



## **PLANNING & DEVELOPMENT COMMITTEE**

**15 APRIL 2021**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0096/10 (GD)  
**APPLICANT:** Rhondda Cynon Taf County Borough Council  
**DEVELOPMENT:** Along the A4059 the pedestrian route between Aberdare Town Centre and the Michael Sobell Sports Centre/Aberdare Community School is being reconfigured and upgraded to an Active Travel Route. As part of the reconfiguration and improvement a new footbridge is required over the Afon Cynon, better linking the town centre and surrounding amenities.

**LOCATION:** **NEW ACTIVE TRAVEL FOOTBRIDGE TO CROSS OVER THE AFON CYNON A4059, ABERDARE**

**DATE REGISTERED:** 09/02/2021  
**ELECTORAL DIVISION:** Aberdare East

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**RECOMMENDATION:** Approve

**REASONS:** The principle of the proposed development is acceptable in terms of planning policy. Further the proposed development is acceptable in terms of all other material planning considerations. Additionally, the proposals present the opportunity to improve active travel opportunities in the town and address congestion difficulties on the principal route A4059

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development
- The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

#### **APPLICATION DETAILS**

This proposal seeks planning permission to erect an active travel standard footbridge across the River Cynon at Aberdare town centre approximately 130m south of the existing footbridge. The main span will extend to 28m across the river with a non-slip deck plate with a width of 4m and will be elevated approximately 3.7m above the river

bed. The bridge will have a ramped access at both sides though given the height of the river bank on both sides elevation will be minimal. The parapet to each side would be 1.2m high though a shallow profiled steel arch of the crossing will also project above the traverse. On the eastern side of the river the block stone bank will remain as it is while on the western embankment gabion baskets will be used to increase the back wall levels. The bridge will be painted moss green.

In addition to the provision of the bridge, footpath links and a crossing on the A4059 will be provided to service the bridge, moving the existing crossing immediately south of the roundabout southwards to service the new bridge.

The application is accompanied by the following:

- Planning Statement;
- Ground Investigation
- Preliminary Ecological Appraisal

## **SITE APPRAISAL**

The application site in this instance primarily relates to a span across the river Cynon in Aberdare. The site is located approximately 130 metres south of the existing footbridge and Abernant roundabout. Immediately to the west of the site is the A4059 and the Aberdare Bus Station, whilst to the east lies the Aberdare Community School and Michael Sobell Sport Centre.

## **PLANNING HISTORY**

None

## **PUBLICITY**

The application has been advertised by means of site notices and neighbour notification letters. No observations or objections have been received.

## **CONSULTATION**

Transportation Section – no objections.

Natural Resources Wales – No objections from a flooding perspective and the species team are satisfied that adequate protection has been provided for protected species (in this case otters).

Countryside – No objections subject to a condition requiring the implementation of the recommendations of the ecology appraisal.

Flood Risk Management – Raise no objections and advise of the need for the applicant to gain SUDS approval prior to the commencement of development.

Leisure – No response received at the time of preparing this report.

Education & Lifelong Learning – No response received at the time of preparing this report.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

**Policy CS1** - sets out criteria for building strong sustainable communities including, promoting and enhancing investment in new roads, public transport improvements walking and cycling.

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**Policy AW5** - sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6** - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

**Policy AW10** - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

**Policy NSA23(2)** – promotes the extension and improvement of the Cynon Valley cycle route

### **Supplementary Planning Guidance**

Design and Placemaking  
Access Circulation and Parking

### **National Guidance**

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 6 - Town Centre First – commercial/retail/education/health/public services
- Policy 12 – Regional Connectivity – active travel/metro/electric vehicles
- Policy 35 – Valley Regional Park – SDP/LDP/Economy/Environment/Tourism

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;  
 PPW Technical Advice Note 18: Transport;  
 Manual for Streets

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Main Issues:**

The key determinants in respect of this planning application are the principle of development itself, the impact of the proposals on the character and appearance of the area and the impacts on highway safety.

### **Principle of the proposed development**

Planning policy at the local and national level is supportive of the proposed development as it is located within settlement limits and also promotes sustainable modes of transport as per policy CS1 and the NDF. Policy AW2 promotes development in sustainable locations and this proposal will improve sustainable transport in the transport network of the Aberdare area. The ecology of the site and the impact of the development on it has been evaluated and the outcomes are regarded as acceptable demonstrating compliance with Local Development Plan Policy AW8. The site falls in part within Zone C2 of the development advice maps in respect of flooding and as transport infrastructure is a form of less vulnerable development, as such there is no contradiction with the requirements of the relevant Technical Advice Note or Local Development Plan policy AW10 referenced above. Other relevant policy considerations are addressed below.

### **Impact on the character and appearance of the area**

The design of the proposed bridge, in terms of its siting, scale, height, massing, finish materials and detailing represent the minimum required to achieve an appropriately

located access travel crossing between the town centre and the school and sport centre. The built form of the proposed bridge has an appropriate standard of design which due to the height of the river embankments will have minimal impact on the public realm. Furthermore, the bridge will improve connectivity between the town centre and school and sport centre. As such the impacts on the character and appearance of the area have been reduced to the minimum achievable for a development of the kind proposed and the improvements in connectivity are a clear benefit to the character and appearance of the area which will be further enhanced when the existing ungainly and unsightly footbridge is removed. As such the proposals are considered compliant with the requirements of Local Development Plan policies AW5 and AW6 insofar as they relate to this issue.

### **Access and highway safety**

Members should first note that the transportation Section have not objected to the proposed development and they have not requested any conditions be attached to any consent. The access routes to the proposed bridge will be suitably enclosed and the effect of moving the crossing away from the roundabout will reduce congestion and improve safety for all road users. Additionally providing an at grade route will also enable use by less mobile individuals.

### **Ecology**

The river corridor in Cynon Valley has ecological importance and in this case the application is supported with a Preliminary Ecological Appraisal. The assessment and its findings and recommendations have been the subject of consultation with the Council's ecologist and Natural Resources Wales, subject to conditions neither objects to the construction of the proposed bridge.

### **Other Issues:**

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

When considering proposals to build a bridge the impact of the proposals on residential amenity and privacy would usually be a substantive consideration. In this case though it is not. The bridge is to be built in the heart of the town within a commercial/educational/recreational area and the nearest residential property would be approximately 90m distant. This combined with the fact that the bridge would not require a significant degree of elevation above the river makes the development acceptable in this respect.

### **Community Infrastructure Levy (CIL) Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

## Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan insofar as they relate to the type of development proposed. Furthermore, the proposed bridge is considered acceptable in terms of all other material planning considerations. The proposals also present an opportunity to improve connectivity and sustainability in the provision of the active travel bridge and as such a positive recommendation is offered.

### **RECOMMENDATION: Grant**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The consent hereby granted shall be carried out in accordance with the following approved plans/drawings/documents –

- Location plan GC 3697-RED-61-XX-DR-S-6101 Rev P02
- General arrangement GC 3697-RED-61-XX-DR-S-6101 Rev P02
- Commercial Street footbridge – Commercial Street Bridge – Preliminary Ecological Appraisal Report, Document Ref: GC3697-RED-0074-XX-RP-L-0001 Rev P01 (Project GC/3697) by Redstart dated January 2021.
- Email from RCTCBC to NRW “FW: FW 21/0096/10 Street Record – New Bridge NRW:07190679” dated 12<sup>th</sup> March 2021@ 11:30h, embedding information to confirm dimensions of west bank for dry otter passage.

Unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: In order to define the extent of the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

3. Prior to the commencement of development a mitigation strategy for otters shall be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy for otter shall include but not be limited to:

- Mitigation (Operational Activities) proposed in the Preliminary Ecological Assessment report.
- Details of the provision for unimpeded, dry otter access along the west bank of the Afon Cynon. These shall demonstrate a minimum head clearance of 600mm between bank and bridge soffit, and a minimum of 500mm width between the break of bank and the abutment face,

and shall be clearly indicated on all relevant permitted plans, drawings and documents.

- Details to demonstrate how unimpeded channel and riparian access for otters will be protected throughout the construction phase.
- Details to demonstrate how construction lighting and operational lighting will not cause impediment to otter foraging and access along the Afon Cynon or the riparian zone.
- Details to demonstrate that the risks to otters being diverted towards the A4059 road during the construction and operational phase are fully identified and addressed by appropriate mitigation proposals.

The otter mitigation strategy shall be carried out in accordance with the approved details and maintained for the duration of the development.

Reason: To ensure that the approved Otter Method Statement is implemented protecting otter affected by the development in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan

4. No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- General Site Management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity management: details of tree and hedgerow protection; invasive species management; species and habitat protection, avoidance and mitigation measures.
- Resource management: details of fuel and chemical storage and containment.
- Pollution Prevention: demonstrate how relevant guidelines for pollution prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure that necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan