

Delegated Decision Report

Application No:	25/1039	Statutory Period Expires:	26th January 2026
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Site:	Cwrt Barn Langstone Court Road Langstone Newport NP18 2NE		
Proposal:	FELLING OF TREE T1 PROTECTED BY TREE PRESERVATION ORDER 03/2014		
Applicant:	J Titmus		
Type:	Tree Preservation Orders	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The tree is located within the garden of Cwrt Barn.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to fell the tree.

4. RELEVANT SITE HISTORY

03/1590	CONVERSION OF REDUNDANT AGRICULTURAL BUILDINGS INTO 3NO DWELLINGS	GRANTED WITH CONDITIONS
03/1625	LISTED BUILDING CONSENT FOR CONVERSION OF REDUNDANT AGRICULTURAL BUILDINGS INTO 3NO DWELLINGS	GRANTED WITH CONDITIONS
23/0224	PROPOSED WORKS TO TREES T1 - BEECH AND T2 BEECH PROTECTED BY TPO 03/2014	GRANTED

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

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- TREES, WOODLAND, HEDGEROWS AND DEVELOPMENT SITES

6. CONSULTATION RESPONSES

- 6.1 Tree officer: Having looked at the report the extensive presence of *Meripilus giganteum* a particular conserving fungi for beech trees and proximity to the property providing a high target, I would consent to the removal of the tree, with the condition that a replacement species be replanted on site. The Tree Should be at least a light standard i.e. 8 - 10 cm at 1m. the species can be agreed later with the tree team. The tree should be planted this planting season November 2025 - March 2026.
- 6.2 Heritage officer: The need for felling has been assessed and agreed by our tree officer. I will of course defer to their experience. I see from the officer response that new planting is also recommended to be secured as part of any approval. This approach would certainly be seconded by myself; in order to preserve the setting of nearby built assets and the fine bucolic character of the wider area.
- 6.3 Heneb: The information held in the Historic Environment Record that is curated by this Trust indicates that the application area is less than 10m south of the boundary of the Scheduled Monument MM059 Langstone Motte and Enclosure. Further area to the east is Scheduled as part of the bailey to the motte, and it may be that the current application area is also within the bailey. Primarily of 12th century origin, previous excavations in the 1960s showed evidence of activity dating to two phases, the 12th and 13th century, and later 15th and 16th century, comparable with the construction of Langstone Court. Changes have occurred to the immediate surroundings and previously we have made recommendations for archaeological mitigation in the past.
In this case, if the tree to be felled is felled without any ground disturbance or stump removal, then it is unlikely that there would be damage to the archaeological resource. However, we would be concerned about the removal of the stump and roots as this work could have a significant impact on archaeological remains; we therefore have no objection to the felling of the trees subject to a condition being attached to the consent preventing any removal of the tree roots. If this cannot be achieved then we would recommend that archaeological monitoring and recording (watching brief) is undertaken during the removal of the stump and roots. Please contact us if you need further information at this stage.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 3/12/2025, Site Notice was put up on 12/12/2025.

- 7.1 NEIGHBOURS: No response received.

8. ASSESSMENT

- 8.1 The application seeks to fell a Beech Tree protected by preservation order. The application is accompanied by a report which states that the tree is diseased and due to the proximity of the tree to the property there is a risk of it falling and damaging the property.
- 8.2 The Council's Tree Officer has no objection to the proposed works, subject to a condition that a replacement tree is planted. The tree has visual amenity benefit, but the felling of the tree is considered to be justified given its poor condition. A replacement tree will help to ensure that the visual amenity of the area is preserved, and this can be secured by condition. Whilst the Tree Officer recommends replanting during this planting season, as we are part way through at time of writing and the works to fell the tree are yet to be undertaken or details or replacement agreed, this is not reasonable or realistic.
- 8.3 Heneb are the Council's Archaeological advisors and have advised that mitigation is required if the tree stump is to be removed. They have requested a condition to prevent damage to the archaeological resource which is considered duly warranted.

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 of the tree is justified, permission is therefore granted subject to the condition that a replacement tree is planted and to ensure that the archaeological resource is not affected.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Tree Report 040 by Lee Symes Tree Services, site location plan.

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

Pre-commencement conditions

02 Prior to the felling of the tree as hereby agreed, full details of a replacement tree and replanting timetable shall be submitted to the Local Planning Authority and its written approval received. The replacement tree shall be planted in accordance with the details and timetable approved. Thereafter the tree shall be maintained for a period of 5 years from the date of planting and replaced if damaged or if it fails to thrive or dies within the maintenance period. Any replacement shall be on a like for like basis and shall be maintained until satisfactorily established.

Reason: To secure the satisfactory implementation of the proposal and to compensate for the loss of the protected Beech Tree in accordance with Policies GP2 and GP5 of the NLDP.

General

03 No ground disturbance works or tree stump removal shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Tree Report 040 by Lee Symes Tree Services, site location plan.

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