

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 28/07/2021

APPLICATION No. **21/00236/MJR** APPLICATION DATE: 29/01/2021

ED: **RADYR**

APP: TYPE: Listed Building Consent

APPLICANT: Keolis Amey

LOCATION: LAND EITHER SIDE OF RADYR TO PONTYPRIDD RAILWAY LINE AT GELYNIS FARM, TY-NANT ROAD, MORGANSTOWN, CARDIFF, CF15 8LB

PROPOSAL: NEW VEHICULAR AND PEDESTRIAN BRIDGE OVER THE RADYR - PONTYPRIDD RAILWAY LINE AND ASSOCIATED INFRASTRUCTURE AND REMOVAL OF PART OF A RUINED FARM BUILDING WHICH LIES WITHIN THE CURTILAGE OF THE GRADE II* LISTED GELYNIS FARMHOUSE

RECOMMENDATION 1: That, subject to CADW, Listed Building Consent be **GRANTED** subject to the following conditions:

1. STATUTORY TIME LIMIT

The works permitted shall be begun before the expiration of five years from the date of this consent.

Reason: In accordance with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990)

2. APPROVED PLANS AND DOCUMENTS

The works shall be carried out in accordance with the following approved drawings:

- Planning Application Boundary
TRAN01-KAW-RO-R2P-DDR-D-HW-000032 Rev P03;
- Existing Site Plan TRAN01-KAW-R0-R2P-DDR-D-HW-000033
Rev P02;
- General Arrangement
TRAN01-KAW-R0-R2P-DDR-D-HW-000034 Rev P02;
- Long Section TRAN01-KAW-R0-R2P-DDR-D-HW-000035 Rev
P02;
- Cross Sections TRAN01-KAW-R0-R2P-DDR-D-HW-000036
Rev P02;
- Gelynis Farm Overbridge General Arrangement and Elevation
TRAN01-KAW-R0-R2P-DDR-D-ST-00021 Rev P01;
- Gelynis Farm Overbridge Elevations and Sections
TRAN01-KAW-R0-R2P-DDR-D-ST-00022 Rev P01.

The works shall be carried out in accordance with the following approved documents:

- Cultural Heritage Impact Assessment: Gelynis Overbridge (RSK ADAS, January 2021)
- Written Scheme of Investigation for Programme of Archaeological Works at Gelynis Farm (RSK ADAS Limited, January 2021)
- Heritage Impact Statement, Gelynis Overbridge (RSK ADAS, January 2021)

3. BUILDING RECORDING

Prior to the commencement of works a detailed building survey shall be undertaken and submitted to the Local Planning Authority of the remains of the building within the curtilage of Gelynis Farmhouse which would be removed as a result of the development.

Reason: To ensure that adequate records are made of the building prior to alteration in accordance with Local Development Plan Policies KP17 (Built Heritage) and EN9 (Conservation of the Historic Environment).

4. BUILDING RECORDING – ROYAL COMMISSION ON THE ANCIENT AND HISTORIC MONUMENTS OF WALES

The works hereby approved shall not be undertaken until the Royal Commission on the Ancient and Historical Monuments of Wales has been granted access to the building for the purpose of recording it.

Reason: To ensure that adequate records are made of the building prior to alteration in accordance with Local Development Plan Policies KP17 (Built Heritage) and EN9 (Conservation of the Historic Environment).

5. RE-USE OF STONE

Prior to the commencement of works, a detailed specification and programme of works describing how the displaced stone will be reused to repair existing boundary features to the rear of Gelynis farmhouse shall submitted to and approved in writing by the Local Planning Authority. The repair works shall be implemented in accordance with the specification prior to beneficial use of the approved bridge.

Reason: To mitigate for the removal of the wall remains and to safeguard the fabric of the listed building in accordance with Local Development Plan Policies KP17 (Built Heritage) and EN9 (Conservation of the Historic Environment).

RECOMMENDATION 2 : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours

Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Listed Building Consent is sought for the construction of a new vehicular and pedestrian bridge over the Radyr-Pontypridd railway line and associated infrastructure and removal of part of a ruined farm building which within the curtilage of the Grade II* Listed Gelynis Farmhouse, Ty-Nant Road, Morganstown.
- 1.2 As part of the enhancements to the Core Valley Lines (CVL) network, the number of services will increase in frequency and rolling stock will be upgraded to an electric fleet, meaning quieter and faster trains. These improvements will increase the risk of conflict between users of two level crossings and train services. To comply with health and safety requirements, an alternative access is required to mitigate the risk for users of the Pentyrch crossing (providing pedestrian access to Station House) and the Gelynis Crossing.
- 1.3 The new bridge would provide vehicle access to properties at Gelynis Farm and Station House. The existing level crossings providing access to these properties would be closed (pedestrian only access in respect of Station House). Access to the Gelynis Farm level crossing would be retained as a future maintenance access for the railway operator and also to provide access to the remaining farmland.
- 1.4 The new road would be approximately 370 metres long and has been designed for vehicle speeds up to 20 mph. The embankments would be set approximately 1.5 metres north of the existing M4 motorway embankments and the bridge would be set 5 metres above track level, with the road gradients being up to 1:12.5 (8%). The road would be 5 metres wide with 2 metre verges either side, reducing to 4.1 metres width on the bridge plus a 1.5 metre wide verge for pedestrian safety.
- 1.5 The existing Public Right of Way (PROW), Radyr No. 1, which currently utilises the level crossing providing a pedestrian link between Morganstown and the Taff Trail to the east would be re-routed across the new bridge. This would be secured under separate legislation outside of the planning process.
- 1.6 15 no. trees (5 no. Category 'B' and 10 no. Category 'C/U') and 3 groups (Category 'C') would need to be removed to facilitate the development. All Category 'A' trees within the survey area would be retained.
- 1.7 A temporary construction compound would be required in order to implement any planning permission and the field immediately south of the existing access road and west of the railway line has been identified for this purpose. Before any construction work commences, the applicant will also be carrying out the electrification of this section of the CVL network under 'permitted

development' rights which would requires its own construction compound on part of the Moundfield recreation ground to the north. The electrification works would commence in advance of any implementation of this development. HGV traffic for both the electrification works and the proposals subject to this application would utilise the construction route from the north via Pugh's Garden Centre. Construction worker vehicles for this application would access the site via the existing private lane from Ty Nant Road to the west.

- 1.8 The removal of part of the ruins of a non-designated late 19th century cottage building associated with the Grade II* Listed Gelynis Farmhouse would be required. These ruins are recorded as a non-designated heritage asset by GGAT. However they are considered to be within the curtilage of the Gelynis Farmhouse Grade II* Listed Building and are therefore covered by the Listing. The removal of surviving walls and buried remains of this structure would be required.
- 1.9 A separate application for planning permission is also reported to this Committee (ref: 21/00235/MJR).
- 1.10 Cardiff Council received a request for a screening opinion in December 2019 to determine whether the Council considered the Core Valley Line Transformation Works to constitute development requiring Environmental Impact Assessment. On 12th February 2020 the Council published its opinion that the works, which include the installation of new overbridges, did not constitute EIA Development and therefore an Environmental Statement was not required (ref: SC/19/00018/MJR).
- 1.11 The application is supported by the following documents:
 - (i) Written Scheme of Investigation
 - (ii) Heritage Impact Statement

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises approximately 9,727m² on land at Gelynis Farm, located immediately west of the River Taff, north of the M4 motorway, and east of Ty Nant Road (Main Road), Morganstown. Gelynis Farm, a Grade II* Listed Building, is accessed via a private drive from Ty Nant Road (Main Road) and the site comprises a combination of agricultural land, railway land, and amenity grassland within the ownership of Gelynis Farm.
- 2.2 Radyr No. 1, a Public Right of Way utilises this access lane and level crossing, providing a link between Morganstown to the Taff Trail on the east bank of the River Taff.
- 2.3 The River Taff, a designated Site of Importance for Nature Conservation (SINC), is immediately east of the application site and flows in a north-south direction parallel to the orientation of the railway line. The riverbank is lined by mature trees.

- 2.4 The M4 motorway lies immediately south of the application site. The motorway embankments contain dense tree cover which, together with parts of the woodland to the west boundary, fall within the Mynydd Woods SINC. The mixed deciduous woodland on the western boundary is also subject to a Tree Preservation Order.
- 2.5 To the north is the Moundfield public open space which contains a grass football pitch, skate park, changing rooms and a car park. Access to this space is via Pugh's Garden Centre further to the north. The Morganstown Castle Mound, a designated scheduled monument, lies further north between the Mound Field and Pugh's Garden Centre, and adjacent to this access.
- 2.6 The site is generally flat and level with a ground elevation of approximately 26-27m AOD. It lies within a C2 Flood Zone (an area of the flood plain without significant flood defence infrastructure, including flood defences).
- 2.7 The Pentyrch level crossing (for Station House) is pedestrian only. Station House is two-storeys and fronts directly onto the railway. Gelynis Farm is currently used as a guest house. The property is two-storey, and the main elevation faces south. A garden area is due south of the property, and a small orchard is located to the south-west. The private access road runs to the northern side of the property.

3. SITE HISTORY

3.1 No relevant history for the application site, though the following applications have been considered in the vicinity of the site:

3.2 20/1748/MNR: Permission refused in February 2021 for the erection of pre-fabricated farm office/amenity unit and barn structure at Gelynis Farm for the following reasons:

1. The application site lies outside defined settlement boundaries, where it is intended that new development be strictly controlled and the proposed development by virtue of its scale, design and position is considered to have an detrimental impact on the countryside, river corridor and landscape setting of the area and cannot be justified in this location, contrary to Policies KP3 (B), EN1, EN3 and EN4 of the Cardiff Local Development Plan 2006 – 2026.

2. The proposed development is not justified in terms of tests (i) and (ii) outlined in para 6.2 of Technical Advice Note 15 (Development and Flood Risk) and does not meet test (iii) as it is not considered to be Previously Developed Land and is therefore considered contrary to Policies KP15 and EN14 of the Cardiff Local Development Plan 2006-2026 and Technical Advice Note 15 (Development and Flood Risk).

3. The development by virtue of its siting would sterilise land associated with the sand and gravel resources located within the Sand and Gravel Safeguarding Area in this location, contrary to Policy KP11 and M7 of the Cardiff Local Development Plan 2006-2026.

4. Insufficient information has been submitted to fully assess the impact of the proposal in terms of transport, ecology, trees, drainage and waste, and upon the setting of listed buildings, contrary to Policies KP8, KP12, KP15, KP16, KP17, T1, T5, EN6, EN7, EN8, EN9, EN10, EN14 and W2 of the Cardiff Local Development Plan 2006-2026.

3.3 20/01138/MNR: Permission granted in February 2021 for retention of as-built concrete access track at Gelynis Farm.

3.4 20/00416/MNR: Permission granted in June 2020 for proposed diverted access track to serve Station House.

3.5 16/00413/MNR: Prior Approval granted in June 2016 for agricultural building for storage of hay and agricultural machinery and an access track at Gelynis Farm.

4. POLICY FRAMEWORK

4.1 Planning Policy Wales: National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application. The following chapter is of particular relevance in the assessment of this application:

- Chapter 6 - Distinctive and Natural Places: Recognising the Special Characteristics of Places (The Historic Environment).

4.2 Technical Advice Notes (TANs). The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 24 – The Historic Environment (2017)
- Technical Advice Note 12 – Design (2016)

4.3 Cardiff Local Development Plan (LDP) 2006-2026. There is no statutory requirement to have regard to LDP policies in determining applications for Listed Building Consent, however the following policies outline the Local Authority's stance in terms of the alteration of Listed Buildings and as they are based on National Policy may be considered material to any analysis:

- KP17: Built Heritage
- EN9: Conservation of the Historic Environment

4.4 Other relevant evidence or policy guidance:

- CADW, Conservation Principles (2011)
- CADW, Managing Change to Listed Buildings in Wales (2017)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

5. **INTERNAL CONSULTEES RESPONSES**

5.1 **Placemaking (Conservation)** advises as follows:

- (i) The impact of the works in terms of removal of the curtilage-listed remains of the cottages can be mitigated through a recording exercise, coupled with reuse of the stone to repair/consolidate other masonry boundary features within the curtilage of the listed Gelynys farmhouse. They suggest that GGAT be asked to provide the wording for the recording condition. As this is technically an LBC for demolition, this will also need the standard RCAHMW condition, although he imagines that they will think that the recording exercise is sufficient here. This also means that the LBC needs to be sent to the join amenity bodies. It is rare that they will make a comment, but it is a requirement within TAN24.
- (ii) Works hereby approved shall not be undertaken until the Royal Commission on the Ancient and Historical Monuments of Wales has been granted access to the building for the purpose of recording it. Reason: To ensure that adequate records are made of the building prior to alteration.
- (iii) For the re-use of stone he suggests: Prior to the commencement of works, a detailed specification and programme of works describing how the displaced stone will be reused to repair existing boundary features to the rear of Gelynys farmhouse shall submitted to and approved in writing by the Local Planning Authority. The repair works will be implemented in accordance with the specification prior to beneficial use of the bridge. Reason: to mitigate for the removal of the wall remains and to safeguard the fabric of the listed building.

6 **EXTERNAL CONSULTEES RESPONSES**

6.1 **The Society for the Protection of Ancient Buildings** has no objection to the application.

6.2 **The Royal Commission on the Ancient and Historical Monuments of Wales** notes that the proposal involves the demolition of a ruined building within the curtilage of the grade II* listed building. The ruined building is a low-key vernacular building of uncertain date and significance. If consent is given for the removal of this building, it is important that as a condition of consent an appropriate investigation of the building is required that would establish its date and function and significance in relation to the listed building. A copy of the report should be deposited in the National Monuments Record of Wales (the public archive of the Royal Commission).

6.3 **Glamorgan Gwent Archaeological Trust** has been consulted on the application and any comments received will be reported to Committee.

7. **REPRESENTATIONS**

7.1 The application was publicised by **press and site notices** on 18 February

2021.

7.2 **Councillor R McKerlich** opposes this application and points out the strength of local opposition as evidenced by submitted petition. This level of opposition should lead to this application going to planning committee in which event he would like to speak. His grounds for opposition are:

- (i) *Volume and type of traffic using the access road.* The lane linking the level crossing with Tynant Road is completely unsuitable; The lane is completely unfit for the volume and type of traffic going to and from the compound (see attached montage of photos). The lane is much used by pedestrians who are at risk from sharing a very narrow lane with massive vehicles. While much of the access lane is a public right of way the initial strip from Tynant Road is private and rights of use have not been proven for the heavy vehicles currently using it under the auspices of Morgan Sindall. If this application is approved it must be qualified by refusing the use of this lane to related HGVs, construction vehicles and related workers' private cars;
- (ii) *Threat to wildlife:* The associated documentation demonstrates the range and volume of wildlife currently occupying this area. By the end of construction, if it is approved, this wildlife will have been ousted. To monitor the situation regular surveys of wildlife should be commissioned and remedial action taken if his fears materialise. He is impressed by the thorough surveys but these must be accompanied by regular audits of wildlife to assess any deterioration of the habitat. He suggests that this should be done at least annually and preferably twice annually. In this way, working practices can be controlled to avoid driving birds and wild animals away.
- (iii) *Width and scale of proposed bridge:* this is out of keeping with the access lane. Why is it necessary to commission a bridge suitable for large vehicles which cannot access the bridge due to constrictions imposed by the private road and the bridge at the end of it? Naturally the local residents surmise that there is an undisclosed motive.
- (iv) *DDA Compliance:* He is concerned that the height of the proposed bridge and its distance from the existing level crossing will be, at best, greatly inconvenient to walkers especially those who are disabled. They will be obliged to walk some 250 metres further and ascend a very steep slope to the proposed bridge then do the same on a return journey. Has the proposal been assessed for DDA compliance? He strongly suggests that the new bridge should be augmented by a footpath located near the current level crossing; this foot bridge would have lifts at either end much like the footbridge at Radyr Station. The cost of this improvement could be mitigated by reducing the specification for the bridge which is grossly over-engineered.
- (v) *Transport Plan:* the transport plan is seriously deficient in respect of detail about both routes 1 and 2. Route 1 is obviously inadequate for

the range of vehicles currently being used by Morgan Sindall, working for Welsh Water. It should not be permitted access for any vehicles working on either TfW project. Furthermore Highways dept. should be asked to assess this route with a view to imposing sensible limits on any future use of this very narrow lane. There is insufficient detail to properly assess route 2 but given the number of interfaces with pedestrians, both clients of Pugh's and lawful users of Mound Field, this omission must be repaired well before work starts. The use of powers as a statutory undertaking must not be allowed to put human life at risk.

- (vi) *Planning gain*: given the scale of these projects and the local disruption, he expects that there will be substantial S106 provisions.

7.3 **14 no. representations raising the following concerns and objections** have been received from residents of Radyr, Morganstown, Whitchurch and Tongwynlais, Llandaff and Pontyclun. The issues raised are summarised as follows:

Residential Amenity

- (i) Disruption caused by construction works over a 2 years period, day and night;
- (ii) Detrimental impact on their homes;
- (iii) Nuisance from construction phase is disproportionate to the benefits;
- (iv) Noise pollution, especially from night-time working where thresholds will be exceeded for noise-sensitive receptors. Noise assessment documentation is lacking. Contrary to Local Development Plan Policy EN13 and harmful to well-being of residents;
- (v) Environmental pollution including light pollution and dust with no mitigation proposed;
- (vi) Loss of privacy and reduced amenity for occupiers of Gelynis Farm contrary to LDP Policy C3 resulting in a loss of enjoyment of their property;
- (vii) A Community Liaison Strategy is referred to in the application and must be included in the CEMP;
- (viii) Loss of quality of life;
- (ix) A motorway noise barrier should be considered;

Nature Conservation

- (x) The 'Future Generations Report 2020' includes a recommendation for public bodies to refuse developments which are not fully aligned with Planning Policy Wales and the Well-being of Future Generations Act and those that do not maintain or enhance biodiversity. Access to green space is also highlighted including a recommendation to ensure people can access green space within 300m of their home;
- (xi) Location causes maximum harm to the local environment;

- (xii) Destruction of valuable green spaces, habitat and historical settings;
- (xiii) Destruction and damage to wildlife habitats including protected species;
- (xiv) Insufficient mitigation for dormice and bats, both protected species;
- (xv) Badger habitats need to be safeguarded and it is not clear how this will be achieved;
- (xvi) Impacts upon otters and their habitats (including a holt) will be unacceptable;
- (xvii) Impact upon nesting birds;
- (xviii) Ecological mitigation includes no night-time works which will not be adhered to;
- (xix) Contrary to Local Development Plan Policies KP16, EN1, EN5, EN6, EN7 and EN8;
- (xx) Harm to amphibians;
- (xxi) Conflicts with SINC designation;
- (xxii) Ecological surveys are incomplete failing to consider grass snakes and insects;
- (xxiii) Biodiversity will be destroyed not enhanced;
- (xxiv) Application does not contain details for dealing with Japanese Knotweed;
- (xxv) No external lighting should be allowed to protect residential amenity and wildlife;
- (xxvi) Mitigation for species is insufficient. Fails to meet the 6 objectives to green infrastructure. Contrary to LDP Policy KP16;
- (xxvii) Significant, catastrophic and irretrievable damage to wildlife habitats and species;
- (xxviii) Bridge will have a catastrophic effect on the natural environment. An ecological survey covering a 12 month period should be required to understand the impacts on habitats and species. Surveys in the application are inadequate;

Trees

- (xxix) Irreplaceable losses of valuable trees. The future of the Sweet Chestnut tree is queried;
- (xxx) Contrary to LDP Policy KP5 as proposals are not in keeping with the context and effects on landscape character. Queries provisions for long-term management and maintenance;
- (xxxii) Unnecessary harm to nature conservation including beech trees and protected species and insufficient mitigation has been provided;
- (xxxiii) Will cause harm to designated sites, trees, woodlands and hedgerows;

Health and Well-Being

- (xxxiv) Negative impact upon recreational use of Mound Field;
- (xxxv) Negative effect on green landscape. The COVID pandemic has increased the importance of such spaces for daily exercise and mental wellbeing;

- (xxxv) Contrary to LDP Policy KP14 (Healthy Living);
- (xxxvi) Detrimental impact on the use of Moundfield by football teams, walkers, dog walkers and skate park users;
- (xxxvii) The use of the Mound Field for an industrial compound is contrary to the gifting of the land and its adoption for community use;
- (xxxviii) Skate park has strategic value to young people;
- (xxxix) Adverse impact on the mental health of the local community;

Design and Appearance

- (xl) Proposed bridge is a monstrosity, it is visually intrusive, disproportionately over-scaled, over-engineered, and over-designed;
- (xli) Visually intrusive on the eye line of the M4 embankment;
- (xlii) Shared nature of the bridge by various users and its design including sharp bends and steep gradients raises safety concerns;
- (xliii) Contrary to LDP Policy KP5 requiring good quality design;
- (xliv) Bridge designs are inappropriate and do not serve the majority road user;
- (xlv) Bridge creates a long and significant diversion of the PROW;
- (xlvi) No artist's impressions of the bridge are provided therefore it is hard to visualise the proposals;
- (xlvii) Visual impact will be significant;
- (xlviii) Bridge design is unnecessarily wide (9m width compared to 3m wide existing track);

Consideration of Alternatives

- (xlix) TfW have failed to demonstrate that there is no satisfactory alternative to the submitted proposals;
- (l) A footbridge of appropriate scale should be installed and an overbridge created via Ty Nant Road or Ty Nant Court into the fields north of Gelynys Farm. This would ensure construction activities are sited far from existing residents, construction traffic would avoid the village and Pugh's Garden Centre, reduced impact on ecology and heritage interests, PROW retains its alignment with a more sympathetic bridge, and pedestrians are separated from farm traffic;
- (li) An automated crossing similar to St. Fagans should be installed;
- (lii) Vehicular access to Gelynys Farm via Ironbridge Road the east should be considered;
- (liii) The bridge and embankment works should be combined with the motorway embankments;

Transport and Access

- (liv) Does not best serve the needs of the community – the majority of users are on foot, with wheelchairs, pushchairs and bikes. Bridge does not comply with DDA requirements;
- (lv) Removes PROW and introduces a convoluted replacement route;

- (lvi) Will increase vehicle traffic contrary to well-being of pedestrians and cyclists;
- (lvii) Gradient is steeper than current guidelines for inclusive mobility and may deter pedestrians and cyclists;
- (lviii) Single track road and two-lane bridge may lead to sharp acceleration and decelerating causing conflict with other users;
- (lix) Construction traffic volumes are disproportionate to benefits for residents and volume of traffic served by the development;
- (lx) Safety concerns for pedestrians and cyclists during construction;
- (lxi) Road design with a right angle bend is unsafe;
- (lxii) There is currently a ban on HGV traffic using the B4262 through Morganstown which also has a 7.5 tonne limit. Traffic will be contrary to LDP policies KP8 and KP14;
- (lxiii) Excessive HGV movements (28 HGV deliveries per day) down a small lane with an awkward entrance;
- (lxiv) It is not acceptable to expect road users to use grit bins during adverse weather;
- (lxv) Traffic may increase which could mean the lack of designated footways in the bridge design creating a safety issue;
- (lxvi) Proposed 20mph speed limit is too high;
- (lxvii) Contrary to LDP Policy KP8;
- (lxviii) Fails to maintain access to the Mound Field via Gelynys Lane;
- (lxix) The Morganstown Compound should be considered under this application;
- (lxx) The HGV haul crossing the footpath will threaten pedestrian safety contrary to LDP Policy T1;
- (lxxi) The effects of COVID on the use of public transport in the future have not been taken in to account;
- (lxxii) Station House does not have access rights to use the private lane and should not be served by the proposals;
- (lxxiii) Private access lane should not accommodate any construction traffic;
- (lxxiv) PROW diversion should be subject to public consultation and a route via the Moundfield should be considered to avoid the steep hill from Morganstown village;
- (lxxv) Access via the private lane for construction workers is unacceptable;
- (lxxvi) It is unacceptable for HGVs to cross the PROW to access the compound;
- (lxxvii) Application does not consider accessibility and suitability of crossing for pedestrians and cycles contrary to LDP Policy KP8 and T1;
- (lxxviii) Detour of PROW and bridge inclines contrary to LDP Policy KP14 and Health and Wellbeing SPG;
- (lxxix) Contrary to 'Managing Transport Impacts' Supplementary Planning Guidance, specifically paragraph 7.10 (PROW diversion does not benefits of attractiveness or convenience);
- (lxxx) The junction from Pugh's Garden Centre onto the B4262 is busy and would cause conflict between construction traffic and users;
- (lxxxix) A cycle connection to the River Taff should be considered, there is

- currently no provision;
- (lxxxii) No consultation on the PROW diversion has taken place which will include an additional 200m to the length;
- (lxxxiii) No consultation for any Traffic and Pedestrian Management Plan has taken place.

Heritage

- (lxxxiv) Demolition of a listed building;
- (lxxxv) Significant harmful visual impact on heritage assets (Gelynis Farm and Mound ruins) contrary to LDP Policies KP17 and EN9;
- (lxxxvi) Interpretation proposals to mitigate heritage impacts are flippant;
- (lxxxvii) Little provision made for archaeology and heritage contrary to LDP Policy KP17;
- (lxxxviii) The construction of the road bridge would result in “an appreciable visual change” which would not have less than significant harm to the setting and aesthetic significance of the Listed building;

Hydrology

- (lxxxix) Risk of flooding will increase including downstream and mitigation is unclear;
- (xc) Queries why a Water Framework Directive Assessment has not been undertaken. NRW should be consulted in this respect;
- (xci) The FCA is flawed and the proposals conflict with LDP Policies specifying flooding requirements (KP6, KP15, EN10, EN14). A bund is needed to mitigate flooding. There should not be any development on a floodplain at risk from flooding;
- (xcii) Gelynis Farm has not experienced flooding since 1903;
- (xciii) LDP Policy KP18 has not been considered in the application;
- (xciv) Surface water run-off from the M4 motorway or Morganstown village has not been considered in the assessment of flood risk;
- (xcv) The proposed attenuation ponds will create a health and safety risk, particularly for children;
- (xcvi) Flood risks are based on theoretical modelling and not experience;
- (xcvii) Hard infrastructure on green fields in a flood-prone area is contrary to LDP Policy KP15;
- (xcviii) Development will cause a flooding impact on Gelynis Farm contrary to LDP Policies KP6, KP15, EN10, EN14. A bund should be provided as mitigation. The Ty Nant stream to the west has not been considered in the flood model;
- (xcix) Flooding will impact the listed building removing amenity, security and privacy;
- (c) Any bunds to mitigate flooding need to be assessed for their wider impacts;

Other Matters

- (ci) The Well-being of Future Generations Act requires public bodies to set and publish well-being objectives, maximise contribution to

- well-being goals and take all reasonable steps to meet the objectives;
- (cii) A screening opinion in 2013 sought the LPA's views on the construction of c.250 dwellings on land at Gelynys Farm, relying on a bridge over the railway and footbridge to replace existing crossings at Station House and Gelynys Farm. This is consistent with their views that an alternative location should be found for the bridge;
 - (ciii) No community consultation took place during consideration of the three bridge options in the preparation of this application nor do any create community benefit;
 - (civ) Current sewerage works taking place nearby has destroyed grazing and sports fields and works vehicles have taken over the access lane causing an unacceptable health and safety risk to pedestrians;
 - (cv) Planning Application No. 16/00413/MNR for the provision of a new agricultural building to store hay produced on the farm and farm machinery was decided in June 2016 and included approval for the its access road to have the appearance of a traditional cart track with a central grass section to retain the rural appearance of the site.
 - (cvi) Planning Application No. 20/01138/MNR approved in February 2021 gave retrospective approval for the retention of a concrete track which bears no resemblance to the original approval. The barn is also of significant scale impacting on the local landscape with no attempt to screen;
 - (cvii) Planning Application No. 20/00416/MNR for a concrete access road to Station house and was approved in June 2020. No publicity of this application took place. The report requires landscaping and replacement planting to improve the amenity and environmental value of the area;
 - (cviii) Planning Application No. 20/01748/MNR for a second barn, farm office and amenity unit at Gelynys Farm was refused in February 2021. Plans for business growth, staff accommodation are not suitable via the private lane and may be the motive behind the proposals to design an unnecessarily large access road and bridge;
 - (cix) Effect on the character and appearance of the area; listed building, transportation, drainage, flood risk, trees/hedgerows, soils, ecology, sand and gravel reserves;
 - (cx) Contrary to aims to reduce emissions;
 - (cxi) Future housing development on the farmland is suspected given the scale and design of the bridge;
 - (cxii) Animal fatalities are not shown to be mitigated;
 - (cxiii) Consultation process has been inadequate giving insufficient time to respond;
 - (cxiv) The proposals should be considered EIA Development and a major development given the scale and sensitivities of the development;
 - (cxv) The proposals should be assessed against the recent 'Future Wales' publication;
 - (cxvi) It is unclear who will own the asset on completion;
 - (cxvii) Gelynys Farm including its field south of the motorway could

- become a hot spot for vandalism and other forms of anti-social behaviour;
- (cxviii) Detrimental impact on the Bed & Breakfast operations of Gelynis Farm;
 - (cxix) The site is agricultural land, not undeveloped land;
 - (cxx) No archaeological survey has been undertaken;
 - (cxxi) Application should be considered a 'major development' to include new access to Station House extending the scope of the application, references to proposals seeking residential use of barns, and burying of power lines;
 - (cxxii) Other related planning applications included farm office, barn and amenity unit and Station House access comprises the integrity of this application and is a manipulation of the planning process;
 - (cxxiii) Inaccuracies in application e.g. typographic errors, Morganstown United FC does not exist, Ty Nant Road is known locally as Main Road;
 - (cxxiv) DAS refers to 4 houses receiving enhanced access though only Gelynis Farm and Station House exist and the former is being purchased by the applicant;
 - (cxxv) Diversion of overhead cables has not been included in the application (which would make it a major development);
 - (cxxvi) LDP is clear that radon minerals in the area should prevent development in this valley. Development could lead to radon poisoning for local residents;
 - (cxxvii) Application does not demonstrate compliance with goals of the Wellbeing of Future Generations Act 2015;
 - (cxxviii) People Places Futures is cut and paste and not relevant to the application;
 - (cxxix) A site visit by Planning Committee is requested;
 - (cxxx) Public funds should not be used to finance an access to a private property where none currently exists (Station House);
 - (cxxxii) Concern about the future maintenance and management of Gelynis Farm when it becomes unoccupied;
 - (cxxxiii) Orchard Grove and its 3 neighbours have not been consulted on the application;
 - (cxxxiv) Application is misleading in terms of its scale and impact;
 - (cxxxv) LDP Policies KP3 and EN1 only allow development in the countryside outside settlement boundaries where the use is appropriate and respects the landscape character and quality, biodiversity and is an appropriate scale and design;
 - (cxxxvi) Effect on sand and gravel reserves; and
 - (cxxxvii) LDP Policy EN4 is in place to protect and enhance features of the River Corridor.

8. ANALYSIS

- 8.1 S.16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority in considering applications for listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest

which it possesses.

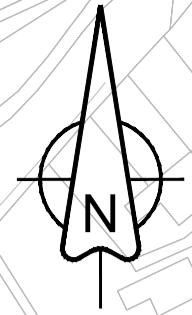
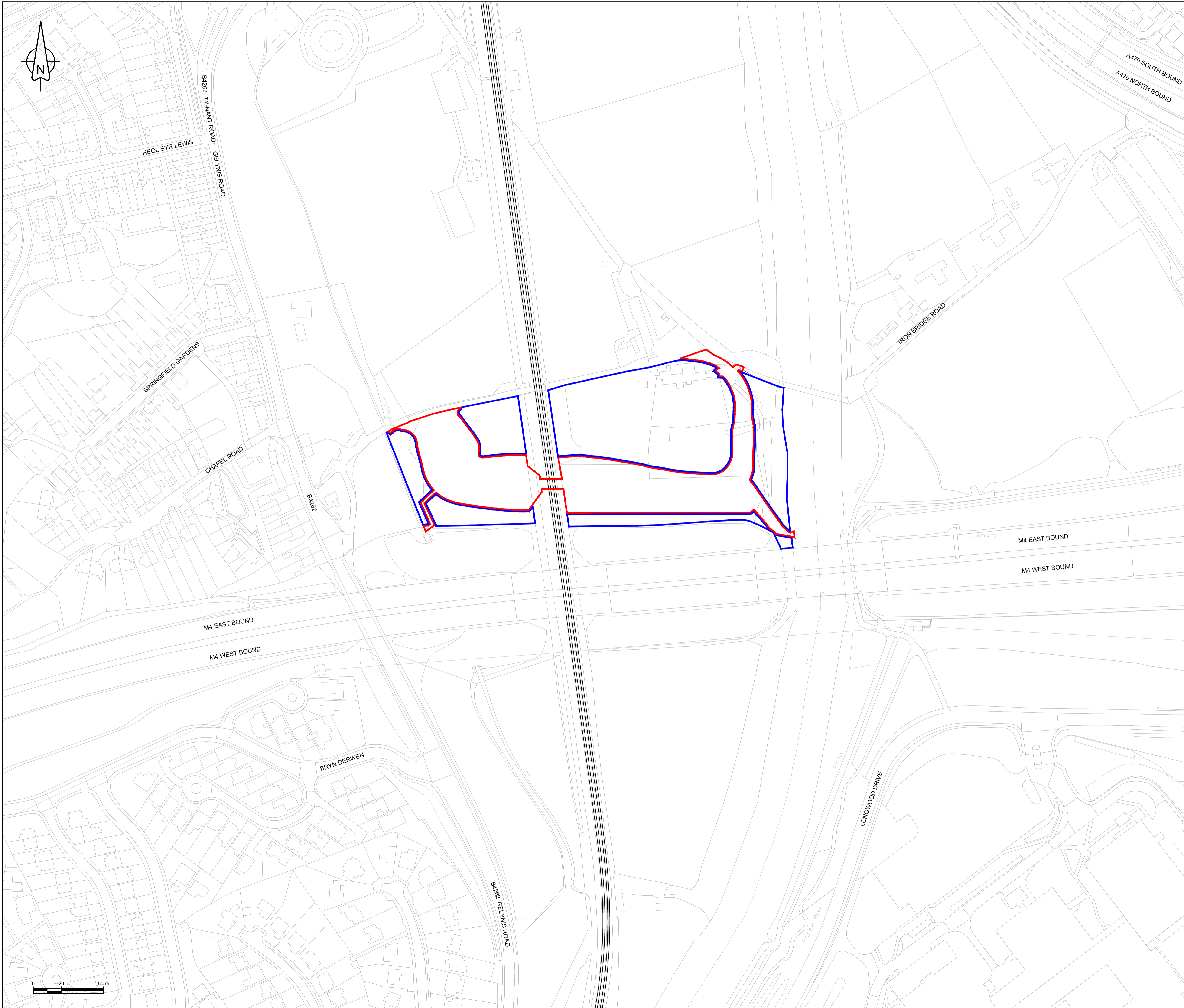
- 8.2 The submitted Heritage Impact Assessment concludes that the cottage ruins comprising surviving walls and buried remains does not make an important contribution to the setting or evidential significance of the Grade II* Listed Building and the removal of these remains would constitute less than significant harm.
- 8.3 It is noted that Placemaking (Conservation) has no objection to the proposed demolition of the listed structure subject to relevant conditions including building recording and the re-use of stonework.
- 8.4 A condition is also recommended to secure building recording as advised by the Royal Commission on the Ancient and Historical Monuments of Wales.
- 8.5 The application has generated a significant number of representations during the public consultation exercise. Matters arising relating to wider planning issues have been addressed in the corresponding report for the planning application, also reported to this Committee (ref: 21/00236/MJR).

Other Considerations

- 8.6 *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. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 8.7 *Well-Being of Future Generations Act 2015* – Section 3 of this Act 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 (Section 5). This duty has 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 recommended decision.

9. CONCLUSIONS

- 9.1 Having regard to the Local Planning Authority’s statutory duties it is agreed that the cottage ruins do not make an important contribution to the setting or evidential significance of the Grade II* Listed Building and the removal of these remains would constitute less than significant harm. Accordingly it is recommended that Listed Building Consent be granted for the works, subject to CADW, and subject to relevant conditions.



NOTES

- 1. Do not scale from drawing.

KEY

- Planning Application Boundary
- Land to be in control of applicant at time of construction

Rev	Date	Description of Revisions	Drawn	Chkd	Appr	Suitability
P03	18/11/20	Drawing key revised (Land to be in control...)				RC ML OG
P02	21/10/20	Axis comments addressed				RC ML OG

Status: Initial non-contractural code SO



Authorised	Authorised by	Signed	Authorised by eSign	Date	Authorised Date

Contractor(s) KeolisAmey	
Asset Location	
Sub-Asset TRAN01	Sub-Type CAD drawings
Role D	Sub-Role HW
Location Zone R2P	Plan of Work Stage D

Project
TRAN01 - CVL Transformation

Route Section Group
Route Section Group 0

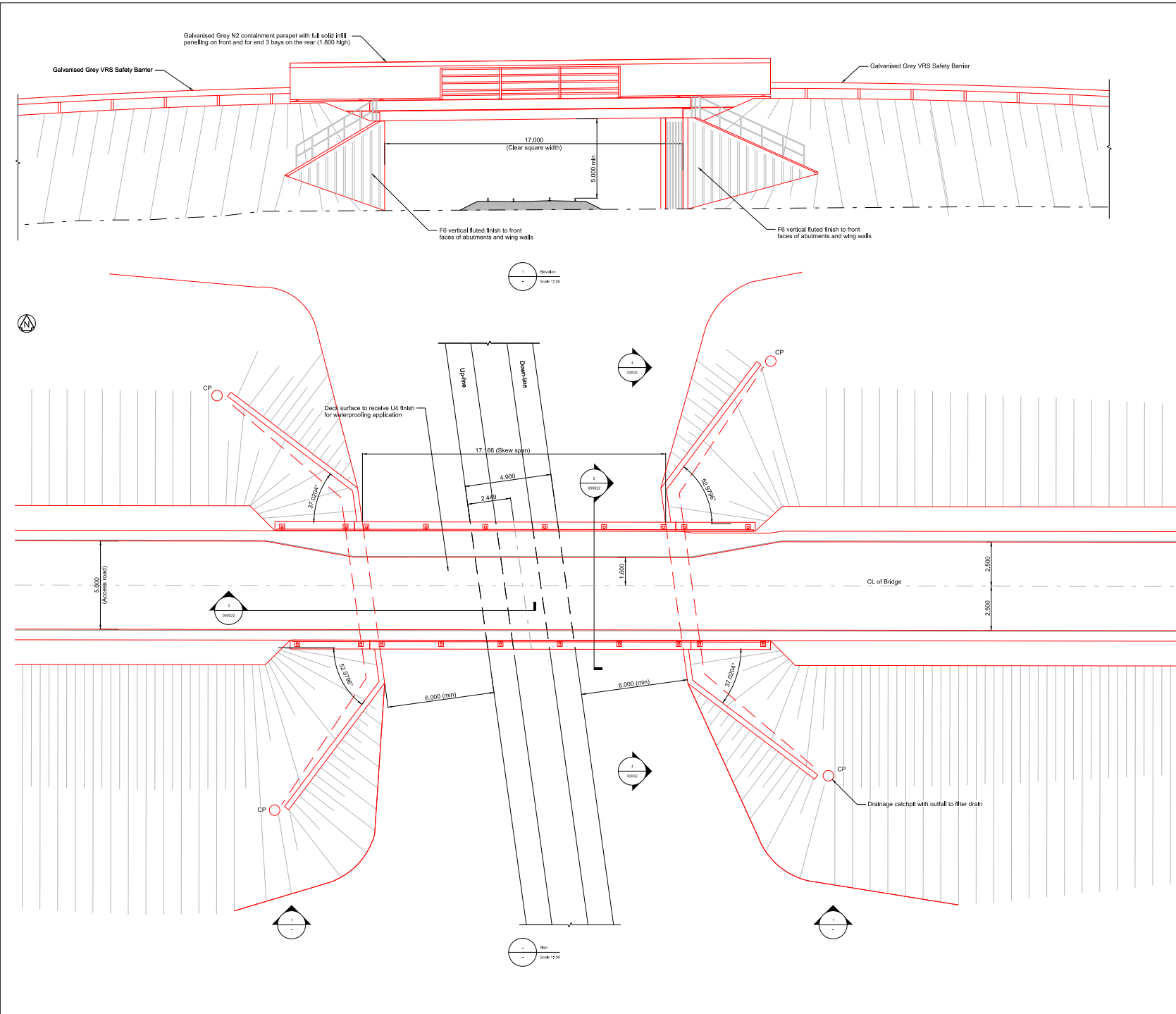
Route Section
Ryader to Pontypridd

Drawing Title
Gelynis Farm Overbridge
Planning Application Boundary

Designed	SH	Signed	SH	Date	15/10/20
Drawn	RC	Signed	RC	Date	15/10/20
Checked	ML	Signed	ML	Date	15/10/20
Approved	OG	Signed	OG	Date	15/10/20

Scale(s): 1:1250
Alternative Reference: CAM 6M 16ch 6m 16ch

Drawing Number	TRAN01-KAW-RO-R2P-DDR-D-HW-000032	Sheet	1	Revision	P03
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Safety, Health and Environmental Information
 For Health and Safety information, refer to discipline specific Risk Management Schedule.

- General Notes**
1. Dimensions are in metres unless otherwise stated.
 2. This drawing is to be read in conjunction with all other contract drawings and the Specification.
 3. All structural concrete to be design mix compressive strength C40/50
 4. All Precast concrete to be design mix compressive strength C50/60
 5. Concrete surface finishes, unless otherwise stated:
 Exposed formed surfaces F3
 Burled Formed surfaces F2
 Exposed unformed surfaces U3
 Burled unformed surfaces U2
 6. All accessible burled concrete surfaces, except those receiving proprietary waterproofing, shall receive two coats of bituminous emulsion to 0.150 below FGL.
 7. Backfill to abutment walls is not to be placed until they have reached their 28-day strength has been gained.
 7. The deck elements have been designed based on a Varley and Gulliver type VGSN1000 Steel Post and Rail Parapet system.

Legend/Key

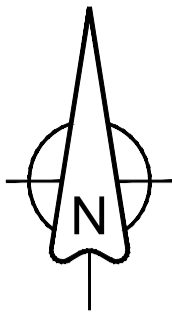
CP ○ Proposed drainage catchpit

Rev	Date	Description of Revisions	Drawn	Check	Appr	Submittal
P01	--	Piling Issue		JB	ES	--
Rev	Date	Description of Revisions	Drawn	Check	Appr	Submittal

Status: **Fit for co-ordination** Suitability: **S1**



Authorised	---	Signed	Authorised by eSign	Date	---	
Contractor	KeolisAmey	Site	---			
Asset Location						
File/Asset	TRAN01	Link Type	DDR	Date	15/10/20	
Type	CAD drawings	Link Type	DDR	Date	29/09/20	
File	D	Link Type	ST	Date	15/10/20	
Design Zone	R2P	Work Stage	E			
Project	TRAN01 - CVL Transformation					
Route Section Group	Route Section Group 0					
Route Section	Radyr to Pontypridd					
Drawing Title	GELYNIS FARM OVERBRIDGE GENERAL ARRANGEMENT AND ELEVATION					
Designed	C. Taylor	Signed	Designed by eSign	Date	15/10/20	
Drawn	J. Bellenger	Signed	Drawn by eSign	Date	29/09/20	
Checked	L. Simson	Signed	Checked by eSign	Date	15/10/20	
Approved	---	Signed	Approved by eSign	Date	---	
Scale	AS SHOWN	From	CAM	To	EM 16ch	
Alternative Reference	Sheet					
Drawing Number	TRAN01-KAW-R0-R2P-DDR-D-ST-000021				Revision	P01



NOTES

- Do not scale from drawing.

KEY

- River Taff
- Existing Pedestrian Footbridge
- M4 Motorway
- Proposed Access Road incorporating Public Right of Way
- Proposed Earthworks
- Footway Over Bridge
- CVL Railway Line
- Proposed Concrete Wingwalls and Bridge Deck
- Proposed Parapet Plinth
- Proposed Parapet (see Structures drawings)
- Proposed Vehicle Restraint System
- Proposed Post & 3-Rail Fenceline
- Proposed Replacement Railway Boundary Fencing
- Exact location, extents and specification to be provided at a later date by third party, FJD
- Proposed positions of outfall structures

Rev	Date	Description of Revisions	Drawn	Chkd	Appr	Suitability	
P02	21/10/20	Axis comments addressed			RC	ML	OG

Initial non-contractural code SO

Authorised	Authorised by	Signed	Date
		Authorised by eSign	Authorised Date

Contractor(s) KeolisAmey	
Sub-Asset TRAN01	
Type CAD drawings	Sub-Type DDR
Role D	Sub-Role HW
Location Zone R2P	Plan of Work Stage D

TRAN01 - CVL Transformation

Route Section Group
Route Section Group 0

Route Section
Ryader to Pontypridd

Drawing Title
**Gelynis Farm Overbridge
General Arrangement**

Designed	SH	Signed	SH	Date	15/10/20
Drawn	RC	Signed	RC	Date	15/10/20
Checked	ML	Signed	ML	Date	15/10/20
Approved	OG	Signed	OG	Date	15/10/20

Scale(s)	1:500	ELR & Mileage	CAM	From	6M 16ch	To	6m 16ch
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Alternative Reference		Sheet	1
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Drawing Number	TRAN01-KAW-R0-R2P-DDR-D-HW-000034	Revision	P02
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