

Delegated Decision Report

Application No:	25/1063	Statutory Period Expires:	3rd February 2026
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Site:	<i>Land To The West And South West Of Priory Way Langstone Newport South Wales</i>		
Proposal:	<i>FELLING OF 7NO. TREES AND WORKS TO VARIOUS TREES OF A MIXED TREE GROUP PROTECTED BY TPO 06/2010</i>		
Applicant:	<i>R Spencer</i>		
Type:	Tree Preservation Orders	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is defined within a mix of a residential and an office accommodation setting. To the North of the application site is the A449 and to the South is the A48. The area is characterised by small areas of woodland and trees within the built environment.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for the felling of 7no. TPO trees to the stump, including 4no. Goat Willow, 2no. Ash, and 1no. Elm tree within the TPO group 06/2010.

3.2 Other works to the TPO group 06/2010 include:

- Goat Willow- Remove limb arising at 2m W
- Goat willow- Remove vulnerable limb arising 2m and extending NE towards footpath
- Goat willow- Remove vulnerable NE bough
- Field maple- Remove vulnerable NE bough

3.3 The locations have been provided on a map and all works to trees detailed. Other non-TPO trees have been detailed within the survey, however, NCC have no control over these trees.

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

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.

6.4.2- which advises that replacement planting should be provided at a ratio equivalent to the quality, environmental and ecological importance of the trees lost, preferably on or adjacent to the site, and at a minimum ratio of three replacement trees for every one lost

6.4.38 Welsh native tree and hedge species, characteristic of the local area, provide a strong ecosystem resilience function, and they provide resources for local wildlife, particularly other native plants and species. Native tree and hedge species can also complement opportunities for natural regeneration. Alongside broader woodland habitat types, such as wood pasture, parkland and traditional orchards, native tree and hedge species help to define our cultural heritage and landscape, creating a strong sense of place and connection to the past.

6.4.39 Planning authorities must protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function¹³⁶. Planning authorities should consider the importance of trees and woodland, particularly native woodland and valued trees, and should have regard to local authority tree strategies or SPG and the Green Infrastructure Assessment. Planning authorities should adopt appropriate, locally relevant, time sensitive, minimum tree canopy cover targets for their authority area to guide the protection and where appropriate the expansion of canopy cover. The Green Infrastructure Assessment and tools such as NRW's Tree Cover in Wales' Towns and Cities study and Forest Research's i-Tree Eco tool will help establish a baseline of canopy cover and guide the identification of appropriate and measurable canopy targets.¹³⁷ Tools to help with design and species choice in urban areas are also available.

6.4.44 The protection and planting of trees and hedgerows should be delivered, where appropriate, through locally-specific strategies and policies, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs)¹⁴⁰. They should also be incorporated into Green Infrastructure Assessments and plans.

5.3 Technical Advice Notes

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 GP2 (General Amenities)

Policy GP5 (Natural Environment)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

Trees, woodland, hedgerows and development sites SPG.

6. CONSULTATION RESPONSES

6.1 Tree Team: I have reviewed the submitted documentation and am satisfied the requested works are reasonable with the provided evidence. No objections.

6.2 Ecology: my only comment is to remind the Applicant that nesting birds 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. We generally think of birds beginning to nest from Early March onwards so it is likely that active nests will be encountered during these works if they are carried out between March and August.

6.3 Landscape: No comments received.

6.4 Wildlife in Newport: No comments received.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 29/01/2026, Site Notice was put up on 06/02/2026.

7.1 2no. neighbouring property provided comment in support of the application.

I believe that the urgency of felling trees adjacent to the track behind 1 -4 Priory Way should be reviewed because of the risk of overhanging trees falling and endangering the many young school children and older dog walkers who use this daily as access to / egress from the A48. Trees 1028 and 1029 are a good example of this.

I support the application on the grounds that no management of the woodland areas has been undertaken over the last 27 years. In particular I support the advancement of the works to trees 1025 to 1032 because of safety issues with the adjacent public right of way

7.2 Councillor Ray Mogford and Councillor William Routley were consulted on the application and no comments have been received to date.

7.3 Langstone Community Council have not commented to date.

8.1 ASSESSMENT

8.1.1 This application seeks approval to the felling of 7no. TPO trees and works to 4no. TPO trees. The Tree Survey was undertaken by Wilson Tree Surveys. Tree work is to be carried out by competent, trained, fully equipped and insured technicians according to the provisions of British Standard BS3998:2010 Tree work: recommendations.

8.1.2 Below denotes the trees which are proposed to be felled and works which are proposed to TPO group 06/2010 and the reasoning:

- 1028- Goat Willow- Fell to stump- Union failed, stem split to ground level.

- 1027 -Ash- Fell tree to stump- Third party garden in Target Zone. Crown full and healthy. Evidence of children in Target Zone.
- 1031- Goat willow- Fell tree to stump- Stem split ground level-2m. Frequent significant deadwood.
- 1025- Field maple- Remove vulnerable NE bough- Cracked, decayed union. Vulnerable limb extends NE towards footpath. Smaller limb arising ground level N with weak attachment, length / diameter ratio
- 1026 -Goat willow- Remove vulnerable NE bough- Vulnerable limb extends NE towards footpath.
- 1032- Goat willow- Remove vulnerable limb arising 2m and extending NE towards footpath- Vulnerable limb inclined 25° towards footpath 5m E.
- 1033 -Ash- Fell tree to stump- Stem bifurcates at 2.5m. Included bark union, reaction wood. Car park in Target Zone. Descent likely arrested by surrounding trees
- 1035- Goat willow -Fell tree to stump- Ground vegetation obscured the primary structure to 1m. Partial inspection only. Stem bifurcates at 1m. Included bark union, reaction wood. Partially windthrown towards the E. RP lifted to W. Third party garden 10m E. Footpath 5m E.
- 1036 -Elm - Fell tree to stump - Dead. Heavily decayed. Leaning on pallisade fence. Overhangs area used for waste disposal
- 1029- Goat willow -Fell tree to stump- Footpath 5m E. Third party gardens 10m E and 14m W. Fall likely slowed by surrounding trees. Evidence of children in Target Zone.
- 1030- Goat willow -Remove limb arising at 2m W- Third party garden 4.5m W. Fall likely slowed by surrounding trees. Evidence of children in Target Zone.
- 1034- Goat Willow- No action required.

8.1.3 The tree team were consulted on the application and have no objections to the felling or works proposed to the trees. Moreover, the other trees within the survey are not covered by a TPO therefore NCC has no remit over them.

8.1.4 In assessing the proposed removal of trees, regard has been given to the provisions of Planning Policy Wales (Edition 12) paragraph 6.4.2, which advises that *replacement planting should be provided at a ratio equivalent to the quality, environmental and ecological importance of the trees lost, preferably on or adjacent to the site, and at a minimum ratio of three replacement trees for every one lost*. The existing application site is characterised by trees. To the North of Priory Drive, the proposed removal of the limited number of individual trees here is not considered to result in a significant reduction in overall tree coverage or to adversely affect the established character of the area or the wider streetscene given the remaining trees here. The trees identified for felling are either dead, in poor condition, or present a risk to nearby structures and public safety. In view of these factors, it is considered that replacement planting for these particular specimens is not necessary, as their removal would not result in an unacceptable loss of amenity or environmental value.

8.1.5 To the section of trees to the South of Priory Drive, a similar consensus can be drawn, where the majority of the trees to be felled are sporadic within this section, retaining good tree coverage. The closest trees together which are proposed to be felled are 1028 and 1029. The loss of the two trees here could have a visual impact. It is considered

reasonable that some form of compensatory replanting be secured for these two trees. Whilst the full 3:1 replacement ratio set out in national policy may be disproportionate in this instance, a 1:1 ratio would be more reasonable. Appropriate mitigation can be achieved through the planting of alternative species more suited to the available space and character of the area, given safety concerns have been raised. Accordingly, a planning condition will be imposed requiring details of a compensatory planting scheme to be submitted and approved by the Local Planning Authority within 3 months of the felling of these TPO trees. This will ensure that suitable replanting is provided to maintain the overall tree cover and visual amenity of the locality in the longer term.

8.2 Ecology

8.2.1 When assessing the ecological impacts of the development, the Ecology Officer was consulted on the development and has no objections to the works proposed, however, nesting birds 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. We generally think of birds beginning to nest from Early March onwards so it is likely that active nests will be encountered during these works if they are carried out between March and August. This will be added as an informative.

8.3 Other comments

Neighbouring properties are in support of the tree works to take place as they are becoming a hazard to the adjacent path and public safety.

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 Overall, the proposed tree works are acceptable, with no objections from the Tree or Ecology Officers. While most removals require no replacement due to poor condition or limited impact, compensatory planting for two TPO trees will be secured by condition to maintain local tree cover and visual amenity.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: *Wilsons Tree Surveys Arboricultural survey report 27th October, 2025 2*. 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 Within 3 months of the felling of TPO trees 1028 and 1029 as identified within *Wilsons Tree Surveys Arboricultural survey report 27th October, 2025 2* hereby approved, written approval of the Local Planning Authority is required to a scheme of compensatory tree planting for the site that shall comprise at least 2no. new trees, the species, positions and heights on planting to be detailed and submitted to the Local Planning Authority. The approved scheme shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the felling of trees 1028 and 1029. Thereafter the new trees shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, the planting season shall mean the period of October to March inclusive.

Reason: To secure the satisfactory implementation and maintenance of a tree compensation scheme in the interests of visual amenity and landscape character having regard to policies SP5, SP9, and GP2 of the adopted Newport Local Development Plan,

Planning Policy Wales (Edition 12) 2024 and The Trees, woodland, hedgerows and development sites SPG.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, 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 Nesting birds 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. We generally think of birds beginning to nest from Early March onwards so it is likely that active nests will be encountered during these works if they are carried out between March and August.