

Delegated Decision Report

Application No:	26/0552	Statutory Expires:	Period	14th September 2026
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Site:	<i>Ty Gwyn Church Road Lower Machen Newport NP10 8GU</i>		
Proposal:	WORKS TO 1NO. ACER TREE (PRUNING) PROTECTED BY THE LOWER MACHEN CONSERVATION AREA		
Applicant:	<i>O Moseley</i>		
Type:	Trees in Conservation Areas	Ward:	Graig
Decision:	NO OBJECTIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The tree that is the subject of this application is sited within the Lower Machen Conservation Area.

2.2 The tree in question is an Acer and is positioned within the front garden of the property known as Ty Gwyn, which is sited adjacent to Church Road. The tree is readily visible from outside of the site. The site is surrounded by, and visible from, several listed buildings, including the Grade II* listed Church of Saint Michael to the north west.



Figure 1 - Image showing Acer tree to front of site.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application relates to works to an Acer tree. The works included in this application are as follows:

- Prune the dead branch (one of the two branches of the tree) back to the healthy wood. The branch is approximately 2 metres long including the dead twigs.

4. RELEVANT SITE HISTORY

APPLICATION NO:	PROPOSAL:	DECISION:	DECISION DATE:
19/0940	FELLING OF WILLOW TREE PROTECTED BY THE LOWER MACHEN CONSERVATION AREA	No Objections	15.11.2019

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 TECHNICAL ADVICE NOTE

Technical Advice Note (TAN) 24: The Historic Environment

5.4 The Historic Environment (Wales) Act (2023)

5.5 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP5 (Natural Environment)

Policy CE7 (Conservation Areas)

5.6 SUPPLEMENTARY PLANNING GUIDANCE

Trees, Woodland, Hedgerows and Development Sites (January 2017)

6. CONSULTATION RESPONSES

6.1 Tree Officer: Upon reviewing the supplied documentation there are no objections to the removal of the deadwood.

As a suggestion they may wish to try soil amelioration such as carbon gold or other suitable tree fertiliser.

6.2 Ecology Officer: No response received.

6.3 Wildlife in Newport: No response received.

6.4 Graig Community Council: No response received.

7. PUBLIC REPRESENTATIONS

- 7.1 NEIGHBOURS: The application was advertised by direct neighbour notification letter and a site notice was displayed. No responses were received.
- 7.2 COUNCILLORS: Councillor John Harris and Councillor John Jones were directly notified of the proposal. No responses were received.

8. ASSESSMENT

- 8.1 This application seeks consent to prune one branch of an Acer tree, which the Application Form details as being dead and diseased. The Applicant has advised that the works are being sought in order to give the tree an increased chance of survival.
- 8.2 It is considered that the work proposed would not adversely impact upon the character of the Conservation Area, neither is it considered that the tree in question merits a Tree Preservation Order. As such, the Council's Tree Officer has raised no objections to the proposal. It is noted that the Tree Officer has suggested that the Applicant may wish to try soil amelioration such as carbon gold or other suitable tree fertiliser to aid the tree in its recovery and this advice can be included as an Informative.
- 8.3 In terms of the Lower Machen Conservation Area, it is not considered that the works proposed would cause harm to its character and appearance. The aim of the works is to give the tree a chance to survive, which would, on the contrary, result in enhancement to the character and appearance of the Conservation Area.

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 tree protected by the Lower Machen Conservation Area are considered acceptable.

11. DECISION

NO OBJECTIONS

NOTE TO APPLICANT

- 01 This decision relates to the following plans and documents: Application Form, Site Location Plan, Location of Tree Mapping, Tree Photographs; received by the Local Planning Authority on 21st July 2026 and 6th August 2026.
- 02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).
- 03 Nesting birds are protected under the Wildlife and Countryside Act 1981 whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or is being built.
- 04 The Applicant is advised that the Council's Arboricultural Officer has suggested soil amelioration such as carbon gold or other suitable tree fertiliser to aid the tree in its recovery.