

Delegated Decision Report

Application No:	25/0483	Statutory Period Expires:	7th August 2025
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Site:	4 Fields Park Gardens Newport NP20 5BQ		
Proposal:	WORKS TO 5NO. PINE TREES (PRUNING) PROTECTED BY TPO 01/76		
Applicant:	Loveluck		
Type:	Tree Preservation Orders	Ward:	Allt-yr-Yn
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 4 Fields Park is a two storey, detached dwelling located in the Allt-yr-Yn ward. The 5no Pine Trees are located in the rear garden.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to remove the dead wood and dying limb sections back to sound living lateral branches. It is also proposed to reduce the remaining good condition southern crown limb tips back to their sound living lateral branches to form an even density and silhouette. This will be approximately up to 1.5m.

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)

Policy GP2
Policy GP5
Policy GP7

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

6. CONSULTATION RESPONSES

6.1 Tree Officer: *No objections.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 17.06.2025 and a Site Notice was put up on 17.06.2025.

7.1 NEIGHBOURS:

89 Allt yr Yn Avenue- *With regards to felling of trees, this would be a travesty, these trees are beautiful, and about a hundred years old. The trees have not grown in height or width, if pruning how can you prune trees like these, the branches would never grow back it would only unbalance the trees. We have already lost five of the trees a couple of years ago. The only thing you get is pine needles and some cones, which is nothing, you would not cut a tree down for losing its leaves. The trees also have a lot of wild life nesting birds every year. So please think carefully before you make a decision, on the beautiful trees, we should be saving trees not cutting down.*

89 Allt yr Yn Avenue - *You have written to me regarding the TPO 01/76 these pine trees run across the bottom of my property and neighbours property we have lived here for 40 years with no issues with these trees they seem perfectly safe more importantly they are a haven for nesting birds squirrels and BATS . I have no idea why these trees need to be removed.*

91 Allt yr Yn Avenue- *We object to the proposed works to the pine trees bordering our garden for the following reasons:*

1. They are ancient protected trees which have been a feature of the neighbourhood for many years, far before the applicants' house was built. As a country we are working towards conserving and planting new trees. The city council have gone to great trouble and expense planting new trees on Ridgeway. These trees are not rotten, they are healthy, well established, and would be sorely missed if they were to be cut down. We cannot imagine for what reason our neighbours wish to prune them.

2. The trees provide habitat for many species of birds. We have lived here for 25 years now and have derived great pleasure from watching wood pigeon, crow, magpie, and spotted woodpecker nesting, sheltering and perching on them. It would be a travesty to deprive these of their natural home.

We sincerely hope that these points will be seriously taken into consideration when this application comes before the committee.

8. **ASSESSMENT**

- 8.1 The development seeks to undertake works to 5no. Pine trees located in the Allt-yr- Yn ward. The proposed works see to undergo a crown reduction of approximately 1.5m. This is with the aim of removing dead limb and ensuring the remaining limbs form an even density and silhouette.
- 8.2 The neighbour's comments have been considered, however, it has been concluded that these works will not compromise the tree health or the amenity value. The Council's Tree Officer has no objection to the proposed works; however, the extent of the works shall be agreed on site by Council's Woodland Officer prior to any works to the trees commencing.

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 works to the trees are acceptable, therefore, permission is granted with conditions.

**11. DECISION
GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents <Site Plan, Site Location Plan, Tree Report>.

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 The extent of the work hereby approved shall be agreed on site by the Council's Woodland Officer prior to any works to the trees commencing.

Reason: In the interests of the health and longevity of the tree and preserving its amenity value.

NOTE TO APPLICANT

01 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.