

Delegated Decision Report

Application No:	25/0228	Statutory Period Expires:	15th May 2025
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Site:	<i>Ty Gwyn Croesllanfro Gardens Rogerstone Newport NP10 9LH</i>		
Proposal:	<i>WORKS (INCLUDING FELLING) TO A MIXED TREE GROUP PROTECTED BY 01/2003</i>		
Applicant:	<i>B Jones</i>		
Type:	Tree Preservation Orders	Ward:	Rogerstone North
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 Ty Gwyn is a two storey, detached dwelling located in the Rogerstone North ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application proposes work to five trees. It is proposed to fell an Ash tree (T1), and replant the space of either an Oak or Beech tree. Additionally, it is proposed to remove two of the lower limbs and reduce the lateral of a Beech tree (T2), reduce 2m from the crown of a Beech tree (T3), remove the lower limbs of the Oak tree (T4), and reduce the lower over extending branch by 2m of the Beech tree (T5).

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
18/0086	THIRTY PERCENT CROWN REDUCTION AND RAISING OF CROWN TO APPROXIMATELY 4NO. METERS TO 1NO. ASH (T1) AND 1NO. OAK (T5) AND 4NO. (BEECH) PROTECTED BY TPO 01/2003.	GRANTED WITH CONDITIONS

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)

Policy GP2
Policy GP5
Policy GP7

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- TREES, WOODLAND, HEDGEMROWS AND DEVELOPMENT SITES

6. CONSULTATION RESPONSES

Tree Officer: *No objections.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 28.03.2025 and a site notice was put up on 26.03.2025.

7.1 NEIGHBOURS: *8 Mountford Close- No objections.*

7.2 COUNCILLORS: *No response.*

7.3 COMMUNITY COUNCIL: *No response.*

8. ASSESSMENT

8.1 The application seeks to carry out works in the rear garden of Ty Gwyn, Croesllanfro Gardens. It is not considered that the proposed works would result in a harmful impact on the character or appearance of the area. It has also been concluded that the works will not compromise the tree health or the amenity value.

8.2 The Council's Tree Officer has no objection to the proposed works, however, the extent of the works shall be agreed on site by Council's Woodland Officer prior to any works to the trees commencing.

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 proposed works to the affected trees would not result in a harmful impact on the character and appearance of the area, 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 <Site location plan/ Site plan, Tree Report>.
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 extent of the work hereby approved shall be agreed on site by the Council's Woodland Officer prior to any works to the trees commencing.
Reason: In the interests of the health and longevity of the tree and preserving its amenity value.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP7 were relevant to the determination of this application.