may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned which will affect a bat roost, 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 in a fine and/or imprisonment.