

Delegated Decision Report

Application No:	26/0633	Statutory Period Expires:	11th October 2026
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Site:	5 Blossom Grove Langstone Newport NP18 2QJ		
Proposal:	WORKS TO A MIXED TREE GROUP (PRUNING) PROTECTED BY TPO 21/01		
Applicant:	D James		
Type:	Tree Preservation Orders	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to land adjacent to no.5 Blossom Grove, Langstone.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks permission to prune a mixed tree group protected by TPO 21/01.

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)

SP9 – Conservation of the Natural, Historic and Built Environment

GP2 – General Amenity

GP5 – Natural Environment

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Trees, Woodland, Hedgerows and Development Sites (2017)

6. CONSULTATION RESPONSES

6.1 TREE OFFICER: The Damson is not covered by the TPO so no permissions required. Regarding the Cypress which is covered by TPO 21 of 2001 Group 1 from the images supplied as per the attached they appear to be essentially requesting to cut the tree to

make it form part of the hedge. Due to the species and location no objections.

6.2 ECOLOGY OFFICER: I have no objection to the pruning of these trees, but the Applicant should be reminded that the proposed works should 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 WILDLIFE IN NEWPORT: No response.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 19/08/2026, Site Notice was put up on 28/09/2026.

7.1 NEIGHBOURS: Neighbours with a common boundary were consulted (12no. properties) and no comments were received.

7.2 COUNCILLORS: Councillors Ray Mogford and William Routley were consulted and no comments were received.

8. ASSESSMENT

8.1 This application seeks permission to prune a mixed tree group protected by TPO 21/01. The Council's Tree Officer has advised that the Damson subject to this application is not covered by a TPO and therefore permission is not required for the works proposed to this specimen. In terms of the Cyress tree, this is covered by TPO 21/01. The proposed works to this specimen include pruning the tree back to incorporate it into the existing hedgerow. The Tree Officer has advised they have no objections to the proposed works. On this basis the proposal is considered acceptable in accordance with policies SP9 and GP5.

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 The proposed works to the protected tree are considered acceptable.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Email and photographs received from David James 22/08/2026.

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

NOTE TO APPLICANT

01 This decision relates to the following documents: Site Location Plan (received 17/08/2026), Site Photograph (received 17/08/2026) and Email and photographs received from David James 22/08/2026.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 Bats often roost in trees and these works may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned which will affect a bat roost, Natural Resources Wales (NRW) must be contacted for advice. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately. Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary. Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result in a fine and/or imprisonment.

04 Nesting birds are protected 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 includes species such as pigeons or gulls which may be nesting in or on the roof of this building.