

Delegated Decision Report

Application No:	26/0008	Statutory Period Expires:	25th February 2026
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Site:	30 Western Valley Road Rogerstone Newport South Wales NP10 9DT		
Proposal:	CROWN REDUCTION OF OAK TREE (T1) PROTECTED BY TPO 21/97		
Applicant:	L Haywood		
Type:	Tree Preservation Orders	Ward:	Rogerstone East
Decision:	REFUSED		

1. BACKGROUND

- 1.1 The Tree Preservation Order (21/97) protects a single Oak tree, which was designated on 22.10.97

2. SITE LOCATION AND CONTEXT

- 2.1 The tree is located within the front garden of 30 Western Valley Road, situated in the Rogerstone East ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The proposed work is “up to a 20% crown reduction” to a Oak Tree.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
04/0219	REMOVE OVERHANGING BRANCHES FROM OAK TREE PROTECTED BY TPO 21/97	GC	12.04.2004
11/1198	CROWN THINNING OF OAK TREE T1 PROTECTED BY TPO 21/1997	GC	08.12.2011

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:

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:

There are no objections but there are conditions:

*1) the 20% reduction must be a linear crown reduction i.e. from the tips of the crown in.
2) the exact extent of the works must be agreed between the contractor and a NCC Tree Team member prior to the works commencing,
3) the works must be undertaken by a qualified and competent tree contractor. - should the resident not have one in mind a list from the NCC Tree Works Framework can be provided or a list can be found from the Arboricultural Association website link: <https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.trees.org.uk%2FARB-Approved-Contractor-Directory&data=05%7C02%7CJonathan.Jones%40newport.gov.uk%7C16dea9edf88c4e824b1008de5f16bd16%7C2c4d0079c52c4bb3b3cad8eaf1b6b7d5%7C0%7C0%7C639052748572073393%7CUnknown%7CTWfPbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUslIYiOilwLjAuMDAwMCIsIiAiOiJXaW4zMilslkFoljoiTWfPbClslldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=SirOqNsdS8RGsGzLSnYdtciitTXqABFc8ndiE1Qc5S4%3D&reserved=0>*

7. PUBLIC REPRESENTATIONS

7.1 A site notice was put up near the site on 14.01.2026. No Comments have been received.

8. ASSESSMENT

8.1 The development as proposed seeks to undertake works to an Oak Tree (T1). The tree is protected by TPO 21/97. The proposed works seek to undergo a crown reduction by 20% and are proposed as the applicant has claimed the works will improve light levels in the dwellings rear garden, reduce the amount of overhang into neighbouring properties and the removal of deadwood for safety reasons. No evidence has been supplied as part of this application to substantiate these claims. Furthermore, the applicant has not provided a specific schedule of works and therefore it is unclear exactly what is being proposed. As a result, it is unclear on the exact extent of the crown reduction with the description of development stating "up to 20% crown reduction" (within the application form supplied by the applicant) and associated works, without this information it has not been possible to conduct an appropriate level of assessment as to the impact of the proposed works or establish if the works are necessary and would not impact upon the long term health or vitality of the Tree. Additionally, no Tree Survey has been submitted in support of the application to demonstrate that the works are necessary.

8.2 The Councils Tree Officer was consulted on the application and raised no objections however, recommended three conditions to be attached should permission be granted which would secure additional information in relation to the works proposed to be undertaken. However, the details requested by the Tree Officer are considered to be necessary to the assessment and determination of this application, accordingly, it is the view of the Local Planning Authority that as the information sought via condition would be essential to determining the initial application and therefore cannot be controlled via condition. It is therefore concluded by the LPA that the application lacks the essential information to be considered favourably.

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 Insufficient information has been submitted to approve the proposed works; therefore the application cannot be supported by The Local Planning Authority.

11. DECISION REFUSED

01 Insufficient information has been submitted to support the proposed works, it is unclear if the development is necessary or justified without resulting in an adverse impact upon the Protected Tree.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan/Site Plan

02 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.