

Planning Application – Supporting Statement

Proposal: Removal of Unsafe Non-Native Trees & Replacement Planting

Site Address: 107 & 109 March Hywel

Applicant: Eirlys Vaughan & Lyndon Gough

Related TPO Reference: T266/W1

1. Introduction

This statement is submitted in support of the application to remove a number of unsafe non-native trees located adjacent to residential properties at 107 & 109 March Hywel. The purpose of this application is to mitigate an identified and escalating risk to residents, property, and public safety, while ensuring continued tree cover and biodiversity through replacement native planting.

2. Background and Context

- The trees in question are non-native species of excessive height, situated within close proximity to dwellings.
- Independent arboricultural assessments have confirmed that the trees present a hazard due to their deteriorating structural condition and overbearing scale.
- Branch failures have already occurred at this site, narrowly missing properties and residents.
- Prior to the approval of residential development at this location, the presence of these unsafe trees was already known.
- Despite expert recommendations, an earlier application for removal was refused, leaving residents knowingly exposed to foreseeable harm.

3. Evidence of Risk

- Documented branch failures on site demonstrate that risk is not hypothetical but ongoing.
- Additional failures have been recorded locally, including at Skewen Park (2024), where multiple mature trees collapsed during storms, requiring emergency removal.
- The area is prone to severe weather events which exacerbate the likelihood of further failure.
- Families are currently living in fear of the next storm event, given the proven instability of these trees.

4. Planning and Legal Duties

- Occupiers' Liability Acts 1957 & 1984: Authorities have a duty of care to protect residents and the public from foreseeable harm.
- Health and Safety at Work etc. Act 1974, Section 3: Requires landowners and those in control of assets (including local authorities) to safeguard the public from hazards.
- Planning Responsibility: In approving residential development beside these known hazards, the Council created an ongoing responsibility to ensure that risks are mitigated.

Failure to act on this application would leave the Council knowingly exposing residents to danger and at risk of significant liability in the event of an incident.

5. Precedent and Policy Considerations

- At Skewen Park (2024), the Council authorised felling of mature trees on safety grounds. This demonstrates the principle that public safety outweighs preservation when risk is substantiated.
- In previous TPO decisions within Neath Port Talbot, the Council has approved tree works on the grounds of safety, highway risk, and residential amenity — all of which apply in this case.
- The trees in question are non-native, provide limited ecological value, and are overshadowed by extensive surrounding native woodland.

6. Proposed Mitigation

- The applicant proposes a like-for-like replacement scheme with appropriate native species to enhance biodiversity, strengthen the landscape character, and ensure safe, sustainable tree cover.
- Replacement planting will be carried out in consultation with the Council's Tree Officer to ensure compliance with local policy and environmental standards.

7. Conclusion

This application is made on the grounds of:

- Clear, documented safety risk confirmed by expert advice
- Prior evidence of tree failure both at this site and across the borough
- Known hazard prior to housing approval
- Legal duty of care owed by the Council to protect residents

In May 2020 the expert concluded that the Douglas Fir trees present a significant safety risk due to their height, close spacing, and increased exposure, and therefore recommends their removal and replacement with native broadleaf species; given that the site is surrounded by extensive forest, this intervention would have no adverse impact on local character or landscape.

To refuse this application again would be indefensible and inconsistent with both local precedent and statutory obligations. Approval is therefore respectfully requested in the interests of public safety, good planning, and responsible environmental stewardship.