

Delegated Decision Report

Application No:	26/0007	Statutory Period Expires:	16th February 2026
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Site:	12 Westfield Road Newport NP20 4ND		
Proposal:	FELLING OF GINKGO BILOBA TREE PROTECTED BY THE SHRUBBERY CONSERVATION AREA		
Applicant:	R Metcalfe		
Type:	Trees in Conservation Areas	Ward:	Allt-yr-Yn
Decision:	GRNATED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a detached property situated within the Shrubbery Conservation Area, subject to an Article 4 direction. The property can be accessed off Fields Road and Westfield Road. The property is within a large plot, characterised by a large amenity space with different trees and landscaping features.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is for the proposed felling of a Ginkgo Biloba tree protected by the Shrubbery Conservation Area at 12 Westfield Road.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
<u>05/1491</u>	FELLING OF TREES PROTECTED BY THE SHRUBBERY CONSERVATION AREA	NO	15/12/2005

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.

6.4.42 - Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost.

5.3 Technical Advice Note

Technical advice note (TAN) 5: nature conservation and planning

Technical advice note (TAN) 10: tree preservation orders

Technical advice note (TAN) 24: the historic environment

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy CE7- Conservation Area

Policy GP5- Natural Environment

5.5 SUPPLEMENTARY PLANNING GUIDANCE

Trees, woodland, hedgerows and development sites SPG

6. CONSULTATION RESPONSES

- 6.1 Tree Team: Upon reviewing the information provided and undertaking an assessment from Westfield road. The tree does not merit a TPO due to its form and proximity to the property building of a tree that has not yet reached full maturity. It is a case of wrong tree wrong place.

Therefore there are no objections to the application.

6.2 Heritage Officer:

No. 12 Westfield Road is located within The Shrubbery Conservation Area. According to the relevant CAA:

According to the CAA:

3.4.1 The Shrubbery is an enclosed area with mature planting, limiting central views to a short range or a tantalising glimpse through tree cover. In particular, views along Westfield Road are characteristically green with few built elements visible, often glimpsed through gates or above planted boundaries. The elevated positioning of the houses on the south side of the Conservation Area is a characteristic feature of views along Oakfield Road, including prominent houses on corner plots.

3.4.2 Views along the northern edge of the Conservation Area have a very different character with the boundary walls of the properties on the north side of Westfield Road being a prominent feature. In views along and towards the southern edge of the Conservation Area the mature planting dominates and contrasts the higher proportion of surrounding built area. Views out of the Conservation into the surrounding area are also notable, especially towards the Civic Centre and southwards where the topography slopes down towards the river.

3.6.2 Villas – large, detached houses – are the principal type of building, with some semi-detached houses on the north side of Westfield Road. Suburban villas are characteristic of the 19th century, when more affluent residents sought larger properties with generous gardens on the outskirts of an urban area. The Shrubby villas are irregular in their plan form and typically set towards a corner or edge of their respective plots, leaving a generous encircling garden. Their larger massing (typically two storeys in height with generous attic space) often means that the rooflines can be glimpsed above the boundary hedges and in gaps in the planting, especially on Westfield Road. The ancillary buildings in the gardens of the properties on the north side of Westfield Road are also visible in glimpses and illustrate the historic status of the villas.

Item 5.0 of the CAA states that:

2. Buildings, features and spaces identified as making a positive contribution to the Conservation Area will be afforded protection against harmful change.

Reason: To protect the character of the Conservation Area as a whole and the significance of its individual heritage assets, in line with Government policy.

6. The rich green-ness of the Conservation Area should be protected through the considered management of existing trees and careful design of new planting.

Reason: To protect a defining characteristic of the Conservation Area and to manage trees in line with other local policy.

7. Newport City Council will resist development where the high proportion of green space to building is affected.

Reason: To protect a defining characteristic of the Conservation Area.

It is my view that mature conservation area trees should be retained wherever possible, to maintain the rich green-ness which makes such a positive contribution to the area. However, in this instance I would conclude that, due to the size and location of the tree in question - and due to the large mature trees which dominate the site - loss of the proposed Ginko Balboa would result in minimal impact upon character and appearance.

6.3 Wildlife in Newport: No comments received.

6.4 Landscape Officer: No comments received.

6.5 Ecology Officer: I would not ask for a bat survey of this tree as it does not show any potential roosting features. The Applicant should be advised to avoid disturbance to nesting birds which 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.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 12/01/2026, Site Notice was put up on 16/01/2026.

7.1 No neighbour comments were submitted.

7.2 Councillors Pat Drewett, David Fouweather and Matthew Evans were consulted on the application. Councillor Drewett submitted comments.

I urge you to consider this matter carefully, that unless it can be clearly demonstrated, by independent expert assessment, that the tree is diseased beyond recovery or poses an imminent and unavoidable risk to public safety, then it should be retained.

As you know, the Ginkgo Biloba is not an ordinary tree. A **Ginkgo Biloba** is a very unusual and ancient type of tree, famous for its fan-shaped leaves and incredible resilience. It is one of the most remarkable living organisms on Earth - a true *living fossil* whose lineage stretches back more than 200 million years.

This species existed long before human civilisation, before mammals dominated the planet, and even before the dinosaurs themselves. To fell such a tree without overwhelming justification is to erase a direct, living link to deep natural history that cannot be replaced within any human timescale.

What makes the ginkgo especially precious is not only its age as a species, but its resilience and dignity. Ginkgo trees are renowned for their exceptional resistance to disease, pests, pollution, and environmental stress. They thrive in cities where many other species fail, quietly cleansing the air, stabilising the soil, and offering shade and calm to generations of people. Their survival following the atomic bombing of Hiroshima - where several ginkgo trees regenerated after the devastation - stands as a profound symbol of endurance, renewal, and hope. Few living things carry such meaning.

The aesthetic and cultural value of this species is equally significant. The ginkgo's distinctive fan-shaped leaves are instantly recognisable and universally admired. Each autumn, the tree transforms into a luminous cascade of gold, a seasonal event that brings beauty, wonder, and a sense of continuity to the surrounding community. This is not merely visual decoration; it is an emotional and psychological benefit, a reminder of rhythm, patience, and the quiet power of nature in an increasingly fragmented world.

From an environmental and practical standpoint, the case for preservation is even stronger. Ginkgo biloba trees are long-lived, stable, and structurally sound. They are far less prone to sudden limb failure than many commonly planted species and are widely regarded as safe urban trees when properly maintained. Routine pruning, monitoring, or targeted management should always be preferred to outright removal. Felling a healthy ginkgo is not a precautionary act — it is an irreversible one.

Importantly, the loss of such a tree cannot be meaningfully mitigated by replacement planting. A sapling does not replace a mature ginkgo that may have taken decades, or even centuries, to reach its current form. The ecological services, heritage value, and emotional presence of this tree are unique and non-transferable.

In a time of accelerating climate change, biodiversity loss, and widespread removal of mature trees, decisions such as this carry moral weight. We are not merely managing land; we are acting as stewards for future generations. To remove a healthy and

historically significant tree for reasons of convenience, development pressure, or speculative risk would be a profound failure of that responsibility.

As you know, the **Shrubbery Conservation Area** is a designated historic and architectural zone recognised by **Newport City Council** for its special character that contributes to the city's heritage and sense of place. As with other conservation areas in Newport, it is protected under planning policy so that changes — from building alterations to streetscape works — must preserve or enhance its distinctive appearance and historic value. An **Article 4(2) Direction** applies here, meaning many external changes that normally don't need planning permission now *do* require approval, helping safeguard the area's character. All trees in the area are also protected from unauthorised work.

For all these reasons, I respectfully request that permission to fell this Ginkgo Biloba tree be refused unless clear, evidence-based proof is provided that the tree is irreversibly diseased or presents an immediate and serious danger that cannot be mitigated by any reasonable alternative. Preservation should be the default position, not the exception.

I ask you to choose caution, care, and respect for life that has endured for millions of years — and to allow this extraordinary tree to continue standing, growing, and enriching the lives of those who encounter it.

8. **ASSESSMENT**

- 8.1 This application seeks consent to fell 1no. Ginkgo Biloba tree protected by the Shrubbery conservation area at 12 Westfield Road. The applicant has stated that the trunk of the ginkgo biloba is located approximately 3 metres from the house which is in an unsuitable position. The tree has been left unmanaged and has reached an excessive height of approximately 10 metres, making it inappropriate for long-term retention at this distance from the property. Due to its close proximity, the tree presents a foreseeable risk of future damage to foundations, underground services, and adjacent hard landscaping as it continues to mature. Addressing this issue at this stage represents a proportionate and preventative approach in accordance with good arboricultural practice. The size and spread of the tree is resulting in a loss of light to the property and is crowding out neighbouring trees and other plants, limiting their healthy growth and undermining the balance and long-term sustainability of the planted area. On a site visit, it was confirmed that the tree was within close proximity to the house and pruning works have been undertaken to cut back the branches closest to the property given its scale.
- 8.2 When assessing the impact on the Conservation Area, it is noted that the tree is situated within close proximity to the dwelling and is not prominent within the streetscape. Whilst some views can be seen from the private road, Westfield Road, the tree is not prominent from Fields Road given the intervening boundary wall. The Heritage Officer was consulted on the application and states, due to the size and location of the tree in question, and due to the large mature trees which dominate the site, loss of the proposed Ginko Balboa would result in minimal impact upon character and appearance.
- 8.3 The Ecology Officer was also consulted on the application. A bat survey is not required as the tree does not show potential for roosting bats. However, it is advised to avoid

disturbance to nesting birds which 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. Therefore, there are no objections from the ecology officer in accordance with Policy GP5.

- 8.4 The tree team were also consulted on the application. The tree team have concluded that the tree does not merit a TPO due to its form and proximity to the property and that it has not yet reached full maturity. The applicant has stated that alternative management options such as pruning would not resolve the fundamental issue of poor siting and would only provide short-term mitigation while potentially harming the tree's natural form. Felling is therefore considered the most appropriate and sustainable management option. The tree team do not hold objections to the felling of the tree.
- 8.5 PPW12 states *replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost*. It is noted that the replacement of 3no. trees in this location would not be proportionate or suitable within a residential garden. Moreover, the garden is densely populated by different mature trees, holding a positive contribution to the Conservation Area, and this was noted on a site visit. Therefore, in this instance, the replacement ratio of 1:3 in this location is not required, however, a scheme for a replacement tree should be submitted to the Council for its loss. Details of this can be provided on site or off-site.
- 8.6 Other comments
It is noted that Councillor Pat Drewett provided comment on the application. The Councillor states that felling of the tree should only occur if there is clear evidence from an expert that it is diseased or poses an unavoidable risk to safety. It is noted that no information of this kind has been presented by the applicant, however, it is noted that the reason for felling is to limit damage in the future given its proximity to the dwelling. The tree team have stated that the tree is not mature and not worthy of a TPO, and therefore, there is not an overriding reason for this tree to be retained in this location.
- 8.7 Whilst it is also noted Councillor Drewett comments on the unusual leaves of the tree and its visual benefit, it is considered the tree is not overly visible from the streetscene, and therefore, the loss of the tree would not create demonstrable harm to the Conservation Area, which has been underpinned by the Heritage Officer.
- 8.8 Concerns were also raised on removing a healthy tree. On assessment, given its proximity to the house, it is not a sustainable location for the tree to continue to grow in this location. Additionally, in this instance, whilst the PPW12 ration 1:3 is not appropriate in this location, the replacement of a single tree would therefore, not result in a loss of trees within the area.
- 8.9 It is also noted that the Councillor advises of the ecological benefit of the tree which an early sapling cannot provide. As forementioned the Ecology Officer suggests the tree does not show potential for roosting bats, however, the felling should occur outside of bird nesting season to limit ecological loss.

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, it is considered that the felling of the tree in this location is deemed acceptable subject to the planting of an additional tree to compensate for the loss. Whilst PPW12 does state this ratio should be 1:3, the planting of an additional of three trees in this location is inappropriate, and therefore, a scheme for 1no. replacement tree shall be submitted to the LPA. Moreover, given that the site contains multiples of trees and the location of the tree to the rear of the dwelling, the loss of this tree to the rear of the dwelling does not have a detrimental impact on the Shrubbery Conservation Area. The Ecology Officer also does not hold objections to its felling subject to no nesting birds. Therefore, the application is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 Before the felling of Ginkgo Biloba Tree hereby approved, written approval of the Local Planning Authority is required to a scheme of compensatory tree planting for the site (indicating the number, species, the height and position of the tree). 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 completion of that development. Thereafter the trees, grasses and shrubs 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 the soft landscape scheme in the interests of residential and visual amenity and rural character having regard to policies SP5, GP2 and GP6 of the adopted Newport Local Development Plan.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Plan; Site Location Plan; Photograph 1; Photograph 2; Photograph 3; Photograph 4; Photograph 5.

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