

## **PLANNING & DEVELOPMENT COMMITTEE**

**22 June 2023**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0149/08 (GRD)  
**APPLICANT:** Rhondda Cynon Taf County Borough Council  
**DEVELOPMENT:** Alteration and Works for reinstatement of Grade II Listed Bridge  
**LOCATION:** ROBERTSTOWN IRON BRIDGE, CYCLEWAY FROM TRAM ROAD TO ABERDARE FOOTPATH ABD(33(1, TRECYNON, ABERDARE  
**DATE REGISTERED:** 07/03/2023  
**ELECTORAL DIVISION:** Aberdare West and Llwydcoed

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**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS.**

**REASON:** The application proposes the reinstatement of the Robertstown Iron Bridge.

The development would promote access on foot and sustainable modes of transport and would improve connectivity at this location. The development would also allow the sympathetic reinstatement of a bridge which is both Grade II Listed and a Scheduled Ancient Monument, preserving the character of the site and supporting heritage and tourism.

The application is considered to comply with the relevant policies of the Local Development Plan, and the development is considered acceptable in terms of all other material planning considerations.

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

- The application has been submitted by the Council on land owned by the Council, where the nature of the Council's interests is more than a minor nature.

#### **APPLICATION DETAILS:**

Full planning permission is sought for alterations and the reinstatement of the Robertstown Iron Bridge, Trecynon.

Following long-standing fractures affecting the original cast iron beams, severe scour issues affecting the abutments and impact damage caused by a storm in February

2020, the Robertstown tramroad bridge was removed for safety reasons, laboratory testing, and possible conservation and repair. The surviving salvaged superstructure elements have been temporarily stored at HS Carlsteel's workshop in Doncaster for laboratory testing and safe keeping since removal in October 2021.

This application represents alterations to the bridge and its reinstatement following its removal. It has been concluded by an optioneering study that the proposal for a hybrid structure would be the most appropriate long-term solution. It would allow for the reinstatement of virtually all of the original structural elements, allowing them to be displayed in-situ as originally intended, but with modern structural components guaranteeing their longevity and preservation long into the future.

The proposal would reinstate the original iron cast beams and deck plates, with 3no load bearing structural frames added in between the original beams to transfer the deck and pedestrians away from the original beams. These new elements will be coated in black paint to match the original elements. The original iron cast beams would be also repaired and the handrail upright bearing the maker's mark will be repaired by casting a new base and stitching it to the surviving upper section. The deck plate hooks will also be attached to the cast iron beams as an aesthetic feature. The supporting Heritage Impact Assessment states that the repairing of the cast iron sections is to be carried out by competent, specialist contractors.

A balustrade composed of vertical steel spindles will also be included on the re-constructed bridge parapets. The proposed spindle balustrade is proposed to provide fall protection and are proposed for safety reasons.

The abutments will remain largely unaltered; however, some stonework will need to be removed to accommodate the new structural elements. Only a minor removal of stonework would be proposed, which the applicant notes can be displayed on site or donated to a local heritage organisation for long-term display. Parapets are also proposed at the top of each abutment which will improve fall protection and will be designed to match the deck parapets.

The works also involve the installation of a sacrificial, free-standing collision protection beam upstream of the bridge. The purpose would be to prevent objects from striking the structure itself.

All new elements will be painted black to match the bridge's original appearance. The supporting Heritage Impact Statement also notes that the proposed hybrid structure is proposed as having a design life of 120 years to maximise longevity and safety.

The application is accompanied by the following:

- Designer's Risk Assessment
- Access Statement Including Setting Statement and Heritage Impact Statement
- Visuals of the Proposed Bridge
- Bat Survey
- Preliminary Ecological Appraisal

Separate Scheduled Ancient Monument (SAM) consent, issued by Cadw, is also required before works can be undertaken at the site. Cadw have granted conditional SAM consent for works to the 'IRON TRAM BRIDGE, ROBERTSTOWN (GM347)' on 6<sup>th</sup> April 2023.

### **SITE APPRAISAL:**

The application site is located at a meander on the River Cynon, to the east of Trecynon and north of Aberdare. To the east of the application site lies the A4059 Aberdare Bypass, which bisects the tramway route, and to the south lies an adjacent footpath and cycle path. Following long-standing fractures affecting the original cast iron beams, severe scour issues affecting the abutments and impact damage caused by a storm in February 2020, the original Robertstown tramroad bridge was removed from the site.

### **History:**

The original Bridge was erected in in 1811 and manufactured by the Abernant Foundry. It carried the tramroad from Abernant across to the Trecynon area; it may also have carried traffic for Ysguborwen and Aberdare works.

The bridge is Grade II Listed, which is listed as follows:

### **Exterior**

Early cast-iron bridge circa 3m wide and circa 10.5m long; rubble abutments. Decking of cast iron plates on four arched lattice beams. Simple modern iron parapets, one upright is reused and inscribed 'Abernant 1811'. Ridged top to the deck providing the horses with grip when pulling across the bridge. Abutments are slightly curved outwards at ends. Recently restored and now forming part of a public footpath.

The bridge is also a Scheduled Ancient Monument, with a reason for designation as follows:

The monument consists of the remains of a very early cast iron bridge, dating to 1811. The bridge measures circa 3m wide by circa 10m long and crosses the River Cynon at Robertstown. It comprises a decking of 17 cast iron plates supported on four parallel lattice beams between stone abutments. Cast on a pillar of the bridge is the inscription 'Abernant 1811' (Abernant was a local iron foundry). It was built to carry the Llwydcoed tramroad which ran from Hirwaun to Cwmbach.

The monument is of national importance for its potential to enhance our knowledge of 19th century industrial construction techniques and transportation systems. It retains significant archaeological potential, with a strong probability of the presence of associated archaeological features and deposits. The structure itself may be expected to contain archaeological information concerning chronology and building techniques.

The scheduled area comprises the remains described and areas around them within which related evidence may be expected to survive.

**PLANNING HISTORY:**

No recent planning history identified at the site.

**PUBLICITY:**

The application has been advertised by site notices posted near the application site, by direct notification to neighbouring properties and by press advertisement. No letters of objection or comment were received by third parties following consultation.

**CONSULTATION:**

Local Highway Authority

No objection. Advisory notes offered.

Flood Risk Management

No objection.

Public Health and Protection

No objection. Advisory notes offered.

Natural Resources Wales

No objection, subject to condition and advisory notes.

Cadw

No objection.

Joint Committee of the National Amenity Societies

No adverse comments received.

Right of Way Officer

No adverse comments received.

Structural Engineer

No objection.

Ecology

No objection, subject to conditions and advisory notes.

**POLICY CONTEXT:**

Rhondda Cynon Taf Local Development Plan:

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site is located outside settlement boundary limits and is within the Cynon Valley River Park Region and Development Advice Maps Zone C2. The site is unallocated for any specific purpose. The following policies are relevant in the consideration of this application:

**Policy CS1 – Development in the North:** outlines how the emphasis on building strong, sustainable communities will be achieved in the Northern Strategy Area.

**Policy AW2 – Sustainable Locations:** supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

**Policy AW5 – New Development:** sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6 – Design and Placemaking:** requires development to involve a high-quality design and to make a positive contribution to placemaking.

**Policy AW7 – Protection and Enhancement of the Built Environment:** Requires that development proposals which impact upon sites of historical or architectural merit should preserve or enhance the character and appearance of the site.

**Policy AW8 - Protection and Enhancement of The Natural Environment:** Seeks to preserve and enhance Rhondda Cynon Taf's distinctive natural heritage by protecting it from inappropriate development.

**Policy AW10 – Environmental Protection and Public Health:** does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy NSA 26 – Cynon Valley River Park:** Supports development that will contribute to the achievement of the Cynon Valley River Park Strategy.

### Supplementary Planning Guidance:

Design and Placemaking

The Historic Built Environment

Nature Conservation

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), WG's 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.

### Other national policy guidance considered:

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 24 – The Historic Environment

### **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 of this planning application are the principle of development itself, the impact of the proposals on the character and appearance of the area and any impacts on ecological interests at the site.

**Principle of the proposed development:**

The proposal would reinstate a footbridge, promoting accessibility through walking, thus promoting sustainable modes of transport, in accordance with Policy CS 1 of the LDP and in line with the Sustainable Transport Hierarchy outlined in Planning Policy Wales (PPW) and The National Development Framework (NDF). Furthermore, reinstating the Grade II Listed and Scheduled Ancient Monument bridge would allow the public to utilise the public right of way path at this location once more, which PPW identifies as important for both recreation and tourism purposes, promoting public access on foot and supporting heritage and tourism, in accordance with Policy NSA26 of the LDP.

The site falls within Zone C2 of the development advice maps in respect of flooding. The development of transport infrastructure, which is considered less vulnerable development for the purposes of flooding and TAN15, and the reinstatement of a bridge to provide a sustainable mode of transport is considered acceptable in this respect and in line with guidance contained in TAN15 and Policy AW10 of the LDP.

Overall, the principle of reinstating the bridge would be considered acceptable, subject to other normal planning considerations which are addressed below.

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

The bridge would be supported by the existing abutments and would not form an overly prominent feature locally. Furthermore, the proposal represents the reinstatement of a bridge of a similar scale and bulk as to what was existing at the site prior to the original bridge's removal.

Some amendments are proposed in terms of design for the reinstated bridge, compared to the original bridge's design; however, the development and amendments are considered sympathetic in terms of design and would preserve the character of the site and wider area.

It should be noted that the bridge is both Grade II Listed and is a Scheduled Ancient Monument (SAM). Following consultation, Cadw raise no objection to the proposal. Furthermore, Cadw have granted separate conditional SAM consent for the works in April 2023, noting the following in their assessment:

*'The proposals would not cause damage to the monument or have a significant impact on the setting of the remains. The proposals will alter the original structural configuration of the bridge, adding a degree of complexity to the original simple design.'*

*However, the original structure has failed and cannot be reinstated as originally designed. It requires additional support to be rebuilt and reused. In my opinion, the proposals are sympathetically designed, and the new elements will largely be invisible to most users. The proposals are based on thorough analyses of the materials, explanation of failures, a robust options appraisal, and a sensitive and minimally invasive design. The implementation of this scheme will allow the historic bridge to be retained in situ whilst also meeting modern structural and health and safety requirements, removing crude modern additions and reinstating some missing elements.'*

The design of the proposed reinstated bridge, in terms of its siting, scale, height, massing, finish materials and detailing would be considered acceptable and would preserve the character and appearance of the site. As such the proposal is considered compliant with the requirements of Local Development Plan Policies AW5, AW6 and AW7 in this respect.

**Impact on residential amenity and privacy:**

The bridge would be accessed from and connects to an existing public right of way path and would not be located near other residential properties. The application site is also relatively well screened with trees somewhat obscuring views to and from the bridge. The development would not be considered to negatively impact the residential amenity or privacy of residents.

**Access and Highway Safety:**

Following consultation, no concerns or objections were raised by the Local Highway Authority (LHA) to the proposal. The LHA have recommended an advisory note be attached to any planning consent advising the applicant that any temporary road closures would need to be agreed by the Council's Traffic Section.

**Ecology:**

The application site is located within the Upper Cynon Floodplain Site of Importance for Nature Conservation (SINC). The application has been supported by both a Preliminary Ecological Appraisal (PEA) and a Bat Survey. The surveys found no evidence of a bat roost and conclude that there is negligible bat roost potential. Following consultation, the Council's ecologists have raised no objection to the proposal, subject to conditions ensuring that the development is carried out in accordance with recommendations, mitigation and enhancements set out in the PEA and Bat Survey. Additionally, a Flood Risk Activity Permit (FRAP) issued by Natural Resources Wales (NRW) will be required for the works, which the Council's Ecologist considers will cover any additional small scale pollution control requirements that NRW identify as part of that process.



The proposed development would be situated over the Afon Cynon River, which is a designated main river. Natural Resources Wales (NRW) initially raised some concerns with regards to the application; however, NRW consider that these concerns can be overcome by attaching a condition for a Construction Environment Management Plan (CEMP) to be submitted. A condition is therefore recommended, for the protection of the water environment, for a CEMP to be submitted prior to development commencing.

**Other Matters:**

The application site is located on Public Right of Way Footpath ABD/35/1. Following consultation, the Council's Public Rights of Ways Officer confirmed that they offered no objection to the proposal.

Following consultation, the Council's Public Health and Protection Department have offered no objection to the proposal and have recommended advisory notes be attached in relation to the management of noise, dust and waste at the site during construction works.

No objections were raised by the Council's Flood Risk Authority or Structural Engineers, following consultation.

**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 proposes the reinstatement of the Robertstown Iron Bridge.

The development would promote access on foot and sustainable modes of transport and would improve connectivity at this location. The development would also allow the sympathetic reinstatement of a bridge which is both Grade II Listed and a Scheduled Ancient Monument, preserving the character of the site and supporting heritage and tourism.

The application is considered to comply with the relevant policies of the Local Development Plan, and the development is considered acceptable in terms of all other material planning considerations.

**RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:**

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 development hereby approved shall be carried out in accordance with the approved plan no's
  - Plating Repair Details. Drawing No. S2022\_117\_DRG\_004
  - Plan – Cutaway Beneath Deck. Drawing No. S2022\_117\_DRG\_002
  - Plan. Drawing No. S2022\_117\_DRG\_001
  - Sections - Upstream Elevation. Drawing No. S2022\_117\_DRG\_003
  - Site Plan. Drawing No. S2022-117-DRG-005
  - Elevations – Existing. Drawing No. S2022\_117\_DRG\_102
  - Plan – Existing. Drawing No. S2022\_117\_DRG\_101

And documents received by the Local Planning Authority on 10/02/2023, 23/02/2023, 24/02/2023, 04/05/2023, 23/05/2023 and 05/06/2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. No development 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:
  - Construction methods: details of materials, how waste generated will be managed;
  - CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
  - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management.
  - 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.

- Landscape/ ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

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

Reason: To ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction, in accordance with Policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the approved plans, development shall be carried out in accordance with the recommendations, mitigation and enhancements set out in Section '7. Recommendations' of the Preliminary Ecological Appraisal (Version 1), undertaken by Gould Ecology, dated February 2023. Received by Local Planning Authority 23/05/2023.

Reason: In the interest of nature and ecological conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the approved plans, development shall be carried out in accordance with the recommendations, mitigation and enhancements set out in Section '7. Recommendations' of the Bat Survey (Version 1), undertaken by Gould Ecology Ltd, dated May 2023. Received by Local Planning Authority 05/06/2023.

Reason: In the interest of nature and ecological conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.