

Delegated Decision Report

Application No:	26/0017	Statutory Period Expires:	2nd March 2026
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Site:	<i>Avalon 7 Priory Close Caerleon Newport South Wales</i>		
Proposal:	<i>WORKS TO 1NO ASH TREE (FELLING) SUBJECT TO A TREE PRESERVATION ORDER</i>		
Applicant:	<i>R Farfarakis</i>		
Type:	Tree Preservation Orders	Ward:	Caerleon
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a detached dwelling located within the Caerleon ward. There are a number of protected trees lined to the rear of the properties.

3. DESCRIPTION OF DEVELOPMENT

3.1 Consent is sought to fell 1no ash tree in the rear garden of no.7 Priory Close. A tree report has been submitted in support of the application that advises that the tree has no horticultural value and is dead.

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)

- GP5 – Natural Environment

6. CONSULTATION RESPONSES

6.1 Tree Team: I have reviewed the provided documentation and have no objection to the removal of the ash based on its history of stem failure and condition with significant cavities as shown within the photo and colonisation by various fungi.

7. PUBLIC REPRESENTATIONS

Ward member notification letters were sent on 15th January and a Site Notice was put up on 23rd January.

7.1 COUNCILLOR (STEVE COCKS): In light of the tree surgeon's report have no objection to this application.

8. **ASSESSMENT**

8.1 The Council's Tree Team were consulted on the application and advised that they have no objection to the removal of the ash based on its history of stem failure and condition with significant cavities as shown on the photos provided with the application as well as colonisation of various fungi. It is therefore considered that owing to the condition of the tree and no objection being raised, the felling of the protected ash tree is acceptable.

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 No objections have been raised on the removal of the protected dead ash tree in the rear garden of no.7 Priory Close. It is therefore recommended that the application is granted subject to the following conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: 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.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan and Tree Report.

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