

Delegated Decision Report

Application No:	25/0108	Statutory Period Expires:	8th April 2025
------------------------	----------------	----------------------------------	-----------------------

Site:	1-2 Gold Tops Newport NP20 4PG		
Proposal:	WORKS TO 1NO. LIME TREE AND 1NO. COPPER BEECH TREE (PRUNING) PROTECTED BY TPO 08/86		
Applicant:	H Ellis		
Type:	Tree Preservation Orders	Ward:	Allt-yr-Yn
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Planning permission was granted in 2025 under the application 24/0889 for the creation of vehicular access and 4no car parking spaces.

2. SITE LOCATION AND CONTEXT

- 2.1 1-2 Gold Tops is an office building located in the Allt-yr-Yn ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application proposed the pollarding of a Lime Tree and a Copper Beach Tree. The works are proposed to accommodate the four parking spaces that have been granted at the front of the building.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
04/1542	ERECTION OF BOUNDARY FENCE AND GATES	GRANTED	19.11.2004
24/0889	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED CREATION OF VEHICULAR ACCESS AND 4NO. CAR PARKING SPACES	GRANTED	30.01.2025

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

6.1 Tree Officer: *No objections.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 13.02.2025, Site Notice was put up on 21.02.2025.

7.1 NEIGHBOURS: None.

7.2 COUNCILLORS: None.

7.3 COMMUNITY COUNCIL: None.

8. ASSESSMENT

8.1 This application seeks to carry out works in the car parking area of 1-2 Gold Tops. The development proposed seeks to undertake pollarding works to a Lime Tree (T1B) and a Copper Beech Tree (T2B). 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.

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 Lime Tree or the Copper Beech Tree 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 <Existing Site Plan- PL-001, Tree Survey 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.