

DELEGATED REPORT

Application No: P/26/0003

Site Address: Trees In Woodland Adjacent To The Taff Trail
Close To Park Place
Troedyrhiw
Merthyr Tydfil
CF48 4ET

Development: Group 15 - Fell 2 tagged ash trees showing signs of Ash dieback, Group 16 - Fell 9 tagged ash trees showing signs of class 3 ash dieback and Tree number 25 - Fell Mature ash with health stage 4 dieback (>75% crown loss)

Case Officer: Kate Glover

Site Visit: 28th January 2026

Application Expiry Date: 7th April 2026

Consultation reply date expired: 29th January 2026

APPLICATION SITE

This application relates to numbers of trees protected under a group Tree Preservation Orders (TPO) located along a length of the Taff Trail that is located close to Park Place, Troedyrhiw.

PROPOSED DEVELOPMENT

The groups of TPOs have been the subject of a tree survey, and which identifies a number of trees which form the group TPOs need to be felled due to Ash dieback.

The survey states that of the trees identified as requiring felling are within falling distance of the Taff Trail.

RELEVANT HISTORY

The Council's records do not indicate any other recent or relevant planning history for the sites of the TPOs.

CONSULTATION

The following was consulted and their responses are summarised below:

Council's Arboriculturalist: The proposed works are acceptable and the applicant can proceed outside of the bird nesting season.

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 6.4.44 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). They should also be incorporated into Green Infrastructure Assessments and plans.”*

Technical Advice Note 10 – Tree Preservation Orders 1997

Section A32 in relation to section 211 TCPA 1990.

CONSIDERATIONS

The main considerations in the determination of this application are:

- The effect of the felling of the tree on the character and appearance of the locality and the street scene; and
- Whether the reasons given for its removal are sufficient to justify that course of action.

The trees are part of an extensive area of trees protected by a group TPOs and the Tree Survey submitted in support of the proposal clearly outlines the proposed works and provides justification for these works in order to protect the users of the Taff Trail.

As noted above, the Council’s Arboriculturalist has raised no objection to the proposed works.

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:

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RECOMMENDATION: BE APPROVED

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



Director of Neighbourhood Services

DATE: 16.02.2026