

Delegated Decision Report

Application No:	26/0069	Statutory Period Expires:	12th March 2026
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Site:	<i>Land South Of 11 Bulmore Road Caerleon Newport South Wales</i>		
Proposal:	<i>REMOVE PART OF HEDGEROW</i>		
Applicant:	<i>T Newman</i>		
Type:	Hedgerow Removal	Ward:	Caerleon
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is situated within the Caerleon Conservation Area. The hedgerow forms part of the northern boundary of a TPO woodland. There are residential properties to the north and east of the site. The site is designated as both an archaeologically sensitive area and countryside and is adjacent to a TPO woodland and SINC. A PROW runs to the south of the site approximately 40m from the hedgerow that is proposed to be removed.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks to remove a section of hedgerow on the north edge of the TPO woodland that runs along Bulmore Road. The plans indicate a length of 39.8m is to be removed however the application form states 10m. The hedgerow would be replaced with a timber post and rail fence which the application form states would be less than 1m in height.

3.2 The applicant advises in their application form that the hedge has become ineffective as a boundary treatment and has contributed to persistent fly tipping and unauthorised access. They also state that its form and density allow concealment and easy access, resulting in repeated environmental harm, safety concerns and ongoing clean up and maintenance issues. The applicant considers that the removal of the hedge is necessary to enable improved boundary management and to deter further fly tipping. A replacement fence is proposed to be installed along the same boundary that would be under 1m in height.

4. RELEVANT SITE HISTORY

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)

- SP1 – Sustainability
- SP5 – Countryside
- GP5 – Natural Environment
- GP6 – Quality of Design
- CE6 – Archaeology
- CE7 – Conservation Areas
- CE8 – Locally Designated Nature Conservation and Geological Sites

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Archaeology and Archaeologically Sensitive Areas
- Wildlife and Development
- Trees, Woodland, Hedgerows and Development Sites

6. CONSULTATION RESPONSES

6.1 Ecology:

The hedgerow in question and the areas of woodland that it connects to are likely to be of ecological value for their habitats and habitat connectivity. Under the Environment (Wales) Act 2016, NCC has a duty to seek to maintain and enhance biodiversity, and in doing so to promote the resilience of ecosystems, in the exercise of its functions. Therefore the justification for removal of this feature would need to be strong. In this instance, I do not accept the Applicant's claim that removing this hedgerow and replacing it with a simple post and rail fence will in any way reduce flytipping at this site. Nor will it prevent unauthorised access as is claimed on the application form, as the hedgerow is fairly dense and replacing it with a three-bar post and rail fence will make this access easier, not more difficult.

I gather this hedge is adjacent to an entrance point to the woodland, which the Applicant may well wish to make more formal and secure. I would not object to this, but I do not see that removal of almost 40 metres of hedge is necessary in order to formalise the existing entrance point. Therefore, I object to this application as it does not accord with policy GP5.

6.2 Tree Team:

Distinctive and Natural Places

This chapter is central to any hedgerow-related planning issue. In PPW12, Chapter 6 covers:

- Biodiversity and ecological networks (pages 143–160)
- Green Infrastructure (from paragraph 6.2.5)
- Landscape and ecological considerations [gov.wales]

These themes establish that hedgerows should be treated as integral elements of the natural environment, contributing to ecological networks, green infrastructure, and habitat connectivity.

Requirement for Green Infrastructure (GI) Statements

PPW12 introduces a major policy shift:

All planning applications must now include a Green Infrastructure Statement (GIS) describing how the proposal incorporates and protects green infrastructure.

Since hedgerows are explicitly included within green infrastructure (along with trees, grassland, ponds etc.), any proposal involving hedgerow removal must:

- Inventory existing hedgerows
- Demonstrate impacts on GI
- Explain protection, mitigation, and compensatory steps
- Apply the Step-wise Approach (avoid → minimise → mitigate → compensate).

PPW12's biodiversity policies require planners to:

- Recognize hedgerows as part of ecological networks
- Avoid fragmentation and maintain ecological connectivity
- Prioritize enhancement and long-term management over compensation

Since hedgerows connect habitats and act as wildlife corridors, their removal often contradicts these requirements unless compelling reasons exist.

Observations -The hedge sits on a low bank along the southern boundary of Bullmore Road and is of similar quality all along the boundary with gaps. The hedge has not been well

maintained in the past and as such has become overgrown although the section indicated appears to have been pruned in the recent past.

Removal of the hedge would erode the character of the village setting, will break connectivity with the remaining hedge and will do nothing to prevent access and fly tipping as this could reasonably occur in other areas along the boundary. In addition, the installation of a low post and rail fence would mean material can be more easily thrown over exacerbating the fly tipping problem. Hedgerow renovation, pruning, planting, coppicing and laying the hedge in a local style would provide a maintainable, dense and defensible boundary whilst retaining its many landscape and ecological values. Where initial pruning will create further gaps and spaces these could be reasonably secured with a post and wire fence which secures the boundary whilst not impeding hedge growth. Conclusion: The reasons for the removal of the hedge do not appear logical or compelling to support of its removal.

6.3 Principal Heritage Officer

In respect of Conservation Areas, Section 160 of the Historic Environment Wales Act 2023 imposes the general duty (derived from Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990) that *“In exercising a planning function in relation to a building or other land in a conservation area, a person must have special regard to the desirability of preserving or enhancing the character or appearance of that area”*.

Planning Policy Wales (Edition 12, 2024) states that:

“6.1.6 The Welsh Government’s specific objectives for the historic environment seek to:

- *preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous;*

6.1.14 There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings...

6.1.15 There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds.

6.1.16 Preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area’s character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.”

Policy CE7 of Newport Local Development Plan 2011 – 2026, January 2015 states that:

“DEVELOPMENT WITHIN OR ADJACENT TO CONSERVATION AREAS WILL BE REQUIRED TO:

- i) BE DESIGNED TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA, HAVING REGARD TO THE CONSERVATION AREA APPRAISAL WHERE APPROPRIATE.**
- ii) AVOID THE REMOVAL OF EXISTING HISTORIC FEATURES, INCLUDING TRADITIONAL SHOPFRONTS AND JOINERY.**
- iii) USE MATERIALS WHICH ARE TRADITIONAL, OR APPROPRIATE TO THEIR CONTEXT.**
- iv) COMPLEMENT OR REFLECT THE ARCHITECTURAL QUALITIES OF NEARBY BUILDINGS WHICH MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OF THE AREA.**
- v) PAY SPECIAL ATTENTION TO THE SETTINGS OF BUILDINGS, AND AVOID THE LOSS OF ANY EXISTING DOMESTIC GARDENS AND OPEN SPACES WHICH CONTRIBUTE TO THE CHARACTER OF THE AREA.**
- vi) AVOID ADVERSE IMPACT ON ANY SIGNIFICANT VIEWS, WITHIN, TOWARDS AND**

OUTWARDS FROM THE CONSERVATION AREA.”

Regarding green spaces, the Conservation Area Appraisal for Caerleon states:

“3.7 SPACES & PUBLIC REALM

3.7.1 The green spaces across the Conservation Area typically correspond with Scheduled Monument sites (although not all Scheduled Monuments are green spaces). These include the formal public space next to the town hall, the triangular green at Goldcroft Common, the barracks area and the amphitheatre field. These are well-maintained, open spaces which provide both public and visual amenity. Private green spaces which contribute to the character of the Conservation Area include the mature trees which are visible over the wall of The Mynde and the greenspaces on either side of New Road in Ultra Pontem. The high proportion of green and rural landscape around Ultra Pontem further strengthens its distinctly village-like character compared to the more densely built centre of Caerleon.”

4.1.4 The retention of the contrastingly urban and village-like characters in central Caerleon and Ultra Pontem, respectively, is also significant and demonstrates how settlement spread out from its original centre...”

The CAA for Caerleon recognises that Bulmore Road features *“traditional cottages of slightly different massing at the north-east end. Later suburban houses from the centre to south-west end, set back from the road. Mature planting on the opposite side of the road.”* Similarly, New Road features: *“Predominantly a green streetscape with early 20th-century semi-detached houses at the south end and a grander, traditional building at the north end. The group at the far north end of the road (toll cottages and pub) mark the entrance to Ultra Pontem and contribute to a traditional village character.”*

The site proposed for hedgerow removal is located within Caerleon Conservation Area, forming part of the northern roadside boundary to that large swathe of mature planting upon the valley side of Belmont Hill (which contains numerous TPO trees). It is in a prominent location, visible from both Bulmore Road itself and within views south along New Road, providing a strong sense of green enclosure and rural character. As identified within the CAA, the high proportion of green and rural landscape around *Ultra Pontem* makes a positive contribution towards the character and appearance of the conservation area by strengthening *“...its distinctly village-like character compared to the more densely built centre of Caerleon.”*

I would therefore conclude that any loss of hedgerow boundary to this prominent section of Bulmore Road would cause harm to the character and appearance of Caerleon Conservation Area.

6.4 Natural Resources Wales:

European Protected Species (EPS) - No ecological information has been submitted in support of this application. We recommend you seek the advice of your Authority’s internal ecological adviser about the requirement for further information to be submitted in support of the application, the need for bespoke surveys and the scope of further information, where required.

Please note that our decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 19/02/2025 and a Site Notice was put up on 13/02/2026.

NEIGHBOURS:

14 Bulmore Road

I wish to lodge a formal objection to the above mentioned planning permission for the

following reasons.

The application for planning, cites the land as south of 11 Bulmore Road but the drawings show the land to be south of Ashwell Bungalow and 14 Bulmore Road which moves it considerably towards the junction with New Road.

I strongly object to the removal of this hedging on ecological grounds that the vegetation in this ancient woodland holds back the erosion of the top soil on the steep hill on which it stands. The woodland which had its boundaries on both Belmont Hill and Bulmore Road has an extremely steep gradient (see attached information). During the winter and spring when the rainfall is at its highest the water seeps from the hill to its lowest point, Bulmore Road. As the council will be aware there is no drainage or sewage drains on this section of Bulmore Road for surface water to escape. The hedge and tree roots naturally slow the erosion of top soil and help regulate the flow of water from the woodland onto Bulmore Road. Even so, water flows across the road into the gardens of both my home and Ashwell bungalow (photographs attached). In this day of climate change I believe the problem would be exacerbated by the removal of any vegetation.

I fear this application to remove this ancient hedge could be the thin end of the wedge or a bite sized piece to future planning applications once this entrance has been established.

This ancient woodland contributes to the conservation area village feel of Ultra Pontem the old Caerleon village and is the green lungs of the area supporting many species of wild life. We see foxes, badgers, squirrels and all sorts of birds which need hedging NOT fences to nest in. During the autumn months the woodland is abundant with vital food sources supporting the wild life in the area. We are privileged to regularly see bats in the evening sky over the trees and hear several variety of owls including screech owls calling to their mates. The mice, toads and small animals need the ground cover in order to survive and are an important food source for owls and birds of prey.

I believe the removal of the hedging with a replacement of a fence does nothing to enhance the appearance in a conservation area and suggest a solution to the applicant that he reinforce the existing hedging by planting new hedging alongside the old to incorporate old traditional hedging such as Hawthorne, beech, dogwood etc. I'm sure the council would be able to advise on suitable hedging material and this would solve all the problems he suggests in his planning application.

I understand that a previous application for planning, last year was withdrawn for this very section of hedge where a NEW entrance was proposed in order to put a road into the site and a VERY large tool shed. I believe this is an application by stealth in order to establish an entrance into the site, which in itself would be dangerous as it is so near the junction with New Road. This section of the woodland has never been an entrance to the woodland as confirmed by my neighbour who lived in Ashwell bungalow for 83 years and played in this woodland as a girl. I believe the original entrance to the woodland was opposite Mission Cottage, Bulmore Road, where there were several terraced cottages demolished many years ago.

I have lived opposite this site for over 20 years and have not witnessed any fly tipping. I do believe this has been a problem a few miles up the road where the area is less inhabited but have not seen any evidence of fly tipping on the area in question. The applicant states in his application, that "it is a long standing problem when he has only fairly recently purchased the land.

4 Ashwell Villas

The owner previously tried in 2023 to apply to construct an access into the wood and maintenance shed which was heavily objected to at the time. His application was withdrawn. We have lived for 50 years opposite the Bulmore Wood. We object to the proposal. The proposed removal of the existing hedgerow is not necessary as there is no fly tipping and no long standing environmental problem. The entire application purpose is a fabrication. The proposal does not alleviate anything detrimental to the environment as there is no fly tipping. The existing hedge is a perfect boundary and the proposed new fence and gate as a hard line will detract from the woodland appearance. The growing woodland and its boundary would be decreased in being torn out. We object to the

application as it has no grounds in reality for permission. As an aside, will you also note that the public have been accessing the woods for walks openly and freely for decades without course to any permission or objection and the owner should realise this. He has only owned the wood for a few years. It will only take an application by the locals to assert their right. The public has free access. His sole use would be defeated.

8. ASSESSMENT

8.1 Principle of Development:

The application site is outside the settlement boundary and has other designations that make such works particularly sensitive in environmental terms.

In relation to hedgerows, PPW 12 is clear in the importance of the retention of hedgerow for both its ecological value and contribution to landscape character and heritage and states the following.

'Trees, hedgerows, groups of trees and areas of woodland are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make an essential wider contribution to landscape character, culture, heritage and sense of place, air quality, recreation and local climate moderation.'

'Planning authorities must protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function.'

'Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits.'

8.2 Visual Amenity/ Character and Appearance/ Heritage;

The site is in a prominent location, visible from both Bulmore Road itself and within views south along New Road, providing a strong sense of green enclosure and rural character. As identified within the Conservation Area Appraisal, the high proportion of green and rural landscape around *Ultra Pontem* makes a positive contribution towards the character and appearance of the conservation area by strengthening "...its distinctly village-like character compared to the more densely built centre of Caerleon." PPW is clear in advising that the character and appearance of the conservation area must be preserved or enhanced and this is further supported in the LPA's local policies. The removal of the hedgerow would erode the character of the setting and would break connectivity with the remaining hedge. The Council's Heritage officer concludes that any loss of hedgerow boundary to this prominent section of Bulmore Road would cause harm to the character and appearance of the Caerleon Conservation Area. The hedge is well established and makes a positive contribution to the site and wider streetscene which has a very pleasant amenity in large part due to the abundance of natural landscape features including the hedge. Its proposed replacement for a length of almost 40m with a fence is prejudicial to visual amenity generally and contrary to policies SP1, GP2 and CE7.

8.3 Ecology/Biodiversity

The ecology officer advises that the areas of woodland that the hedgerow connects to are likely to be of ecological value for their habitats and habitat connectivity. The applicant would need to therefore provide strong justification for the removal of this feature. In this instance, no ecological information has been submitted in support of this application and the application lacks strong justification. The applicant claims issues with flytipping and trespass but provides no evidence to support such claims which are disputed in any case by the closest residents. Even if confirmed, the replacement of a dense hedge with a less robust post and wire low fence will likely prejudice site security not enhance it. Planning authorities must follow a step- wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact. Furthermore, PPW12 states at paragraph

6.4.12 “Where biodiversity enhancement proportionate to the scale and nature of the development is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise, it will be necessary to refuse permission.” The conservation and sustainable management of hedgerows is essential in maintaining biodiversity, protecting vital ecosystems, and combating climate change. Removing established hedgerows can fragment entire ecosystems, disrupting wildlife and interrupting ecosystem services. This application is contrary to PPW12 and proposes extensive and unjustified hedgerow removal in a prominent location and connected to wider landscape features and biodiversity valuable areas. It is unclear if hedgerow management and reinforcement has been considered.

8.4 **Archaeology:**

The site is in an archaeologically sensitive area. Heneb were consulted however no comments were received. Removal of trees and hedges often involve ground works to grub up and remove rooting systems. The application lacks a method statement to confirm this and the impact upon any archaeological resource cannot therefore be confirmed. The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning applications, whether those remains are a scheduled monument or not. A key objective in section 6 of PPW12 is to conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy. In this case, the impact upon the archaeologically sensitive area is not known and this is significant concern/objection.

8.5 Other matters

Some objectors have raised concerns regarding the impact of site clearance upon the stability of land and drainage related matters. These points are reasonable as the land abutting the hedgerow to be removed appears to be sloped and elevated. The hedgerow is likely retaining land or at least helping to mitigate soil slippage or drainage into the carriageway. Further information would ordinarily be necessary on this point but as officers are minded to refuse permission, such information has not been requested.

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 application fails to provide strong justification for the removal of the hedgerow and also fails to demonstrate that the resulting harm to the character and appearance of the Caerleon Conservation area, visual amenity generally, as well as the ecological and archaeological value of the site has been properly assessed or mitigated. In the absence of a green infrastructure statement, compensatory planting proposals, and appropriate ecological methodologies, the scheme does not comply with PPW 12 or Policy GP5. The proposal represents an unjustified and unacceptable hedgerow removal proposal of significant detriment to interests of acknowledged importance.

11. DECISION

REFUSED

01 The development will have a significant adverse impact upon interests of acknowledged importance, namely ecological, landscape and archaeological by reason of unjustified and extensive removal of prominent roadside hedgerow located within an archaeologically sensitive area, countryside and adjacent to TPO woodland and Site of Interest for Nature Conservation. It is not in accordance with the Stepwise Approach of PPW12 and no information has been provided to mitigate this objection, contrary to Policies SP5, CE8, CE6, SP9 and GP5 of the Newport Local Development Plan 2011-2026, Policy 9 of Future Wales; The National Plan, Technical Advice Note 5, Planning Policy Wales 12 and Supplementary Planning Guidance on Archaeology and Archaeologically Sensitive Areas, Wildlife and Development, Trees, Woodland, Hedgerows and Development Sites.

02 The development, by reason of its nature, extent and location will have a significant adverse impact upon interests of acknowledged importance, namely visual amenity and the character and appearance of the rural landscape and Caerleon Conservation Area by reason of unjustified and extensive removal of prominent roadside hedgerow that makes a substantial contribution to the streetscene and local area, and its replacement with post and wire fence. This is contrary to Historic Environment (Wales) Act 2023, policies SP1, GP2, SP5, and CE7 of the Newport Local Development Plan 2011-2026 and Planning Policy Wales 12.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Location Plan Drawing No.AL(00)01 Rev B and Hedge Plan Drawing No.AL(90)03.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP5, GP5, GP2, GP6, CE6, CE7 and CE8 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.