

# Delegated Decision Report

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| <b>Application No:</b> | <b>25/1050</b> | <b>Statutory Period Expires:</b> | <b>2nd February 2026</b> |
|------------------------|----------------|----------------------------------|--------------------------|

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|-------------------|-----------------------------------------------------------------------------|--------------|--------------------------------------|
| <b>Site:</b>      | <b><i>East Lodge Druidstone Road Old St Mellons Cardiff South Wales</i></b> |              |                                      |
| <b>Proposal:</b>  | <b><i>POLLARDING OF LIME TREE PROTECTED BY TREE PRESERVATION ORDER</i></b>  |              |                                      |
| <b>Applicant:</b> | <b><i>D Thomas</i></b>                                                      |              |                                      |
| <b>Type:</b>      | <b>Tree Preservation Orders</b>                                             | <b>Ward:</b> | <b>Tredeggar Park And Marshfield</b> |
| <b>Decision:</b>  | <b>GRANTED WITH CONDITIONS</b>                                              |              |                                      |

## 1. BACKGROUND

1.1 None.

## 2. SITE LOCATION AND CONTEXT

2.1 The application site is within a rural setting outside of the defined settlement boundary and designated within with countryside and green belt. The application site is bordered by Druidstone Road and Tyla Lane. There are a number of TPO groups close to the application site including; GWT/104 A21, GWT/104 A22, and T158.

## 3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks the pollarding of a lime tree protected under TPO GWT/104 A21. The applicant has stated that there is an historic wound with a large snapped out section. The applicant has provided a photo to demonstrate where the pollard works would take place.

## 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 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

6.4.11 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.

5.3 Technical Advice Note

Technical advice note (TAN) 5: nature conservation and planning

Technical advice note (TAN) 10: tree preservation orders

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP5- Natural Environment

**6. CONSULTATION RESPONSES**

6.1 Tree Team: After discussing the proposed works with the Tree Surgeon (Josh Clark - Treevolution), and he has also supplied further images of the tree and an image where he suggests the cuts for the pollard would be. Based on these images (attached) and the previous supplied image showing the points where limbs have torn out I have no objections to this work being carried out.

6.2 Landscape Officer: No comments received.

6.3 Wildlife in Newport: No comments received.

**7. PUBLIC REPRESENTATIONS**

Neighbour and Ward member notification letters were sent on 09/12/2025, Site Notice was put up on 12/12/2025.

7.1 Michaelston-Y-Fedw Community Council: No objection to this application.

**8. ASSESSMENT**

8.1 The works include pollarding of the Lime Tree which is subject to a Tree Preservation Order. The tree is situated within TPO group GWT/104 A21. The applicant has provided information and states that there is an historic wound with a large snapped out section.

8.2 The Council's Tree team were consulted on the application. They have discussed the proposed works with the Tree Surgeon who has supplied further imaging and details of where the tree will be pollarded, and imaging of the points where the limbs have torn out. The tree team have reviewed this and confirm they have no objections to the works being carried out.

8.3 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Planning Policy Wales (Edition 12) (PPW) reiterates that biodiversity must be maintained and enhanced to enable resilient ecological networks to be built and deliver net benefits for biodiversity. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity.

- 8.4 In terms of ecological impacts, it is reasonable to assess, given the scale of works, the development would not create demonstrable harm to the biodiversity of the area, however, a bird and Bat Advisory Note shall be added to any consent granted to protect these species. By undertaking the pollarding of the tree it will stimulate growth which in time will enhance biodiversity opportunities. This would be an enhancement which is considered to be proportionate in scale.
- 8.5 The tree is not proposed to be felled, so the presence of the tree within the TPO group will be retained. There have been no formal objections. Therefore, the application is granted with conditions.

## **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 protected tree is acceptable, and therefore permission is granted.

## **11. DECISION**

### **GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents: Tree Location Plan; Tree Team

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

02 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.

03 Bats often roost in trees, and work on these trees may disturb a bat roost if one is present. All bats and their roosts are protected against disturbance under UK legislation. If works are planned on a tree in which bats are known to be roosting, Natural Resources Wales (NRW) must be contacted for advice.

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.

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.

Where bats or their roosts are present, no works of felling or removal of major limbs 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.

04The Applicant is reminded to avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.