

PENYRENGLYN LANDSLIDE RISK MANAGEMENT WORKS

Planning Statement

Project no. 4021526

Prepared for:

Natural Resources Wales

September 2025



Table of contents

1.	Introduction.....	1
1.1	Application Site Location	1
1.2	Spatial constraints relevant to the proposed development	2
1.3	Consents	3
1.4	Site planning history.....	4
1.5	Information submitted with this application.....	5
2.	Description of the Proposal.....	6
2.1	Need for the proposed development.....	6
2.2	Approach to drainage design	6
2.3	Description of the proposed drainage assets.....	7
2.4	Compensatory woodland planting	8
2.5	Operational management.....	9
2.6	Construction compounds and working areas	9
2.7	Construction traffic and access routes.....	10
2.8	Programme.....	11
3.	Consultation	12
3.1	RCTCBC Pre-application consultation	12
3.2	Sustainable Drainage Systems (SuDS) Approval Body (SAB) consultation	12
3.3	Environmental Constraints and Opportunities Record consultation	13
3.4	Mining Remediation Authority consultation.....	13
3.5	South Wales Fire and Rescue Service consultation.....	14
4.	Planning Framework.....	14
4.1	Planning Authority	14
4.2	National Planning Policy.....	14
4.3	Local Planning Policy.....	18
5.	Assessment of Proposed Development against Planning Policy	18
6.	Conclusions.....	23
7.	References.....	24

Details of document preparation and issue:

Version no.	Prepared	Checked	Reviewed	Approved	Issue date	Issue status
P01	Myles Harding	Ella Niehorster	Andrew Burwood	Alex Humphreys	December 2024	For Comment
P02	Myles Harding	Heather Goodrick	Andrew Burwood	Alex Humphreys	August 2025	S3
P03	Myles Harding	Heather Goodrick	Andrew Burwood	Alex Humphreys	August 2025	S5
P04	Myles Harding	Heather Goodrick	Andrew Burwood	Alex Humphreys	September 2025	S5

Project no. 4021526

Client's reference no.

CE0741

File name: 4021526-BUK-ZZ-00-RP-EN-00004

Notice:

This report was prepared by Binnies UK Limited (BUKL) solely for use by Natural Resources Wales (NRW). This report is not addressed to and may not be relied upon by any person or entity other than NRW for any purpose without the prior written permission of BUKL. BUKL, its directors, employees and affiliated companies accept no responsibility or liability for reliance upon or use of this report (whether or not permitted) other than by NRW for the purposes for which it was originally commissioned and prepared.

In producing this report, BUKL has relied upon information provided by others. The completeness or accuracy of this information is not guaranteed by BUKL.

1. Introduction

1.1 Application Site Location

This planning statement relates to proposed drainage works at the former Ynysfeio Colliery spoil tip, also referred to as Penyreglyn tip, hereafter referred to as the 'proposed development'.

The development site (the 'site') is situated on the southwestern slopes of Mynydd Ynysfeio along the eastern side of the Rhondda Fawr Valley (Figure 1-1). The site is located directly north of Penyreglyn, situated between the village of Treherbert to the west and the town of Treorchy to the east. The site is centred at National Grid reference SS 94874 98109 (nearest postcode CF42 5HA) and covers approximately 12.6 ha of land. The site includes a disused coal tip on steep slopes extending south from the Forest Road and including an area of broadleaved woodland, and part of a disused coal tip that comprises a plateau extending from the base of those slopes.

The site is situated within the County Borough of Rhondda Cynon Taf. Rhondda Cynon Taf County Borough Council (RCTCBC) land holdings own the plateau at the base of the hillside and most of the broadleaved woodland within the site. The hillside above the broadleaved woodland is owned by the Welsh Government Woodland Estate (WGWE) and is managed by Natural Resources Wales (NRW).

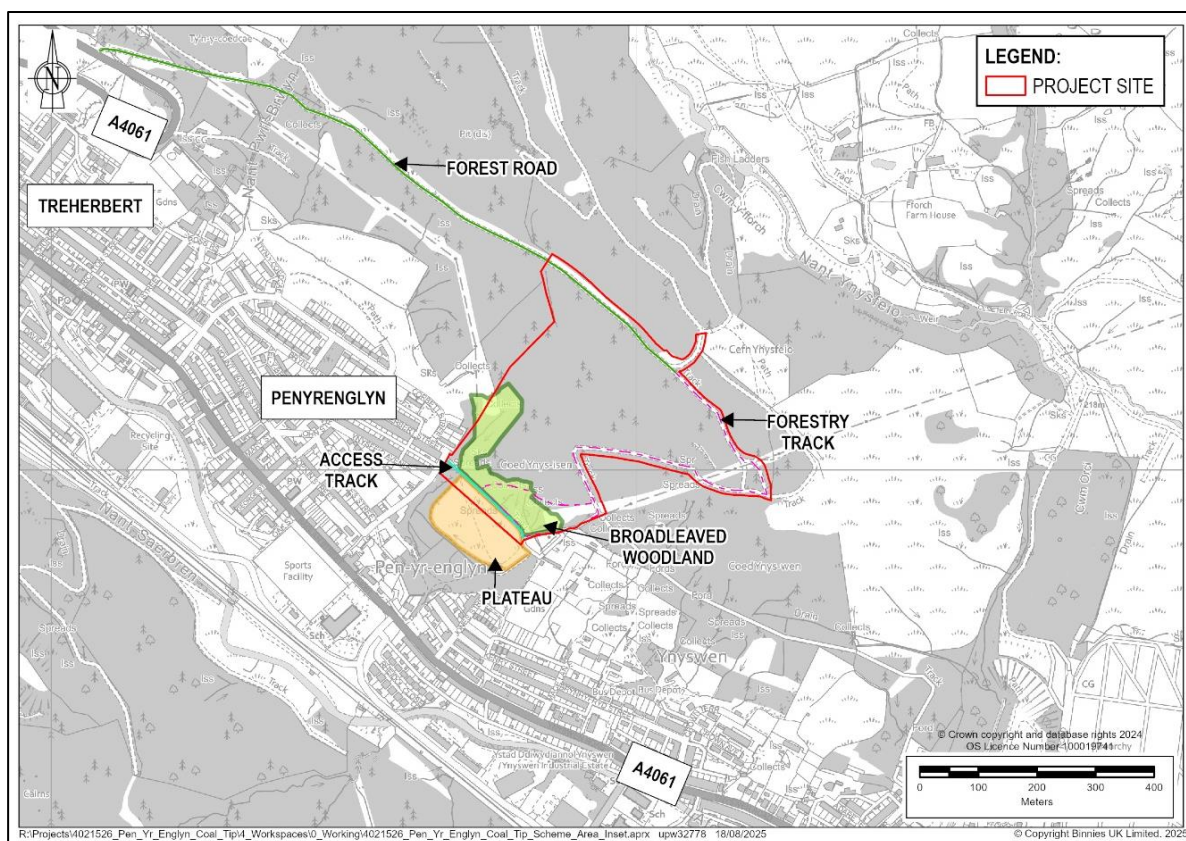


Figure 1-1 –Site Location

Penyreglyn tip was formed as a result of the historical mining waste produced by the Ynysfeio Colliery between 1854 and 1935. Mining spoil was placed on the steep slopes above mine shafts and colliery buildings. The slopes were subsequently planted as a conifer plantation.

The tipping area is above residential properties, and as part of previous remediation works to cap shallow mine entries at the base of the hillside, some spoil was reprofiled to create what is now a plateau at the base of the steep slopes.

Ynysfeio Colliery, two shafts and several buildings were formerly located in the area of the plateau, with the spoil located north of the plateau. There was an incline haulage tramway through the site, connected to a drumhouse at the summit; however, during the 1960s, the tramway was dismantled, the plateau was constructed, and the remaining shaft was labelled as disused.

The hillside in the north of the site is crossed by Ynysfeio Forest Road which leaves the A4061 at Treherbert and extends up the south-western side of Mynydd Ynysfeio, crossing the ridge and onto the upper slopes of the neighbouring valley of Nant Ynysfeio. The forest road has generally been benched into the slope and is noted to be founded on rock with an embankment of loose excavated spoil on its down slope side. A number of other tracks exist on the slopes in the site, either created by NRW or for previous mining activities.

The steep slopes below the forest road were previously part of a conifer plantation (Ystrad Ffernol coupe) but were clear-felled in winter 2023-24 to comply with a statutory plant health notice to remove *Phytophthora ramorum* diseased trees. An area of broadleaved wet woodland on the lower slopes was retained (Binnies UK Ltd, 2024a).

Within the former plantation area is a large bulge of tip material which comprises made ground from the mining spoil. The plateau below the slopes was part of previous remediation works to cap the shallow mine entries at the base of the hillside.

1.2 Spatial constraints relevant to the proposed development

(a) Biodiversity

The northern part of the site is located within the Mynydd Ystradffernol Site of Important Nature Conservation (SINC).

There is one area of Plantation on Ancient Woodland Site (PAWS) which is partly located inside the southeastern edge of the site boundary. Larch trees within the PAWS have been previously felled due to the Statutory Plant Health Notice (SPHN) to remove the *Phytophthora ramorum* diseased trees. The PAWS is being left to regenerate naturally as per NRW preference for PAWS sites.

Three Habitats of Principal Importance (HPI) are present within the site boundary: Open Mosaic Habitat on Previously Developed Land (OHPDL) across the plateau; Lowland Acid Grassland (a component of OHPDL) on the western plateau side slope; and Wet Woodland (the broadleaved woodland). The locations are shown in the Ecology Report (Binnies UK Ltd, 2025b).

The non-native invasive species Japanese knotweed, montbretia, wall spray cotoneaster, buddleia and rhododendron are present within the site.

Two internationally designated sites are identified within 10km of the proposed works: Blaen Cynon Special Area of Conservation (SAC) and Coedydd Nedd a Mellt SAC. One nationally statutory designated site, Mynydd Ty-Isaf, Rhondda Site of Special Scientific Interest (SSSI) has been identified within 2km of the site.

(b) Landscape and Heritage

The north east corner of the development site is adjacent the Cwm Orci Special Landscape Area (SLA), and the site is opposite the Rhondda Fawr Northern Cwm & Slopes SLA. These SLAs have been identified to protect the distinctive upland / valley landscape of the area.

Cadw's Historic Landscape Register has identified that the site is located within The Rhondda Registered Historic Landscape (Ref: HLW (MGI) 5), designated for its important industrial and cultural landscape. The site is within the Rhondda Fawr: Enclosed Valley Sides historic landscape character area within the Registered Historic Landscape.

A Scheduled Monument (GM 508, Incline Haulage Systems) is located approximately 60m northeast of the site boundary, comprising the remains of an incline drumhouse dating to the late 19th century. The incline was used to carry Pennant sandstone from a quarry on Cefn Ynysfeio into the Rhondda Valley. The original tramway was located to the west of the development site, but by 1920 that had been abandoned and replaced by a tramway through the site connected to the drumhouse at the summit. This haulage tramway route is a non-designated asset.

(c) Flood Risk

The site is located in Flood Zone A based on NRW's Development Advice Map (Natural Resources Wales, 2024a), meaning it is considered to be at little or no risk of fluvial or coastal/tidal flooding. However, parts of the site are located in Flood Zones 2 and 3 (Surface Water and Small Watercourses) in accordance with NRW's Flood Map for Planning (Natural Resources Wales, 2024b), demonstrating that there are parts of the site with more than 1% (1 in 100) chance of flooding from surface water and/or small watercourses in a given year, including the effects of climate change.

(d) Sources of detailed constraints information

Further details on environmental constraints are provided within the Project Environmental Report (Binnies UK Ltd, 2025a) and illustrated on the Environmental Constraints and Opportunities Plan (Annex 1 of the Environmental Action Plan, which Appendix D of the Project Environmental Report).

Further details on ecological constraints within the site boundary are provided within the Ecological Report that supports the planning application (Binnies UK Ltd, 2025b). and the detailed survey reports referenced within that.

Further details on heritage constraints are provided within the Desk Based Archaeological Assessment (Glamorgan-Gwent Archaeological Trust Ltd, 2022) (Note: Now known as HENEB) and within the Incline Haulage Tramway, Rhondda Cynon Taf, Archaeological Survey (HENEB, 2024).

1.3 Consents

As the application site exceeds 1 hectare in area, the proposed development will constitute 'major development' as defined within The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) (the Order). Subsequently, the application has been prepared in accordance with the pre-application consultation requirements of the Order.

An EIA Screening Opinion request (ARUP Group Ltd, 2023a) was submitted by ARUP Group Ltd simultaneously with the Pre-application Statement (ARUP Group Ltd, 2023b) in February 2023. The EIA Screening Opinion request sought confirmation that the development as designed in 2023 would not require full EIA under either schedule 1 or 2 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended). The request concluded that the proposed works are not considered to constitute EIA development and an Environmental Statement was therefore not required. This EIA screening opinion was that "*The Council's Solicitor concurs with the view of the LPA that the proposed drainage scheme does not constitute EIA development and does not fall within any of the descriptions of development set out in either Schedule 1 or Schedule 2 of the Regulations.*" (Rhondda Cynon Taf County Borough Council, 2023b).

The pre-application consultation response from RCTCBC (Rhondda Cynon Taf County Borough Council, 2023a) states "Cadw notes the pre-app enquiry has been accompanied by an archaeological desk-based assessment produced by the Glamorgan-Gwent Archaeological Trust, which is considered to provide sufficient information on the impact of the proposed stabilisation scheme on the scheduled monument and its setting. This assessment should therefore be included with any planning application for this scheme." Therefore, Scheduled Monument Consent is not required.

Although the design for the proposed development has been altered compared to the design submitted by ARUP Group Ltd, the proposed development is considered to be materially comparable. Therefore, the EIA Screening Opinion request is considered to still apply to the current proposed development and as a result, the proposed works are not considered to constitute EIA development and an Environmental Statement has therefore not been prepared.

The following consents, in addition to this Town and Country Planning Application, are required for the proposed development:

- Sustainable Drainage Systems (SuDS) Approving Body (SAB) Approval.
- Land Drainage Consent (Ordinary Watercourse Consent).

1.4 Site planning history

The most recent or relevant planning applications on record associated with this site are:

- 05/1605/10: Stabilisation of Ynysfeio Colliery Tip by earthworks (to remove/reprofile the tip to achieve a stable configuration) and drainage measures. (Additional access proposed - amended details received 06/07/2006). Decision: 08/09/2006, Granted.

The 2006 granted application for stabilisation of Ynysfeio Colliery Tip by earthworks was not taken forward, and the tip stabilisation proposals are now superseded by this application.

A pre-application statement was submitted to RCTCBC for the previous design iteration of the current proposed development in February 2023 (ARUP Group Ltd, 2023b). Whilst the design of the proposed development has changed since the original pre-application submission, comments received from RCTCBC have been considered for the current proposed development.

1.5 Information submitted with this application

The following supporting documents have been submitted alongside this Planning statement:

- Application form and certificates.
- Community Infrastructure Levy Form.
- Planning Application Drawings comprising:
 - Location Plan (Dwg. 4021526-BUK-ZZ-00-DR-EN-00101)
 - General Arrangement Plan (Dwg. 4021526-BUK-ZZ-00-DR-C-00010)
 - Drainage Features, Track and Road Details (Dwg. 4021526-BUK-ZZ-00-DR-C-00011)
 - Environmental Masterplan (Dwg. 4021526-BUK-ZZ-00-DR-EN-00015)
 - Long Section (Dwg. 4021526-BUK-ZZ-00-DR-EN-00016)
 - Cross Section (Dwg. 4021526-BUK-ZZ-00-DR-EN-00017).
- Design and Access Statement (Binnies UK Ltd, 2025h).
- Drainage Strategy Report (Binnies UK Ltd, 2025d).
- Green Infrastructure Statement (Binnies UK Ltd, 2025c).
- Project Environmental Report (PER) including Environmental Action Plan (Binnies UK Ltd, 2025a).
- Landscape and Visual Appraisal (Binnies UK Ltd, 2025e).
- Ecology Report (Binnies UK Ltd, 2025b).
- Habitat Condition Assessment, Floristic Survey and INNS Survey Report (Binnies UK Ltd, 2024a).
- Bat Ground level Tree Assessment Technical Note (Binnies UK Ltd, 2024b).
- Nightjar Survey Technical Note (Binnies UK Ltd, 2024c).
- Dormouse Habitat Suitability Assessment Technical Note (Amber Environmental Consultancy Ltd, 2024).
- Arboricultural Impact Assessment (RSK ADAS Ltd, 2025).
- Desk Based Archaeological Assessment (Glamorgan-Gwent Archaeological Trust Ltd, 2022) (Note: Now known as HENEB).
- Incline Haulage Tramway Archaeological Survey Report (HENEB, 2024).
- Geotechnical Desk Study (Binnies UK Ltd, 2025f).
- Interpretive Ground Investigation Report (Binnies UK Ltd, 2025g).

- Coal Mining Risk Assessment (The Mining Remediation Authority, 2025).
- Water Framework Directive Compliance Screening Assessment (ARUP Group Ltd, 2022).
- Pre-Application Consultation report (pending).

2. Description of the Proposal

2.1 Need for the proposed development

The Penyrenglyn tip was included in the “Tip and Slips” programme implemented by Forestry Commission Wales (FCW), 1999-2009. The purpose of the programme was to identify sites in FCW ownership that presented substantial liabilities and subsequently required stabilisation. The site has a significant history of mining and deposition of colliery spoil deposits which has resulted in minor historical slope movements, primarily located along the upper hillside, as demonstrated through site walkovers and a review of historical Ground Investigation (GI) undertaken to date. An initial scheme to reprofile the slope and incorporate a positive drainage system was developed in 2008 but was not implemented due to the financial crisis.

The Coal Tip Safety Taskforce was established by the Welsh and UK Governments following winter storms with extreme rainfall in February 2020 which caused a landslide at a disused coal tip. The Taskforce assessed the immediate status of disused coal tips in Wales and the Penyrenglyn tip was assessed Category D, the highest risk category. Since then, the Mining Remediation Authority has been asked to inspect category D coal tips twice a year.

Whilst the Penyrenglyn tip experienced little movement prior to 2020, inspection of the site following Storm Dennis in February 2020 revealed evidence of slippage, movement and tilting areas of conifer trees due to pore-water build up, thus exacerbating stability concerns and highlighting the need to progress stabilisation works in this area. The localised reactivation of slope movements in 2020 within the upper hillside is likely to have been triggered by the build-up of surface water and groundwater pressures following heavy rainfall events. It is likely that any future slope movements will be linked to such events. Another potential trigger for the site included the removal of the trees which may have increased the surface water run-off and water infiltration into the slope. As such, NRW identified the Penyrenglyn tip as a high-risk liability and – without further intervention – several nearby residential properties, business and infrastructure could be adversely affected due to tip movement or fail, including the Penyrenglyn Primary School, the A4061 highway and recreational users of the nearby land.

The purpose of the proposed development is to manage landslide risk to an acceptable level by installing positive drainage systems drainage systems that will reduce infiltration into the tip material. The proposed development has been designed to satisfy the technical stability requirements whilst being rooted in Sustainable Drainage Systems (SuDS) design principles and maximising opportunities for biodiversity and social inclusion.

2.2 Approach to drainage design

(a) Drainage design philosophy

The proposed drainage approach to manage surface water utilises natural processes and features present within the existing catchment. This entails strategically aligning water management approaches and techniques with the natural contours of the landscape, where

water naturally flows. This will also avoid transfer of water between catchments, which could contribute to increased flood risk to existing assets.

The solution involves formalising and optimising the existing drainage channels and contours and minimising the inclusion of formal engineered elements. This will enhance the resilience and effectiveness of the drainage system to carry water away from the coal tip whilst minimising environmental impact.

(b) Drainage Design Strategy

The Drainage Strategy Report (4021526-BUK-ZZ-00-RP-FR-00001) (Binnies UK Ltd, 2025d) has been developed and has been submitted as a supporting document. The Drainage Strategy Report includes detailed information on location, layout, scale, appearance and the use of the intervention hierarchy in accordance with Standard 1 (Hierarchy Standard) of the Statutory standards for sustainable drainage systems (Welsh Government, 2018).

To summarise, the drainage strategy will stabilise the tip by accomplishing the following:

- Concentrating flows through a series of drainage assets such as ditches, filter drains and blockstone cascades.
- Removing surface water from the tip and concentrating flows through a series of blockstone cascades will reduce the amount of surface water runoff across the slope.
- On the central nose of the slope, subsurface drainage will be implemented in areas where slope stability calculations have shown Factors of Safety below 1. Provision of subsurface drainage is intended to improve stability in these areas by controlling groundwater levels which in turn will help ensure that the level of saturation in the soils is reduced/ effective stress of the soil increases.

2.3 Description of the proposed drainage assets

The proposed works are illustrated on the General Arrangement Plan and Environmental Masterplan, with further details in the Drainage Strategy Report. The works comprise:

- Repositioning one culvert beneath the forest road at the top (north) of the slopes to better manage natural catchment flows on the eastern side of the project site.
- Installation of 81 subsurface drains (perforated pipes installed into the slope, each with a stone headwall) each with a maximum length of 25m.
- New 3m wide, 95m long stoned access track to provide access to subsurface drain headwalls.
- Installation of three new blockstone cascades totalling 320m in length (115m, 100m and 105m).
- Installation of three new impermeable drainage ditches totalling 190m in length (80m, 80m and 30m) connecting to the new blockstone cascades.

- Installation of six impermeable gravel (lateral) drains totalling 280m in length (60m, 55m, 45m, 50m, 35m, 35m) connecting into new blockstone cascades and existing watercourse.
- Improving the surface of 420m of forestry track and provision of a bund of 0.3m height on the downslope side of the forestry track; the bund will clearly demarcate the forestry track edge on the steep slopes.
- Installation of 445m of filter drains adjacent to forestry tracks, including silt traps along the drains. Filter drains will be sub-surface, topsoiled and seeded.
- Installation of one culvert to connect an impermeable ditch, the top of the southeastern blockstone cascade and forestry track filter drain.
- Installation of a 270m³ below ground water storage tank to control discharge from the filter drains to downstream watercourses.
- Installation of a below ground pipeline, concrete-bag headwall and apron to connect the below ground water storage tank to an existing watercourse.
- Installation of three cross channels along the middle section existing forestry track to promote natural catchment flow on the eastern side of the project site where it is not on coal tip material and to reduce track erosion.
- Installation of three culverts beneath the lower section of existing forestry track: one culvert to connect the forestry track filter drain with an existing drainage ditch; two culverts to allow some water collected by the forestry track filter drain to be released to flow overland into existing woodland on the lower slopes.
- Coppicing a 6m wide corridor along the existing watercourse through woodland and removal of flow obstructions.
- Replacement of one culvert which conveys the existing watercourse beneath the plateau access track.
- Installation of one culvert to connect the new forestry track filter drain with the eastern end of the existing drainage ditch
- Thinning of vegetation and removal of silt and flow obstructions from existing drainage watercourse (ditches) at the toe of the slopes.
- Installation of a vehicle gate across the forestry track to reduce the risk of unwanted access and associated antisocial behaviour; pedestrian access will be maintained.
- Clearance of brash and cutting back vegetation from an approximately 2.4m wide area either side of the forestry track to provide multiple benefits including a fire break and habitat diversity.

2.4 Compensatory woodland planting

As discussed within the Ecology Report (Binnies UK Ltd, 2025b) and Green Infrastructure Statement, (Binnies UK Ltd, 2025c) woodland which needs to be removed to enable the proposed development will need to be replanted at a scale and design of at least equivalent to

that removed in line with PPW12. Compensation woodland planting will be provided in a 1900m² area of the recently felled plantation woodland that extends east from the existing band of broadleaved woodland to the edge of a PAWS, south of an existing forestry track. This will provide habitat connectivity by linking otherwise fragmented woodland blocks. Compensatory planting arrangements will avoid the main coal spoil material area to encourage a transition towards hillside mosaic habitat.

Consultation with the NRW forest operations team highlighted that no planting should be carried out within the PAWS, as the priority for this area is to allow for natural regeneration using the existing seedbank.

2.5 Operational management

The operation and maintenance plan for the proposed drainage assets are set out in the Drainage Strategy Report (Binnies UK Ltd, 2025d). The drainage system is designed to operate passively. In terms of regular maintenance this passive drainage system will require regular visual inspections of assets, with removal of blockages, debris and overgrown vegetation (e.g. from the filter drains along the forestry track and around sub-surface drain headwalls) and small-scale repairs where needed. The existing forest road, forestry tracks and the new stoned access track will be used, with assets not on these routes accessed by operatives cutting back vegetation to create a path. Inspections needing access beyond existing tracks, and inspections needing vegetation to be cut back, will not take place during bird nesting season.

When identified as being needed, larger scale repairs, including maintenance of blockstone cascades, ditches and filter drains on the steeper slopes, will be carried out as a standalone planned activities and could require specialist equipment. Access for such works would need to be planned carefully and would require larger areas of the vegetation on the hillside to be cut back.

2.6 Construction compounds and working areas

The proposed temporary construction compounds and working areas comprise:

- Provision of a main compound adjacent to the forest road at the top of the site, in the area previously used as a compound for the winter 2023/24 forestry works. This compound will be approximately 30m x 30m. In addition, it will be necessary to ensure that a turning area for HGVs is kept free from obstructions.
- Provision of a welfare unit on the plateau within a temporary working area south of the access track. The working area will accommodate a crane pad and crane movements, space for excavations and plant movement, and space for temporary storage of soils for reinstatement. The working area will be up to 25m wide and 150m long and will require clearing stands of scrub vegetation that are encroaching onto the plateau grassland. The exact area needed to be used within this will be determined by the detailed Construction Method Statement.
- A working area of up to 5m wide on the upslope side of the existing forestry track will be needed to install the forestry track filter drain and the below ground pipes and headwalls. The exact width will vary depending on the existing topography. Where necessary to create additional space for machinery 'swings' and materials movement for works in the existing woodland, adjacent trees will be coppiced or pruned.

- Linear working areas of approximately 6m wide will be needed to install the impermeable ditches and gravel lateral drains on the slopes. Where necessary to create additional space for machinery 'swings' and materials movement for works in the existing woodland adjacent trees will be coppiced or pruned.
- The linear working areas needed to install the blockstone cascades will depend on the detailed Construction Method Statement, but are likely to be between 5m and 10m wide and in part dependant on the local topography.
- Linear working and access areas to install below ground drains and headwalls where they cannot be accessed from existing tracks or as part of other works will be approximately 5m wide, although the final details will be determined by the detailed Construction Method Statement. Where necessary to create additional space for machinery 'swings' and materials movement for works in the existing woodland (e.g. manoeuvring pipes into position), adjacent trees will be coppiced or pruned.

The anticipated plant to be used on site is detailed below, but the final details will be set out in a detailed Construction Method Statement:

- Construction plant is anticipated to comprise tracked dumpers (as opposed to wheeled plant), and a spider-excavator that is specialised for working on very steep slopes.
- The drilled-horizontal drains are expected to be installed by the use of an excavator-mounted drill attachment, which can also be attached to the spider-excavator for difficult access areas.
- Material will be moved from the main construction compound to working areas using suitable vehicles depending on the load and working area, e.g. suitably sized wheeled vehicles where access along residential streets to Herbert Street is needed, or suitable off road vehicles for moving along forestry tracks.
- A crane will be needed to move the sections of the below ground tank into position, and a temporary crane pad using suitable stone material will need to be installed for this. The maximum required crane size is a 55 tonne all-terrain crane.

2.7 Construction traffic and access routes

The primary access to the site where possible will be via the forest road at the top of the site, access to which is provided off of the A4061 Rhigos Road from north of Treherbert.

The secondary access to the site will be via Herbert Street onto the access track along the north edge of the plateau. This will be accessed via residential roads from the A4061 where it passes through Penynglyn.

Most bulk materials and machinery will be delivered initially to the main compound before being moved to where they are needed.

Most construction machinery will move between the main compound and working areas using existing forestry tracks. However, the forestry tracks are not suitable for moving bulk materials around the site. Therefore, for works to install the below ground tank, construction machinery, material deliveries and material excavated and that is not being retained will be moved via the Herbert Street entrance.

Access routes within the project site will be needed to get to the construction areas; those will be determined through developing a detailed access and materials movement plan as part of the Construction Method Statement. Existing forestry tracks will be used wherever possible, but other access routes and areas will also be needed given the cascade locations and site topography.

The anticipated traffic volumes for different construction activities are set out below, expressed as average daily movements. One movement comprises one vehicle entering or leaving the site.

- Works to install drainage assets on the slopes, site access via the Forest Road:
 - Mobilisation – Average 8 car/light vehicle and 1 HGV movements per day, over approximately 2 weeks.
 - Forestry track regrading, new stoned access track and temporary access routes – Average 12 car/light vehicle and 16 HGV movements per day, over approximately 6 weeks.
 - Subsurface drain installation – Average 14 car/light vehicle movements per day, and 1 HGV movement per week, over approximately 10 weeks.
 - Cascades, impermeable ditches and gravel filter drains – Average 10 car/light vehicle and 8 HGV / tractor & trailer movements per day over approximately 13 weeks.
 - Forestry track filter drain and catch pits – Average 1 HGV / tractor & trailer movement per day over approximately 3 weeks.
- Works to install below ground storage tank, site access via Herbert Street: Average 15 car/light vehicle and 8 HGV/Tractor & Trailer movements per day over approximately 7 weeks.

There will be overlaps between construction activities and the exact daily traffic volumes will vary though the works depending on the tasks being carried out. During the main works, daily vehicle movements are anticipated to typically be between 16 and 30, with up to half of those being HGVs / tractor & trailer movements. Peaks of 40 may occur when works to install the below ground storage tank are taking place at the same time as drainage works on the slopes.

2.8 Programme

Subject to receipt of all necessary consents, the aspiration is to start drainage installation works in April 2026 and completed before 2027. Working over the summer provides the safest working conditions for working on the steep slopes comprising coal spoil material. The aim is to carry out all vegetation clearance in advance of the main works, outside of the main bird breeding season. If this is not possible, and vegetation clearance is needed during the main bird breeding season (March to August inclusive), then nesting bird checks will be carried out before vegetation is cleared. If active nests are found, then suitable exclusion zones will be established as advised by a suitably qualified ecologist, and the detailed works programme adjusted if needed, until young have fledged. The extent of exclusion zones will depend on the species and the type of works being carried out.

3. Consultation

3.1 RCTCBC Pre-application consultation

RCTCBC were asked to provide pre-application advice on 23rd March 2023. An RCTCBC Senior Planning Officer issued a response in May 2023 (Rhondda Cynon Taf County Borough Council, 2023a) providing guidance.

The response confirmed that in terms of the principle of the development, there would be no objection from the Planning Authority. The response set out local environmental constraints, relevant planning context and planning policy and application requirements including the supporting documentation.

The response stated the following with regards to the Incline Haulage Systems, Cefn Ynysfeio Scheduled Monument: "Cadw notes the pre-app enquiry has been accompanied by an archaeological desk-based assessment produced by the Glamorgan-Gwent Archaeological Trust, which is considered to provide sufficient information on the impact of the proposed stabilisation scheme on the scheduled monument and its setting. This assessment should therefore be included with any planning application for this scheme. "

The response advised that the project needs to consider the risk of flooding to properties downstream of the site from conveyance of flows from the site, that Sustainable Drainage Approval from the Sustainable Drainage Systems Approval Body (SAB) will be needed prior to commencement of works, and the potential need for Ordinary Watercourse Consent. It also advised on the ecology issues relevant to the local area and coal spoil tip habitats to be considered in the design, that details on construction access and traffic be provided, and that a Coal Mining Risk Assessment would need to accompany the application as advised by the Coal Authority (now the Mining Remediation Authority).

Further pre-application correspondence was undertaken with the RCTCBC Senior Planning Officer in October 2024 to confirm the validation requirements for the application. The correspondence confirmed that:

- Transport Statement – The Senior Planning Officer was asked whether it would be suitable to provide details on access arrangements and anticipated trips within existing supporting documents rather than within a standalone transport statement. Part of the reasoning behind this was that many of the vehicle movements were associated with the previously completed felling operation and therefore, a transport statement would not be required. It was stated that a Construction Traffic Management Plan (CTMP) was anticipated to be required through a planning condition, which would manage impacts resulting from construction traffic. The Senior Planning Officer consulted with the Highways Principal Engineer and confirmed that as long as the supporting documents contain the relevant detail (extent of the works, proposed access routes to and from the site, the number of trips generated by the development, arrangements for traffic management etc), it would not be necessary to produce a standalone transport statement.

3.2 Sustainable Drainage Systems (SuDS) Approval Body (SAB) consultation

A pre-application to the SuDS Approving Body (SAB) for a previous version of the design was submitted 2023 and a response was received from the SAB in July 2023 (Rhondda Cynon Taf

County Borough Council, 2023c) . The SAB response raised concerns that no green SuDS features were proposed in the design, that further details about water runoff hydraulic control were needed including about storage needs, and, that further details on construction, maintenance and structural integrity would be needed in the final application.

This feedback, and other detailed information in the response, has been taken forward within the design which now includes Green SuDS elements. It should be noted that attenuation by storage is still required and will be constructed in the form of an underground storage tank. The storage requirements, however, have reduced since the previous consultation with the SAB for the following reasons:

- No impermeable areas are being created apart from aspects of the proposed drainage infrastructure (e.g. impermeable liners within track filter drains).
- The rate of runoff is largely governed by the slope steepness and given that the proposals are not seeking to change the overall profile of the slope, there is a limited impact to surface water runoff as a result of the proposed design. 2D hydraulic modelling has been undertaken to understand the changes associated with the surface water runoff collected at the bottom of the slope in comparison with the baseline scenario. Hydraulic modelling has shown that inclusion of the 270 m³ proposed tank mitigates any flood risk impacts to downstream watercourses, maintaining existing discharge rates from the site.

A pre-application to the SuDS Approving Body (SAB) for the current design was submitted in July 2025, and the design has been discussed with the SAB during a meeting held on 15 August 2025.

3.3 Environmental Constraints and Opportunities Record consultation

Following the completion of an Environmental Constraints and Opportunities Record (ECOR) during the previous phase of the proposed development (Natural Resources Wales, 2023), consultation was sought from key stakeholders in October 2023. A full list of consultation responses and how they have been considered during project development, including further consultation related to the issues raised, is included within Appendix A of the Project Environmental Report (PER) (Binnies UK Ltd, 2025a).

3.4 Mining Remediation Authority consultation

The planning pre-application response from the Coal Authority (now the Mining Remediation Authority (MRA)) advised that any planning application for the proposed development should be accompanied by a Coal Mining Risk Assessment (CMRA). The response also noted that where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy.

A CMRA (The Mining Remediation Authority, 2025) has been undertaken for the proposed development and has been incorporated into the Geotechnical Desk Study and Ground Investigation Report (Binnies UK Ltd, 2025f) and informed the locations of drainage infrastructure. The conclusions of the CMRA have been discussed with the MRA during a pre-application meeting held on 22/05/2025. At the meeting there was general agreement on the current proposals, with a focus on managing safety risks during construction through practical

mitigation measures applied on site to accommodate the negligible risk of surface subsidence/collapse associated with shallow workings or unrecorded mine entries.

3.5 South Wales Fire and Rescue Service consultation

South Wales Fire and Rescue Service (SWFRS) were consulted on 9th May 2025 when they attended a site visit. At the meeting and follow-up correspondence SWFRS provided advice on measures to reduce risk of fires being started intentionally (remove brash from alongside forest tracks), to reduce the risk of unwanted vehicle access to tracks and to keep vegetation cut back either side of the tracks to provide low fuel zones and maintain the tracks as fire breaks. Creating and maintaining low fuel zones either side of the existing forestry track and installing a vehicle gate across the existing forestry track have been incorporated into the design and management plan.

4. Planning Framework

4.1 Planning Authority

The site falls within the boundary of Rhondda Cynon Taf Local Development Plan (RCTLDP).

The following section provides an overview of the key national and local planning policies that are specifically relevant to the site and proposed works.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs Local Planning Authorities to determine planning applications in accordance with the policies of the Development Plan unless material considerations indicate otherwise. Section 38(3) of the Act provides that the Development Plan includes the "development plan documents (taken as a whole) which have been adopted or approved in relation to that area". The adopted statutory Development Plan for Rhondda Cynon Taf County Borough Council comprises:

- Future Wales: The National Plan 2040.
- Rhondda Cynon Taf Local Development Plan (2006-2021).
- Revised Rhondda Cynon Taf Local Development Plan (2022-2037) – *(It should be noted that this document was not available at the time of writing).*

This Statement has also been informed by policy and guidance set out in the following:

- Planning Policy Wales Edition 12 (February 2024), informed by the Well-Being of Future Generations (Wales) Act 2015, the Environment (Wales) Act 2016, and supplemented by Technical Advice Notes.

4.2 National Planning Policy

(a) Future Wales – The National Plan 2040 (2021)

The Welsh Government formally adopted "Future Wales: The National Plan 2040 (Future Wales)" (Welsh Government, 2021) in August 2019 and has been updated in February 2021. Future Wales outlines the Welsh Government's strategies for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, delivering growth in the right areas, achieving decarbonisation and climate-resilience, developing strong

ecosystems and improving the health and well-being of communities. Future Wales now forms part of the statutory development plan. Future Wales sub-divides Wales into four regions with the application Site located within the Southeast region. A total of 36 policies are contained within Future Wales of which 19 are thematic and the remainder relate to the four regions.

The policy in this document relevant to the proposed works is Policy 9 'Resilient Ecological Networks and Green Infrastructure'. This policy aims to promote the enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure where possible. The plan states that the Welsh Government will work with key partners to:

- Identify areas which should be safeguarded and created as ecological networks for their importance for adaptation to climate change, for habitat protection, restoration or creation, to protect species, or which provide key ecosystems services, to ensure they are not unduly compromised by future development.
- Identifying opportunities where existing and potential green infrastructure could be maximised as part of placemaking, requiring the use of nature-based solutions as a key mechanism for securing sustainable growth, ecological connectivity, social equality and well-being.

(b) Planning Policy Wales (Edition 12, February 2024)

Planning Policy Wales (PPW) (Welsh Government, 2024b) forms the overarching national planning policy documents within Wales. It contains legislative requirements and reflects Welsh Government expectations. It sets out the material considerations that LPAs must consider in determining an application.

Policies from PPW which are most relevant to the project and that have informed the design process are outlined below:

Chapter 3 – Strategic and Spatial Choices

3.8 - Good design can help to ensure high environmental quality, landscape and green infrastructure considerations are an integral part of the design process.

3.9 - The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.

Chapter 6 – Distinctive and Natural Places

6.2.4 - Green infrastructure plays a fundamental role in shaping places and our sense of well-being, and are intrinsic to the quality of the spaces we live, work and play in. The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles.

6.4.2 - The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals.

6.4.3 – Development plan strategies, policies and development proposals must consider the need to:

- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
- ensure statutorily and non-statutorily designated sites are properly protected and managed;
- safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.

6.4.5 - Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects:

- diversity between and within ecosystems;
- the connections between and within ecosystems;
- the scale of ecosystems;
- the condition of ecosystems including their structure and functioning; and
- the adaptability of ecosystems.

6.4.21 - Planning authorities must follow a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible...where the adverse effect on the environment clearly outweighs other material considerations, the development should be refused.

6.4.27 - The protection and planting of trees and hedgerows should be delivered, where appropriate, through locally specific strategies and policies, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs). They should also be incorporated into Green Infrastructure Assessments and plans.

A Green Infrastructure Statement should be submitted with all planning applications.

Relevant Technical Advice Notes (TANs):

- TAN 5: Nature Conservation and Planning.
- TAN 12: Design.
- TAN 15: Development and Flood Risk.

(c) Environment (Wales) Act 2016

The Welsh Sustainable Management of Natural Resources (SMNR) principles referenced in Planning Policy Wales are derived Environment (Wales) Act 2016 (Welsh Government, 2024a). The legislation established a framework for how natural resources should be managed sustainably in Wales to ensure environmental and socioeconomic benefits for current and future generations. The nine SMNR principles are outlined below:

- Adaptive management.
- Collaboration and engagement.
- Public Participation.
- Long-term Consideration.
- Preventative Action.
- Evidence Based Decision Making.
- Integrated Approaches.
- Ecosystem Resilience.
- Multiple Benefits from Natural Resources.

The incorporation of these principles is considered key for developments to contribute towards the achievement of the well-being goals of the Well-being of Future Generations (Wales) Act 2015.

(d) Well-being of future generations (Wales) Act 2015

The Well-being of Future Generations Act 2015 (Welsh Government, 2024c) requires public bodies in Wales to improve the well-being of the current and future generations of the Welsh population. The act sets out well-being goals which are primarily achieved through the implementation of the SMNR principles, but the act also encourages public bodies to consider the long-term implications of decision making. Public bodies are encouraged to ensure collaboration and public participation.

(e) Natural Resources Policy

The Welsh Governments Natural Resources Policy (NRP) (Welsh Government, 2017) sets out the strategic priorities for managing Wales' natural resources sustainably. It aims to align environmental management with socioeconomic goals under the Well-being of Future Generations (Wales) Act 2015. The NRP highlights the following strategic priorities which are relevant to the proposed development:

- Nature-based solutions.
- Climate and ecosystem resilience.
- Place based approach.
- Circular economy and sustainable practice.
- Collaboration and engagement.

4.3 Local Planning Policy

(a) Rhondda Cynon Taf Local Development Plan (2006-2021)

It should be noted that whilst the current RCTLDP (Rhondda Cynon Taf County Borough Council, 2011) is out of date, it is still considered to be in force at the time of writing. The revised 2022-2037 LDP is currently being drafted.

Penynglyn coal tip is located within the Northern Strategy Area of the LDP. Relevant policies from the RCTLDP have been listed below.

- **Policy CS 1** – Development in the North
- **Policy CS 10** - Minerals
- **Policy AW 5** – New Development
- **Policy AW 6** – Design and Placemaking
- **Policy AW 7** - Protection and Enhancement of the Built Environment
- **Policy AW 8** - Protection And Enhancement of The Natural Environment
- **Policy AW 10** - Environmental Protection and Public Health
- **Policy AW 14** - Safeguarding of Minerals
- **Policy NSA 25** - Special Landscape Areas
- **Policy NSA 27** - Land Reclamation Schemes.

(b) Rhondda Cynon Taf Revised Local Development Plan 2022-2037

RCTCBC began the development of a revised LDP in April 2022. The LDP 2022-2037 will replace the existing LDP 2006-2021 once it has been adopted. Adoption is currently scheduled for May 2026. At the time of writing, the LDP 2022-2037 is unavailable and therefore, the currently adopted LDP has been used to inform the local planning policy requirements for the proposed development.

5. Assessment of Proposed Development against Planning Policy

Relevant key planning policy has been considered throughout the design process and environmental assessment to ensure that the proposed development is in keeping with and will not work against policy goals. The relevant planning considerations have been grouped into key topic areas within **Table 5-1** and relevant corresponding policies from the RCTLDP have been referenced.

Table 5-1 Assessment of Proposed Development against Planning Policy

Topic Area	Assessment against Planning Policy
Principle of Development	- The proposed development contributes to the Resilient Wales well-being goal by contributing towards ensuring the local community's health, wellbeing and safety is protected in the long term as storms and adverse weather associated with climate change become more frequent.

Topic Area	Assessment against Planning Policy
	<ul style="list-style-type: none"> - The proposed development is directly necessary for ensuring the safety of communities by addressing an identified risk associated with tip instability. LDP Policy CS 10: 'Minerals' also refers to the need to 'Ensure that appropriate restoration and aftercare measures are incorporated' associated with mineral supply.' By stabilising the spoil tip and providing enhancements to the area, the proposed development directly contributes to this policy. - The proposed development is in accordance with LDP Policy AW 8: 'Protection and Enhancement of the Natural Environment'. Although the northern part of the site is located outside of the settlement boundary and within a SINC, the proposed works have been designed to ensure that there would be no unacceptable impact on features of importance to landscape and nature conservation through landscape and ecological mitigation as required by LDP Policy AW 8. - Whilst the site is not identified as a land reclamation scheme in line with LDP Policy NSA 27: 'Land Reclamation Schemes', the policy acknowledges that a number of sites within the Northern Strategy Area require treatment to ensure the long-term stability of the land and decontamination due to RCTCBC's industrial history. - It is not considered that the proposed development should be opposed based on the LDP AW 10 Policy 'environmental protection and public health' as environmental constraints and potential impacts have been identified and mitigation has been set out to ensure that there are no significant impacts to the surrounding environment or communities.
Sustainability and Climate Change	<ul style="list-style-type: none"> - Whilst there is no LDP policy dedicated to sustainability or climate change, the LDP Vision states it will provide a land use framework that seeks to develop and protect the County Borough for future generations so that 'physical and natural resources are protected' and 'the challenges or climate change are met'. The development would directly contribute towards this vision through ensuring the local communities of Penyrenghlyn, Treherbert and Treorchy are protected and more resilient towards the impacts of climate change and increased adverse weather. - Future Wales states that changes in the climate and weather patterns will have a significant impact on well-being on both current and future generations. Increased temperatures and extreme weather events caused by climate change will put additional pressure on ecosystems, infrastructure and the built environment. Welsh Government's Natural Resources Policy (NPR) outlines the need for climate change adaption and mitigation and social, economic, and ecological resilience. The proposed development would provide climate-resilient infrastructure to the area through improving the sites drainage system, controlling flows using nature-based solutions and providing ecological enhancements.

Topic Area	Assessment against Planning Policy
	As a result of the works, the spoil tip will be more resilient to increased rainfall and storm events which will protect communities.
Flood Risk and Drainage	<ul style="list-style-type: none"> - LDP Policy AW 6: 'Design and Placemaking' supports development proposals with design that promotes good water management, sustainable urban drainage, and porous paving. - The proposed development will not increase the impermeable area and therefore seeks to maintain existing discharge rates. Hydraulic modelling has demonstrated that post development discharge rates, as a result of implementing green drainage solutions, will not be increased and therefore there should be no impact to existing surface water flood risk at the site. - The proposed development includes elements of sustainable drainage design which improve the surface and subsurface drainage associated with the spoil tip to reduce risk of ground water related instability issues. - A Drainage Strategy Summary Report has been prepared to support this planning statement, demonstrating that the design provides efficiencies by working with natural processes and topography, as well as enhancing existing forest engineering infrastructure. The report outlines that the design is in compliance with the Sustainable Drainage Systems Standards for Wales.
Design and Visual Impact	<ul style="list-style-type: none"> - LDP Policy AW 6: 'Design and Placemaking' supports development proposals of a high standard of design, which reinforces attractive qualities and local distinctiveness. It also supports design that promotes water management, including sustainable urban drainage. - The purpose of the proposed development is to improve the site's drainage system and substantially reduce ground water buildup through the use of surface and subsurface drainage measures. The design promotes good water management which has been designed to be appropriate for the site in line with Policy AW 6 using the Sustainable Drainage Systems Standards for Wales. - To minimise visual intrusion, the proposed development uses grass-lined or sub-surface drains and ditches where possible, and natural stone will be used for blockstone cascades and headwalls for the subsurface drains. The stone features may appear stark when first placed but will naturally become dull over time and integrate into the mosaic habitat landscape that will develop over time on the recently felled woodland areas. The use of blockstone material for cascades, although a new feature at a site-based level, has been selected to be consistent with material use within the surrounding landscape. - A Landscape and Visual Appraisal has been prepared to accompany this planning statement to identify and describe the effects on landscape character and visual amenity. An Environmental Masterplan and Green Infrastructure Statement have been prepared which highlight the

Topic Area	Assessment against Planning Policy
	<p>approach to landscape within the design. The approach taken is considered to be in line with the LDP Policy AW 5 'new development' 1) – Amenity.</p>
Landscape and Trees	<ul style="list-style-type: none"> - LDP Policy AW 6: 'Design and Placemaking' supports development proposals where landscaping and planting are integral to the development and enhance the site and the wider context, and where the design protects and enhances the landscape and biodiversity. - The proposed development has been designed to enable the development of mosaic habitat on coal spoil across the area of recently felled plantation woodland, a notable habitat type within the landscape of the Rhondda Cynon Taf. - Some vegetation clearance will be required to enable the proposed drainage works; however, vegetation clearance needs have been minimised to working areas along the drainage alignments and do not require larger areas to be cleared. - The proposed development will incorporate replacement tree planting and habitat enhancements, as outlined in the supporting Green Infrastructure Statement and Environmental Masterplan drawing. Woodland removed to facilitate the works will be replanted at a scale equivalent to that removed, in accordance with PPW12, but will be of greater diversity and use only locally native species to ensure the site's biodiversity is enhanced, in line with LDP Policy AW 8: 'Protection and Enhancement of the Natural Environment'. - Whilst tree planting is required by planning policy to mitigate direct tree loss from the proposed development, additional tree planting has not been recommended due to a focus on 'natural regeneration' for the development site, in line with RCTBC's Tree and Woodland Strategy and the Woodlands Ecosystem Profile of the South Central Area. No planting within the Plantation Ancient Woodland Site (PAWS) area of the site is proposed, although replacement tree planting will link an existing woodland to the PAWS area, providing habitat connectivity. - The Landscape and Visual Assessment confirms there will be no negative impacts to the Cwm Orci or Northern Cwm & Slopes Special Landscape Areas, in accordance with LDP Policy NSA 25 - Special Landscape Areas.
Natural Environment	<ul style="list-style-type: none"> - The proposed development will include works within the Mynydd Ystradffernol Site of Important Nature Conservation (SINC) (RCTLDP reference AW 8.26). LDP Policy AW 8: 'Protection and Enhancement of the Natural Environment', permits development in SINCs provided that it is directly necessary for the positive management of the site or where the development would not unacceptably impact the features of the site for which it has been designated. Through mitigation planting and additional habitat creation opportunities, the site's biodiversity would be enhanced, in line with Policy 9 of Future Wales: 'Resilient Ecological Networks and

Topic Area	Assessment against Planning Policy
	<p>Green Infrastructure' and Section 6 of PPW which require Net Benefit for Biodiversity.</p> <ul style="list-style-type: none"> - The provision of Net Benefit for Biodiversity is detailed within the supporting Green Infrastructure Statement. This sets out how a net benefit will be achieved through the implementation of green infrastructure and biodiversity enhancements. - An Ecology Report has been produced to support the planning application and identifies mitigation requirements and enhancement opportunities and for the proposed development. Mitigation requirements and enhancements are also discussed within the Green Infrastructure Statement, Environmental Constraints and Opportunities Plan, and Environmental Masterplan. Through these measures, the proposed development will ensure the site's ecological network is protected in line with the requirements of LDP Policy AW 8: 'Protection and Enhancement of the Natural Environment'.
Archaeology and Cultural Heritage	<ul style="list-style-type: none"> - LDP Policy CS 1: 'Development in the North' encourages development to protect the cultural identity of the Northern Strategy Area. The proposed development aims to protect historic built heritage and the natural environment in support of this policy. - LDP Policy AW 6: 'Design and Placemaking' supports development proposals that reflect and enhance the cultural heritage of Rhondda Cynon Taf. - LDP Policy AW 7: 'Protection and Enhancement of the Built Environment' states that development proposals which impact upon sites of historical merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site. - The proposed development will not affect the Incline Haulage Systems Scheduled Monument and has been designed to avoid impacting the heritage value of the incline tramway haulage route which runs down the hillside. - Due to the site's location within The Rhondda Registered Historic Landscape, and its location in proximity to a Scheduled Ancient Monument, a desk based Archaeological Assessment (<i>Glamorgan-Gwent Archaeological Trust Ltd, 2022</i>) was undertaken during the previous phase of the development. Following recent surveys in 2024, an archaeological survey report (<i>HENEB, 2024</i>) has been prepared to support the proposed development. The Assessment and recent survey report confirm that no adverse changes to the setting of historic assets are predicted to arise from the proposed works, in fact, the clearance of non-native trees should improve visibility of the industrial heritage within and adjacent the site.

Topic Area	Assessment against Planning Policy
Access	<ul style="list-style-type: none"> - The development site is a public open space and currently used on an informal basis by walkers and mountain bikers. The proposed works would not adversely affect this existing use and are therefore in compliance with LDP Policy AW 7: 'Protection and Enhancement of the Built Environment'.
Minerals	<ul style="list-style-type: none"> - LDP Policy AW 14: 'Safeguarding of Minerals' seeks to protect resources and contribute to the local, regional and national demand for a continuous supply of minerals, without compromising environmental and social issues. The site is located within a primary and secondary coal resource area (as identified by the British Geographical Survey), which safeguards the resources of Coal from development which would unnecessarily sterilise them or hinder their extraction. - It is not considered that the proposals would sterilise the land or hinder any future extraction of coal if it were to be desired; however, due to RCTCBC's ambition for the County Borough to be as close to carbon neutral as possible by 2030, it is assumed that coal extraction at the site would not be a priority.

6. Conclusions

Penyrengrlyn tip was identified by NRW as a high-risk liability that without further intervention represented a significant health and safety risk to several nearby residential properties, business and infrastructure including the Penyrengrlyn Primary School, the A4061 highway and recreational users of the nearby land. The purpose the proposed development is to restabilise the hillside and install positive drainage systems, subsequently making the tip safe from further slips and mitigating any future risk to public.

The proposed development has been designed to satisfy the technical stability requirements whilst being rooted in Sustainable Drainage Systems (SuDS) design principles and maximising opportunities for biodiversity and social inclusion. The design aims to comply with both national and local planning policy to support the community and mitigate the risk of tip failure. Through the identification of relevant planning policy, consultation and environmental investigation, the development design protects the existing biodiversity value and resilience, is in keeping with the existing landscape character, protects heritage features, maintains recreational access, and provides net benefits for biodiversity and public safety.

7. References

- Amber Environmental Consultancy Ltd. (2024). *Technical Note: Dormouse Habitat Suitability. Site: Woodland at Pen yr Englyn, Treherbert.*
- ARUP Group Ltd. (2022). *Pen yr Englyn Tip Remediation WFD Screening Assessment.* . 290018-ARP-00-00-RP-NX-0003_WFD_Assessment_Ver1.
- ARUP Group Ltd. (2023a). *Environmental Impact Assessment (EIA) Screening Opinion request.* ARUP Group Ltd.
- ARUP Group Ltd. (2023b). *Pre-Application Statement (REF: 290018-ARP-00-00-RP-TX-0001).* ARUP Group Ltd.
- Binnies UK Ltd. (2024a). *Pen Yr-Englyn Tip Remediation, Habitat Condition and Flora Survey Report.* Rev P02: November 2024.
- Binnies UK Ltd. (2024b). *Pen-Yr-Englyn Tip Remediation. Ground Level Tree Assessment Technial Note.* Rev P02: November 2024.
- Binnies UK Ltd. (2024c). *Pen-yr-Englyn Tip Remediation, Nightjar Survey Technical Note.* Rev P02: November 2024.
- Binnies UK Ltd. (2025a). *Penynglyn Landslide Risk Management, Project Environmental Report.*
- Binnies UK Ltd. (2025b). *Penynglyn Landslide Risk Management, Ecology Report.*
- Binnies UK Ltd. (2025c). *Penynglyn Landslide Risk Management, Green Infrastructure Statement.*
- Binnies UK Ltd. (2025d). *Penynglyn Landslide Risk Management, Drainage Strategy Report.*
- Binnies UK Ltd. (2025e). *Penynglyn Landslide Risk Management, Landscape and Visual Appraisal.*
- Binnies UK Ltd. (2025f). *Pen Yr-Englyn Tip Remediation, Geotechnical Desk Study.* P03: August 2025.
- Binnies UK Ltd. (2025g). *Pen Yr-Englyn Interpretive Ground Investigation Report.* P01: August 2025.
- Binnies UK Ltd. (2025h). *Penynglyn Landslide Risk Management, Design and Access Statement.* P01: September 2025.
- Glamorgan-Gwent Archaeological Trust Ltd. (2022). *Archaeological Desk-based Assessment.*
- HENEB. (2024). *Incline Haulage Tramway, Rhondda Cynon Taf, Archaeological Survey.* HENEB, Trust for Welsh Archaeology.
- Natural Resources Wales. (2023). *Pen-yr-Englyn Tip Remediation OBC, Environmental Constraints and Opportunities Record (ECOR).* Doc Ref 290018-ARP-00-00-RP-TX-0001: Rev 4.0.
- Natural Resources Wales. (2024a, November). *Development Advice Map.* Retrieved from [cyfoethnaturaolcymru.gov.uk](https://gisgeoext.cyfoethnaturaolcymru.gov.uk): https://gisgeoext.cyfoethnaturaolcymru.gov.uk/Geocortex/Viewers/Html5Viewer_4145/index.html?viewer=FloodRisk
- Natural Resources Wales. (2024b, November). *Flood Map for Planning.* Retrieved from [naturalresources.wales](https://flood-map-for-planning.naturalresources.wales/): <https://flood-map-for-planning.naturalresources.wales/>
- Rhondda Cynon Taf County Borough Council. (2011). *Local Development Plan 2006-2021.*
- Rhondda Cynon Taf County Borough Council. (2023a). *RCTCBC Pre-application advice.* 23/05/2023: Email from RCTCBC Senior Planning Officer to Arup Group Ltd.
- Rhondda Cynon Taf County Borough Council. (2023b). *Pen-Yr-Englyn Tip Remediation - EIA Screening Opinion.* 30/11/2023: Email from RCTCBC Senior Planning Officer to NRW.
- Rhondda Cynon Taf County Borough Council. (2023c). *Sustainable Drainage Approval Board - Pre-Application Enhanced Detailed Review Report RCTSAB237-001-PA.* June 2023: RCTCBC.
- RSK ADAS Ltd. (2025). *Pen yr Englyn Arboricultural Impact Assessment.* ADAS Reference: 1052590: Rev B, August 2025.
- The Mining Remediation Authority. (2025). *Coal Mining Risk Assessment for Development at Land at Treherbert, Treorchy, CF42 5HA.* Report ref: 71009813318001.
- Welsh Government. (2012). *The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.* Welsh Government.
- Welsh Government. (2017). *National Resorces Policy.* Welsh Government.
- Welsh Government. (2018). *Statutory Standards for Sustainable Drainage Systems - Designing, Constructing, Operating and Maintaining Surface Water Drainage Systems.* WG36005 .

- Welsh Government. (2021). *Future Wales - The National Plan 2040*. Retrieved from gov.wales: <https://www.gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf>
- Welsh Government. (2024a). *Environment (Wales) Act 2016*. Retrieved from legislation.gov.uk: <https://www.legislation.gov.uk/anaw/2016/3/contents>
- Welsh Government. (2024b). *Planning Policy Wales - Edition 12*. Retrieved from gov.wales: <https://www.gov.wales/sites/default/files/publications/2024-07/planning-policy-wales-edition-12.pdf>
- Welsh Government. (2024c). *Well-being of Future Generations (Wales) Act 2015*. Retrieved from legislation.gov.uk: <https://www.legislation.gov.uk/anaw/2015/2/contents>