



**VARIATION OF CONDITION 68 OF PLANNING PERMISSION
P2013\0720 AS APPROVED UNDER SCHEME SUBMITTED
UNDER REFERENCE P2014\1108**

**SCHEME GIVING THE PROPOSED DETAILS FOR THE RE-
CONSTRUCTION OF PUBLIC RIGHTS OF WAY AND
HIGHWAYS AT PARISH ROAD CWMGWRACH.**

1.0 Introduction

1.1 This application is to vary the scheme submitted in relation to condition 68 and approved on 5th August 2015 under reference P2014\1108 in so far as it relates to the provision of footpaths and bridleways and the reconstruction and reinstatement of public highways. The location of the site is shown on Figure 1.

1.2 In relation to the above Condition 68 of Planning Permission States that:

“Within 6 months of the date of this permission, or in the event of the cessation of winning and working of coal which in the opinion of the local planning authority constitutes a permanent cessation within the terms of Schedule 9 of the Town and Country Planning Act 1990, a detailed restoration scheme (in the form of written statements and plans) for the whole of the site shall be submitted to the local planning authority for its approval. The scheme shall include, inter alia, details of the following unless modified by other conditions of this consent....

(k) provision of and position of any footpaths and bridleways to be reinstated or linked with existing Public Rights of Way, including the crossing and surfacing of such routes.

(l) the reconstruction and reinstatement of public highways;”

1.3 to the working of the site various footpaths and or bridleways were stopped up under the Selar (Suspension of Public Rights of Way) Order 1996 which came into effect on 26th March 1997, with an unspecified period of suspension.

1.4 The Stopping Up of Highways (Glynneath, Neath-Port Talbot, Rhondda Cynon Taff) Order 1996 (issued by the Welsh Office) permitted the stopping up of a length of Old Parish Road and an unnamed road leading to the former Empire Colliery, and the permanent diversion of part of the more recent route of Parish Road. That Order took effect from 19th December 1996 for a period of 9 years, i.e., until 18th December 2005. That month, an application was submitted to NPT for an extension of time for completion of development, being approved on 19th January 2009. In conjunction with that application, a new Order was sought for the Stopping Up of Parish Road, that Order being granted in June 2009 for a period expiring 30th June 2013. The title of this Order is “The Stopping Up of Highways (Selar Opencast Coal Development near Glynneath, Neath Port Talbot and Rhondda Cynon Taff) Order 2009”.

1.5 A second Order, namely the West Glamorgan County Council (Parish Road, Glynneath) (Temporary Prohibition of Through Traffic) Order 1996 effectively closed the remaining section of the more recent Parish Road from 4th March 1996 until 30th November 2008.

1.6 A further order replaced the orders above on the 26th August 2014 which stopped up the Parish Road from Cwmgwrach to Rhigos until 31 October 2020 namely “The Stopping up of Highways (Parish Road, Cwmgwrach (Selar Surface Mine Site) Near

Glynneath, Neath Port Talbot) Order 2014. This was to allow for the Selar Central Surface Mine Extension to the site (Ref No: P2013/0720) which was given permission by Neath Port Talbot on the 17th March 2014 and the final restoration including the re-establishment of the Parish Road and Public Rights of Way.

2.0 Footpaths and Bridleways

2.1 Figure 2 shows the location and alignments of all new roads, footpaths and bridleways across the site and how they link to the existing network. The table below shows the lengths to be constructed and the type of surfacing. The intention is to link previous routes which were terminated by the suspension order as well as creating new routes that allow access to the countryside for walkers, horse riders and cyclists.

Section	Length	Proposed Designation	Width	Surface Type
A-B	818m	Through Road	4m -6m	Existing Tarmac Surface
B-N	1259m	Through Road	4m (6.5m at passing places)	Crushed Stone Surface
C-K	1521m	Bridleway	3-4m	Compacted Sandstone and Shale
C-J	350m	Footpath	2m	Grass / stone
K-D	740m	Bridleway	3-4m	Compacted Shale
D-E	998m	Bridleway	3m	Compacted Sandstone and Shale
A-E	809m	Access Road	4m	Compacted Sandstone and Shale (See Figure 6)
G-H	474m	Footpath	2m	Grass
E-E1	205m	Access Road	3m	Compacted Shale
E-E2	415m	Access Road	3m	Compacted Shale
E1-F	392mm	Bridleway	3m	Tarmac \ Compacted Shale
D-I	457m	Footpath	3m	Compacted Shale
J-K	1719m	Footpath	2m	Compacted Shale
L-M	806m	Footpath	3m	Compacted Shale\Grass
N-O	1256m	Access Road	6m	Tarmac

- 2.2 Kissing Gates will be installed at locations to be agreed with the local authority. They will be of the type shown in Appendix A below unless otherwise agreed with the local authority. Way markers for both Footpaths and Bridleways will also be installed at agreed locations.

3.0 Re-instatement of Highways - Parish Road and Old Parish Road

- 3.1 Following a Public Consultation in November 2019 (See Appendix B) and consultation with local members and officers a scheme is being proposed that retains the routes as a through road from Cwmgwrach to Rhigos and a vehicular route to Pen-y Cae and Blaengwrach Farm
- 3.2 Two named highways are currently subject of a Road Closure order that cross the site namely Old Parish Road and New Parish Road along with an unnamed track that links the Parish Road to Blaengwrach Farm, the locations of which are shown on Figure 3.
- 3.3 It is the intention of this application to reinstate the two links along in the case of Old Parish Road, the same alignment and in the case of New Parish Road on a slightly altered alignment in the form of a stone surfaced track as well as reinstating the unnamed track to Blaengwrach farm on a slightly altered alignment.
- 3.4 The new section of road along New Parish road will take the form of a forestry type road surfaced with suitably sized aggregate and graded to a cross fall to aid drainage. This surface can then be used as a route between the villages of Cwmgwrach and Rhigos.
- 3.5 The track along old parish road will have a shale and stone surface suitably graded to allow drainage and public access by foot, bicycle or on horseback. The unnamed access to Blaengwrach farm will utilise its existing surface.

4.0 Car Parks & Road Dimensions

New Parish Road

- 4.1 In order to allow the route to be used for vehicular traffic the new length of road will have a minimum width of 4m with inter-visible passing bays 2.5m wide and 15m long at points along its length.
- 4.2 The road will link the communities of Cwmgwrach and Rhigos and in order for it to be used for recreational purposes car parks will be formed at either end to allow members of the public to use other footpaths and public rights of way in the vicinity. The arrangement of these car parks is shown on Figures 4A and 4B. The Car Parks will be surfaced with Type 1 subbase with a minimum depth of 150mm.
- 4.3 Figures 4 shows the alignment of the new sections of road along the route of the former New Parish Road and Old Parish Road.

5.0 Road Construction (New Parish Road – Road Type A)

- 5.1 The Road shall be constructed using imported graded materials conforming to the Manual of Contract Documents for Highway Works, Volume 1, Specification for Highway Works, Series 800, Road Pavements – Unbound, Cement and other hydraulically bound mixtures – 820 Aggregates and table 8/12 (See Appendix 1)
- 5.2 The Road base will first be rolled and compacted to form a suitable base for the placement of the road construction materials using a Capping layer of durable rock or road base to improve subgrade CBR to a minimum of 5%.
- 5.3 The road camber will be formed in the road base with a cross fall of 5% for road type A. (See Figure 5)
- 5.4 The metalled surface shall be constructed from Granular Sub-base Type 1 conforming to the specification given above in 3.1.
- 5.5 Road metal Granular Sub-base Type 1 will be laid and compacted.
- 5.6 The Granular Sub-base will be capped with 50mm of 6mm-0mm quarry stone again conforming to the specification given above in 3.1.
- 5.7 The surface will then be rolled and compacted to conform with the relevant highway's standard.
- 5.8 Road Type A will have a "V" ditch on one side which again will feed into the site drainage as shown on Figure 4.

6.0 Passing Bays.

- 6.1 Passing bays shall be 15m long and 2.5m wide, located as shown on figure 4.
- 6.2 Passing bays shall be constructed in the same manner as the main carriage way with a 5% cross fall to aid drainage.
- 6.3 Typical cross sections are shown on Figures 5.

7.0 Culverts

- 7.1 Three culverts are required to enable effective drainage of the site. The Culverts form part of the site drainage scheme that was agreed under condition 12 (Planning Permission Reference P2016\1102, the details of which are included there.
- 7.2 The Culverts will be maintained as part of the aftercare scheme for the site.

8.0 Old Parish Road (Road Type B)

- 7.1 The road will be constructed with suitably sized stone to create a track with a minimum width of 4m (See Road Type B Figure 6) The surface shall be rolled with a 5% cross fall to aid drainage. 'V' Ditches shall be installed to divert surface run-off into existing water courses.

9.0 Ongoing Maintenance

- 9.1 As part of the aftercare and ongoing maintenance for the site the road will be maintained under the proposed aftercare scheme.
- 9.2 The road will be inspected in June and December of each year during the aftercare period.
- 9.3 Any potholes or damage to the surface will be repaired using aggregates conforming to the standard given above in 3.1.
- 9.4 Any areas showing signs of standing water will be remediated to ensure water is shed from the running surface.
- 9.5 Once a year should the bi-annual inspection show a need the road surface will be rolled and graded to ensure the running surface is kept in a suitable condition.
- 9.6 Copies of the inspection together with photographic evidence shall be submitted to the Planning Authority for their record.

10.0 Security Measures

- 10.1 In order to ensure that the site is kept secure and to avoid anti-social behaviour barriers will be installed (See Figure 7) to the Car Parks located at either end, the locations of which are shown on Figure 4.

These barriers will be locked every night at 8pm. A commuted sum for the provision of a Ranger to undertake this duty as well as help promote the Selar Nature Reserve and the Bridleway and Footpath Network for use as a community amenity facility will be given to the local authority. This sum will be agreed and provided under a separate legal agreement.

Figures

Appendix A

Appendix B