

Delegated Decision Report

Application No:	25/1104	Statutory Period Expires:	7th February 2026
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Site:	<i>Cedar House Goldcroft Common Caerleon Newport NP18 1NG</i>		
Proposal:	<i>FELLING AND WORKS TO TREES PROTECTED BY CAERLEON CONSERVATION AREA</i>		
Applicant:	<i>J Parsons</i>		
Type:	Trees in Conservation Areas	Ward:	Caerleon
Decision:	NO OBJECTION		

1. BACKGROUND

- 1.1 It is understood that the works have previously been discussed with the Council's Tree Team.

2. SITE LOCATION AND CONTEXT

- 2.1 This is a dwelling located in the Conservation Area and archaeologically sensitive area. The affected trees are located within the private rear garden and are not prominent in the wider Conservation Area. The property is located within an Air Quality management buffer.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The works are described as;

- Removal of silver birch on boundary between Cedar House and 26 Goldcroft Common/Croft Cottage
- Removal of dead Lawson's cypress tree at rear of property
- Removal of pine tree on the left of the garden, overhanging 25 Goldcroft Common/Rose Cottage
- Pollarding of willow on the right of the garden, opposite pine

The following reasons are given:

- The pine tree is very large and blocks light to the garden. Concerned about damage to the boundary wall
- The Lawson's cypress is dead
- The silver birch is overhanging towards my property and my neighbour's. I have planning permission to construct an extension on the ground floor and I am concerned at the impact digging the foundation will have on the health of the tree. Additionally it has pushed the fence over on the boundary.
- The willow needs pollarding as maintenance

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
15/0751	REDUCE HEIGHT OF CONIFER TREES PROTECTED BY CAERLEON CONSERVATION AREA	NO	29/7/2015

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 HISTORIC ENVIRONMENT (WALES) ACT 2023

5.3 TECHNICAL ADVICE NOTES

Technical Advice Note (TAN) 10: Tree Preservation Orders

Technical Advice Note (TAN) 24: The Historic Environment

5.4 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.

5.5 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 General Development Principles – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP5 General Development Principles – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 General Development Principles – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable harm to health.

5.6 SUPPLEMENTARY PLANNING GUIDANCE

Trees, Woodland, Hedgerows and Development Sites (adopted January 2017)

6. CONSULTATION RESPONSES

6.1 NCC TREE TEAM:

There are no objections to the application. With the one condition on the willow as below.

- The dead tree is automatically exempt under the dead category exemption.
- Pollarding the willow is a reasonable management option with the condition they are cut back to the previous pollard knuckles/ points, works must be to BS3998:2010.
- The Birch and the Pine do not merit a TPO.

6.2 NCC LANDSCAPE OFFICER:

No response received.

6.3 NCC ECOLOGY OFFICER:
No response received.

6.4 NCC HERITAGE OFFICER:
No response received.

6.5 WILDLIFE IN NEWPORT GROUP:
No response received.

7. PUBLIC REPRESENTATIONS

Neighbour (5no) and Ward member notification letters were sent on 7th January 2026 and Site Notice was put up on 16th January 2026.

7.1 NEIGHBOURS: no responses received to date.

7.2 COUNCILLORS: one response received:

Councillor Cocks - I object in principle to felling any tree in the conservation area unless there is a overwhelming reason. I understand that the tree team have viewed these trees and are happy with the proposal. In these circumstances, I have no objection.

8. ASSESSMENT

8.1 The Trees are protected by reason of their siting within the Conservation Area and not by individual TPO's. The Tree Officer has been consulted on this application and raises no objection to the proposed felling of the Pine, Cypress and Birch trees and reduction to the Willow. Accordingly, there would be no justification for attaching individual TPO's to the trees and the principle of the proposal is not resisted subject to the assessment of other material considerations considered below.

8.2 Visual Amenity/ Character and Appearance

The applicant has set out clear reasoning for the removal of the 3 trees, one of which is dead. The trees are causing damage and amenity concerns and their contribution to the wider Conservation Area is limited by reason of their location. They are arguably the wrong trees in the wrong place. The Tree officer advises that they are not tree specimens worthy of TPO and the Cypress tree is dead and does not require prior approval in any case. The Willow is proposed to be maintained via pollarding and no objections are raised to such works as they are logical maintenance actions. No conditions can be applied to this type of application and therefore the recommendations of the Tree Officer regarding the pollarding works will be added as a note.

8.3 Biodiversity

The Council's Ecology officer has not responded to this application. The LPA has no reason to understand that the works will impact European Protected Species however suitably worded informatives will be added to any consent.

8.4 Other matters

The site is located within an archaeologically sensitive area and tree stump removal will cause ground disturbance. A note to applicant can be added advising that archaeological monitoring and recording (watching brief) is undertaken during the removal of the stumps and roots. However, as noted above, it is not possible to impose conditions on this type of application.

8.5 The loss of the trees will not have a demonstrably significant adverse impact upon air quality and the works are justified.

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 works are justified and no objection is raised to the felling of the 3no. trees and pollarding of the Willow and the LPA would not consider individual TPOs in this case.

11. **DECISION**

NO OBJECTION

NOTES TO APPLICANT

01 This decision relates to plan Nos: Application forms, Tree Plan, and site photographs 1-4.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP9, GP2, GP5, GP6 and GP7 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.

04 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.

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 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.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

05 Trees may support nesting birds at certain times of the year. The applicant is advised 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.

06 The works are located within the archaeologically sensitive area of Caerleon and it is recommended that archaeological monitoring and recording (watching brief) is undertaken during the removal of the stumps and roots.