

Delegated Decision Report

Application No:	26/0572	Statutory Period Expires:	18th September 2026
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Site:	<i>St Cadocs Church, Lych Gate High Street Caerleon Newport NP18 1AZ</i>		
Proposal:	<i>WORKS TO A MIXED TREE GROUP (FELLING AND PRUNING) PROTECTED BY TPOS 05/93, 84/MON AND 02/2009</i>		
Applicant:	<i>J Pinder</i>		
Type:	Tree Preservation Orders	Ward:	Caerleon
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The trees are located within the grounds of St Cadocs Church within the Caerleon Ward and Caerleon Conservation Area.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks consent for works to protected trees. As per the 'Defective Tree List and Management Recommendation', the following works are proposed to the protected trees at St Cadocs Church.

- T1 – Copper Beech - Remove ivy and dead wood from tree. Check bracing for wear and correct dimensions/fitting. Check crown for damaged branches, prune out as required. Subtle weight reducing crown reduction of targeted limbs/regions of crown to reduce weight 2-3m ASLB using NTP. Prune back from light 2m, lift foliage over highway to 5.2m.
- T2 – Yew - Fell and poison elder stumps. Lift foliage tips to 3m height. Ensure 1.5m clearance to church roof by foliage.
- T3 – Beech - Fell and poison stumps on understorey trees under 100mm diameter. Remove ivy and dead wood. Reduce crown over adjacent gardens and BT building by 3-4m at suitable lateral branches. Prune out excessive squirrel damage if found.
- T4 – Field Maple - Lift foliage 1.2m above adjacent structures.
- T5 – Walnut - Remove dead wood and ivy from tree.
- T6 – Rowan - Prune out dead sections. On going review requirements.
- T7 – Prunus Padus - Remove dead, damaged and stubbed branches. Prune clear of memorial 1m. Remove basal suckers.
- T8 – Lime - Lift foliage tips to 3m, especially over path. Remove dead wood. Prune back from phone lines 0.5m.
- T9 – Wellingtonia - Remove dead wood from tree.
- T10 – Goat Willow (Off Site) - Contact tree owner and ask they remove dead wood over the Church yard.
- T11 – Holly - Sever ivy on tree.
- T12 – Yew - Lift foliage tips to 3m. Prune back from building. Prune crown away from light 1m and increase spread to north.
- T13 – Cedar - Remove dead wood in excess of 20mm diameter from crown. Ongoing review requirements.
- T14 – Yew - Lift foliage tips to 3m. Prune back from building. Prune crown away from light 1m and increase spread to south to meet gateway light spread. Remove stem epicormic shoots up to 3m.

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 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- CE7 (Conservation Areas)
- GP2 (General Amenity)
- GP5 (Natural Environment)
- SP9 (Conservation of the Natural, Historic and Built Environment)

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Trees, Woodland, Hedgerows and Development Sites (2017).

5.5 HISTORIC ENVIRONMENT WALES (ACT) 2023

5.6 TECHNICAL ADVICE NOTES

- Technical Advice Note (TAN) 5: nature conservation and planning
- Technical Advice Note (TAN) 10: tree preservation orders
- Technical Advice Note (TAN) 24: historic environment

6. CONSULTATION RESPONSES

6.1 Tree Team: There are no objections to the application for works in line with the consultants report. All works must be to BS3998.

6.2 Principal Heritage Officer: As per NCC's Caerleon Conservation Area Appraisal, the mature trees in the Caerleon Conservation Area form an integral part of its character. The tree works proposed as part of this application are located within the graveyard curtilage of Grade II Listed "*Church of St.Cadoc*" (Cadw Ref: 2948). The asset (and its graveyard) are bounded by the Grade II Listed "*Lych Gate of the Church of St Cadoc*" (Cadw ref: 26117) and attached railings (which are also considered to benefit from curtilage-listing protection). A Grade II Listed "*Lampost in Churchyard of the Church of St Cadoc*" (Cadw Ref: 2949) is also located within the site. Together, they form a prominent and expansive site at the heart of Caerleon Conservation Area, appreciable from numerous locations along High Street, Museum Street and Church Street. The mature trees within provide high levels of public and visual amenity – and they are considered to form an integral part of both the character and appearance of Caerleon Conservation Area and the setting of the abovementioned listed assets. As identified within the application, they also benefit from tree preservation orders. As such, these mature trees should be preserved wherever possible. I will leave it to the expertise of our tree team to conclude whether the proposed works are necessary for the health and longevity of these positively contributing and mature trees.

6.3 Ecology: No comments received.

6.4 Wildlife in Newport: No comments received.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 28/07/26 and a Site Notice was put up on 31/07/26. No comments were received.

8. **ASSESSMENT**

8.1 The site is located within the Caerleon Conservation Area. The principal Heritage Officer has been consulted on the application and advises the mature trees provide high levels of public and visual amenity – and they are considered to form an integral part of both the character and appearance of Caerleon Conservation Area and the setting of listed assets. The Officer also advises that the trees should be preserved wherever possible and will take advice from the Council's Tree Team as to whether the proposed works are necessary for the health and longevity of these positively contributing and mature trees. In this case the most important trees are retained with only lesser trees being felled to protect the better quality specimens.

8.2 The Council's Tree Officer has inspected the trees in situ and offered no objections to the works in line with the consultant's report. The works to the two beech trees will likely aid the long term retention of T1 and T3 is within BS3998 constraints. All the other works are minor such as dead wooding which is likely exempt already under the TCPA or relatively minor pruning.

Regarding the Yew (T2) the proposal is to fell the elder that is growing within the canopy and pruning the Yew to crown raise and provide clearance from the church.

T3 is much the same and includes removal of ivy and dead wood. It also includes reducing crown over adjacent gardens and BT building by 3-4m at suitable lateral branches. None of these works are considered to be unacceptable. The protected trees are clearly important specimens and features within the churchyard that contribute to its wider setting and the Conservation Area. Their retention and ongoing maintenance is welcomed.

8.3 The site is outside of the Caerleon Air Quality Management Area but within the Air Quality buffer. We know that trees contribute to air quality benefits. In this case, the tree loss is limited to trees that impact the higher quality trees in order to help with their retention. For example, there is an elder tree that is growing within the canopy of a yew tree (T2), yew trees are known to be good contributors for improving air quality. It is proposed to fell the elder tree. Therefore, as the works are limited, and the higher quality more significant trees are to be retained, air quality benefits will remain.

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 There are no objections to the proposed works to the protected trees. The application is therefore granted subject to the following condition.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Defective Tree List and Management Recommendations Dated 23/07/26
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 The development hereby approved shall be carried out in strict accordance with the requirements of British Standard: BS 5837:2012 (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: Location Plan, Defective Tree List and Management Recommendations Dated 23/07/26 and Drill Test Readings.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies CE7, GP2, GP5 and SP9 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.