

Delegated Decision Report

Application No:	25/0793	Statutory Period Expires:	5th December 2025
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Site:	<i>Druidstone South Lodge Druidstone Road Old St Mellons Cardiff South Wales</i>		
Proposal:	<i>POLLARDING OF ONE HORNBEAM TREE SUBJECT TO A TREE PRESERVATION ORDER</i>		
Applicant:	<i>M Miles</i>		
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 The application site is situated off Druidstone Road and within close proximity to Druidstone House. The application site is located outside of the defined settlement boundaries and therefore, for the purposes of planning, is located within the open countryside, the site is within a Green Belt. The site is surrounded by open fields and there are large groups of TPO trees within the area.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for the pollarding of one hornbeam subject to a TPO. From the information provided the tree is situated within TPO group GWT/104. The works include reducing the dead section to the historic pollard point at the top of the main stem. Then, re-pollard the live section back to the historic pollard point at the top of the main stem to initiate new even growth.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
<u>24/0717</u>	WORKS TO A MIXED TREE GROUP (INCLUDING FELLING) PROTECTED BY TPO GWT/104	GC	12/12/2024

5. PLANNING POLICY

5.1 Town and Country Planning Act 1990

5.2 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

5.3 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.

5.4 Technical Advice Notes:

- Technical advice note (TAN) 5: nature conservation and planning
- Technical advice note (TAN) 10: tree preservation orders

6. CONSULTATION RESPONSES

6.1 Tree Team:

No objections.

Condition - works must comply with BS 3998 in regards to pruning points.

6.2 Wildlife in Newport: No comments received.

6.3 Ecology Officer: No comments received.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 06/10/2025, Site Notice was put up on 24/10/2025.

7.1 3no neighbours have been consulted. No comments received.

7.2 Councillor Rhian Howells, Allan Screen, Trevor Watkins did not provide any comments.

8. ASSESSMENT

8.1 The works including pollarding of the Hornbeam which is subject to a Tree Preservation Order. From the information provided, the tree is situated within TPO group GWT/104. The applicant has provided information and states that the half-crown is dead, surprised by a large Oak above. The remaining crown is vulnerable to failure. The works include reducing the dead section to the historic pollard point at the top of the main stem. Then,

re-pollard the live section back to the historic pollard point at the top of the main stem to initiate new even growth.

- 8.2 The Council's Tree team were consulted on the application and confirm they have no objections to the pollarding but request a condition that works must comply with BS 3998 in regard to pruning points.
- 8.3 The Ecology Officer was consulted on the application but did not provide comment. It is reasonable to assess, given the scale of works, the development would not create demonstrable harm to the biodiversity of the area, however, a bird and Bat Advisory Note shall be added to any consent granted to protect these species.
- 8.4 The tree is not proposed to be felled, so the presence of the tree within the TPO group will be retained. The tree works proposed are to initiate new growth, and there have been no formal objections. Therefore, the application is granted.

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 protected tree is acceptable, and therefore permission is granted.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Photo 1; Photo 2, Photo 3, Photo 4, Photo 5, Photo 6, Photo 7, Application Form, Site Location Plan; TPO map; Location plan. Druidstone house.

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 development shall be carried out in strict accordance with British Standard BS3998:2010 (Tree work: Recommendations) in relation to the pruning points of the Hornbeam proposed.

Reason: To ensure the development is carried out in a satisfactory manner and in the interests of preserving the Protected Tree.

NOTE TO APPLICANT

01 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.

02 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.

03 Bats often roost in trees, and work on these trees may disturb a bat roost if one is present. All bats and their roosts are protected against disturbance under UK legislation.

If works are planned on a tree in which bats are known to be roosting, 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 felling or removal of major limbs 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.

04 The Applicant is 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.