

Delegated Decision Report

Application No:	26/0628	Statutory Period Expires:	8th October 2026
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Site:	6 Oakfields Marshfield Cardiff CF3 2EZ		
Proposal:	WORKS TO 1NO. OAK TREE (CROWN RAISING) PROTECTED BY TPO 06/86		
Applicant:	C A Davies		
Type:	Tree Preservation Orders	Ward:	Tredegar Park And Marshfield
Decision:	Granted		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application relates to 1no. Oak Tree, protected by TPO 06/86, located within the curtilage of 6 Oakfields, located within the Tredegar Park and Marshfield ward. The application site is located within an Archaeologically Sensitive Area.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for management works to an oak tree located within the rear garden, protected by Tree Preservation Order (TPO) 06/86. The works comprise crown raising through the selective reduction of lower foliage to gutter height around the dwelling. The works would also involve the removal of two previously shortened branches, each approximately 75mm in diameter, and one larger branch of approximately 120mm in diameter back to the main stem. In addition, all unstable deadwood exceeding 20mm in diameter would be removed. The works are proposed as part of the ongoing management of the tree and to improve light levels within the garden.

4. RELEVANT SITE HISTORY

4.1 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)

5.3.1 Policies GP2 (General Amenity), GP5 (Natural Environment) and GP6 (Quality of Design), of the Newport Local Development Plan (2011 – 2026) are relevant to the determination of this application.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- 5.4.1 The Trees, Woodland, Hedgerows and Development Sites Supplementary Planning Guidance is Relevant to the determination of this application.

5.6 TECHNICAL ADVICE NOTES

- Technical Advice Note (TAN) 5: nature conservation and planning
- Technical Advice Note (TAN) 10: tree preservation orders

6. CONSULTATION RESPONSES

- 6.1 **Ecology Officer:** No response received.

- 6.3 **Tree Team:** No objections.

- 6.4 **Wildlife in Newport:** No response received

7. PUBLIC REPRESENTATIONS

- 7.1 Neighbour and Ward member notification letters were sent on 17.08.2026.

- 7.2 NEIGHBOURS: 4no. neighbours were consulted. A site notice was posted on 21.08.2026. No representations were received.

- 7.3 COUNCILLORS: Cllr Trevor Watkings, Cllr Alan Screen and Cllr Rhian Howells were consulted. No representations were received.

8. ASSESSMENT

- 8.1 The application seeks to undertake works to an Oak tree, which is protected under TPO 06/86. The application is supported by a Work Sheet outlining the proposed works. Accordingly, there is no objection to the proposed works which are deemed to be necessary for the ongoing maintenance of the tree and will ensure longevity of the trees health and life span. No adverse visual impact is considered to arise from the proposed works and the outcome is not considered to result in any adverse impact upon the character and appearance of the area. The Council's Tree Officer has been consulted on this application and does not raise objections to the works.

- 8.2 The Council's Ecology Officer has not commented on the application. However given the nature of works and its location, it is understood that there would be no impact to European Protected Species. A suitably worded informative about this will be added to any consent.

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 proposed works to the affected trees would not result in a harmful impact on the character and appearance of the area, 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: Work Sheet, Markings indicating width street view 2 – photograph, Markings indicating width from street view – photograph, Markings indicating width – photograph, Markings for branches to be removed – photograph

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 development hereby approved shall be carried out in strict accordance with the requirements of British Standard: BS3998:2010 (pruning)

Reason: To ensure the development does not prejudice the health or wellbeing of the Protected Trees on site.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP6 were relevant to the determination of this application.

02 Bats often roost in houses and other buildings and trees, and work on these buildings/trees may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/trees in which bats are roosting, Natural Resources Wales (NRW) must be contacted for advice.

- a. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.
- b. Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and

undertake bat surveys if necessary.

- c. Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.
- d. NRW can be contacted at: Natural Resources Wales, Rivers House, St Mellons Business Park, St Mellons, Cardiff CF3 0EY, 0300 065 3000
- e. Bat Conservation Trust can be contacted at: Bat Conservation Trust, Studio 15 Cloisters House, Cloisters Business Centre, 8 Battersea Park Road, London, SW8 4BG, 0845 1300 228