

Delegated Decision Report

Application No:	25/1046	Statutory Period Expires:	27th January 2026
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Site:	Somerton House, Acorn Recruitment Ltd Hazell Drive Newport NP10 8FY		
Proposal:	FELL AND REPLACE 2NO. HORSE CHESTNUT TREES (T1 AND T2) PROTECTED BY TREE PRESERVATION ORDER GWT/104		
Applicant:	J Pinder		
Type:	Tree Preservation Orders	Ward:	Tredegar Park And Marshfield
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 Somerton House is situated within the Tredegar Park and Marshfield ward. It occupies an A2 class use.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to fell and replace 2no. Horse Chestnut Trees (T1 and T2) that are advised through the submission of a professional tree survey to be decayed and hazardous.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
02/1520	DISPLAY OF INTERNALLY ILLUMINATED FASCIA	GRANTED WITH CONDITIONS
03/0442	RETENTION OF 2NO.ILLUMINATED FASCIA SIGNS	GRANTED WITH CONDITIONS
19/1176	WORK TO 3NO. HORSE CHESNUT TREES PROTECTED UNDER A TREE PRESERVATION ORDER GWT/104	NO OBJECTIONS

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 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2
Policy GP5

5.4 SUPPLEMENTARY PLANNING GUIDANCE
TREES, WOODLAND, HEDGEROWS AND DEVELOPMENT SITES

6. CONSULTATION RESPONSES

- 6.1 Tree Officer: *The submitted tree report shows that the trees are potentially dangerous and the application should be approved to allow the trees to be felled, and replacement trees planted. Planting should be before March 31 2026.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 05/12/2025 and a site notice was put up on 10/12/2025.

- 7.1 No representations were received.

8. ASSESSMENT

8.1 Principle of Development

The application seeks permission to fell two Horse Chestnut Trees located to the rear of Somerton House.

Visual Amenity

- 8.2 The trees are not readily visible within the public realm and therefore do not add a significant visual contribution to the character and appearance of the area. Additionally, it is considered that the trees are decaying, and therefore, the loss of the trees is justified.

8.3 Biodiversity

The Council's Tree Officer was consulted and is in support of the felling on the basis that the trees are potentially dangerous. The loss of each tree that will be felled is neutral given that it is proposed to replant four 10cm-12cm girth hawthorn along the same location as the horse chestnuts. This will be controlled through the use of an appropriately worded planning condition.

- 8.4 The proposal is considered to comply with Policy GP2 and GP5 of the NLDP 2011-2026 (adopted January 2015).

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 trees are acceptable, therefore, permission is granted with conditions.
11. **DECISION
GRANTED WITH CONDITIONS**
- 01 The development shall be implemented in accordance with the following plans and documents <Tree Report; Email from James Pinder (28th January 2026 at 16:35)>. 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 4no. replacement trees as approved shall be planted in their entirety by a date not later than the end of the full planning season (October to April) immediately following the felling of either of the 2no. trees subject to this application. Thereafter the 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.
Reason: In the interests of visual amenity and biodiversity in accordance with Policy SP1 and GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.
- NOTE TO APPLICANT**
- 01 This decision relates to plan Nos: Tree Report.
- 02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP7 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.