

Delegated Decision Report

Application No:	26/0466	Statutory Period Expires:	16th August 2026
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Site:	<i>Kings Acre Fields Park Road Newport South Wales NP20 5BR</i>		
Proposal:	<i>WORKS TO A MIXED TREE GROUP (PRUNING) PROTECTED BY TPOS 04/1979 AND 06/1982</i>		
Applicant:	<i>S Heneghan</i>		
Type:	Tree Preservation Orders	Ward:	Allt-yr-Yn
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The Tree Preservation Order (04/1979) protects ten TPO trees and one TPO group consisting of Horse Chestnut, Acacia, Sycamore, Copper beech, weeping willow, Cypress, Spruce and Ash, which was designated on 4/10/1979. The Tree Preservation Order (06/1982) protects six TPO trees consisting of Lime and Box Elder, which was designated on 10/12/1982.

2. SITE LOCATION AND CONTEXT

- 2.1 This application seeks permission to undertake works to 1no. Sycamore tree (T10) and 2no. Horse Chestnut trees (G2) protected under of TPO 04/1979. As well as, works to 1no. Lime tree (T3) protected under TPO 06/1982. The site is located on Kings Acre and within the Allt-yr-Yn Ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The proposed work consists of minimal pruning to the TPO trees in order to clear a line of sight to be established from the telegraph pole at the roadside to the telegraph pole on the property at 59A Fields Park Road.

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 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
Policy GP5
Policy GP7

5.5 SUPPLEMENTARY PLANNING GUIDANCE

TREES, WOODLAND, HEDGEMROWS AND DEVELOPMENT SITES

6. CONSULTATION RESPONSES

6.1 Tree Officer:

No Objections to minor facilitative pruning to re establish broad band line. No primary or secondary branches should be pruned and all works must be to bs 3998

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 01.07.2026

7.1 No comments received.

8. ASSESSMENT

8.1 This application seeks permission to undertake works to 1no. Sycamore tree (T10) and 2no. Horse Chestnut trees (G2) protected under TPO 04/1979, together with works to 1no. Lime tree (T3) protected under TPO 06/1982. The proposed works comprise minimal pruning to the protected trees to establish and maintain a clear line of sight between the telegraph pole at the roadside and the telegraph pole serving 59A Fields Park Road.

8.2 The proposed works are limited in scope and comprise only minimal pruning to facilitate the establishment and maintenance of a clear line of sight between the roadside telegraph pole and the telegraph pole serving 59A Fields Park Road. Accordingly, there is no objection to the proposed works, which are not considered to adversely affect the longevity of the trees health and life span. Furthermore, no adverse visual impact is considered to arise from the proposed works, and the character and appearance of the surrounding area will remain unchanged. The Council's Tree Officer has been consulted on this application and raises no objection to the proposed works subject to two conditions being attached to any decision that ensure the continued protection TPO trees. It is deemed necessary to attach the condition relating to the works being carried out in accordance with the requirements of British Sta Standard: BS 3998:2010 to the decision. However, the suggested condition relating to the pruning of primary and secondary branches is not considered necessary, given that there is no submitted plan which identifies primary or secondary branches, therefore the Local Planning Authority considered this condition would not meet the tests contained within the conditions circular. Furthermore, the extent of the proposed works is minimal and would not have a significant impact on the health and longevity of the trees.

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 tree are acceptable, and it is recommended that permission is granted with conditions.

11. **DECISION
GRANTED WITH CONDITIONS**

1. The development shall be implemented in accordance with the following plans and documents: Site Location Plan, Site Plan – Tree Pruning, Site Plan – Photograph Tree Pruning, Application Form
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based
2. The development hereby approved shall be carried out in strict accordance with the requirements of British Standard: BS 3998:2010 (Trees in relation to design, demolition and construction).
Reason: To ensure the development does not prejudice the health or wellbeing of the Protected Trees on site.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Site Plan – Tree Pruning, Site Plan – Photograph Tree Pruning, Application Form

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