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Application No.
P/23/0293

Date
20th December 2023

Determining Authority
MTCBC

Proposed Development

Location

Name & Address of Applicant/Agent

Demolition of industrial buildings and erection of 20 no. dwelling houses (C3 use)

Phelps Roofing and Garage
Bryntaf
Aberfan
Merthyr Tydfil
CF48 4PJ

Mr A Lockley
c/o Mr Jon Tweddell
Jon Tweddell Planning Ltd
Coble Quay
Amble
Northumberland



P/23/0293

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APPLICATION SITE

The application site comprises a former quarry located within the residential area of Aberfan. The former quarry is accessed from the main highway (Bryntaf) to the east and is bound by existing residential properties to the north and south. It is located approximately 60m east of the A470 carriageway and 115m south of Aberfan Cemetery (A Registered Historic Park and Garden).

The existing housing along Bryntaf is predominantly characterised by two rows of two-storey terraced houses running roughly north/south. However, there are detached properties at the northern end of Bryntaf and a two-storey dwelling (Springfield House) immediately to the north of the site entrance. Along a portion of the southeast boundary of the site is a row of six garages which front directly onto the highway of Bryntaf. The land to the rear of these garages is elevated and forms part of the application site. Adjacent to the southern boundary of the application site is the garden of No. 104 Bryntaf.

The site itself is irregular in shape and occupies an area of approximately 0.47 hectares. Its current use is a vehicle repair garage consisting of two workshops (and a storeroom) with a small lean-to office room. These buildings are set back from the highway by approximately 33m and are located roughly within the centre of the site. The site boundary to the west consists of a large quarry cliff face, with a woodland above. Beyond the woodland area lies the carriageway of the A470. The only access to the site is located along the eastern boundary, next to Springfield House. This is a gated entrance with post and mesh fencing to the left-hand side and a concrete block boundary wall to the right.

PROPOSED DEVELOPMENT

Outline planning permission is sought for the residential development of the site in the form of 14 dwellings and 6 apartments (20 units in total). Layout, scale and means of access are to be considered as part of this outline stage with all other matters which relate to the final appearance of the proposal and landscaping to be considered via a future application for the approval of the reserved matters.

A layout plan has been submitted with the application. This demonstrates how the proposed 20 units would be accommodated on the site and within a layout which provides for vehicular and pedestrian access, parking, provision of amenity space and landscaping. The layout plan shows the houses and flats would essentially be accommodated within two distinctive rows of buildings on the site. Units 1 to 4 would form a small row of linked (2 bedroom) houses close to the front boundary (east) and would be located on the southern side of the site entrance. Units 5 to 20 would comprise 6 (2 bedroom) flats and 10 (3 bedroom) houses linked together and positioned in a linear form along the western (rear) part of the site with a frontage facing towards Bryntaf. The development would utilise and upgrade the existing access into the site from Bryntaf.

The submitted plans set out the scale (dimensions) of the proposed buildings. In relation to the row of 4 houses (Units 1-4) at the front of the site, these would be 2 storey pitched roof buildings with living accommodation incorporated into the roof

space (second floor). The dimensions of this row of houses would be approximately 10.2m deep, 16.3m wide, with the eaves being at a level of approximately 5.71m and the ridge height approximately 9.48m.

Turning to Units 5-20 at the rear of the site, the plans show a large building would be constructed that would span the width of the site comprising a series of linked blocks, which would accommodate 6 self-contained flats and 10 houses. The dimensions of the overall block of flats and houses would be 57.5m wide by 15m deep with the eaves being at a level of approximately 9.7m and the ridge height approximately 13.2m. Whilst this building would be linear in its form with a common building line, sections of the block would be set back by 4.85m to accommodate parking areas to the front of the houses.

The existing access into the site would be improved to ensure a 5m wide carriageway is provided with a 2m wide footpath on either side. The access would incorporate a turning head to enable larger vehicles the ability to manoeuvre within the site and exit on to the main highway in a forward gear. A total of 58 on-site car parking spaces would be provided to serve the proposed houses and flats. This would provide at least 2 parking spaces for each residential unit accommodated on driveways, hardstanding areas and in under-croft spaces (i.e. under part of the dwellings at ground floor level).

Whilst the final appearance of the proposal and details of landscaping are reserved for future consideration under an application for reserved matters, this proposal includes some indicative details relating to these matters.

In respect of the appearance of the development, the application includes examples of the possible arrangement of fenestration and materials via plans and 3D visual montages of the scheme. In respect of the arrangement of fenestration used for the row of houses at the front of the site, the details suggest the location of windows at ground and first floor levels and balconies possibly at second floor level. In respect of the block of dwellings at the back of the site, the houses could include balconies at third floor level and Juliet balconies at second floor level. It is suggested that the external material finishes to be used across the site could comprise of black framed windows and doors, white/pale coloured render, large glazed aspects to the elevations, some areas of timber cladding and slate roofs.

The layout plan also sets out the key areas where planting could be incorporated into the development. The planting of a Hawthorn hedge (or a similar equivalent) is suggested to the west, east and north of the proposed development. A 2.4m high fence could be provided to the front of this hedge to absorb any falling debris from the cliff face. Two smaller areas of landscaping could also be provided adjacent to the car parking area located to the front of units 1 to 4 and another area of landscaping could be provided on the boundary with Springfield, located on the northern side of the site access.

In support of this application the following documents have been submitted:

- Pre-application Consultation Report (incorporating Design and Access Statement)
- Preliminary Ecological Appraisal

- Protected Species Report
- Additional information on the habitat of the site
- Transport Statement
- Coal Mining Risk Assessment

PLANNING HISTORY

P/21/0170 Demolition of industrial buildings and erection of 14 dwellings and 6 apartments (Outline).

Refused on the 07 September 2022 for the following reasons:

1. The proposed development by virtue of its layout, mass, scale and height of the residential units would result in an insensitive and incongruous form of development that fails to respect the character and appearance of the surrounding area. The proposal would therefore be contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
2. The proposed development given its layout and scale and siting of the residential units would result in an unacceptable and harmful level of overlooking to an existing residential property (known as Springfield House) located along the northern boundary of the site. This is contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Appeal decision reference CAS-01937-Z3C8L1

Dismissed on the 17 March 2023.

Provided below is a summary of PEDW's Inspector's assessment of the proposal and the reasons for the refusal of planning application reference P/21/0170.

- In respect of reason for refusal No. 1 and the detrimental impact on the character and appearance of the area.

The inspector concluded that there were no concerns in relation to the impact on highway safety, parking or access and the layout and mass of the development would result in a compact housing layout that would reflect the terraces in this part of Aberfan and respond to the shape of the site, making efficient use of the developable land.

Turning to the scale and height of the development. The inspector noted the parameters and dimensions of the appeal proposal would result in tall buildings that would be approximately 11-13m in height and that there are two storey terraced houses to the north of the appeal site which are on land that is approximately 2.2 metres above street level and therefore, places the eaves approximately 8.5m above street level. As such, the roof level of this elevated terrace to the north would reflect the height of buildings within the parameters / dimensions provided for the outline appeal proposal. In respect of views around the site, including those from the nearby cemetery, the development would likely be seen as being taller, but broadly comparable in height to the existing elevated terrace.

In respect of the row of houses to be located at the front of the site, the inspector noted the lower height of Springfield House and the row of garages which would be positioned on either side of the proposed row of houses. Given the differences in the height between the existing buildings and the proposed 4 storey row, the development would be conspicuously divergent from the character and appearance of the Bryntaf street scene.

The inspector also determined that in respect of the wider views of the proposal, including those from the nearby cemetery, the development would likely be seen as being taller, but broadly comparable in height to the existing elevated terrace.

- In respect of reason for refusal No. 2 and the unacceptable and harmful level of overlooking to an existing residential property (Springfield House).

The inspector noted that the proposal would have the potential to increase overlooking towards the windows, doors and amenity spaces of the dwellings around the site, and in particular, Springfield House would be the closest dwelling to the proposal site. The inspector concluded that in relation to the rear row of houses and flats, there would be adequate separation distance between existing and proposed properties and existing planting could be used to reduce the level of overlooking from this rear row. In relation to the front row of houses, the inspector noted their height and proximity to the rear amenity space of Springfield House and, although the number of window and door openings were yet to be confirmed via an application for reserved matters, there was sufficient information to establish that details submitted at a later stage were unlikely to prevent unacceptably harmful levels of overlooking occurring into the rear amenity area of Springfield House.

CONSULTATION

Head of Engineering and Highways: No objection, subject to conditions relating to the access details, construction traffic, parking and surface water drainage.

Planning Policy Officer: No objection.

Planning Ecology Officer: No objection subject to conditions and further details being provided.

Dwr Cymru/Welsh Water: No objection subject to conditions relating to foul, surface water and land drainage. Advises that the proposed development requires approval from the SuDs Approval Body (SAB) and a drainage scheme for the site will need to be submitted.

The Mining Remediation Authority
(previously The Coal Authority): No objection subject to conditions relating to intrusive site investigations and a signed statement being submitted by a competent

person to confirm that the site is safe and stable for the development prior to occupation.

Environmental Health Manager: No objection subject to conditions relating to construction hours, dust management and land contamination.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice was displayed within the vicinity of the site on 21.12.2023 and a notice was also published in the local newspaper on 18.01.2024. Following the submission of additional information and amendments, a further consultation exercise by means of letter to neighbouring properties was undertaken on 30.01.2025 and subsequently on 08.04.2025.

As a result of the publicity exercise, 17 letters of objection were received (of which 11 letters were from 4 of the same residents), a petition with 141 signatures objecting to the proposal and 5 letters of support (of which 2 were from the same resident). The following is a summary of the main issues and concerns raised:

Principle of the Development

- The development will be detrimental to the people of Bryntaf and the surrounding area.
- A well-established business will be lost.
- The site is too small for this many houses.

The Visual Impact of the Development

- The reduction from four storey to three storey buildings at the front of the site is still not appropriate.
- The development's mass, height, layout and appearance contravene LDP Planning Policy SW11 and numerous other policies including supplementary planning guidance.
- The development would have an impact on Aberfan Cemetery which is Grade II* entry on the Cadw/COMOS Register of Parks and Gardens of Special Historic Interest in Wales. The setting and background of the Cemetery needs to be protected as the proposed properties will stand out and detract from the Cemetery and its peaceful setting. LDP policy includes the special status of the cemetery and any changes to the sight line from the cemetery would have a detrimental effect on the peaceful setting.

- The plans are inaccurate and show the houses are smaller against the existing houses than they will be.

Highway Safety Concerns and Issues

- The existing highway network serving Aberfan is not capable of accommodating construction traffic, or additional traffic and parking generated by the proposed development.
- Additional vehicles and parking issues will cause health and safety issues.
- Along Bryntaf, people park cars on the pavement and this will impact on the visibility of the new access and flow of traffic.
- Disruption to residents as a result of heavy traffic and transportation of machinery during the construction of the development.
- Several discrepancies and errors on the details supplied. For example, the height of the wall of Springfield house, which is 1.50m not 1m, also has railings to 1.86m and pillars are 1.70m and shrubs would affect the visibility and splay of vision on the access from Bryntaf Road.

Residential Amenity

- The development has not changed much from the original that was refused by PEDW. The Planning Inspector noted in the last paragraph of his report, “alterations will be unlikely to prevent unacceptable levels of harm to local residents.”
- The front block has been reduced in height and the balconies have been moved to the other side of the houses, but is still unacceptable in respect of loss of privacy and light for Springfield and other properties which are opposite and near to the site. This is contrary to LDP Policy SW11.
- Planting trees for reasons of privacy will not help because the soil is too shallow for the roots and they will spread into properties, destroy everything in their path including house foundations.
- The proposed trees will block light to houses.
- Rock will need to be removed and will be detrimental as a result of blasting and/or digging.
- All issues relating to the Wellbeing of all Future Generations should be considered.

Ground Conditions

- Concerns of increasing existing flood risk, mine gas escaping, ground movement and instability, which may trigger collapse and/or subsidence, landslips in a high-risk coal mining area. Reference is made to the historic event of 1966.
- The quarry has a documented problem with Radon gas and although measures have to be put in place to constrain this, the problem still exists.
- The quarry is not safe or stable for development and there have been rockfalls and tree falls, residents will be living in fear of another disaster.
- It is noted that the Coal Authority have advised that the site falls within a defined high-risk area and the submitted report concludes that the proposed development poses a high risk of instability.

Drainage/Sewerage

- Residents have experienced blocked surface water drains and sewerage pipes

Ecology

- Slow worms must be breeding in the quarry as baby slow worms coming into the garden from the direction of the quarry.
- The ecological walkover didn't seem to take into account all the slow worms that would be hibernating at this time of year.
- There are a pair of Owls in the trees.

Other matters

- The site is metres from/below the A470 major trunk road.
- The proposed trees will grow into overhead cables.
- A Royal Mail pillar box will be lost.
- Consultees have suggested conditions and recommendations but have not noted the concerns and fears of residents.
- The land that holds the garages will be sold soon and will be developed with children/elderly in mind, taking into account the nearby cemetery and our family wishes, values and commitment to our parents. Therefore, the front block, albeit 3 storeys high, will still overlook this area causing privacy issues to residents and neighbours who live nearby.

- The applicant and agent do not live locally, and the development is just for profit. The council should review their policy of ownership prior to development and that they should own the land first.

Letters of support, summary:

- Fully support this development as it would clearly improve the environment and image around Bryntaf and the village of Aberfan.
- There will be off-street parking for the residents
- The disruption during the construction of the development will be in the short term.
- The development would boost the economy in the area of Aberfan

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (Edition 12, February 2024) Planning Policy Wales sets out Welsh Government's requirements on matters relevant to this application.

Paragraphs 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context. Paragraph 3.9 states '*The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations*'.

Paragraph 3.55 highlights that previously developed land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. It states '*In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.*'

4.1.10 The planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

4.1.52 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. This includes preventing pavement parking through the design of the street. Car parking should be overlooked by surrounding properties to provide natural surveillance.

Paragraph 4.1.56 highlights the importance of transport assessments as a mechanism for setting out the scale of anticipated impacts a proposed development, or redevelopment is likely to have.

Paragraph 6.2 highlights the importance of Green Infrastructure '*the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales.*'
.....

Paragraphs 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species that may result in disturbance or harm to the species or its habitat.

Paragraph 6.4.35 states that the presence of a species protected under European or UK legislation, or under Section 7 of the Environment (Wales) Act 2016 is a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained. Planning authorities should advise anyone submitting a planning application that they must conform with any statutory species protection provisions affecting the site, and potentially the surrounding area, concerned. An ecological survey to confirm whether a protected species is present and an assessment of the likely impact of the development on a protected species may be required in order to inform the development management process. It is considered best practice that screening to determine the presence of protected species should be carried out by a competent ecologist on the basis of data provided by the relevant Local Environmental Record Centre.

Paragraph 6.9.25 states that planning decisions will need to take into account; the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and, the results of a specialist investigation and assessment by the developer to determine the stability of the ground and to identify any remedial measures required to deal with any instability.

Paragraph 6.9.27 states that where acceptable measures can overcome instability, planning permission may be granted subject to conditions specifying the necessary measures. If instability cannot be overcome satisfactorily, the authority may refuse planning permission.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 5 – Nature conservation and planning sets out the role of the planning system in protecting and enhancing biodiversity and geological conservation.

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

TAN 18 – Transport describes how to integrate land use and transport planning. It explains how transport impacts should be assessed and mitigated.

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW1 Provision of New Homes
- SW3 Sustainably Distributing New Homes
- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- CW1 The Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection
- EnW5: Landscape Protection

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 1, Affordable Housing
- Note 2, Planning Obligations
- Note 4, Sustainable Design
- Note 5, Nature and Development

PLANNING CONSIDERATIONS

The application site is located within the residential area of Aberfan, which lies within the settlement boundary and the 'Other Growth Area' as defined by Policy SW4 of the LDP, where the majority of new development is generally encouraged. Whilst it is acknowledged that residents have questioned the need for additional housing in Aberfan, in this location, the principle of residential development is acceptable and would be in accordance with Policy SW4.

Given the above, the main considerations of this application would be:

- The impact of the development on the character and appearance of the area;
- Highway safety and car parking considerations;
- The impact on neighbouring properties; and
- Ecological Issues

Impact on character and appearance of the area

The majority of the properties along Bryntaf are of traditional style terraces with narrow two-storey frontages that present a consistent rhythm which reinforces the linear character of Bryntaf and nearby streets. To the north of the application site is a row of terraced housing which are raised above the street level by several meters and this results in the roof height of the terrace of houses being higher than the terrace opposite. It is noted that the terraced housing to the south of the site is also raised up above the street level, however the roof heights of these properties are a little lower.

Matters relating to the design and appearance of the proposed buildings are reserved for future consideration. However, the scale and layout are matters to be considered as part of this outline proposal. In respect of the row of houses (Units 1-4) located at the front of the site, the plans illustrate pitched roof buildings with living accommodation over three floors, with the third floor being incorporated into the roof space. In response to the previous appeal decision (CAS-01937-Z3C8L1) the height of these dwellings have essentially been reduced to appear similar in scale to the neighbouring properties, being two storey properties (albeit with accommodation in the roof space) that is more consistent with the existing terraces. These units have also been positioned further away from the gable end of Springfield House with a separation distance of approximately 21m. Whilst the ridge line of these units would be greater in height than Springfield House and the nearby row of garages, the difference in height would not be detrimental to the character and appearance of the locality and street scene of Bryntaf.

The layout and arrangement of the development would reflect the layout of the nearby terraced housing in this part of Aberfan. The proposed flats and houses (Units 5-20) at the back of the site would not appear unusually high in the street scene or the wider landscape, given its considerable set back from the street, the elevated nature of some of the existing housing and other terraces in the area which step down the valley side. As such the scale of the proposal would respect the built environment in the area.

As noted above, the application is supported with examples of the possible arrangement of balconies and windows, and materials that could be incorporated into the final design of the proposed development. There are some concerns regarding the degree of glazing and the use of extensive areas of white or light-coloured render on the external surfaces of the buildings, particularly on the flats and houses at the back of the site. However, this does not amount to significant concerns and these aspects of the proposal would be further assessed through an application for the approval of reserved matters.

The proposed areas of the site where landscaping could be introduced (which may include the planting of trees and shrubs around the edges of the site boundary and smaller areas of shrub planting) within the site are generally acceptable and would

contribute to the overall appearance, integration and quality of the development. However, further details regarding the final scheme of hard and soft landscaping (planting and surface materials) would be assessed through an application for the approval of reserved matters.

Overall, the proposal would not result in an unacceptable impact on the character and appearance of the street scene or wider landscape which includes the Cemetery and Garden of Remembrance. Therefore, the proposal complies with Policy SW11 of the LDP.

Highway safety and car parking considerations

With reference to highway safety issues, and noting the representations received from local residents, the Head of Engineering has raised no objections to the proposal. In arriving at this conclusion, consideration has been given to the key issues that affect this proposal such as the proposed access onto Bryntaf, the suitability of the existing highway network to serve the proposed development and the level and frequency of traffic generated by the proposed development.

The means of access to the development would be via Bryntaf which extends along the eastern boundary. Parking in this area is largely accommodated along both sides of the street, which currently imposes some restriction on two-way traffic movements. The existing vehicular access into the site would be retained and improved. The layout plan indicates 44 off-street parking spaces would be provided within the hardstanding areas around the buildings with a further 14 spaces being provided within the undercroft of the proposed dwellings. This would provide the development with a total of 58 off-street parking spaces to serve the development. The level of off-street parking indicated on the proposed site plan is in accordance with the Council's adopted parking standards (CSS Wales Parking Standards 2008) which stipulates maximum parking requirements in relation to houses and apartments as 1 space per bedroom (up to a maximum requirement of 3 spaces). As such, the level of off-road parking is sufficient to cater for the needs of the future occupiers of the proposed residential units. Further to this, the internal layout of the roads and pavements around the site would meet with adoptable standards.

A Transport Statement (undertaken by iTransport Planning) has been submitted in support of the application, which assesses the traffic movements and traffic speeds experienced along Bryntaf. This report has considered the highway implications of allowing the proposed development. It highlights the existing usage of the site as a car repair and MOT garage, the vision splay requirements and the traffic movements associated with this use and the proposed development. It notes that data from the TRICS database illustrates that the proposed development may result in 11 movements (arrival and departure) in the morning and afternoon peak hours. When taking account of the traffic generated by the existing car repair garage use, it states that the proposal would generate one additional movement every 12 – 15 minutes, which is deemed to be negligible. It is acknowledged that Head of Engineering and Highways has not raised any highway safety concerns with the proposed development and that the parking and access meets appropriate standards. Therefore, the proposal complies with Policy SW11 of the LDP.

Residential amenity

Whilst it is acknowledged several residents have raised concerns that the development would result in a loss of privacy and a loss of light, given the siting and orientation of the proposed buildings, the property that has the greatest potential to be affected by the development is Springfield House, which adjoins the northern boundary of the site. The development site is located on the opposite side of the road to 18 - 23 Bryntaf and 1 – 5 Griffith Terrace to the east and 104 Bryntaf would be some 27m from the row of houses at the front of the site. Given the layout of the development and its relationship with these properties, it is considered that the site could be appropriately developed without significantly impinging upon the amenities of the existing properties located to the east and south of the application site.

Notwithstanding the above, due to the height and positioning of some of the proposed buildings on this site, there is potential for the development to impact on the amenities of Springfield House i.e. in terms of overbearing or loss of privacy and this is a concern that has been raised by the occupiers of this neighbouring property. The gable end of Springfield House is set back approximately 5m from the site entrance and its side garden area is enclosed by a concrete block wall. A large part of its rear garden area is elevated above the floor level of the house and is enclosed by a hedge along its western rear boundary. As the layout and scale of the proposed development is to be considered at this stage, the siting, height and orientation of the proposed rows of houses and flats is clear and as such, the potential impact of the proposed dwellings on Springfield House can be measured.

The flats and houses to the rear of the site would be orientated to have a north-easterly frontage towards the rear aspect of Springfield House but at a slight angle. The houses (Units 19 and 20) would be approximately 13m away from the rear garden boundary of Springfield house, Units 17 and 18 would be stepped back and would be approximately 18.5m away from the rear garden boundary and the flats (Units 14, 15 and 16) would be approximately 16.5m from the rear garden boundary. These properties would all be at least 30m away from the rear elevation of Springfield. Taking into account the separation distances, the height of the existing quarry wall, existing trees and the topography of Springfield House's rear garden the proposal would not result in a significant loss of light or be so overbearing upon Springfield House to warrant the refusal of the application.

In relation to the loss of privacy, there is adequate separation from these proposed dwellings. Any potential overlooking is further reduced by Springfield House's rear garden area which rises in level, the retention of existing trees and additional planting proposed which are located between the site boundary and the dwelling's garden boundary. As such the levels of overlooking caused by the houses and flats to the rear of the site would not be so significant to warrant a refusal in this instance. In regards to the other houses and flats (Units 5-13), these are positioned further to the south away from Springfield House and would have a considerably lesser impact on the amenities of Springfield House.

It is noted that following the appeal decision (CAS-01937-Z3C8L1) the relationship between the dwellings (Units 1-4) at the front of the site and Springfield House has changed, due to a reduction in the height of the building and an increased separation

distance. This row would front onto the side elevation and side garden area of Springfield House where there would be a separation distance of 16m from the garden boundary wall and approximately 21m to the side wall of its single storey annexe. The proposed houses would also be more than 21m from the majority of Springfield House's rear garden. It is accepted that this aspect of the development would allow for some overlooking to occur into the side garden area of Springfield House, and these dwellings would front onto a gable end (in which there are no first-floor windows). However, given the nature of the area, there is already a degree of overlooking between properties and, due to the increased separation distance, there are no concerns in relation to any potential first floor windows. There would be some potential concern with windows introduced on the second floor windows (serving the rooms within the roof space) as these could lead to greater concerns of overlooking Springfield House. As the final appearance of the houses, which includes the position of any windows, would need to be determined as part of a future reserved matters application, this issue of windows could be reasonably addressed through the use of roof lights to minimise any impacts.

Overall scale and layout of the development is acceptable and whilst there are some concerns relating to privacy, this matter can be reasonably addressed as part of the reserved matters, where there would be further consideration of the fenestration, balconies, areas of glazing and landscaping, where further measures can reasonably be put in place to minimise any impacts to an acceptable level. Therefore the proposal complies with Policy SW11 of the LDP.

Ground conditions

The application site is located in an area identified by the Mining Remediation Authority (previously The Coal Authority) to be at high risk from past coal mining activities. A Coal Mining Risk Assessment has been submitted in support of the application and highlights that recorded shallow mine workings (2m below ground level) pose a high risk for the development and there is a high risk of mine gas emission within the site boundary. The report recommends that rotary boreholes are drilled across the site to a depth of around 25m below ground level to determine the presence and depth of any potential workings in the coal seam. Additionally, due to the risk of mine gas, it recommends that gas wells are installed to monitor for mine gas emissions. The report goes on to highlight that mine stabilisation works may be required depending on the findings of these investigations.

The Mining Remediation Authority welcomes the recommendations for the undertaking of intrusive site investigations and advises that the investigation will need to be designed by a competent person, in cognisance of the conclusions of the Coal Mining Risk Assessment, to properly assess ground conditions and to establish the exact situation regarding mining legacy which could pose a risk to the proposed development. The findings of the intrusive site investigations would then be used to inform any mitigation measures, such as grouting stabilisation works and foundation solutions, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

Accordingly, the Mining Remediation Authority has not raised an objection to the development subject to conditions which require the findings of intrusive site

investigations to be submitted before works start. Further to this, the developer would be required to provide a signed statement or declaration by a suitably competent person confirming that the site is or has been made safe and stable for the approved development. Therefore, subject to the necessary site investigations and any necessary remediation measures being carried out, the site can be appropriately developed without posing a significant health and safety risk. It should also be noted that further assessment of such matters would be carried out as part of any Building Regulation application and subsequent inspections. Therefore the proposal complies with Policy EnW4 of the LDP.

Ecology

The western boundary of the site lies adjacent to a Site of Importance for Nature Conservation (SINC 34 – “*West of Aberfan*”), with the development being separated by the face of the quarry. A number of ecological reports and updates have been submitted in support of the application.

A Preliminary Ecological Appraisal (PEA) dated October 2021 submitted in support of the application, concludes that the site is overall of low/negligible ecological value. No bird nests were noted during the survey, but the report notes that the site does offer nesting opportunities. Accordingly, mitigation measures are recommended to ensure the conservation of nesting birds. The habitats within the site are noted in the PEA to be dominated by semi-improved neutral grassland with optimal conditions for reptiles. As such, the report recommends the undertaking of further survey work to determine whether reptile species are present in the vicinity of the site and to inform the need for any mitigation. In terms of bats, it highlights that the quarry face has been heavily colonised and many of the old crevices that may have once supported protected species are now filled with vegetation. However, given the extent of the quarry face, the report advises that it cannot be discounted that a crevice or other features suitable for bats exists. Additionally, suitable bat foraging/commuting habitat exists on the northern, southern, and particularly on the western boundary of the site, and the on-site building has moderate potential for roosting bats. As such, the report recommended the undertaking of bat emergence surveys to determine if bats are using the potential roosting features on site, the nature of the potential use and the species of bat.

Following the results of the PEA, further survey work was commissioned comprising a reptile survey and a bat emergence survey. The Protected SPP report, dated October 2021 concludes that it is unlikely that the on-site building and quarry face are being used as a bat roost. However, the building has been designated as having moderate suitability for bats. Accordingly, two emergence surveys were conducted on the building and the quarry face. No bats were observed exiting or entering the building or quarry face. Given the results of the survey, the report concludes that the development of the site is unlikely to result in any impacts on bats and a European Protected Species (EPS) licence would not be required. The results of the reptile survey also show no evidence of reptiles using the site.

Given the age of the surveys referred to above, further information in the form of habitat assessments have been provided in support of the application. The purpose of the assessments is to ascertain the extent of any changes to the ecological habitats

within the site, which would indicate whether further species-specific surveys are required prior to the determination of this application.

The update assessment dated 29 January 2025 advised that an ecological walkover was conducted during optimal weather conditions, with the ground soft enough to identify species specific prints. This survey advises that the building, scrub and grassland areas have remained unchanged since the previous surveys and the building was unaltered and retains the same usage and suitability for bats as previously identified in 2021. The updated assessment provides the same recommendations in respect of mitigation for nesting birds as included in the PEA.

A further update specifically in relation to the buildings on the site was provided on the 31 March 2025. The report notes a number of areas which could be used for crevice dwelling bats but the general fabric of the building and degree of light renders the building unattractive for bats which would roost in loft areas. The update confirms that the structure remains unchanged since the 2021 surveys and there is nothing to suggest that the likelihood of roosting has increased or that the results of the previous surveys are no longer valid. The update recommends that before the commencement of any works on the building, a detailed endoscopic inspection is carried out by a qualified bat consultant to assess the presence of bats in accessible sections of the roof and a suitably qualified bat ecologist will provide a 'tool-box talk' to all contractors involved in the demolition works.

The Planning Ecologist advises that the findings in relation to the wider habitat remain valid and raises no concerns such as the need for further surveys in this respect. However, the Planning Ecologist does raise concerns regarding a need for additional bat surveys due to the previous survey being carried out in 2021, which is more than 3 years ago. Given that the recent ecological surveys of the habitat of the wider site and the building clearly advise no significant changes have occurred on site, or that a different conclusion can be made in relation to the findings of previous assessments, it is reasonable to determine that further survey work is not required in this instance.

It is appropriate to ensure the development is carried out in accordance with the recommendations in relation to nesting birds and, prior to the demolition of the building, appropriate steps are taken to check for any bats via an endoscopic inspection and 'tool-box talk'. It is not possible to rule out bats using the building for roosting or hibernation purposes, particularly in the period between planning permission and works commencing on site, which could be several years. Therefore, appropriate measures will need to be implemented to ensure the protection of any bats that may be present. As such, it is appropriate that prior to the works commencing on site, a method statement shall be approved for the sensitive demolition of the building incorporate the mitigation measures recommended in the ecological reports. This ensures that the protection of bats is maintained and that the legal requirements for working with protected species are met. Therefore, the proposal complies with Policies EnW1 and EnW3 of the LDP.

Drainage and surface water run-off

The matter raised as a result of the publicity exercise in relation to surface water run-off and flooding have been noted. It is acknowledged that the site does not fall within

an area defined to be at risk from flooding and that the applicant would need to gain approval for their drainage scheme from a SuDS (Sustainable Urban Drainage Systems) Approval Body (SAB) before construction can begin. As part of this process, a sustainable drainage system that manages surface water with water flow rates and volumes would be required. Whilst the approval of the drainage scheme lies outside of the remit of this planning application, the landscaping details, which may include drainage solutions i.e. soakaways and raingardens would also be considered as part of a future reserved matters application. Therefore, the proposal does not run contrary to Policies SW11 or EnW4 of the LDP.

Affordable Housing Contribution

Policy SW9 of the LDP sets out the requirement to seek affordable housing contributions where appropriate. Given the location of the site within an 'Other Growth Area', normally a contribution of 5% on-site affordable housing would be sought on a development of 10 or more homes. In this instance, this would amount to the provision of 1 affordable dwelling.

Using the Three Dragons Toolkit, the viability of the development has been assessed by the Planning Policy Officer. In this instance no planning obligations for the provision of affordable housing or any other contributions have been sought as this would likely render the development financially unviable. Furthermore, it has not been identified that there is a need to provide a contribution towards open space and a Community Infrastructure Levy is not payable in this part of the Borough. Accordingly, the proposal complies with Policy SW9 of the LDP in this instance.

Other matters raised during the publicity exercise not addressed above

- Any damage that may occur to private properties during the course of development would be a civil matter between the applicant/developer and the respective owners of the buildings/land.
- With regard to deliveries and construction traffic, it is appreciated that this would need to be managed appropriately, the impact of which would be temporary in nature. This could be adequately addressed via a condition to secure a construction management plan to address issues of construction traffic, parking, the loading and unloading of plant and materials.
- Disruption arising from construction is an inevitable short-term consequence of any form of development and it is not a sufficient reason to withhold planning permission. To minimise any issues concerning noise, pollution and fumes (i.e. dust), which may impact on the amenities of the surrounding properties during construction, a condition could be imposed to ensure a construction management plan is agreed and to restriction the hours of construction to appropriate times.
- The relocation of the post box on the site is a private matter between Royal Mail and the landowner and is not a material planning consideration.

- The existing garage does not fall within a protected employment area. As such, the loss of a car repair garage at this location would not run contrary to the LDP policies and would therefore not justify the refusal of the planning application.
- It is acknowledged that indiscriminate parking takes place in the vision splay area to the right of the proposed access. However, such parking takes place illegally and the area of land falls under the control of this application (and thus can be controlled by the applicant). Indiscriminate parking which gives rise to highway safety concerns or obstructs the highway would be a matter for the Highway Division or the Police to take appropriate enforcement.

Conclusion

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.

Having regard to the policy context above, the proposal is considered to be acceptable, and the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. Details of the appearance and landscaping, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

3. **In conjunction with the submission of the reserved matters**, details of proposed site levels of any landscaped areas and the proposed finished ground and floor levels of the dwellings, including section details of the development in relation to the neighbouring properties shall be submitted to and approved in

writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To protect residential and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

5. The development shall be carried out in accordance with the following approved plans and documents:

Drawing Title: Site Layout, Drawing A100, Rev A, Received 24/04/2025

Scale parameters as shown on Drawings:

- Proposed Elevations, Drawing ref. A202, Rev A, received 31/05/2025
- Proposed Elevations, Drawing ref. A102, Rev A, received 08/04/2025
- House Type 2 Proposed Elevations - Pair, Drawing ref. A206, received 24/04/2025
- House Type 2 Proposed Elevations, Drawing ref. A204, Rev C, received 24/04/2025

Preliminary Ecological Appraisal. Bryntaf Garage. Sylvan Ecology (for JT Planning). Document number J M050-PEA Report-V1.1. Issue Date 15/10/21.
Protected Species Report. Bryntaf Garage. Sylvan Ecology (for JT Planning). Document number M050- Eco Report-V1.1. Issue date 15/10/21.

Acer Ecology letter/report, dated 28/03/2025

Coal Mining Risk Assessment FWS Geotechnical & Geoenvironmental Consultants Document number 3960OR01/March 2021

Transport Statement itransport Planning

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

6. **Prior to the construction of the dwellings** hereby approved samples of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **Before works commence on site** details of the access road and footways surfacing material shall be submitted to and approved in writing by the Local Planning Authority. The proposed access road and footways shall be constructed in accordance with the approved details and completed up to base course level prior to the occupation of any dwelling and fully completed (wearing course level) prior to the occupation of the last dwelling, hereby approved.

Reason - In the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. No surface water run-off from the private or public areas of the proposed development shall discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interests of highway safety and to prevent over capacity of the existing highway drainage system and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. **No development shall commence until** the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are

complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason - To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination. To accord with policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason - To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. To accord with policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. **No development shall take place** until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out, in accordance with policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

13. **Prior to the commencement of any development works** a scheme to investigate and monitor the site for the presence of gases being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the local planning authority.

Following completion of an approved monitoring scheme, in the event that gases are being generated the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases

and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the local planning authority.

All required gas protection measures shall be implemented as approved and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the local planning authority agrees in writing that the measures are no longer required. A copy of the verification certificate should be submitted to the local planning authority prior to the first beneficial use of the site.

Reason - In the interest of health and safety and environmental amenity and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. **No development shall commence**, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) the management of vehicular and pedestrian traffic along the site boundary;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) wheel washing facilities;
- vii) measures to control the emission of dust and dirt during demolition and construction; and
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and to accord with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

15. **No development shall commence** until details of a scheme for the disposal of foul water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason - To ensure adequate disposal of foul drainage in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

16. **Prior to works commencing on site**, in accordance with the recommendations of the Preliminary Ecological Appraisal details for the provision of gaps for passing of hedgehogs, 6 integrated bat boxes and 6

integrated bird boxes together with details of their location within the site, shall be submitted to and approved in writing by the local planning authority. The hedgehog gaps, integrated bat and integrated bird boxes shall be installed in accordance with the approved details prior the occupation of any dwelling.

Reason - To provide biodiversity and environmental enhancements in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

17. **Prior to the occupation of any dwelling hereby approved**, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

Reason - In the interest of the visual amenity of the area and the privacy of occupiers of adjoining properties.

18. **Prior to the occupation any dwelling**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority to protect bat foraging/commuting areas. The details shall include:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes to be maintained, together with dark routes for access to any bat boxes;
- details of the siting and type of external lighting to be used together with the proposed colour temperatures;
- Isolux drawings setting out the light spillage in key sensitive areas;

The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

19. **Prior to the demolition of any building on site**, a method statement for the demolition works shall be submitted to and approved in writing by the local planning authority. The method statement will incorporate:

- the measures recommended in the approved report Acer Ecology letter/report, for the use of an endoscopic check of the buildings by a suitably qualified ecologist,
- a tool-box talk by a suitably qualified ecologist to any persons involved in the demolition of the buildings; and
- the removal/demolition of the building by hand and under the supervision of a qualified ecologist.

If bats are discovered during this inspection or during demolition, all work will immediately cease and any further work will take place in accordance with the appropriate Protected Species Licence where required.

Reason - To provide protect biodiversity in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

20. All planting, seeding or turfing comprised in the approved details of landscaping (including the wildflower area) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive and provides biodiversity environmental enhancements in the interests of amenity and to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

21. Demolition and construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

22. The parking spaces as illustrated on the Site Layout Plan (Dwg No. A100) shall be constructed prior to the occupation of the dwellings and shall be retained for such purposes at all times thereafter.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The developer's attention is drawn to advice provided by Dwr Cymru/Welsh Water in their letter dated 11 January 2024.
2. The Developer would be required to enter into legally binding agreements (S38 and S278 of Highways Act 1980) to secure the proper design and implementation of the proposed works to the existing highway and the internal roads, footways and highway drainage, including an appropriate bond and fees.
3. The developer's attention is drawn to the Mining Remediation Authority note in respect of condition 13: 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas monitoring programmes should be

designed in line with current best practice as detailed in CIRIA 665
(Construction Industry Research and Information Association) and/or BS8485
2007 Code of Practice for the Characterization and Remediation from Ground
Gas in Affected Developments.