

Delegated Decision Report

Application No:	26/0335	Statutory Expires:	Period	30th June 2026
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Site:	<i>Sgeir Mhor 64 Cwm-cwddy Drive Bassaleg Newport South Wales</i>		
Proposal:	<i>COPPICING OF HAZEL TREE WITHIN GROUP 2 OF TPO NO.01/1979</i>		
Applicant:	<i>G Cooper</i>		
Type:	Tree Preservation Orders	Ward:	Graig
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site consists of a detached property located on a substantial block of land in the Graig ward of Newport. The Newport Local Development Plan 2011 – 2025 (Adopted January 2015) places the site within the defined settlement boundary. The site is not subject to any Proposals on the Proposals Map or any Constraints on the Constraints Map.

2.2 The application site includes a group of trees along its southern boundary consisting of one Holly tree, six Hazel trees, one Rowan tree, one Oak tree and one Hawthorn tree which are protected by TPO 1/79 (identified on map as G2). The site also includes an individual Oak tree, which is also protected by TPO 1/79 (identified on map as T16).

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for works to a Hazel tree that is part of a group of trees protected by TPO 1/79. The works include removal of dead, damaged and rubbing branches, lift low foliage to 6m and a 3m crown reduce at suitable lateral branches to a single Beech Tree.

4. RELEVANT SITE HISTORY

4.1 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 TECHNICAL ADVICE NOTES:

- Technical Advice Note (TAN) 5: Nature Conservation and Planning
- Technical Advice Note (TAN) 10: Tree Preservation Orders

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011 – 2026):

- Policy GP2
- Policy GP5
- Policy GP7

5.5 SUPPLEMENTARY PLANNING GUIDANCE (SPG):

- Tees, Woodland, Hedgerows and Development Sites (January 2017)

6. CONSULTATION RESPONSES

6.1 Tree Officer:

No objections for works to be undertaken in line with the consultants report. With the condition that all work must be compliant with BS5837.

6.2 Ecology Officer: I have no objection to this application but the Applicant should be reminded 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.

6.3 Landscape Officer: No response received.

6.4 Wildlife in Newport: No response received.

7. PUBLIC REPRESENTATIONS

7.1 Neighbour and Ward member notification letters were sent on 6th May 2026 and a Site Notice was put up on 15th May 2026. No comments were received.

7.2 Graig Community Council: Graig Community Council has no objections to this application, subject to the following:

- That the coppicing should only be done during the dormant season (late autumn to late winter – roughly November to February) to avoid disturbing nesting birds and to allow the plant to regenerate successfully in the spring.

The community council notes that there is limited information regarding to the size of the tree in question.

8. ASSESSMENT

8.1 The application seeks to undertake works to a single Hazel tree, which is protected under TPO 1/79. This TPO covers a group of ten trees which are sited on the boundary between Nos. 62 and 64 Cwm-Cwddy Drive. The works include coppicing the Hazel tree to hedge height and the removal of dead Hazel stems.

8.2 It is understood that the works are required in order to maintain the health of the tree. Accordingly, there is no objection to the proposed works which are deemed to be necessary for the ongoing maintenance of the tree and will ensure longevity of the tree's health and life span. No adverse visual impact is considered to arise from the proposed works, and the outcome is not considered to result in any adverse impact upon the character and appearance of the area. The Council's Tree Officer has been consulted on this application and does not raise objections to the works.

8.3 It is noted that the Council's Ecology Officer has advised that under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), 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. This can be included as an Informative on any grant of permission in order to advise the Applicant of their responsibilities.

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 tree are acceptable, and it is recommended that permission is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

1. The works shall be carried out in accordance with the following plans and documents:
Application Form, Tree Location Plan.
Reason: In the interests of clarity and to ensure the works comply with the submitted plans and documents on which this decision was based.

NOTE TO APPLICANT

- 1) 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.

- 2) 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.
- 3) Trees may support nesting birds at certain times of the year. The applicant 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.