

Delegated Decision Report

Application No:	26/0419	Statutory Period Expires:	5th August 2026
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Site:	11 Badgers Wood Close Bassaleg Newport NP10 8SG		
Proposal:	WORKS TO 2NO. OAK TREES (PRUNING) PROTECTED BY TPO 08/97		
Applicant:	M Squire		
Type:	Tree Preservation Orders	Ward:	Graig
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The Tree Preservation Order (08/97) protects nine trees consisting of Oak, Ash, Birch and Beech, which was designated on 04.04.97

2. SITE LOCATION AND CONTEXT

- 2.1 This application seeks permission to undertake works to 2no. Oak trees (T1 and T2) at 11 Badgers Wood Close, located in the Graig ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks consent for works to two Oak TPO that are protected by TPO 08/97. The works to TPO T1 include the reduction to previous points and shape, crown raise to 2m above patio / path and to level all round to balance.
- 3.2 The works to TPO T2 include crown raise to gutter height on house and level all around (only tip reducing minor branches), including suckers on main stem to same height, minor tip reduction to achieve 2m clearance from dwelling.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
05/0979	MINOR TRIMMING OF OAK TREE T7 AND CROWN REDUCTION OF OAK TREE T6 PROTECTED BY TPO 8/97	GC	30.08.2005
11/1050	FELLING OF ASH (T8) AND WORKS TO OAK (T7 AND T6) TREES PROTECTED BY TPO 8/1997	R	01.12.2011
11/1280	REMOVAL OF DEADWOOD (T6) AND DEADWOOD AND BRANCH TRIM (T7) OF TREES PROTECTED BY TREE PRESERVATION ORDER TPO 8 OF 1997	GC	27.01.2012
13/1015	ERECTION OF COVERED WALKWAY LINK TO GARAGE	GC	09.02.2015
17/0926	CROWN LIFT AND REDUCTION TO 2NO. OAK TREES (T6 AND T7) PLUS CROWN THIN TO T7 PROTECTED BY ORDER 8/97	GC	17.11.2017
20/0918	CROWN LIFT AND REDUCTION TO 2NO. OAK TREES (T6 AND T7) PROTECTED BY ORDER 8/97		24.11.2020
23/0862	WORKS TO A TREE GROUP (PRUNING) PROTECTED BY TPO 8/97	GC	26.10.2023

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

TREES, WOODLAND, HEDGEMROWS AND DEVELOPMENT SITES

6. CONSULTATION RESPONSES

6.1 Tree Officer:

No objections to the application.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 11.06.2026

7.1 NEIGHBOURS: One comment was received which objected to the application.

8. ASSESSMENT

8.1 The application seeks to undertake works to two Oak trees, which are protected under TPO 08/97. The works include reduction to previous points and shape, crown raise to 2m and level all round to balance to TPO T1, as well as a crown raise to gutter height on house and level all around to TPO T2.

8.2 The application is supported by a Work Sheet outlining the proposed works. 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 trees 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 One neighbour comment was received which objected to the proposal due to concerns that the works are unnecessary and excessive in regard to previous work to the TPO trees. However, there is no evidence to support the claim that the works are excessive or would impact the longevity of the TPO trees. Furthermore, as mentioned earlier no objection has

been raised by the Tree team. Therefore, the scheme is deemed acceptable.

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 development shall be implemented in accordance with the following plans and documents: Work Sheet, Site Location Plan

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

2. The development hereby approved shall be carried out in strict accordance with the

requirements of British Standard: BS 5837:2012 (Trees in relation to design, demolition and construction).

Reason: To ensure the development does not prejudice the health or wellbeing of the Protected Trees on site.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Work Sheet, Site Location Plan

02 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.

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.