

Delegated Decision Report

Application No:	25/0434	Statutory Period Expires:	28th July 2025
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Site:	12 Oakfields Marshfield Cardiff CF3 2EZ		
Proposal:	WORKS TO 1NO. OAK TREE (CROWN REDUCTION) PROTECTED BY TPO 06/86		
Applicant:	S Hill		
Type:	Tree Preservation Orders	Ward:	Tredegar Park And Marshfield
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 12 Oakfields is a two storey, detached dwelling located in the Tredegar Park and Marshfield ward. The Oak tree is located in the rear garden.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to reduce the crown by 1.5m and remove all of the dead branches. The applicant has stated that the tree is growing towards the roofline and the distance from the trunk to the house is only 3m.

4. RELEVANT SITE HISTORY

None.

App Number	Proposal	Decision	Decision Date
03/1631	TRIMMING BACK OF BRANCHES OF OAK TREES T19 AND T20 PROTECTED BY TPO 6/86	GRANTED WITH CONDITIONS	09/01/2004
09/0661	TRIMMING BACK OF OVERHANGING BRANCHES OF AOK TREES PROTECTED BY TPO T19 AND T20 OF TPO06 OF 1986	GRANTED WITH CONDITIONS	14/08/2009
21/0092	REDUCE TPO 6/86 (OAK) CROWN AND REMOVE DEAD WOOD AND CROSSING OR DAMAGED BRANCHES	NO OBJECTIONS	22/04/2021

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

Policy GP5

Policy GP7

5.4 SUPPLEMENTARY PLANNING GUIDANCE TREES, WOODLAND, HEDGEMROWS AND DEVELOPMENT SITES

6. CONSULTATION RESPONSES

6.1 Tree Officer: *It is not clear if the applicant is a qualified Tree Consultant. All tree information should be submitted via a bona fide Tree Consultant .*

In the absence of this information there would be objections to the application.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 03.06.2025 and a Site Notice was put up on 04.06.2025.

7.1 NEIGHBOURS: *None.*

7.2 COUNCILLORS: *None.*

7.3 COMMUNITY COUNCIL: *None.*

8. ASSESSMENT

8.1 The development proposed seeks to undertake works to an Oak Tree located in the Tredegar Park and Marshfield ward. The proposed works seeks to undergo a crown reduction of 1.5m back to suitable live growth points. The applicant has stated that the crown reduction is proposed as the Oak tree has begun to grow towards the roofline.

8.2 However, a tree survey has not been provided and therefore there is a lack of information to justify the proposed works. As a result, this application is not supported by NCC.

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**

Insufficient information has been provided to justify and fully explain the proposals in the form of a Tree Survey.

11. **DECISION**

REFUSED

01 The development would have a significant adverse impact upon interests of acknowledged importance, namely the impact upon the protected tree. Insufficient information has been provided to justify the proposals and mitigate this objection in the form of a Tree Survey submitted in accordance with BS 5837:2012 by a bona fide Tree Consultant, contrary to Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: SiteLocation.geojson, LocationPlan.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5 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.