

DELEGATED REPORT

Application No:	P/26/0117
Site Address:	St Illtyds Church Balaclava Road Dowlais Merthyr Tydfil CF48 3BT
Development:	Works to trees protected by Tree Preservation Order
Case Officer:	Rebecca Owens
Application Expiry Date:	28th July 2026
Consultation reply date expired:	24th June 2026

APPLICATION SITE

This application relates to a group of trees protected by Tree Preservation Order 6 that are located within the grounds of the Grade II listed St Illtyd's Roman Catholic Church and adjoining St Illtyds Club. These were protected due to their amenity value to the community both in the immediate context of the church grounds and in the wider context of the ageing residential area.

PROPOSED DEVELOPMENT

The application has been supported by a report titled 'Defective tree list and management recommendations' which has been produced by Treecare. Work is proposed to 7 individual trees as set out below:

- Tree Number T1 a mature Sycamore - Damage has been noted to the tree health with an excessive sail area identified. There is also ivy growing on the tree and Elders growing at the basal flare with dead wood and potential squirrel damage. It is proposed to sever the ivy from the tree, fell the elders and poison their stumps. Removed dead wood over paths and check for and prune out excessive squirrel damage.
- Tree Number T2 a semi-mature Lawson Cypress – This has been highlighted as an inappropriate species that will outgrow its location and damage surrounding structures. It is therefore recommended that this tree is felled.
- Tree Number T3 a semi-mature Goat Willow - This has been highlighted as an inappropriate species that will outgrow its location and damage surrounding structures. It is therefore recommended that this tree is felled and the stump poisoned.

- Tree Number T4 a mature sycamore – Severed ivy in the Crown, dead wood and stem suckers have been identified. It is proposed to removed stem suckers up to 2m past the main fork, removed the ivy up to the same point, remove dead wood and check for squirrel damage to branches and prune out as required.
- Tree Number T5 – mature Beech – This has a slightly altered stem resonance, Ganoderma fungal bracket in low stem bark seam, historical large low limb/secondary stem removal wound and its crown is over the car park. It is proposed to reduced the crown by up to 2m ASLB and remove dead and damaged branches.
- Tree Number T6 a mature Beech – a deeply fluted stem, normal resonance test and non-tensile main fork are noted with multiple subbing and non-tensile crown forks/structures. It is proposed to enter tree to assess for damage and wounding and prune out the worst affected sections as required.
- Tree Number T7 a mature Lime – A hard surfaced rooting area has been identified along with stem suckers and dead wood. It is proposed to lift suckers to 8m and removed dead wood from the crown

In addition, works are also proposed to six groups of trees which is summarised below:

Group of Trees G1 comprises mature trees of a mixture of species – There is dense foliage on paths, over the road and boundaries. The trees are also ivy clad. It is proposed to clear paths and boundaries of vegetation by 1m, ensure the foliage is 5.2m over the external highway and sever the ivy on the affected trees.

Group of Trees G2 comprises mature trees of a mixture of species – This comprises of ivy clad trees, with dead wood over paths, phototropic Holm Oak, foliage low over the external road and fly tipping. It is proposed to sever the ivy on the affected trees, removed the dead wood over paths, consider crown reduction by up to 3m of the Holm Oak to reduce weight and leverage and ensure that the foliage is 5.2m over the external highway.

Group of Trees G3 comprises mature mixed species and conifer trees – The foliage of these trees is beginning to restrict safe use of paths so it is proposed to prune back the foliage to the path edges.

Group of Trees G4 comprises mature sycamore trees – The central tree has been damaged leaving tag 5560 exposed. There are also dead and hung up sections in the crowns. It is proposed to remove the dead and hung up sections from the outer two tree crowns and possible sail area reduction of tag 5560 of up to 2m in exposed limb tips and lift clear of structures by 2-3m.

Group of Trees G5 comprises mature trees of a mixture of species – It is highlighted that there is dead wood in crowns over the car park, low foliage over the car park and ivy of the trees. It is proposed to strip the ivy from the trees remove the dead wood over the car park and lift the foliage to 1m above the phone line and pole.

Group of Trees G6 comprises mature trees of a mixture of species – It has been noted that the foliage is low over the roof and blocking a boiler exhaust. It is proposed to cut back this group 3m from the building, remove ivy from adjacent trees and lift the foliage 4m over the parking area.

PLANNING HISTORY

Whilst there are recent planning applications associated with the wider site, none of these relate to the trees that are the subject of the application.

CONSULTATION

The following bodies were consulted and their responses are presented below:

MTCBC Arborist No objection

PUBLICITY

Not applicable for this type of planning application.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

National Planning Policies

Planning Policy Wales (Edition 11, February 2021)

Paragraph 6.4.27 states '*The protection and planting of trees and hedgerows should be delivered, where appropriate, through locally specific strategies and policies, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs)*'

Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

Section A32 in relation to section 211 TCPA 1990.

PLANNING CONSIDERATIONS

When assessing an application for works to a protected tree(s) a judgement must be made with regard to whether the works are justified in the context of the amenity value of the tree(s). In this case, the proposal has been supported by an arboricultural report that has identified defects and problems with the trees in question and the proposed work would ensure the ongoing upkeep and health of the trees whilst also ensure that they do not cause any damage or safety concerns for the site in which they are located. It is recognised that it is proposed to fell two trees but these have been identified as inappropriate species that will outgrow their location. The Council's Arborist has noted that the roots of the Lawson Cypress (T2) are causing issues with the nearby building and the shallow root plate will result in damage. He has also highlighted that the Goat Willow (T3) is a self seeded tree which has no significance to the site. It is not considered that the loss of these trees would significantly impact on the amenity of the area or indeed the

setting of the listed church. The remainder of the works have also been considered by the Council's Arborist who is satisfied with the proposal and has not raised any objections to the application.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED

CONDITIONS/REASONS:

None.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED *G. Davies*

PP. Director of Neighbourhood Services

DATE: 23rd June 2026