

DELEGATED REPORT

Application No:	P/26/0198
Site Address:	Land To The South Of Cyfarthfa Retail Park Swansea Road Merthyr Tydfil CF48 1HY
Development:	Non-material amendment to two EV charging spaces as standard parking spaces
Case Officer:	Gareth Davies
Site Visit:	16th September 2026
Application Expiry Date:	5th November 2026
Consultation reply date expired:	2nd October 2026

APPLICATION SITE

This application relates to an area of land measuring approximately 0.17 of a hectare situated to the south of Cyfarthfa Retail Park. The site comprises an area of previously vacant land which slopes down from north to south. The site is now undergoing development as a coffee shop with a drive through element. The site is bound to the north-east by a road that links a roundabout to the north-west (serving Cyfarthfa Retail Park) and a roundabout to the south-east. To the south is the main highway serving the residential area of Heolgerrig to the west. Along the south-west boundary of the site is an adjoining pedestrian/cycle route and beyond this is the A470 trunk road.

PROPOSED DEVELOPMENT

The original planning permission granted consent for the construction of a coffee shop drive through and car park, service area, and landscaping.

The proposed coffee shop would have an internal floor space of 167sqm and would when complete be a single storey building with a shallow single pitched roof design. The external material finishes would comprise a combination of render and cladding on the elevations with glazing along part of the front and side elevations. The flat roof would comprise of pressed metal flashings.

Access to the car park would be from the link road to the north-east. The car park would provide a total of 15 parking spaces with a one-way route around the coffee shop to serve the drive-thru facilities.

The landscaping scheme would comprise a mixture of native hedge planting, ornamental shrubs, and tree planting in the north-west and south-east parts of the site. Due to the sloping nature of the site, some retaining walls would be constructed alongside parts of the car park and the drive-thru access, which would include a grey stone-faced wall along the south-west boundary.

The changes proposed to the approved scheme seeks consent to remove the originally approved EVC charging bays from the scheme and have those two spaces as conventional car parking spaces. The applicant indicates that there is insufficient space to provide rapid/fast charging facilities that would be required for workable EVC proposition for a specialist provider on the development site, and that the provision of slow chargers are not a viable proposition given the short stay duration of the wider facility under construction.

PLANNING HISTORY

- P/24/0200 - Erection of Coffee Shop with drive thru facility. Permission granted on 14.07.2025
- P/23/0254 - Variation of condition 1 of planning permission P/18/0399 (relating to a new coffee shop with drive thru) to extend the period of time for development to commence by a further 5 years (renewal).Permission granted on 01.05.2024.
- P/18/0399 - Erection of a coffee shop (use class A1/A3) with drive-thru facilities and associated car parking, service area, and landscaping. Permission granted on 02.05.2019

CONSULTATION

Welsh Government guidance on such applications, is that it is not expected that consultation will be necessary in the majority of cases. In this instance internal consultation with the Head of Highways and Engineering and externally the views of the Welsh Government Highways Division have been sought. The Head of Highways and Engineering has raised no objection to the proposals, and Welsh Government Highways have not responded.

PUBLICITY

This is an application under Section 96a of the Town and Country Planning Act 1990 and the existing provisions relating to statutory consultation and publicity for planning applications do not therefore apply.

POLICY CONTEXT

National Policy

The Future Wales National Plan 2040:

Policy 1 - Where Wales will grow.
Policy 2 - Shaping Urban Growth and Regeneration – Strategic Placemaking
Policy 3 – Supporting Urban Growth and Regeneration – Public Sector Leadership
Policy 33 – National Growth Area – Cardiff, Newport, and the Valleys

Planning Policy Wales (PPW) Edition 12:

Planning Policy Wales provide guidance on matters relevant to this application, namely:

Placemaking in Action: Good Design Making Better Places
Strategic Placemaking: Accessibility
Strategic Placemaking: Supporting Infrastructure

1.2 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales.

1.3 The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy, and friendly.

2.8 Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.

3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise.

Technical advice notes (TAN):

TAN 12: Design

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

Policy SW4: Settlement Boundaries
Policy SW11: Sustainable Design and Placemaking
Policy SW13: Protecting and Improving Local Community Facilities
Policy EnW4: Environmental Protection
Policy EcW3: Retail Hierarchy – Supporting Retailing Provision
Policy EcW6: Out-of-Town Retailing Areas

Supplementary Planning Guidance:

SPG4 - Sustainable Design, July 2013

Other material considerations:

CSS Wales Parking Standards 2008

PLANNING CONSIDERATIONS

Section 96a of the Town and Country Planning Act 1990 provides the mechanism to approve non-material amendments to an existing planning permission.

The main issue in determining this application is how the proposed change has been assessed against the four tests identified in the Welsh Government Guidance:

(a) Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?

No – the removal of EV charging facilities would have no impact at all on the scale of the approved development scheme.

(b) Would the proposed change result in a detrimental impact either visually or in terms of local amenity?

No – the wider area would remain a car park serving the approved development but without the previously approved EV charging facilities.

(c) Would the interests of any third party or body be disadvantaged in planning terms?

No – whilst the loss of approved charging facilities is regrettable there is no direct impact on any third party or body that would result from the proposed change.

(d) Would the proposed change conflict with national or development plan policies?

No – whilst planning policy encourages the provision of EV charging facilities the planning decision in this case would not turn one way or the other on whether or not such provision is made.

Other Considerations:

The following matters have also been taken into consideration:

1. Conditions on the existing consent

There are no conditions on the existing planning permission that would prevent the proposed change. However, as this application seeks to alter the approved scheme, there is a need to consider the wording of condition 2 approved plans so that the revisions now proposed are incorporated into the planning permission.

2. Previous Non-material Amendments

The existing planning permission has not been the subject of any previous applications for non-material amendments.

3. Previous Publicity / Consultation Responses

No representations were received in response to the P/24/0200 planning application as a result of the publicity exercise undertaken at that time. Consultation responses received in respect the original application would be unaffected by the proposed changes presented for consideration under this non-material amendment. However, it is necessary to update

condition 2 (approved plans) of the original permission to reflect the changes resulting from this submission.

CONCLUSIONS

Having regard to the issues identified above it is concluded that the proposed amendment to planning permission P/24/0200 are sufficiently minor in nature and would constitute a Non-Material Amendment to the original approved scheme.

On an unrelated point it should also be noted that since the original grant of permission for the Coffee Shop consent has been granted for the provision of EV charging facilities elsewhere within the retail park development.

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

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

Dwg No. 11428 DT PL E01 - Proposed Elevations
Dwg No. 11428 DT PL L02 Rev A - Proposed Site Plan
Dwg No. 11428 DT PL P01 - Proposed Ground Floor Plan
Dwg No. 11428 DT PL P02 - Proposed Roof Plan
Dwg No. 11428 DT PL S01 - Proposed Sections
Dwg No. 11428 DT PL S02 - Proposed Site Sections
Dwg No. 30106 BGL XX XX DR 00255 P04 - Proposed Finish Levels
Dwg No. CA13316/001 Rev B - Ecological Enhancement Plan
Dwg No. SB/CyfarthfaRP/P/01 Rev E - Soft Landscape Proposal

Preliminary Ecological Appraisal June 2025
Landscape Soft Works including Maintenance

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

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 01.10.2026