

DELEGATED REPORT

Application No:	P/23/0125
Site Address:	Land At Quakers Yard Station Tramroadside Treharris
Development:	Retrospective permission for the construction of a new footbridge, works to demolish, alter and extend existing platform north of the railway line and construction of a new platform south of the railway line with associated ancillary works
Case Officer:	Emma Watkins
Application Expiry Date:	7th July 2023
Consultation reply date expired:	6th June 2023

APPLICATION SITE

The application relates to Quakers Yard Train Station, within the settlement of Treharris. The site is situated to the south of the residential estate, Taff Vale. The station originally consisted of a single platform with a shelter and a single railway track. There is evidence from Transport for Wales that there was an historic platform on the southern side of the existing track, and historic mapping shows that there was extensive railway infrastructure to the north and south of the existing station in the past which has subsequently been removed.

The station was previously accessed via a surfaced footpath from Taff Vale, which is a residential street directly north of the station. The land slopes down from Taff Vale to the down-platform level (north side of track). The footpath meets the down-platform which extends partly to the west, but mostly to the east where there was an existing shelter and ticket machine. Previously the footpath continued to the level crossing which provided a link to the land to the south (the level crossing has since been removed as part of the redevelopment of the station). This land to the south is designated as Green Infrastructure Open Space and is a designated Site of Importance for Nature Conservation (SINC).

The nearest residential properties to the application site are immediately to the north on the southern side of Taff Vale. There are detached dwellings which back directly onto the existing railway station. They are set at a higher level than the platform level with low level walls and fences separating the railway land from the rear gardens of these properties. The properties located on the northern side of Taff Vale are further away from the station platform, but they are immediately opposite the entrance to the station.

PROPOSED DEVELOPMENT

Full retrospective planning permission is sought for the removal of the existing pedestrian level crossing (including the associated footpath and fencing between the level crossing and the existing down-platform), the construction of a new footbridge over the railway line with ramps and stairs on either side, works to demolish, alter, and extend the existing platform north of the railway line (the down-platform) and the construction of a new platform south of the railway line (the up-platform) with ancillary works. The ancillary works include the erection of a new platform waiting shelter (measuring 8.7 metres in width by 2.2 metres in depth), additional lighting, CCTV columns and cycle hoops.

The works commenced in July 2022, however, whilst not completed when the planning application was submitted, they are largely complete at the time of writing this report and the station is ready to re-open.

A request for a Screening Opinion was received by the authority on 4 December 2019 to determine whether the CVLT works (incorporating this development) required Environmental Impact Assessment (EIA). The authority responded on 11 February 2020 to confirm that the CVLT works (as a whole) did not constitute EIA development and as such this application was not required to be accompanied by an Environmental Statement.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

The following bodies were consulted, and their responses are presented below:

Head of Engineering and Highways – No objection.

Planning Division's Ecologist - No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring dwellings.

A total of 9 no. objections have been received which raised the following concerns:

- Loss of privacy
- Loss of amenity
- Scale is excessive
- Poorly designed
- No car parking proposed/increase in on-street car parking
- Detrimental impact on health, wellbeing and lifestyle
- Works are visually intrusive and not in keeping with the surrounding natural environment and historical nature.
- Development is over engineered
- The walkways are too long and the steps are too steep and too many
- Encourage anti-social behaviour

- Light pollution
- Loss of property value
- Loss of view
- Impact on residential amenity during construction works
- Disruption to wildlife habitats/protected species
- Railings are red, grey and black and are out of character

Loss of property value and loss of view are not material considerations. The remaining concerns are addressed in the report.

Local Ward Members were advised of the objections received to this application however, no request has been submitted requiring the application to be reported to the Planning Committee. As such, the application will progress to be determined by the Director of Neighbourhood Services.

POLICY CONTEXT

National Policy

Future Wales – the National Plan 2040 (National Plan) 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. The National Plan applies to the whole of Wales and covers the period to 2040 and has development plan status (adopted February 2021).

The National Plan sets out 36 policies as part of the spatial strategy and the following are considered most relevant to this proposal:

- Policy 11 National Connectivity
- Policy 12 Regional Connectivity
- Policy 33 National Growth Area – Cardiff, Newport and the Valleys
- Policy 35 Valleys Regional Park

In particular, Policy 12 refers to Regional Connectivity which the Welsh Government will support and invest in. The policy states the Welsh Government will work with Transport for Wales, local authorities, operators and partners to deliver measures to improve regional connectivity including developing the South East Metro, creating new integrated transport systems that provide faster, more frequent and joined-up services using trains, buses and light rail.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, and environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, The Well-being of Future Generations (Wales) Act and other key legislation.

Chapter 3 (Strategic and Spatial Choices) and Chapter 4 (Active and Social Places) of PPW both highlight the need to minimise the need for travel and reliance upon the car, and to increase walking, cycling and the use of public transport.

Paragraph 3.61 of PPW states that “Adequate and efficient infrastructure, including services such as [...] transport [...] is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.”

Paragraph 4.1.1 of PPW sets out that “The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport.”

In relation to transportation infrastructure specifically, paragraph 5.3.1 notes that “The provision of sustainable transport infrastructure is essential in order to build prosperity, tackle the climate emergency, reduce airborne pollution and to improve the social, economic, environmental and cultural well-being of Wales. The planning system should facilitate the delivery, decarbonisation, and improvement of transport infrastructure in a way which reduces the need to travel, particularly by private vehicles, and facilitates and increases the use of active and sustainable transport”.

Paragraph 5.3.2 of PPW goes on to state that “Planning authorities should support necessary transport infrastructure improvements, where it can be demonstrated that such measures are consistent with Welsh Government policy to encourage and increase use of sustainable transport and reduce reliance on the private car for daily journeys.”

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

- Technical Advice Note 5 Nature Conservation and Planning (September 2009)
- Technical Advice Note 12: Design (March 2016)
- Technical Advice Note 18: Transport (March 2007)

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.

Local Planning Policies

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries
Policy SW11 – Sustainable Design and Placemaking
Policy SW12 – Improving the Transport Network
Policy SW13 – Protecting and Improving Local Community Facilities
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
Policy EnW4 – Environmental Protection
Policy EnW5 – Landscape Protection
Policy EcW10 – Sustainably Supplying Materials
Policy EcW13 – Mineral Safeguarding

- Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design (July 2013)
- Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Development (May 2015)

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the background to the application process, background to the proposal, the design evolution, potential retrospective design modifications, principle of development, residential amenity, visual amenity, landscaping, ecology and highways.

Background to the application process

Ordinarily the proposed development could have been considered within the parameters of permitted development, as defined by Part 11, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (GDPO). This requires submission of an application for 'prior approval' which allows the local planning authority to consider whether 1) the proposed development ought to be and could reasonably be carried out elsewhere on the land or 2) the design of the proposed development would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

A formal request for Part 11, Class A prior approval was submitted to the local planning authority in August 2022. However, it was confirmed that it was not possible for the application to be validated because it was determined that the proposed development had already commenced (at the time the works related to below ground foundations for the up-platform and part of the proposed footbridge). Subsequently it was agreed that the most appropriate course of action was for the applicant to submit a full planning application under Section 73A (planning permission for development already carried out) of the Town and Country Planning Act 1990.

Background to the proposal

AIW (the applicant) was appointed by Welsh Government as the Operator and Development Partner (ODP) of the Wales and Borders rail service and South Wales Metro, working in partnership with Transport for Wales (TfW). As the ODP, AIW is undertaking a series of works on the Core Valley Lines (CVL) part of the rail network, these works are known as the Core Valley Lines Transformation (CVLT).

The CVLT are designed to modernise the public transport network so that it can support more services of a higher quality and improve connectivity. The proposed CVLT will reduce times from Cardiff to Heads of the Valleys by an average of 15 minutes and will provide a more reliable service through the purchase and operation of a brand-new fleet of 36 bi-mode metro vehicles.

As operator of the CVL rail network, AIW propose increasing the number of services running along this section of CVL network. The trains will also be upgraded to an electric fleet, which will be faster, quieter and provide more sustainable travel than existing diesel engine stock. Due to these upgrades there was an increased potential for conflicts between trains and users of the level crossing which led to the redevelopment of the

station to remove the level crossing and provide an alternative link to the new platform and the public footpath network beyond.

Design Evolution

The principal objective of the project was to identify a safer, persons with reduced mobility (PRM) compliant alternative to crossing the railway line than the previous level crossing which was recommended for closure for safety reasons.

Three potential options were identified:

Option 1 – Pedestrian underpass with ramps and steps or with lifts and steps.

Option 2 – Footbridge with lifts and steps.

Option 3 - Footbridge with ramps and steps.

In selecting a preferred option, the following criteria were considered.

- Physical constraints of the site.
- Visual sensitivity of the site.
- Meeting the accessibility needs of those using the station, including PRM.
- Cost.
- Anticipated design and construction timescales.
- Interaction with existing station and local infrastructure.
- Safety (including consideration of seclusion and anti-social behaviour)
- Ease of design, including accordance with relevant design standards and feasibility to deliver within the context of other design requirements along this section of the railway (between Abercynon to Merthyr Tydfil stations)
- Led by sustainable development principles.
- Construction logistics and access.
- Maintainability.

A detailed consideration of each of the options is provided by the applicant in the accompanying Planning Statement

Option 3, footbridge with ramps and steps was considered the preferred option primarily due to the station's remote and low laying location. The justification was because the whole life capital costs of a footbridge with lift together a likely increase in seclusion and anti-social behaviour resulted in Option 2 not being selected, but still being preferred to Option 1 which posed significant cost, programme, constructability, and safety issues.

The height of the footbridge (and consequently the length of the ramp and stairs leading to and from it) is a function of the height and position of the Overhead Line Electrification (OLE) works being erected as part of the CVLT works. The OLE does not form part of this application, however.

Further clarification was requested from the applicants during the consideration of the application with regards the chosen option and the design influence for the resulting development. It was queried whether the ramp could have been orientated so that it heads west off the footbridge, instead of right and why a ramp was selected instead of a lift. This clarification was provided in the accompanying Planning Statement Addendum. The platform and ramp could not have been in a different location because of the curve of the track in the vicinity of the station in combination with the signalling scheme at this

location being complex. With regards the selection of a ramp rather than a lift, the options were considered in detail in the Planning Statement including concerns regarding maintenance, opportunities for vandalism and anti-social behaviour. It was also discussed with the applicants that a lift has a greater visual impact. The local planning authority is satisfied with the justification for the option chosen.

Potential Retrospective Design Modifications

As part of the original submission, Appendix 1 of the Planning Statement, provided a table reviewing four potential retrospective design modifications to overcome acknowledged impacts of the development, particularly for residents of the dwellings directly adjacent to the station. The four potential options were summarised in Appendix 1 as:

Option 1 - Extend parapets of ramps with solid screens in areas where overlooking is possible – this would include modifications to the ramp parapets to increase their height with a solid steel screen, the overall height of the screening will be a minimum of 2m from ramp floor level and therefore would provide a solid bank across the whole elevation of the ramp, the colour palette would be light grey, alternatives could be perforated steel plate or opaque Perspex, existing open parapets on ramps would remain as existing

Option 2 - Installation of a secondary new structure to provide the same privacy levels and heights, however supported from a secondary new structure independent of the ramps. – structure would have to be constructed in the space between the rear of the new platform and the new lower leg of the steel ramps, and similarly a separate structure that continues along the upper leg of the ramp, the form of construction would require a maintenance regime equivalent to that of the ramp bridge, the colour palette would be light grey.

Option 3 - Installation of an ancillary structure to the rear down-platform that changes the site lines of those on the ramp and bridge such that there is no visual intrusion into the households. – the specific location would be to the rear of the platform and adjacent to the retaining wall. This would achieve the desired effect but would locally reduce the views of the occupants across the valley.

Option 4 - Erection of a taller close-boarded fencing. – to extend the existing residential boundary fencing. This would bring screening to the end of the garden.

The pros and cons of each of the options is considered further in Appendix 1 and during the application the options were discussed with the agents, and then independently from the local authority the Project Manager discussed options with a group of residents. In discussing the options for design modifications with local residents, the agents for the application advised the local authority that the outcome of discussions was a preference for Option 1 to extend the parapets of ramps with solid screens in areas where overlooking was possible.

The local authority requested further detail to see a worked-up example of Option 1 including screening along the ramp. A worked-up proposal was informally submitted for consideration showing screening along the parts of the ramp where there was most potential for overlooking however there were concerns with the resulting development, many of which aligned with the 'cons' identified in the options table in Appendix 1. Whilst a solid screen would prevent outward views from sections of the ramp, this came at a cost

with regards a greater visual impact of the development, a reduction in views to the hillside backdrop, safety concerns for users of the ramp because informal surveillance would no longer be possible, the potential for anti-social behaviour with screens providing an opportunity for graffiti and vandalism and it would also require additional lighting and CCTV infrastructure at the station. Overall, the informal proposal for mitigation was considered to result in more harm than benefit, and the screening option was not submitted for formal consideration.

Principle of Development

Policy SW4 Settlement Boundaries states to encourage development within urban areas, support the re-use of previously developed land, and to protect and support the functioning of our rural economy and the countryside, settlement boundaries will be defined either as Primary Growth Area or Other Growth Areas. Outside of defined settlement boundaries proposals will be regarded as 'countryside development' and will not be permitted unless the development 'is for the provision of public utilities, infrastructure or waste management facilities that cannot reasonably be located elsewhere.'

Policy SW12 Improving the Transport Network states that development that encourages a modal shift towards sustainable transport will be supported and to support the County Borough's transport network several schemes are proposed, including 'Southeast Wales Metro (Merthyr Tydfil Valley Line) improvements'. The LDP recognises the Transport Hierarchy and national policy aims to reduce the need to travel, particularly by private motor vehicles, by supporting healthy and sustainable transport options and encouraging a modal shift. Consequently, development proposals that encourage a shift towards sustainable transport modes and build upon opportunities for better integration will be supported.

The application site is located outside, but directly adjacent, to a defined settlement boundary. Whilst development would generally be encouraged to be within the settlement boundary, for operational reasons and because this application relates to improvements to the existing infrastructure of Quakers Yard Station, there is justification for the countryside location so that the proposal does not conflict with policy SW4. The development is further supported by policy SW12 because the existing railway line in this location (including Quakers Yard Station) is designated under 12.3 as part of the South East Wales Metro (Merthyr Tydfil Valley Line) improvements. As such the principle of the application is considered acceptable.

Residential Amenity

Policy SW11 Sustainable Design and Placemaking states that 'Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate new development will be required to (amongst other things):

- Not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design.

In addition, policy EnW4 Environmental Protection states that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from (amongst other things):

- Noise vibration, dust, odour nuisance and light pollution.

The impacts of the redevelopment of the station on residential amenity can be assessed on site, because this is a largely retrospective application. Whilst officers are mindful of the impacts of the development, these must be considered in the context of Quakers Yard being an existing railway station which has been in existence long before there was residential development. In addition, the works are part of region wide improvements to the railways as part of the Wales and Borders Rail Service and South Wales Metro and it is therefore necessary to consider the planning balance of these changes.

For the residential properties in Taff Vale Estate who border the station and railway tracks, there are varying degrees of impact, some which came from the disturbance from the construction of the project and others that result from the new footbridge, new platform, new ramp access on the new platform and new staircases to access each platform (from the new footbridge) in particular (but not exclusively) for the properties on the south side of Taff Vale Estate. These properties are closer to the station but set at a higher level than the station. The impacts from construction, whilst an acknowledged disturbance, are not generally a reason for not accepting a development but in a potential project (rather than near complete one) conditions could be attached to manage such impacts.

With regards the impacts on properties who are directly adjacent to the station on the south side of Taff Vale Estate, the outlook for these properties has changed and there are opportunities for users of the stations to overlook into the rear gardens and rear of the properties. There is also a likely intensification of the use of the station as the intended outcome of the CVLT works is to increase the number of people using the railways, as an alternative to the private motor car.

Various design options were considered before the actual configuration was chosen, and this has been discussed earlier in the report. The reasons for the need for a footbridge to replace the previous level crossing are understood from a health and safety perspective. There were also design reasons (including existing signalling infrastructure that was too complex to relocate) for the location of the footbridge, the new station platform, the extended existing platform and the access staircases and ramp. Officers asked for further clarification of the design option chosen to understand why the infrastructure could not have been located away from the nearest properties and these are provided in more detail in the Planning Statement Addendum. It is considered that the scale, size and proportion of the bridge, stairs and ramps do have an impact on the residents, but they are largely functional elements of engineering and have been designed directly for their purpose to compliment an existing railway station. The appearance of the infrastructure with regards the colour scheme is also as a result of the corporate colour scheme for Transport for Wales.

The ramp, more than the stairs (where people are generally looking down to watch their step) does offer the potential for users to look into the nearest properties on Taff Vale Estate. Whilst various options to mitigate overlooking were presented to officers and also discussed separately with residents, the preferred option (only submitted informally) of erecting screens above the existing railings along the ramp was considered to create more harm than benefit. Officers are satisfied that the benefit of the improvements to the station as part of the wider CVLT project outweighs the localised harm. Whilst residents were not keen to explore options to extend their own boundary fencing, this remains an option available to them to secure a degree of privacy.

Other elements that have the potential to impact residential amenity including lighting, CCTV can often be carried out without the need for planning permission because they fall within the operator's permitted development.

Visual Amenity

Policy SW11 Sustainable Design and Placemaking states that 'Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate new development will be required to (amongst other things):

- Be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
- Integrate effectively with adjacent spaces, the public realm and historic environment to enhance general street scene and create good quality landscape.

As discussed above the scale, size and proportion of the bridge, stairs and ramps do have an impact on the visual amenity, but they are largely functional elements of engineering and have been designed directly for their purpose. Various design options were considered for the improvements to the station, as outlined above but by their nature any one of the options would have an impact because the change was from a single platform station with level crossing, to a footbridge and associated stairs and ramps, to ensure access for all.

The application has been accompanied by indicative proposals for landscaping including a Landscape Management and Mitigation Plan. Full details of the proposed landscaping and a detailed LMMP will be required by condition. Whilst in the short term there will be a greater visual impact from the development, because the change has been from open views to views with newly installed infrastructure, the longer-term benefits from the proposed planting in and around the station will ensure that the visual amenity for visual receptors diminishes over time.

Landscaping

Policy SW11 Sustainable Design and Placemaking states that 'Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate new development will be required to (amongst other things):

- Integrate effectively with adjacent spaces, the public realm and historic environment to enhance general street scene and create good quality landscape.

The application has been accompanied by Landscape Mitigation Considerations, which considered the location of residential receptors, their view before and after construction of the development, localised constraints to mitigation, potential landscape and visual mitigation options (including location and types of mitigation) and mitigation recommendations. These considerations have informed the landscape plans for the scheme.

An indicative Landscape Plan has been prepared and proposes planting as follows:

- Woodland areas to the north and south of the station platforms, comprising mixed tree species as well as woodland edge species
- Individual trees (approx. 3m in height) within the proposed woodland areas to the north of the station platforms (along Taff Vale Road)
- Grass verges (2m wide) along the south side of Taff Vale Road)
- Areas of tussock grass and wildflower mix adjacent to the proposed woodland edge areas
- Hibernacula within the woodland areas and along the woodland edges to the south of the station platforms.

Indicative sections across the development site (to show existing, year 1 and year 15 mitigation scenarios) have been included along with an indicative visual representation.

An indicative Landscape Management and Mitigation Plan (LMMP) has been submitted and reviewed by the Planning Ecologist who is satisfied with the proposals outlined. Several opportunities for enhancements are identified including;

- Strengthening the transport corridors, ensuring tree lines are well connected and sensitively managed.
- Ensure wildflower meadows and verges are sensitively managed and well-connected with wider vegetation and other semi-natural habitat features (particularly woodlands); and
- Ensure current blocks of semi-natural habitat and protected sites are sensitively managed and their extent increased where appropriate.

The LMMP also draws on enhancement opportunities identified in the Ecological Impact Assessment (EclA) (discussed further below) including:

- Management of grasslands for reptiles
- Management of trees and hedges to enhance diversity whilst offering visual screening
- Deployment of bird and bat boxes
- Creation of refugia piles for reptiles, hedgehogs and other small mammals
- Translocating high quality patches of existing plants and replanting into the landscape scheme to preserve individual plants and species as well as some of the existing seed bank.

Overall, the indicative landscaping proposals and the long-term management via the LMMP are considered to be acceptable and will help to balance the impact of the development in the landscape. Conditions have been included to ensure the submission of full detailed landscaping proposals and a detailed Landscape Management and Maintenance plan.

Open Space

Policy SW10 Protecting and Improving Open Spaces states that development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse impact on or result in the loss of open space will not be permitted unless (amongst other things) the majority of

the open space can best be retained and enhanced through the redevelopment of a small part of the site.

The LDP proposals map identifies the land to the south of the application site (and partly within the southern part of the application site) as Open Space. The Open Space designation is linear in shape and extends from the settlement boundary to the River Taff to the south.

The redevelopment of the station includes only a small area of the open space and the majority of that area was previously occupied by the derelict platform south of the railway line and surrounding scrub vegetation. The majority of the open space is clearly retained after completion of the development, and access to it is enhanced by the improved safer connectivity. In addition, the EclA identified habitats of only site value with the area of open space lost to development, with the exception of the semi-natural broadleaved woodland, which was considered to be of local value. As such the EclA concluded that the development site has no significant nature conservation importance.

The small loss of open space is considered to be acceptable. The redevelopment of the station would not have an unacceptable adverse impact on the open space.

Ecology

Policy EnW1 Nature Conservation and Ecosystem Resilience states that development proposals will be required to maintain and enhance biodiversity interests unless it can be demonstrated that:

- The need for the development clearly outweighs the biodiversity value of the site; and#
- The impacts of the development can be satisfactorily mitigated and acceptably managed through future management regimes.

Policy EnW3 Regionally Important Geological Site, Site of Importance for Nature Conservation, Local Nature Reserves and Priority Habitat and Species states that development proposals likely to have an impact on such sites, will only be permitted where it can be demonstrated that:

- The need for the development clearly outweighs the conservation value of the site
- Adverse impacts on nature conservation features or geological features can be avoided
- Appropriate and proportionate mitigation and compensation measures can be provided and
- The development maintains and where possible enhances biodiversity and geodiversity interests.

The application has been accompanied by an Ecological Impact Assessment (EclA) which was prepared following the completion of a Bat Constraints Technical Note, Bat Tree Report and Dormouse Survey Report. The EclA made the following conclusions (before the development was largely complete):

- There are no statutory designated sites within 2km (or 10km for bats) of the proposed development. There are 14 non-statutory designated sites within 1km of the site, all of which are Sites of Importance for National Conservation (SINCs). A

small section (0.5%) of the Lower Taf & Edwardsville SINC lies within the land take requirements of the Proposed Development.

- The proposed development contained several habitats such as semi-natural broadleaved woodland, dense / continuous scrub, semi-improved neutral grassland, continuous bracken, ephemeral/short perennial, bare ground and hardstanding.
- The semi-natural broadleaved woodland was a Section 7 Habitat of Principal Importance under the Environment (Wales) Act 2016 and included within Merthyr Tydfil Nature Recovery Action Plan (NRAP) (2019). It formed a linear corridor along the railway which linked to Ancient Semi Natural Woodland in the surrounding area, to the east and west. Therefore, this habitat was considered to be of local value. All other habitats within the Proposed Development were considered to be of no more than site value.
- A Phase 1 Habitat survey and a broad range of protected species surveys were undertaken between July 2020 and August 2022 including; bats, badger (*Meles meles*), otter (*Lutra lutra*), dormouse (*Muscardinus avellanarius*) and great crested newt (*Triturus cristatus*).
- The site was considered to be of local value to foraging and commuting bats, and of site value to breeding birds, otter, badger and reptiles. •
- *Cotoneaster* sp., Japanese knotweed (*Reynoutria japonica*) and Himalayan balsam (*Impatiens glandulifera*) were recorded within habitats adjacent to the proposed development.

The submitted EcIA made the following recommendations:

- Appropriate recommendations for mitigation and compensation were provided in the form of pre-works surveys, method statements, safeguard measures, best practice pollution prevention and native replanting to reduce potential effects on habitats and species.
- In line with planning policy, enhancement measures are provided with particular reference to species and habitats recorded on site to benefit biodiversity.
- Full details of the mitigation, compensation and enhancement measures are set out within a Landscape Management and Maintenance Plan (LMMP) which will show the locations and extents of mitigation/compensation habitats and recommended enhancements to provide an overall increase in biodiversity for the site.
- Additionally, a badger and otter pre-construction walkover (included as Appendix 6) was undertaken prior to the construction of the Proposed Development. T

Of course, many of the impacts on biodiversity and the small area of SINC included in the development site occur during the construction phases of a project and these are largely complete. However, none of the survey work prior to the development raised any major concerns for ecology and as part of the EcIA several biodiversity enhancement measures were identified (and included in the indicative landscaping proposals for the site and LMMP). In addition, it is considered that the need for the development in terms of providing a safe access across the railway track (in addition to the wider benefits of the

CVLT works) outweighs the permanent loss of land within the SINC and the overall conservation value of the site.

The proposed enhancement measures are welcomed, and a condition will be attached to ensure that the detail of these is submitted for approval and to secure their implementation as part of the landscaping proposals. These included:

- Management of grassland for reptiles
- Management of tree and hedges to enhance diversity whilst offering visual screening
- Deployment of bird and bat boxes
- Creation of refugia piles for reptiles, hedgehogs and other small mammals
- Translocating high quality patches of existing plants and relaying into the landscape scheme to preserve individual plants and species as well as some of the existing seed bank.

Highways

Policy SW11 Sustainable Design and Placemaking states that 'Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate new development will be required to (amongst other things):

- Allow access for the widest range of people possible and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards.

The application has been considered by the Head of Engineering and Highways. The vast majority of the proposed improvements to the railway station are located off the public highway and will have no adverse impact. The proposed bridge which provided access to the north exits onto the public highway where an un-controlled pedestrian crossing is required to the existing footway on the opposite side of the carriage. The Highway Authority has been in liaison with TfW and their contractor regarding the crossing and the crossing will be constructed under a S278 Agreement (which sits outside of planning legislation) to ensure its proper design and implementation.

The Head of Engineering and Highways raises no objection and no suggested conditions.

Conclusion

The application is for retrospective development that is largely completed, and it is acknowledged by the local planning authority that this does not represent best practice. However, the context of the development is that it forms a part of the wider CVLT and its enhancement works to railway infrastructure across the regional network. The overall aims of the CVLT are to provide significant improvements to the strategic rail network.

Whilst there are acknowledged impacts of the development with regards its visual impact and impact on neighbouring amenity on balance the benefits of the development (including the proposed landscaping mitigation and biodiversity enhancements) with regards enhancing public transport availability to the community are considered to outweigh the impacts and the development is supported by national and local planning policy, as discussed above.

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.

Accordingly the following recommendation is made:

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

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

- Site Location Plan 2511-01-01
- Statutory Plan 2511-01-02
- Planning Drawing TRAN01-FJD-R1-MER-DDR-C-CV-000101-P01.1
- Planning Sections TRAN01-FJD-R1-MER-DDR-C-CV-000151-P01.1
- Taff Vale Access TRAN01-FJD-R1-MER-DDR-C-CV-000102-P01.1
- Proposed Steelwork Arrangement TRAN01-FJD-R1-MER-DDR-S-ST-000104-P01
- Main Span Steelwork Arrangement TRAN01-FJD-R1-MER-DDR-S-ST-000105-B01
- Ramp Bridge Steelwork Arrangement TRAN01-FJD-R1-MER-DDR-S-ST-000106-B01
- Upside Ramp Steelwork Arrangement TRAN01-FJD-R1-MER-DDR-S-ST-000116-B01
- Upside Ramp Unit Steelwork Details A TRAN01-FJD-R1-MER-DDR-S-ST-000117-B01
- Upside Ramp Unit Steelwork Details B TRAN01-FJD-R1-MER-DDR-S-ST-000118-B01
- Upside Ramp Unit Steelwork Details C TRAN01-FJD-R1-MER-DDR-S-ST-000119-B01
- Upside Ramp Unit Steelwork Details D TRAN01-FJD-R1-MER-DDR-S-ST-000120-B01
- Upside Ramp Unit Steelwork Details E TRAN01-FJD-R1-MER-DDR-S-ST-000121-B01
- Upside Ramp Unit Steelwork Details F, G and H TRAN01-FJD-R1-MER-DDR-S-ST-000122-B01
- Down Platform Cross Sections TRAN01-FJD-R1-MER-DDR-C-CV-000115-B01
- Down Platform Cross Sections TRAN01-FJD-R1-MER-DDR-C-CV-000116-B01
- Down Platform Tie in Detail TRAN01-FJD-R1-MER-DDR-C-CV-000119-B01
- Up Platform Cross Sections TRAN01-FJD-R1-MER-DDR-C-CV-000141-P01
- Up Platform Cross Sections TRAN01-FJD-R1-MER-DDR-C-CV-000142-B01
- Up Platform Waiting Shelter Details TRAN01-FJD-R1-MER-DDR-C-CV-000147-B01
- Drainage General Arrangement TRAN01-KAW-R1-MER-DDR-D-HW-000001-P02
- Planning Statement (Transport for Wales - April 2023)
- Planning Statement Addendum (Transport for Wales - November 2023)
- Bat Constraints Technical Note: Quakers Yard Station - A01 - 02/11/21
- Bat Tree Report: RS1MER Trees - P03.1. Most recent survey dated 31/05/22
- Dormouse Survey Report: Quakers Yard Station - A01 - 12/10/21
- Ecological Impact Assessment: Quakers Yard Station - P02.1 - 08.03.23

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

2. **Within six months of the date of this decision** full details of proposed soft landscaping works shall be submitted to and approved in writing by the local planning authority. These details shall be in accordance with the indicative landscape proposals submitted.

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

3. All planting, seeding or turfing comprised in the approved details of landscaping required by condition 2 shall be carried out in the first planting and seeding seasons following the approval of the landscaping scheme; 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 in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Within six months of the date of this decision** a landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall include full details of mitigation, compensation and enhancement measures as set out in the submitted Ecological Impact Assessment (TFW / Amey - March 2023) and the submitted indicative Landscape Management and Maintenance Plan (Amey Consulting - April 2023) and shall be carried out as approved.

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

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 29.11.2023